

Self-Build and Custom Housebuilding Supplemental Proof of Evidence of Andrew Moger BA (Hons) MA MRTPI

Former Laporte Works Site, Nutfield Road, Nutfield,
Surrey

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Outline planning permission for the development of the site for new homes (Use Class C3) and Integrated Retirement Community use Classes C2, E(e), F2), creation of new access, landscaping and associated works to facilitate the development, in phases which are severable (outline with all matters reserved, except for access)

Former Laporte Works Site, Nutfield Road, Nutfield, Surrey

Nutfield Park Developments Limited

February 2026

PINS REF: APP/M3645/W/25/3374913

LPA REF: 2023/1281

OUR REF: M26/0103-03.RPT

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Response
(16 February 2026)

Introduction

Section 1

- 1.1 This Self-Build and Custom Housebuilding Supplemental Proof of Evidence has been prepared by **Andrew Moger BA (Hons) MA MRTPI**, on behalf of **Nutfield Park Developments Limited**.
- 1.2 I am a Director at Tetlow King Planning, and my evidence examines the need for Self-Build and Custom Housebuilding plots in Tandridge.
- 1.3 The Council's Freedom of Information (FOI) response of 8 January 2026 advised that despite the FOI request being lodged on 15 December 2025 the Council would be unable to respond in full within the statutory 20 working days timeframe.
- 1.4 It advised that the Council aims to respond by 12 February 2026 which was two days post the original date for exchange of evidence and the day prior to the extended date for exchange of evidence. It was necessary therefore for the Appellant to reserve the right to produce supplemental self-build and custom housebuilding evidence to respond to the FOI data received where required.
- 1.5 The FOI data was received from the Council on 16 February 2026 (**Appendix 1**), and this Supplemental Proof of Evidence focusses on considering the data in the context of the evidence outlined in my main Self-Build and Custom Housebuilding Proof of Evidence (**CD-11.17**).
- 1.6 In accordance with the Planning Inspectorate's Procedural Guidance, I hereby declare that:

"The evidence which I have prepared and provide for this appeal in this Statement is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions."
- 1.7 In addition, I confirm that no part of my evidence, including the data presented has used any form of artificial intelligence (AI).

1.8 This Self-Build and Custom Housebuilding Supplemental Proof of Evidence comprises the following five sections:

- Section 2 considers the FOI data received from the Council on 16 February 2026 in the context of my original Proof of Evidence; and
- Section 3 draws together my summary and conclusions.

Consideration of 16 February 2026 Freedom of Information Data

Section 2

Demand for self-build and custom housebuilding in Tandridge

- 2.1 The FOI data received on 16 February 2026 provided data relating to the number of entries on the Council's Self-Build Register in response to FOI questions 1 and 3.
- 2.2 The number of Part 1 entries to which the statutory duty applies contained in the FOI data corresponds with the Appellants position on the number of Part 1 entries for Base Periods 1 to 8 as set out in my main Proof of Evidence¹ and illustrated by figure S2.1 below. This position is also agreed between the parties².

¹ CD-11.17

² CD-8.6 - Self-build and custom housebuilding topic specific SoCG (paragraph 6.5 and 6.6)

Figure S2.1: Tandridge Self-Build Register Part 1 to which the statutory duty applies

Base Period	Start and Finish Dates	FOI Response Part 1 Register Entries	Date by which permissions must be granted
1	31 April 2016 to 30 October 2016	63	30 October 2019
2	31 October 2016 to 30 October 2017	63	30 October 2020
3	31 October 2017 to 30 October 2018	3	30 October 2021
4	31 October 2018 to 30 October 2019	3	30 October 2022
5	31 October 2019 to 30 October 2020	3	30 October 2023
6	31 October 2020 to 30 October 2021	7	30 October 2024
7	31 October 2021 to 30 October 2022	1	30 October 2025
8	31 October 2022 to 30 October 2023	6	30 October 2026
Total Part 1 Entries		149	

Source: FOI Response (16 February 2026)

- 2.3 In response to FOI question 5 it also confirms that the Council's self-build register commenced on 1 April 2016. This confirms the position that the number of entries in Base Periods 1 and 2 must be counted towards statutory duty performance as opposed to the approach presented in the Council's 2023/24 Authority Monitoring Report (AMR)³ which only sought to measure performance from Base Period 3 following the imposition of entry tests and fees.
- 2.4 The Council's response to FOI questions 7 and 8 also confirms the position that the local connection test (LCT) is applied from Base Period 3 onwards and not to the Base Periods that preceded its introduction.
- 2.5 At FOI question 10 the Council's response confirms that the financial solvency test is also only applied from Base Period 3 onwards.

³ CD-6.5

2.6 It is also agreed between the parties that such tests do not apply retrospectively to Base Periods that preceded their introduction⁴.

