
Statement on Affordable Housing Provision on Small Sites (update)

October 2021



Elmbridge
Borough Council

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Abbreviations

AH	Affordable Housing
AMR	Authority Monitoring Report
DoV	Deed of Variation
EiP	Examination in Public
ERM	Early Review Mechanism (Viability)
LRM	Late Review Mechanism (Viability)
NPPF	National Planning Policy Framework
ONS	Office for National Statistics
PPG	Planning Practice Guidance
S106	Section 106 (legal agreement)
VBC	Vacant Building Credit
VOA	Valuation Office Agency
WMS	Written Ministerial Statement

1. Introduction

- 1.1 On the 20 July 2021, the Government published its revised National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these should be applied both for plan-making and decision-taking. In terms of decision-taking i.e. in the consideration of planning applications, the NPPF is a material consideration for which appropriate weight should be applied.
- 1.2 Regarding affordable housing, detailed policies are set out in Chapter 5: Delivering a sufficient supply of homes. The focus of this Statement is paragraph 64 of the NPPF which states that ***“provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas”***.
- 1.3 The publication of the NPPF introduces a conflict with the Council's approach to affordable housing provision as set out in Policy CS21 'Affordable Housing' of the adopted Elmbridge Local Plan: Core Strategy (July 2011).
- 1.4 The purpose of this Statement is therefore to outline the Council's position on the NPPF and how it intends to take forward decisions where there is a conflict between local and national policy. This Statement does not introduce new policy.
- 1.5 This updated Statement was endorsed and agreed for publication on 1 November 2021, by the Portfolio Holder for Planning Services, Councillor Randolph on behalf of the Council.

2. Policy Context

- 2.1 As set out in paragraph 3 of the NPPF, the Framework should be read as a whole (including its footnotes and annexes). In this context, the following NPPF policies are relevant within regard to the council's continued application of Policy CS21 on a case by case basis:
- paragraph 60 of the NPPF which states that within the context of significantly boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed, **that the needs of groups with specific housing requirements are addressed** and that land with permission is developed without unnecessary delay'* (Council's emphasis).
 - paragraph 62 which states *'... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing...'*
 - paragraph 63 which states *'where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be on-site unless a) off-site provision or an appropriate financial contribution in lieu can be robustly justified...'*
- 2.2 Furthermore, whilst relating to plan-making, paragraph 3 of the NPPF states that *'general references to planning policies in the Framework should be applied in a way that is appropriate to the type of plan being produced, having regard to policy on plan-making in Chapter 3.'*
- 2.3 Regarding development contributions, Chapter 3 of the NPPF (paragraph 34) states that a *'plan should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan'.*
- 2.4 Section 4 of this Statement identifies the pressing need for affordable housing within the borough and the need to utilise all opportunities to secure its delivery. Furthermore, as set out in Section 8 of this Statement, a review of the viability evidence demonstrates that the application of Policy CS21

remains a realistic approach and that the principle of the policy does not undermine the overall viability of individual development schemes or the deliverability of the plan.

Planning Policies Relating to Affordable Housing

- 2.5 Paragraph 64 of the NPPF states that *'the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).'* Elmbridge Borough does not have any designated rural areas and major development is defined in the NPPF as development of 10 or more homes, or if the site has an area of 0.5 hectares or more.
- 2.6 The Government's approach to small sites (sites of less than 10 homes) and affordable housing provision follows that set out in its Written Ministerial Statement (WMS) (28 November 2014) and subsequent changes to Planning Practice Guidance (PPG) relating to the exemption of small sites from planning contributions and the introduction of the Vacant Building Credit (VBC).
- 2.7 The Council's approach to affordable housing provision is set out in Policy CS21 of the Local Plan: Core Strategy (July 2011). The policy establishes that the Council will seek contributions towards affordable homes on all development sites where there is a net increase in residential units. The level of contributions varies according to the gross number of dwellings proposed. Regarding developments of fewer than 10 dwellings, the Council's approach, as set out in Policy CS21 is:
- A financial contribution equivalent to the cost of 20% of the gross number of dwellings on sites of 1-4 dwellings;
 - 20% of the gross number of dwellings on sites of 5 dwellings; and
 - 30% of the gross number of dwellings on sites of 6 – 14 dwellings.
- 2.8 In accordance with the NPPF, Policy CS21 is clear that the application of the above thresholds and percentages are subject to financial viability. The policy is supported by a Supplementary Planning Document (SPD). The Developer Contributions SPD was first adopted in 2012 and updated in 2020 and 2021 as the Development Contributions SPD. This SPD provides specific details of the negotiation process if non-viability can be robustly demonstrated.

- 2.9 Forming part of the Core Strategy, the drafting of Policy CS21 was carefully considered by Officers, it was subject to close and extensive Councillor scrutiny; various rounds of public consultation and considered by a Planning Inspector at the Local Plan (Core Strategy) Examination in Public (EiP). In addition, the Policy is underpinned by Viability Studies; the most recent being in 2018 which specifically looked at the application of Policy CS21 on small sites.
- 2.10 The Developer Contributions SPD (2012) and its subsequent revision, Development Contributions SPD (2020 and the 2021 update), were also prepared and adopted following careful consideration of the evidence base, extensive Councillor involvement and public consultation including discussions with the development industry.

3. Consideration of the NPPF

- 3.1 As set out in Section 38(6) of the Planning and Compulsory Act 2004¹, the starting point for any decision is the Development Plan unless any material consideration(s) indicate otherwise. This point is acknowledged in paragraph 2 of the NPPF as a matter of planning law. Therefore, whilst the NPPF is clear in regard to the Government's intentions on planning obligations in relation to small sites, the weight to be attached to a policy within the Development Plan and to other material considerations, in a given set of circumstances, is a matter of discretion for the decision taker.
- 3.2 In addition, whilst national policy affects the weight to be attached to local policy, it cannot remove the existence of any potential conflict with it. As such, the conflict between Policy CS21 and the NPPF still requires the decision taker to assess the weight it attaches to both sides of that conflict, as well as other material considerations. Ultimately it is for the Local Planning Authority in the first instance to decide on each relevant application whether there are sufficient local circumstances to allow the implementation of Policy CS21. Should the Council's decision be appealed, it then becomes the decision of the Planning Inspectorate. The local circumstances that the Council considers relevant to Elmbridge Borough are set out below.

