

Zoe Harding

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Sent: 19 March 2021 14:19
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Cc: Zoe Harding; Catherine Lewis; Tasneem Safdar; Nick Ireland
Subject: Fw: APPEAL APP/N2345/W/20/3258889 LAND AT CARDWELL FARM, BARTON, PRESTON

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Subject: APPEAL APP/N2345/W/20/3258889 LAND AT CARDWELL FARM, BARTON, PRESTON

Dear Steven

Following my correspondence earlier this week I wanted to update you on Preston City Council's position in respect of the above appeal decision.

As you already know, the Council has been advised by counsel that there are grounds to challenge the decision pursuant to Section 288 of the Town and Country Planning Act 1990. We are advised that the Inspector has failed to deal with material considerations which were raised by the City Council in that inquiry and which were of considerable importance to the Council's case, namely:

1. The introduction of the standard method for calculating housing need and its effect as a significant change in circumstances since the 2017 review of the housing requirements in policy 4 of the Central Lancashire Core Strategy, justifying the use of local housing need as the housing requirement for Preston. That contention was part of the Council's case put to him, as he recognised in paragraph 32 of his decision. The point is also important given the terms of paragraph 61-062-20190315 of the PPG and, as your Council is already aware, because of the judgment of Dove J in the case of Wainhomes (North West) Limited v SoSHCLG and South Ribble BC [2020] EWHC 2994 (Admin), especially paragraphs [42] and [43]; and
2. Whether Policy 4 of the Core Strategy was "out of date" for the purposes of the Framework.

The Council is also concerned that if these points were somehow addressed by the Inspector, he has not explained how he has done so.

Having thoroughly considered the matter over the course of the last week the Council has now come to the decision that it does intend to challenge the decision by way of a statutory challenge.

I am content for you to place this update before the Inspector conducting the inquiry into the redetermination of the Chain House Lane appeal prior to the hearing coming to an end.

Kind Regards

Chris Blackburn

Planning Policy Team Leader

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