Supply of self-build and custom housebuilding in Tandridge

2.7 In response to FOI question 13 the Council state that they have not consented a single permission for self-build and custom housebuilding in the past decade. And at FOI question 14 the Council advise that they monitor self-build and custom housebuilding permission through their AMR.

2.8 It is relevant to consider that the position on supply previously reported in the Council's AMR's was as follows:

- 2021/2022 AMR (**CD-6.3**) – 118 permissions claimed in supply
- 2022/23 AMR (**CD-6.4**) – 65 permissions claimed in supply
- 2023/24 AMR (**CD-6.5**) – 83 permissions claimed in supply

2.9 The permissions relied upon by the Council in their AMRs were those subject to CIL self-build exemption applications.

2.10 In this context it is relevant to acknowledge that the self-build and custom housebuilding topic specific statement of common ground (SoCG) records that:

- Without an enforceable mechanism such as a planning obligation or condition to secure provision of a permission, or part thereof, as self-build and custom housebuilding there is no certainty that this is what will be delivered or that it would meet the legal definitions⁵
- CIL self-build exemptions in isolation are not a sufficiently robust method of recording permissions to meet registered demand. The CIL Amendment Regulations definition of a 'self-builder' does not meet the legislative definition of a self or custom-builder in the 2015 Self-Build and Custom Housebuilding Act (as amended)⁶

⁴ **CD-8.6** - Self-build and custom housebuilding topic specific SoCG (paragraph 6.4)

⁵ **CD-8.6** - Self-build and custom housebuilding topic specific SoCG (paragraph 7.3)

⁶ **CD-8.6** - Self-build and custom housebuilding topic specific SoCG (paragraph 7.4)

- 2.11 The Council's position on the supply of self-build and custom housebuilding contained in the FOI data of 16 February 2026 records that they do not consider a single permission has been granted for this type of housing in Tandridge in the period since the inception of the register in 2016.
- 2.12 I do not consider this to be the correct position because my assessment of the Councils supply position⁷ found a total of four plots for self-build and custom housebuilding with planning permissions which have been secured by way of condition. As such they have an enforceable mechanism to secure as self-build and custom housebuilding and should be counted in supply towards the statutory duty.
- 2.13 Based on the information provided by the Council in the 16 February 2026 FOI response there would be a cumulative shortfall of 149 plots and statutory duty failure for every single one of Base Periods 1 to 8.
- 2.14 The Appellants position⁸ is that there is a cumulative shortfall of 145 plots and statutory duty failure across Base Periods 1 to 6 and Base Period 8 with the duty having been met for Base Period 7.
- 2.15 In either scenario there remains a substantial shortfall and unmet need for this type of housing in Tandridge.

⁷ See Figure 5.1 in my main self-build and custom housebuilding proof of evidence (CD-11.17)

⁸ See Figure 5.3 in my main self-build and custom housebuilding proof of evidence (CD-11.17)

Summary and Conclusions

Section 3

Summary

- 3.1 The parties agree⁹ that there are 149 Part 1 entries on the Tandridge self-build register to which the statutory duty applies and that the entry tests are not to be applied retrospectively¹⁰. This position is ratified by the FOI data provided by the Council on 16 February 2026.
- 3.2 The FOI data indicates that the Council considers it has not granted a single planning permission for self-build and custom housebuilding since 2016 which would result in a cumulative shortfall of 149 plots across Base Periods 1 to 9 relative to its statutory duty.
- 3.3 Based on the Council's supply position the appeal proposals would represent the first self-build and custom housebuilding permission in Tandridge.
- 3.4 I consider that the Council's position on supply within the 16 February 2026 FOI response is incorrect however as there are four plots with planning permission secured by condition which can be counted towards the statutory duty. This results in a cumulative shortfall of 145 plots across Base Periods 1 to 8.
- 3.5 In the Appellants supply position, the appeal proposals would represent the first self-build and custom housebuilding permission in Tandridge to be secured by way of legal agreement and would also result in a 200% increase in supply of serviced plots in the authority area since 2016.

Conclusions

- 3.6 My conclusion remains¹¹ that substantial weight is appropriate in respect of the provision of eight (8) serviced plots in the context of the evidence within my main self-build and custom housebuilding proof of evidence¹² as well as this supplemental proof of evidence.