¹ <http://www.legislation.gov.uk/ukpga/2004/5/section/38>

4. Affordable Housing Need

- 4.1 The Council’s latest assessment of housing need is set out in the Local Housing Market Assessment (LHMA) (2020)². It estimates that 399 households per annum could not afford to pay market entry threshold cost and therefore need affordable housing. After taking account of the supply of affordable housing from relets, the net level of affordable need is estimated at 269 units per annum. This is derived from both newly arising need (newly formed households and existing households falling into need) and a backlog of need which, itself, equates to 72 dwellings per annum.
- 4.2 To put the level of affordable housing need into context, over the last nine monitoring years (2011/12 – 2019/2020) 2,581 additional homes (both market and affordable) have been added to the housing stock (286 per annum on average)³. Therefore, to meet the affordable housing need of 269 dwellings per annum (2,421 dwellings over a nine-year period), 94% of all new residential development that has occurred since 2011/12 would have needed to be affordable. The actual gross number of affordable homes delivered since then until April 2020 was 615 (Table 1).

Year of Delivery	Gross number of Affordable Homes delivered in Elmbridge
2011/12	70
2012/13	36
2013/14	67
2014/15	104
2015/16	78
2016/17	4
2017/18	73
2018/19	57
2019/20	126
Total	615

Table 1: Gross number of Affordable Homes delivered in Elmbridge per annum since 2011/12
(Source: AMR)

² [Local Housing Market Assessment \(LHMA\) \(2020\)](#)

³ [Authority Monitoring Reports \(AMR\)](#)

5. House Prices & Affordability Issue

- 5.1 The cost of housing in the UK and its impact on local people is a key concern for most local authorities, ranking higher than long-held concerns on health and social care services. Whilst high house prices and subsequent affordability issues are not particularly unique when it comes to the South East, with most areas now becoming 'unaffordable' to the first-time buyer, the region is becoming increasingly polarised with average (mean) house prices ranging from £780,413 in Elmbridge Borough compared to £231,509 in Gosport⁴.
- 5.2 Average (mean) house prices in 2019/20 in Elmbridge Borough were exceptionally high, amongst the highest in the country and, as prices continue to rise, are now 2.5 times that of the national average at £309,678. In addition, when compared to the South East and Surrey averages (mean), house prices in Elmbridge Borough are now double the South East average (£388,040) and almost one and a half times that of the Surrey average (£541,733). Continued increases in house prices in Elmbridge Borough show that the area is becoming increasingly expensive and at a faster rate than most areas. For example, since 2010, house prices have increased by 38% in Elmbridge Borough in comparison to the England average of 26%.
- 5.3 According to the National Housing Federation (Home Truths 2019/20), the average house price in Elmbridge Borough is now in the region of £780,000, making the Borough the most difficult place in the country outside of London to get a step on the property ladder where average wages, house prices and limited ability to save for a deposit collide, pricing out would-be homeowners. As set out in Table 2, Elmbridge Borough had the 8th highest average (mean) house price across the entirety of England in 2019/20, with all the seven higher price Local Authority areas being in London.

⁴ [National Housing Federation – Home Truths](#)

Ranking	Local Authority	Region	Average (mean) house price 2019/20	Mean annual earnings in 2019/20	Ratio of house prices to incomes in 2019/20	Income required for 80% mortgage in 2019/20
1	Kensington & Chelsea	London	£2,157,920	£66,778	36	£493,239
2	Westminster	London	£1,846,881	£52,510	35	£422,144
3	Camden	London	£1,143,403	£43,217	27	£261,349
4	City of London	London	£1,049,533	-	-	£239,893
5	Hammersmith & Fulham	London	£969,247	£45,656	21	£221,542
6	Richmond upon Thames	London	£829,925	£51,444	16	£189,697
7	Islington	London	£780,934	£42,084	19	£178,499
8	Elmbridge	South East	£780,413	£43,966	18	£178,380
9	Wandsworth	London	£775,985	£47,382	16	£177,368
10	Hackney	London	£705,480	£37,034	19	£161,253

Table 2: Highest average mean house price across England in 2019/20 (National Housing Federation)

- 5.4 Whilst in 2019/20 average annual mean incomes in Elmbridge reached £43,966, which is well above the averages for Surrey (£37,393); the South East (£32,162); London (£38,371) and England (£30,248), due to exceptionally high house prices, the average household income required to obtain a mortgage at 80% was £178,380 (80% at 3.5x). The level of average income required is more than double of that required in the South East (£88,695) and in England (£70,784); £54,555 higher than across Surrey (£123,825) and £33,224 higher than in London (£145,156).
- 5.5 Whilst the annual average mean income of Borough residents is amongst the highest in England, the National Housing Federation has identified that due to high average mean house prices, the ratio of house prices to income (often referred to as the 'affordability' ratio) is 18. Again, this is on par with the levels experienced in London, Elmbridge Borough having the 7th highest affordability ratio in England shared with Barnet, following the London Boroughs of Kensington & Chelsea (36), Westminster (35), Camden (27), Hammersmith & Fulham (21), Haringey (20), Hackney and Islington (both at 19) .
- 5.6 In terms of accessing the property market in Elmbridge Borough, it is most likely that first time buyers will be looking towards house prices in the lowest

quartile⁵ i.e. it is unlikely that they would seek to purchase / obtain a mortgage on a detached property with the average price of over £1m. It is therefore important to also look at affordability issues in the Borough in the context of lowest quartile house prices and lowest quartile earnings. As shown in Table 3, data from the ONS⁶ identifies the lowest quartile house price in Elmbridge Borough was £411,250 in 2020 compared to the lowest quartile earnings of Elmbridge residents at £24,964. In terms of the lowest quartile house prices, Elmbridge Borough experienced the highest levels outside of London and the 11th highest across England and Wales including London Boroughs.

Ranking	Local Authority	Region	Lower quartile house price (2020)	Lower quartile annual earnings (2020)	Affordability Ratio (2020)
1	Kensington & Chelsea	London	£740,000	£25,662	28.84
2	Westminster	London	£620,000	£32,571	19.04
3	City of London	London	£550,000	£38,885	14.14
4	Camden	London	£526,500	£29,603	18.00
5	Hammersmith and Fulham	London	£500,000	£29,666	16.85
6	Wandsworth	London	£490,000	£25,366	19.32
7	Richmond upon Thames	London	£475,000	£27,727	17.13
8	Islington	London	£470,000	£28,844	16.29
9	Hackney	London	£447,000	£26,536	16.85
10	Lambeth	London	£415,700	£28,316	14.68
11	Elmbridge	South East	£411,250	£24,964	16.47

Table 3: House price to workplace-based earnings ratio based on the lower quartiles of both house prices and earnings in England and Wales (ONS, March 2021)

5.7 In terms of the ratio of lower quartile house price to lower quartile gross annual earnings, Elmbridge Borough at 16.47 is the 13th highest experienced across England and Wales. Once again, the affordability ratio for Elmbridge Borough sits alongside those experienced in London Boroughs as well as St

⁵ Lower quartile - when a series of values are arranged by order of magnitude the lower quartile (or 25th percentile) is the value that splits the lowest 25 per cent of the data from the highest 75 per cent.