⁹ **CD-8.6** - Self-build and custom housebuilding topic specific SoCG (paragraph 6.5 and 6.6)

¹⁰ **CD-8.6** - Self-build and custom housebuilding topic specific SoCG (paragraph 6.4)

¹¹ As set out at Sections 6 and 7 of my main self-build and custom housebuilding proof of evidence (**CD-11.17**)

¹² **CD-11.17**

Appendix 1

Tandridge Council Freedom of Information Response

(16 February 2026)



Response to Information Request

Case type	Freedom of Information
Case number	00254966
Publication Date	
Topic Group	Self-Build and Custom Housebuilding Register

1. The number of individuals that joined Part 1 of the Council's Self Build and Custom Housebuilding Register in Tandridge in each of the following base periods as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended):
 1. Base Period 1 (from the start of the Self-Build Register up to 30 October 2016)
63.
 2. Base Period 2 (31 October 2016 to 30 October 2017)
63.
 3. Base Period 3 (31 October 2017 to 30 October 2018)
3.
 4. Base Period 4 (31 October 2018 to 30 October 2019)
3.
 5. Base Period 5 (31 October 2019 to 30 October 2020)
3.
 6. Base Period 6 (31 October 2020 to 30 October 2021)
7.
 7. Base Period 7 (31 October 2021 to 30 October 2022)
1.
 8. Base Period 8 (31 October 2022 to 30 October 2023)
6.
 9. Base Period 9 (31 October 2023 to 30 October 2024)
0.
 10. Base Period 10 (31 October 2024 to 30 October 2025)
0.
 11. Base Period 11 (31 October 2025 to present)
0.

2. The number of individuals that joined Part 2 of the Council's Self Build and Custom Housebuilding Register in Tandridge in each of the following base periods as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended):
 1. Base Period 1 (from the start of the Self-Build Register up to 30 October 2016)
0.
 2. Base Period 2 (31 October 2016 to 30 October 2017)
6.
 3. Base Period 3 (31 October 2017 to 30 October 2018)
0.
 4. Base Period 4 (31 October 2018 to 30 October 2019)
3.
 5. Base Period 5 (31 October 2019 to 30 October 2020)
2.
 6. Base Period 6 (31 October 2020 to 30 October 2021)
0.

customerservices@tandridge.gov.uk www.tandridge.gov.uk

7. Base Period 7 (31 October 2021 to 30 October 2022)
9.
 8. Base Period 8 (31 October 2022 to 30 October 2023)
1.
 9. Base Period 9 (31 October 2023 to 30 October 2024)
1.
 10. Base Period 10 (31 October 2024 to 30 October 2025)
0.
 11. Base Period 11 (31 October 2025 to present)
0.
3. The number of associations of individuals that joined Part 1 of the Council's Self Build and Custom Housebuilding Register in each of the following base periods as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended) together with the number of individuals within each of those associations:
1. Base Period 1 (from the start of the Self-Build Register up to 30 October 2016)
0.
 2. Base Period 2 (31 October 2016 to 30 October 2017)
0.
 3. Base Period 3 (31 October 2017 to 30 October 2018)
0.
 4. Base Period 4 (31 October 2018 to 30 October 2019)
0.
 5. Base Period 5 (31 October 2019 to 30 October 2020)
0.
 6. Base Period 6 (31 October 2020 to 30 October 2021)
0.
 7. Base Period 7 (31 October 2021 to 30 October 2022)
0.
 8. Base Period 8 (31 October 2022 to 30 October 2023)
0.
 9. Base Period 9 (31 October 2023 to 30 October 2024)
0.
 10. Base Period 10 (31 October 2024 to 30 October 2025)
0.
 11. Base Period 11 (31 October 2025 to present)
0.
4. The number of associations of individuals that joined Part 2 of the Council's Self Build and Custom Housebuilding Register in each of the following base periods as defined under the Self-Build and Custom Housebuilding Act 2015 (as amended) together with the number of individuals within each of those associations:
1. Base Period 1 (from the start of the Self-Build Register up to 30 October 2016)
0.
 2. Base Period 2 (31 October 2016 to 30 October 2017)
0.
 3. Base Period 3 (31 October 2017 to 30 October 2018)

- 0.
 4. Base Period 4 (31 October 2018 to 30 October 2019)
0.
 5. Base Period 5 (31 October 2019 to 30 October 2020)
0.
 6. Base Period 6 (31 October 2020 to 30 October 2021)
0.
 7. Base Period 7 (31 October 2021 to 30 October 2022)
0.
 8. Base Period 8 (31 October 2022 to 30 October 2023)
0.
 9. Base Period 9 (31 October 2023 to 30 October 2024)
0.
 10. Base Period 10 (31 October 2024 to 30 October 2025)
0.
 11. Base Period 11 (31 October 2025 to present)
0.
5. The date on which Tandridge DC commenced its Self-Build and Custom Housebuilding register?
1 April 2016.
6. What are the Council's entry requirements for joining its Self-Build and Custom Housebuilding Register?
Please see the following webpage for this information: [Self and custom build](#).
7. Does the Council apply a local connection test for entry onto its Self-Build and Custom Housebuilding Register?
Yes.
8. If yes to Q7:
1. When was the test introduced?
1 April 2018.
 2. Which Base Periods has the local connection test been applied to?
From Base Period 3.
 3. What the Council's 'strong justification' was for introducing the test as required by the PPG?
This was set out in a report to the Housing Committee on 21 November 2017, which identified:
Justification for Local Eligibility Criteria

Given the challenges of identifying enough land to meet the objectively assessed need in what is a highly constrained area of the country due to the amount of land designated as Metropolitan Green Belt, the presence of two

areas designated as Areas of Outstanding Natural Beauty and areas of flooding, it is considered that there is strong justification for Tandridge District Council to introduce local eligibility criteria, comprising both a local connection test and a financial solvency test.