⁶ The Office for National Statistics (ONS) – House price to workplace-based earnings ratio (Tables 6a, 6b and 6c) released 25 March 2021

Albans (at 15.00) and Waverley (at 14.46), both in the South East, and Epping Forrest (at 16.97) in East of England.

5.8 From the data and information set out above, the Council is aware that for most first-time buyers and even those already established on the housing ladder, opportunities of finding an ‘affordable’ home within Elmbridge Borough are limited. The private rented market can potentially offer a suitable alternative. However, as evidenced in the ONS data, mean monthly private sector rents in 2020/21 are still beyond most individuals’ and households’ earnings. Data from the ONS⁷ show mean monthly private sector rents in Elmbridge Borough at £1,615 are the highest-level experienced outside of London. Again, these rates are higher than the Surrey and South East averages (£1,277 and £999 respectively) and are comparable to London Boroughs.

5.9 Following the trend of mean house prices, Elmbridge Borough in 2020/21 experienced the 14th highest private rental levels in England following the London Boroughs of Kensington & Chelsea (£2,849), Westminster (£2,605), Hammersmith & Fulham (£2,010), Wandsworth (£1,932), Camden (£1,861), Richmond upon Thames (£1,837), Islington (£1,803), Hackney (£1,800), Lambeth (£1,788), Southwark (£1,725), Tower Hamlets (£1,718), City of London (£1,715) and Merton (£1,620).



Figure 1: Comparisons of lowest quartile monthly rents for all properties recorded between 1 April 2020 and 31 March 2021 (VOA)

⁷ [Private rental market summary statistics in England](#) (ONS, published 16 June 2021)

5.10 The ONS also provides information on the private rental market for lower quartile (Figure 1), which was in Elmbridge Borough £1,095; falling within the top 10% of authorities with the highest lowest quartile monthly rents. Again, the lowest quartile monthly rents experienced in Elmbridge are on par with London Boroughs.

5.11 As set out in Table 4, data from the Valuation Office Agency (VOA) identify that lower quartile private rents based on property size have generally increased in Elmbridge Borough over the last 5 years (2016 – 2021). The rent for a ‘room’ seeing the largest increase by almost 24%, followed by rentals of studios by almost 15%, 2-bedroom units by 6.7% and 1-bedroom units by 2.3%. The lower quartile private rents for a 3-bedroom unit remained at the same level and 4+ bedroom units had seen a reduction by 11.4%.

	2016 - 17	2017 - 18	2018 - 19	2019 - 20	2020 - 21	% change 2016 - 21
Room	£485	£550	£590	£600	£600	23.7%
Studio	£675	£650	£713	£700	£775	14.8%
1-bed	£855	£855	£865	£875	£875	2.3%
2-bed	£1,050	£1,100	£1,100	£1,100	£1,120	6.7%
3-bed	£1,400	£1,395	£1,400	£1,428	£1,400	0%
4+ bed	£2,450	£2,300	£2,150	£2,150	£2,200	-11.4%

Table 4: Annual lower quartile monthly rents for all property types in Elmbridge Borough between 2016 and 2021 (VOA/ONS)

6. The Importance of Small Sites

- 6.1 The Government continues to prioritise the delivery of new housing on brownfield sites. This approach is supported by the Council's Core Strategy and the emerging Local Plan, and the majority of housing that has come forward in the Borough since the adoption of the Core Strategy has been on previously developed land. However, in terms of housing delivery, in comparison to London Boroughs that share similar affordability issues, the types of sites that are available and granted planning permission in Elmbridge are mostly small sites e.g. providing less than 10 gross units.
- 6.2 Since the adoption of Core Strategy in summer 2011 until 31 March 2021, 2,948 new dwellings were approved (gained planning permission/prior approval) on sites of fewer than 10 gross units⁸. As set out in Table 5, during this period, on average 47% of approved units were on small sites providing 1 – 9 gross units. In terms of the number of homes, small sites enabled the delivery of 2,948 dwellings (out of all approved, 6,249 homes).
- 6.3 Table 5 also shows that during this period, 94.7% of permissions for new dwellings were on small sites representing 1,559 applications out of 1,646.
- 6.4 Of the 1,646 applications, 1,446 (87%) development schemes were on sites of less than 0.5 hectares. The average site size of all residential developments was 0.28 hectares.

⁸ 'Gross dwellings' is the total number of new units on a site not taking account of any dwellings demolished

Year of approval	Small sites - number of units	Small sites - % of total units	Small sites - number of permissions	Small sites - % of total permissions	Major sites - number of units	Major sites - % of total units	Major sites - number of permissions	Major sites - % of total permissions	All sites - total number of units	All sites - total number of permissions
2011/12	314	59.47	164	94.80	214	40.53	9	5.20	528	173
2012/13	246	77.12	177	98.33	73	22.88	3	1.67	319	180
2013/14	257	60.33	140	95.24	169	39.68	7	4.76	426	147
2014/15	318	91.91	179	98.90	28	8.09	2	1.10	346	181
2015/16	260	27.17	147	90.74	697	72.83	15	9.26	957	162
2016/17	372	81.94	177	97.25	82	18.06	5	2.75	454	182
2017/18	303	50.00	152	94.41	303	50.00	9	5.59	606	161
2018/19	356	35.60	174	95.08	644	64.40	9	4.92	1,000	183
2019/20	280	44.73	138	91.39	326	53.80	13	8.61	606	151
2020/21	242	24.03	111	88.10	765	75.97	15	11.90	1,007	126
Total	2,948	47.18	1,559	94.71	3,301	52.82	87	5.29	6,249	1,646

Table 5: Gross number of dwellings and number of permissions granted by scheme size, 2011 – 2021
(figures include permissions for replacement dwellings and prior approvals)

7. Planning Applications & Appeals

Planning Applications

7.1 The Council started to apply Policy CS21 to all relevant planning applications⁹ registered for determination from 1 August 2011. Since then and until April 2021, 727 applications were granted permission. Of these:

- 555 related to sites providing 1 – 4 gross units. In accordance with Policy CS21 a financial contribution towards affordable housing equivalent to providing 20% of the gross number of dwellings is required;
- 23 related to the sites proposing 5 gross units. Policy CS21 requires 20% of the gross number of dwellings to be provided on-site as affordable, i.e. one dwelling;
- 100 related to the provision of 6 – 14 gross units. Policy CS21 requires a contribution of 30% of the gross number of dwellings on-site as affordable with any 'part' units as a financial contribution towards the affordable housing in the borough; and
- 49 related to the provision of 15 gross units or more whereby Policy CS21 requires a contribution of 40% of the gross number of dwellings on-site as affordable.

Of these 727 permissions, 629 development schemes (87%) related to sites of fewer than 10 units.

Written Ministerial Statement and Delivery of Affordable Housing

7.2 During the period since the Government's Written Ministerial Statement (WMS) was introduced on 28 November 2014 until the 31 July 2015 when the High Court handed down judgement in West Berkshire Council vs SSCLG [2015], the Council was unable to seek contributions towards the provision of affordable housing through the provisions of Policy CS21 on sites of less than 10 units/1,000sqm. During this period, planning permission was granted on

⁹ Only applications resulting in a net gain of number of dwellings, i.e. excluding replacement dwellings; and omitting Prior Approvals to which affordable housing contribution requirement does not apply

61 sites where affordable housing contribution would have been otherwise required:

- 56 development schemes of 1-4 units;
- 2 development schemes of 5 units; and
- 3 development schemes of 6-9 units.

7.3 Additionally, during this period 11 Deed of Variation approvals on previously granted schemes were also determined favourably, waiving the already agreed contributions in their entirety. These alone represent a loss of 2 affordable dwellings and a financial contribution of approximately £500,000.

7.4 As a result of the WMS, the Council was unable to collect in excess of £3.75m in financial contributions and the provision of more than 14 affordable homes on development sites.

Sites of 1-4 dwellings

7.5 Focusing on financial contributions on sites of 1-4 units, out of the 555 development schemes granted permission between August 2011 and April 2021, the following 147 applications (26%) did not make the affordable housing contribution:

- In 3 development schemes the Vacant Building Credit was applied and thus in accordance with Government policy, no affordable housing contributions were due;
- 56 development schemes were granted permission and further 11 proposals through the Deed of Variation application, without compliance with Policy CS21 due to the WMS (as set out above);
- 11 development schemes were granted permission on appeal whereby the Planning Inspector afforded greater weight to the changes to NPPF, PPG and WMS than Policy CS21;
- 72 development schemes (13% of all 1-4 applications) have had the affordable housing contribution waived due to financial viability. For these schemes the amount that should have been payable is noted, totaling to approximately £5.28m;
- 5 development schemes were granted permission without securing a S106 agreement for affordable housing in error.

7.6 The following 408 applications on sites of 1-4 gross units (74%) with a net increase in the number of homes agreed to make affordable housing contribution:

- 40 development schemes (7% of all 1-4 applications) had the affordable housing contribution reduced due to financial viability. The amount that should have been payable is noted, totaling to approximately £3.25m. Instead however, approximately £891,000 was agreed, representing a reduction of approximately £2.36m (72.6%); and
- 368 development schemes (66% of all 1-4 applications) agreed to pay the full amount of affordable housing contribution required. From these developments the value of financial contributions that was secured through legal agreements is approximately £23.8m.

7.7 Of the 368 applications having agreed to pay the affordable housing contribution in full in accordance with Policy CS21, the average amount agreed is £64,641. The lowest amount agreed to be paid is £7,500 (for 1 additional dwelling in Weybridge with a total Gross Internal Area (GIA) of 47.5sqm (application 2019/1264)). The highest amount agreed and paid is £228,760.83 (for 4 gross 3 net dwellings in Weybridge with a total GIA of 880sqm (application 2014/4741)).

7.8 Examples of the amount of affordable housing contributions being agreed under Policy CS21 are set out in Table 6. Those presented have been selected as they show that affordable housing contributions are being agreed across a range of sites e.g. from across the Borough's settlement areas; providing different numbers of gross and net units; and providing varying total GIAs.

Application No.	Settlement Area	Gross Units	Net Units	Total GIA	Total Affordable Housing Contribution
2019/1969	Claygate	1	1	55	£21,005
2017/3018	Cobham & Oxshott	3	2	448	£107,909.04
2018/2919	Dittons	1	1	87	£44,841.04
2017/3116	Esher	1	1	52	£21,206.99
2018/1417	Hersham	1	1	250	£37,506.56
2015/2479	Molesey	4	2	2284	£260,481.82
2013/4970	Walton on Thames	4	3	697	£145,450.68
2020/1438	Weybridge	1	1	203	£16,570.89

Table 6: Examples of Affordable Housing Contributions required and agreed under Policy CS21

Sites of 5 dwellings

7.9 Sites delivering 5 gross units are in accordance with Policy CS21 required to provide one unit (20%) on-site as an affordable home. Since the adoption of Core Strategy in 2011 until April 2021, 23 such schemes were granted permission:

- 6 development schemes agreed to make a full, policy compliant contribution of one residential unit on each application site; two of these schemes provided a 100% affordable development;
- Contributions were waived in full on 8 schemes, four of which were due to the viability and four due to the WMS; and
- 9 proposals were granted permission with a reduced total contribution of approximately £587,000 in lieu of 9 affordable dwellings based on their viability position.

7.10 Total contributions agreed on 5 unit schemes were the provision of 14 affordable homes in addition to a financial contribution of approximately £587,000. The total value of the reduced and waived contributions was 8 affordable dwellings (35%), and the value of 9 affordable homes that was reduced to approximately £587,000 respectively.

Sites of 6-9 dwellings

7.11 Development sites with a net increase in the number of residential units and providing between 6 and 9 gross number of dwellings, are in accordance with Policy CS21 required to make an affordable housing contribution on-site or an on-site together with a financial contribution, where this would result in a partial unit. Planning permissions for 52 schemes of this scale were granted between August 2011 and April 2021 as follows:

- 15 developments agreed to a full, policy compliant contribution resulting in a provision of 22 homes in addition to a financial contribution of approximately £1.4m;
- One scheme was a 100% affordable development contributing 6 affordable homes.
- Reduced contribution was agreed due to:
 - Viability in 13 applications. The contributions due were 19 units plus approximately £920,000. Following the viability reviews, total agreed contribution was reduced to zero affordable homes in addition to approximately £965,000. As such, the overall contribution was reduced by 19 affordable homes in lieu of which

a financial contribution of approximately £45,000 was agreed;
and

- Viability in further 4 applications, where future viability review mechanisms were secured through Section 106 legal agreements. Policy compliant contributions due were 8 affordable homes in addition to a financial contribution of approximately £377,000. Provisional financial contribution of approximately £72,000 was agreed in addition to the future viability reviews.
- Zero contribution was agreed due to:
 - Viability in 12 applications. The policy compliant contribution would have been 16 affordable homes in addition to a financial contribution of approximately £646,000;
 - WMS in 5 applications and 1 Deed of Variation. The policy compliant contribution would have been 9 affordable homes and in excess of £300,000 in financial contributions; and
 - VBC in 1 case.