It is considered equally important to assess whether applicants have the financial ability to purchase land, in order to ensure that suitable development permissions are only given where there is a reasonable chance that the plots will be developed given the heavily constrained nature of this district.

Local Connection Test

The Council's Housing Allocation Scheme already has a local connection test. In the interests of consistency, it is proposed to adopt the same criteria for the purposes of the Tandridge District Council Self-build Register.

In order for a local connection to be established, it is proposed that the applicant must demonstrate that they:

- Currently live in the district of Tandridge and have done so for at least one year, or
- Have previously resided in the district for 3 out of the last 5 years, or
- Are Tandridge key workers, or
- Have immediate family (i.e. mother, father, son, daughter) who have lived in the district for 5 or more years and who need to move to the district in order to receive support from, or give support to, the applicant, or Have been accepted as having another special reason why they need to live in Tandridge.

The Council will qualify an applicant's eligibility in relation to the above criteria using the same methodology as used for housing register applications.

The 2016 Regulations also specify that any person in the service of the regular armed forces of the Crown is deemed to satisfy the local connection test whilst in service, and for a period after leaving service equal to the longest of any periods required by the local connection test. This would support the Tandridge Armed Forces Community Covenant.

9. Does the Council apply a financial solvency test for entry onto its Self-Build and Custom Housebuilding Register?

Yes.

10. If yes to Q9:

1. When was the test introduced?
21 November 2017.
2. Which Base Periods has the financial solvency test been applied to?
From Base Period 3.

11. Has Tandridge DC has undertaken any review(s) of its Register and when did it occur, and in the process of doing so has the Council removed any entries from its Register?

Yes.

12. If yes to Q11:

1. What were the grounds for the removal of these entries?
2. When did these removals occur?
3. How many entries were removed from each Base Period (broken down on a base period by base period basis)?

All people on the register were contacted to ask if they wanted to remain on the register. As a base period 9 there are 18 persons remaining on Part 1.

13. The number of Self-Build and/or Custom Housebuilding planning permissions and/or permissions in principle Tandridge DC has granted towards addressing demand arising from within each of the following Base Periods under Section 2A(2) of the Self-Build and Custom Housebuilding Act 2015 (as amended), **together with the application reference numbers.**

1. Base Period 1 (from the start of the Self-Build Register up to 30 October 2016)
0.
2. Base Period 2 (31 October 2016 to 30 October 2017)
0.
3. Base Period 3 (31 October 2017 to 30 October 2018)
0.
4. Base Period 4 (31 October 2018 to 30 October 2019)
0.
5. Base Period 5 (31 October 2019 to 30 October 2020)
0.
6. Base Period 6 (31 October 2020 to 30 October 2021)
0.
7. Base Period 7 (31 October 2021 to 30 October 2022)
0.
8. Base Period 8 (31 October 2022 to 30 October 2023)
0.
9. Base Period 9 (31 October 2023 to 30 October 2024)
0.
10. Base Period 10 (31 October 2024 to 30 October 2025)
0.
11. Base Period 11 (31 October 2025 to present)
0.

14. How does the Council monitor Self Build and Custom Housebuilding permissions and completions?

Through its Authority Monitoring Report.

15. How does the Council identify that an application is for self-build and custom housebuilding, meets the legislative definitions in the 2015 Self-Build and Custom Housebuilding Act (as amended by the Housing and Planning Act 2016 and the Levelling Up and Regeneration Act 2023) and meets the Self-Build and Custom Housebuilding section of the PPG requirement for the Council to be satisfied that the initial owner of the home will have primary input into its final design and layout?

N/A.

16. How does the Council alert individuals and associations of individuals on its Self-Build and Custom Housebuilding Register to any self-build and custom housebuilding permissions it grants?

N/A.

17. How many individuals and associations of individuals has Tandridge DC successfully matched (i.e., the individual or association has gone on to purchase a plot) with planning permissions for self-build and custom housebuilding?

0.

18. How has the Council publicised the existence of its Self-Build and Custom Housebuilding Register?

On our website at: [Self and custom build](#).

19. If the Council has publicised the existence of its Self-Build and Custom Housebuilding register, when did this take place and by what means?

From the date of launch. We have used our website, newsletters and consultation databases to publicise the register.

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