7.12 Total agreed contributions towards the provision of affordable homes from these sites between August 2011 and April 2021 was:

- 28 homes - reduction of 63% (by 47 dwellings from 75 dwellings); and
- a financial contribution of approximately £2.44m representing a reduction of 34% (by £1.25m from £3.69m).

Planning Applications – summary

7.13 In conclusion therefore, 637 planning permissions were granted in Elmbridge on sites of less than 10 gross number of dwellings (excluding replacement dwellings) between August 2011 and April 2021. Table 7 below offers an overview of the reasons for reduced, waived or no affordable housing contributions together with figures indicating approximate contributions due, agreed and lost. During this period, the borough was unable to collect:

- in excess of 57 affordable homes on development sites,
- in excess of £11.7m in financial contributions, and
- potentially additional financial contributions of up to approximately £1.18m that are subject to review mechanisms (early and/or late) secured through Section 106 agreements,

towards the provision of affordable homes in the borough on small sites alone.

Reason for AH Contribution Amendment	Number of applications	Policy compliant contribution due	Contribution agreed	Contribution difference (due/agreed)
Full contribution	386	£25.21m & 8 homes	£25.21m & 8 homes	0
100% AH scheme	3	3 units	16 units	Plus 13 units
Reduced – financial viability	62 plus 4 granted subject to LRM	£4.55m & 36 units	£2.52m [this includes £587,000 made in lieu of 9 units] & 0 homes plus LRM with a cap of £1,182,851.09	<ul style="list-style-type: none"> • Loss of £2.03m; • Loss of 27 units; and • Potentially loss of additional contribution of up to £1,182,851.09 that is subject to LRM
Waived – financial viability	88	£5.93m & 20 units	0	Loss of £5.93m & 20 units
WMS, national policy (on appeal), VBC	94	In excess of £3.75m & in excess of 14 units	0	Loss of in excess of £3.75m & in excess of 14 units
Total	637	In excess of £39.44m & in excess of 81 units	£27.73m & 24 homes plus LRM with a cap of £1,182,851.09	<ul style="list-style-type: none"> • Loss of in excess of £11.71m • Loss of in excess of 57 units; and • Potentially loss of additional contribution of up to £1,182,851.09 that is subject to LRM

Table 7: Summary of affordable housing contributions due and agreed and their difference (2011-2021)

Planning Appeals

7.14 Since the changes to the affordable housing threshold were first introduced, the Planning Inspectorate has issued 69 planning decisions in Elmbridge area where affordable housing contributions on small sites were considered. Planning Inspectors agreed with the Council's continued application of Policy CS21 in 53 appeals (77%), whereas in 16 appeals (23%) the Planning Inspectors gave more weight to the Government's WMS, PPG or the NPPF.

7.15 The Inspectors' general view in the 53 appeal decisions where the Council's approach that local circumstances and Policy CS21 carry more weight than the NPPF, PPG or the WMS was upheld (Appendix 1, Table 9) is as follows:

- *“Whilst there is tension between Policy CS21 and Paragraph 63 of the Framework, the requirement for affordable housing is supported, in this case, by other Framework policies that seek to address the needs of groups with specific housing requirements and meet an identified need for affordable housing. Given the evidence of local affordable housing need, I attach significant weight to the conflict with Policy CS21.”¹⁰*
- *“Whilst I have attached significant weight to paragraph 63 of the Framework, the information provided by the Council is sufficient to persuade me that, in the absence of any substantive evidence to demonstrate that an affordable housing contribution would make the proposal unviable, Policy CS21 should continue to be applied in this case.”¹¹*
- *“Policy CS21 does allow viability to be considered when calculating the amount of affordable housing necessary. [...] Whilst it is asserted that the economic situation has changed since the original submission of the planning application, particularly in light of the Covid-19 pandemic, this is not in itself a sufficient justification to depart from the position set out in the development plan, in relation to affordable housing.”¹²*
- *“The Statement includes evidence that the Council has been flexible, reducing or waiving the affordable housing requirement where viability evidence supported it. I have seen no substantive evidence that the failure*

¹⁰ APP/K3605/W/20/3248698 (see Table 9 – application ref. 2015/4179)

¹¹ APP/K3605/W/20/3248558 (see Table 9 – application ref. 2019/1523)

¹² APP/K3605/W/20/3253785 (see Table 9 – application ref. 2020/0017)

to meet housing targets is because Policy CS21 has placed an undue financial burden on developers, including those that wish to self-build. [...] Overall I am satisfied, based on the evidence before me, that the Council is justified in requiring an affordable housing contribution and that the requirement meets the tests in Regulation 122(2) of the Community Infrastructure Regulations 2010 and paragraph 56 of the Framework.”¹³

- *“In relation to planning policy, having regard to all relevant considerations, it is my judgement that the particular circumstances and ongoing requirement for affordable housing in Elmbridge are such that development plan Policy CS21 outweighs the general limitations on affordable housing contributions set out at Paragraph 63 of the Framework.”¹⁴*
- *“There is conflict of the approach of Policy CS21 to smaller sites with paragraph 63 of the Framework, the November 2014 Written Ministerial Statement and the Planning Practice Guidance, which state that affordable housing contributions should only be sought for residential developments that are for 10 or more dwellings, or a site area of 0.5 hectares or more. Whilst the Framework places significant weight on housing delivery overall, it also highlights the importance of meeting affordable housing needs. The Framework is a material consideration to which significant weight is attached, however it has to be balanced against the primacy of the development plan set out in Section 38(6) of Planning and Compulsory Purchase Act (2004). [...] Having regard to the particular circumstances regarding affordable housing provision in Elmbridge, as set out in the Council’s appeal statement and accompanying evidence, I conclude that a contribution towards this is justified in relation to the appeal development. It is necessary in relation to the appeal development, and it would satisfy the 3 tests in Regulation 122(2) of the Community Infrastructure Regulations 2010. Therefore, I find the proposal fails to adhere to Policy CS21 of the ECS and in the absence of a planning obligation the proposal would not make adequate provision for affordable housing contrary to Policy CS21, which in turn is supported by paragraph 62 of the Framework.”¹⁵*
- *“No affordable housing provision would be made. Therefore, even with the*

¹³ APP/K3605/W/20/3251155 (see Table 9 – application ref. 2019/2814)

¹⁴ APP/K3605/W/19/3229005 (see Table 9 – application ref. 2018/3533)

¹⁵ APP/K3605/W/19/3234255 (see Table 9 – application ref. 2018/1979)

5YHLS deficit as indicated, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.”¹⁶

- *“I appreciate the intention of Paragraph 63 of the Framework, the PPG and the WMS, is to ensure that financial contributions should not become a disproportionate burden to small developers and thereby frustrate housing supply; it is a material consideration to which I attach great weight. However, there is no substantive evidence before me to suggest that the requirements of Policy CS21 of the CS are placing an unreasonable or disproportionate burden on developers. Moreover, it does not, in the circumstances of this proposal, and given the acute and substantial need for affordable housing in the Borough, and the significance of small sites in achieving the aim of CS Policy CS21, outweigh the substantial weight I attach to the local evidence of affordable housing need provided by the Council, and the Development Plan. [...] Based on the foregoing reasons and in light of Policy CS21 of the CS, I conclude that a contribution towards affordable housing provision is necessary to make the proposal acceptable. Accordingly, the requirement for affordable housing is necessary in the interests of the Council’s housing strategy, and directly related and proportional to the scale of development proposed. Therefore, it satisfies the tests set out in regulation 122(2) of the Community Infrastructure Levy Regulations and Paragraph 56 of the Framework.*

Furthermore, on the basis of the FVA I am unable to conclude that the lack of affordable housing provision is compliant with Policy CS21 of the CS. Therefore, the scheme makes an inadequate provision for affordable housing in conflict with this policy. I attach substantial weight to this given the local situation for this type of housing.”¹⁷

7.16 Since 2016, appeal schemes on 14 development sites (Appendix 1, Table 10) have been determined in favour of no affordable housing contribution. The reasons included the following:

- The most recent of these appeals was determined in June 2021. The evidence submitted by the LPA in support of its continuous requirement

¹⁶ APP/K3605/W/19/3232321 (see Table 9 – application ref. 2018/2437)

¹⁷ APP/K3605/W/19/3225103 (see Table 9 – application ref. 2018/2523)

for contributions towards the affordable housing on small sites was not accepted by the Inspector as it was considered out of date, being based on appeal decisions up to and including year 2018. The Inspector commented: *“In this particular case, the lack of recent evidence demonstrating a current and continuing need for small sites to provide a contribution towards affordable housing provision, indicates that greater weight should be given to national policy set out within paragraph 63 of the Framework, than to the requirements of Policy CS21.”*¹⁸

- The second most recent appeal was determined in December 2017. The Council did not submit evidence in favour of continuation of seeking affordable housing contributions on small sites, as the reason for a refusal was concerned with the impact of the appeal scheme on the character of the area. Nevertheless, the Inspector advised: *“The Council has provided little information in relation to this appeal as to why it continues to apply Policy CS21 and seek affordable housing contributions for small-scale development. I have insufficient evidence in this instance to find that the implementation of Policy CS21 should outweigh the WMS and PPG. Therefore, I am unable to conclude that the submitted planning obligation is necessary to make the development acceptable in planning terms. In the circumstances, I have not afforded the obligation any weight and so it has not been a reason for granting planning permission.”*¹⁹
- The remaining decisions set out in Table 10 (Appendix 1) are dated October 2017 or older and are not considered to represent a recent evidence, however, are listed for completeness and transparency reasons. These decisions were either made early on after the introduction of the WMS and PPG or, for a period, when Inspectors considered the Council’s affordable housing policy carried less weight in the light of the lack of 5 year housing land supply²⁰.

¹⁸ APP/K3605/W/20/3259051 (see Table 10 – application ref. 2019/3228)

¹⁹ APP/K3605/W/17/3181923 (see Table 10 – application ref. 2016/4076)

²⁰ The Council’s current position in terms of the 5 year housing land supply is set out in the latest [Authority Monitoring Report](#)

8. Viability

- 8.1 As set out in Section 2 of this Statement, a Viability Assessment was undertaken to support the drafting of Policy CS21. However, in accordance with Government policy and guidance the Council acknowledges the importance of ensuring that viability does not compromise sustainable development and that policy requirements, such as affordable housing and infrastructure needs, are set at a level that allows for the planned types of sites and development to be delivered.
- 8.2 As part of the new Local Plan the Council is reviewing its Viability Assessment in light of potential development sites and infrastructure needs. However, to support the continued implementation of Policy CS21, the Council requested its consultants (Dixon Searle Partnership) (DSP) to review the approach to seeking affordable housing contributions on sites of fewer than 10 units²¹.
- 8.3 The outcome of this review is that the analysis of viability demonstrates that contributions to affordable housing from sites with fewer than 10 units are viable in principle alongside the Community Infrastructure Levy (CIL) rates.

²¹ [Small Sites Affordability Housing Provision Policy CS21 Supporting Viability Report](#)

9. Spending Monies Collected

- 9.1 It is a key priority for the Council to increase the supply of affordable homes in Elmbridge Borough. Affordable housing contributions from small sites have enabled the Council to support the delivery of both new units and ensure the more effective provision of its existing stock and reducing under occupation, a key element of the NPPF.
- 9.2 Financial contributions collected through Section 106 are held in the Council's Affordable Housing Enabling Fund accounting for just over £17.8m having been received since April 2011. Until March 2021, total committed spend to increase affordable housing supply and to meet housing need was over £15.7m.
- 9.3 Table 8 summaries spend from the Enabling Fund and the associated outputs, both in terms of additional affordable housing supply and making better use of the existing housing stock in the 10 years between April 2011 and March 2021. It shows that the Enabling Fund has directly contributed to the provision of 87 additional affordable homes (through a combination of new-build and acquisitions), whilst also supporting the better use of the existing social housing stock.

Scheme	Units delivered / under construction / released	Total spend from Enabling Fund (actuals)	Average contribution per unit from Enabling Fund
Intermediate affordable – acquisitions (Homeownership Assistance Scheme)	42	£1,523,973	£36,285
Rented affordable provision – acquisitions and new-build	45	£4,074,485	£90,544
Total – additional supply	87	£5,598,458	£64,650

Table 8: Summary of affordable housing delivery supported by financial contributions secured through Elmbridge Borough Council's planning policies (April 2011 to March 2021)

- 9.4 In addition to monies already spent, the Council has also committed approximately £1m and £690,000 to support the continuation of both the

Elmbridge Homeownership Assistance²² and Perfect Fit²³ schemes respectively whilst also funding an increase in supported housing provision within the Borough.

- 9.5 Furthermore, at an Elmbridge Borough Council meeting on 21 February 2018, the Council agreed to establish a Council-owned housing company (EBC Homes) with the aim of building homes to meet the needs of residents. The creation of this housing company opens up new opportunities for more affordable housing to be developed in the Borough. The company has been focusing on developing Council-owned land and acquiring existing street properties. To-date, 16 discount market rent homes have been completed with further 4 being under construction. In addition, various projects are being progressed and explored.
- 9.6 The Council's recent work includes a completion of 5 affordable homes at Albemarle House in Thames Ditton through a conversion of a vacant office building to residential use.

²² Homeownership Assistance scheme – the Council supports Catalyst Housing to run the Elmbridge Homeownership Assistance Scheme, which gives aspiring homeowners and who are priced out of the market, a route to purchasing a home of their own. The scheme offers equity loans of up to £90,000 to qualifying households towards the cost of purchase. 39 households have been helped through this scheme since 2011 (as at March 2018).

²³ Perfect Fit scheme – with Paragon Housing the Council launched the Perfect Fit scheme in 2012 to encourage tenants in homes larger than they needed to downsize, thereby freeing up much-needed larger homes for families in need. Support and incentives of up to £4,000 have resulted in just under 150 households downsizing (as at March 2018).

10. The Approach of Other Local Planning Authorities

10.1 Other Local Planning Authorities also continue to consider on a case by case basis whether local circumstances exist within their area to justify the collection of affordable housing contributions on small sites. Two such authorities near Elmbridge Borough include the London Borough of Richmond upon Thames and Epsom & Ewell Borough Council. Others further afield include Reading Borough Council, South Cambridgeshire District Council and the London Boroughs of Camden and Islington. All London Boroughs referred to above feature in Table 2 alongside Elmbridge Borough.

11. Conclusion

- 11.1 Without the ability to collect affordable housing contributions on small sites the Council will significantly limit its capacity to support the delivery of affordable homes in the Borough whether through on-site provision or using financial contributions that support the delivery of affordable housing by other means e.g. the Affordable Housing Enabling Fund.
- 11.2 It has been demonstrated that Policy CS21 has not negatively impacted on development coming forward on small sites. As outlined above, it is evident that such sites remain a significant source of new housing within the Borough. The Council has ensured that the contributions collected on small sites are not disproportionate through a viability review of its approach (October 2018) and via the use of viability assessments on all developments where applicants consider the contributions to make the development unviable. This enables the Council to reduce or waive any contribution on the basis of viability in accordance with local and national policy.
- 11.3 The Council needs to comply with both the Government's policy on delivering development on previously developed land and continue to deliver affordable homes as required under paragraphs 60, 62 and 63 of the NPPF. To achieve this, the Council must consider on a case by case basis whether local circumstances with regard to affordable housing and the nature of the development sites in the Borough are sufficient to warrant the application of Policy CS21 or whether greater weight should be attached to the NPPF.
- 11.4 The Council therefore continues to consider Policy CS21 Affordable Housing as part of the decision making process on any relevant application. Where applicants consider that the charge is disproportionate the Council requests that the relevant information setting out the scheme's viability is submitted for an independent assessment as set out in the Council's Development Contributions SPD (2021).
- 11.5 Applicants are also be encouraged to set out why the application of Policy CS21 is disproportionate in relation to the applicant's circumstances. All relevant evidence is then considered on a case by case basis and is used to establish the weight to be attached to local and national policies.

12. Appendix 1 – Planning Appeals

Table 9: Appeal decisions where the Planning Inspectorate has agreed with the Council's continuation to apply Policy CS21

Planning Application Number ²⁴	Address	Appeal Decision Date	Appeal Reference
<u>2015/4179</u>	Land to the rear of 83 and 85 High Street, Esher, KT10 9QA	06/05/2021	APP/K3605/W/20/3248698
<u>2019/1523</u>	Land South of 8 Arnison Road, East Molesey, KT8 9JJ	29/04/2021	APP/K3605/W/20/3248558
<u>2020/0017</u>	6 Thrupps Lane, Hersham, Walton-On-Thames, KT12 4NF	11/12/2020	APP/K3605/W/20/3253785
<u>2019/2814</u>	Land at 17 High Pine Close, Weybridge, KT13 9EB	30/11/2020	APP/K3605/W/20/3251155
<u>2019/2277</u>	Arenella, Mountview Road, Claygate, KT10 0UD	27/11/2020	APP/K3605/W/20/3249649
<u>2018/3533</u>	Paddocks Corner, Oatlands Chase, Weybridge, KT13 9RH	12/02/2020	APP/K3605/W/19/3229005
<u>2018/1979</u>	23 Cranbrook Drive, Esher, KT10 8DW	11/11/2019	APP/K3605/W/19/3234255
<u>2018/2437</u>	Dalveen Lodge, Sandy Lane, Cobham, KT11 2EP	30/10/2019	APP/K3605/W/19/3232321
<u>2018/2523</u>	Land East of 82 Island Farm Road, West Molesey, KT8 2LQ	04/10/2019	APP/K3605/W/19/3225103
<u>2018/1557</u>	Land at 17 High Pine Close, Weybridge, KT13 9EB	22/08/2019	APP/K3605/W/18/3219358

²⁴ Information about the cases including copies of the appeal decisions can be found via the planning application number links.

Planning Application Number	Address	Appeal Decision Date	Appeal Reference
<u>2017/2433</u>	11 Oakfield Glade, Weybridge, KT13 9DP	18/07/2018	APP/K3605/W/17/3188993
<u>2017/2816</u>	38 and 41 Twinoaks, Cobham, KT11 2QW	17/07/2018	APP/K3605/W/18/3197265
<u>2017/2812</u>	9 Princes Drive, Oxshott, Leatherhead, KT22 0UL	24/05/2018	APP/K3605/W/18/3193874
<u>2017/2574</u>	15 Eaton Park Road, Cobham, KT11 2JJ	24/05/2018	APP/K3605/W/18/3192667
<u>2017/1966</u>	Land Southwest of Arenella, Mountview Road, Claygate, Esher, KT10 0UD	24/05/2018	APP/K3605/W/18/3195774
<u>2017/0133</u>	21 Castleview Road, Weybridge, KT13 9AB	20/03/2018	APP/K3605/W/17/3181617
<u>2017/2101</u>	8 West Grove, Hersham, Walton-on-Thames, KT12 5NX	01/03/2018	APP/K3605/W/17/3187926
<u>2016/1195</u>	20-22 Castleview Road, Weybridge, KT13 9AB	19/02/2018	APP/K3605/W/17/3178538
<u>2017/1646</u>	Land Adjacent to 20 Holstein Avenue, Weybridge, KT13 8NX	14/02/2018	APP/K3605/W/17/3187232
<u>2016/3994</u>	Hazeldown, 13 Queens Drive, Thames Ditton, KT7 0TJ	12/02/2018	APP/K3605/W/17/3184426
<u>2017/1328</u>	45 Pelhams Walk, Esher, KT10 8QA	09/02/2018	APP/K3605/W/17/3188300
<u>2017/0436</u>	Land South of 1 and East of 1-7 Park Road, East Molesey, KT8 9LD	31/01/2018	APP/K3605/W/17/3180413
<u>2016/3758</u>	Beechcroft and Tall Timbers, Field Common Lane, Walton on Thames, KT12 3QH	19/01/2018	APP/K3605/W/17/3171756
<u>2017/0568</u>	Childs Play Centre, Manor Road, Walton-on- Thames, KT12 2PH	08/01/2018	APP/K3605/W/17/3179815

Planning Application Number	Address	Appeal Decision Date	Appeal Reference
<u>2017/1565</u>	28a Green Lane, Hersham, Walton-on-Thames, KT12 5HD	15/12/2017	APP/K3605/W/17/3180558
<u>2017/0184</u>	46 Molesey Park Road, West Molesey, KT8 2JZ	13/12/2017	APP/K3605/W/17/3182479
<u>2017/0554</u>	The Wellington, 60 High Street, Walton-on-Thames, KT12 1BY	12/12/2017	APP/K3605/W/17/3179698
<u>2016/3422</u>	Prince of Wales, 11 Cross Road, Weybridge, KT13 9NX	06/10/2017	APP/K3605/W/17/3167961
<u>2016/2066</u>	67 St Mary's Road, Long Ditton, Surbiton, KT6 5HB	01/09/2017	APP/K3605/W/17/3170220
<u>2016/2678</u>	20 Russet Close, Hersham, Walton-on-Thames, KT12 4QJ	31/08/2017	APP/K3605/W/17/3174860
<u>2016/2364</u>	Land to rear of 74 to 128 Speer Road, Thames Ditton, KT7 0PP	31/08/2017	APP/K3605/W/17/3172080
<u>2016/3977</u>	Land North of 65, Bridge Road, East Molesey, KT8 9ER	18/08/2017	APP/K3605/W/17/3169210
<u>2016/2576</u>	4 Iris Gardens, Embercourt Road, Thames Ditton, KT7 0LQ	18/08/2017	APP/K3605/W/17/3167270
<u>2016/3783</u>	Land northwest of 39 Lovelace Road, Long Ditton, KT6 6NZ	17/08/2017	APP/K3605/W/17/3170775
<u>2016/3339</u>	70 Baker Street, Weybridge, KT13 8AL	04/08/2017	APP/K3605/W/17/3166743
<u>2016/3250</u>	Wessex, South Road, Weybridge, KT13 9DZ	01/08/2017	APP/K3605/W/17/3174279
<u>2016/2822</u>	28-30 High Street, Weybridge, KT13 8AB	01/08/2017	APP/K3605/W/17/3170332
<u>2015/2059</u>	8-10 High Street, Walton-on-Thames, KT12 1DA	24/07/2017	APP/K3605/W/16/3163928

Planning Application Number	Address	Appeal Decision Date	Appeal Reference
<u>2016/1628</u>	Rear of 115 Thorkhill Road, Thames Ditton, KT7 0UW	14/07/2017	APP/K3605/W/17/3168617
<u>2016/3374</u>	Land South of 50 Primrose Road, Hersham, Walton-on-Thames, KT12 5JD	12/07/2017	APP/K3605/W/17/3167882
<u>2016/3204</u>	Land East of 13A Station Avenue, Walton-on-Thames, KT12 1NF	12/07/2017	APP/K3605/W/17/3170237
<u>2016/0781</u>	38 Rosehill, Claygate, Esher, KT10 0HL	16/06/2017	APP/K3605/W/16/3161055
<u>2015/2176</u>	Land to the rear of 255-259 Hersham Road, Hersham, Walton-on-Thames, KT12 5PZ	16/06/2017	APP/K3605/W/16/3160470
<u>2016/1555</u>	Land North of 65 Bridge Road, East Molesey, KT8 9ER	13/06/2017	APP/K3605/W/16/3165031
<u>2016/2280</u>	Claremont House, 34 Molesey Park Road, Hersham, Walton-on-Thames, KT12 4RQ	30/05/2017	APP/K3605/W/17/3167461
<u>2016/0992</u>	April Cottage, 15 Portsmouth Road, Thames Ditton, KT7 0SY	05/05/2017	APP/K3605/W/16/3160272
<u>2016/2871</u>	Darlington House, 72A Portmore Park Road, Weybridge, KT13 8HG	21/04/2017	APP/K3605/W/16/3163555
<u>2016/0471</u>	37 Southdown Road, Hersham, KT12 4PP	03/02/2017	APP/K3605/W/16/3160775
<u>2016/1709</u>	Kings Yard, Kings Road, Long Ditton, Surbiton, KT6 5JE	02/02/2017	APP/K3605/W/16/3159613
<u>2015/2589</u>	24 Albany Crescent, Claygate, Esher, KT10 0PJ	05/12/2016	APP/K3605/W/16/3154395

Planning Application Number	Address	Appeal Decision Date	Appeal Reference
<u>2016/0122</u>	29 Burwood Park Road, Hersham, Walton-on-Thames, KT12 5LH	25/11/2016	APP/K3605/W/16/3156943
<u>2016/0813</u>	Charters, Cavendish Road, Weybridge, KT13 0JN	22/11/2016	APP/K3605/W/16/3156265
<u>2015/3640</u>	26 The Avenue, Claygate, Esher, KT10 0RY	12/08/2016	APP/K3605/W/16/3146699

Table 10: Appeal decisions where the Planning Inspectorate afforded more weight to the NPPF

Planning Application Number ²⁵	Address	Appeal Decision Date	Appeal Reference
<u>2019/3228</u>	Land northeast of 15 Courtlands Avenue, Esher, KT10 9HZ	11/05/2021	APP/K3605/W/20/3259051
<u>2016/4076</u>	11 Oakfield Glade, Weybridge, KT13 9DP	13/12/2017	APP/K3605/W/17/3181923
<u>2017/0346</u>	89 West End Lane, Esher, KT10 8LF	03/10/2017	APP/K3605/W/17/3179354
<u>2016/3470</u>	2 Thistlecroft Road, Hersham, Walton-on-Thames, KT12 5QZ	29/09/2017	APP/K3605/W/17/3178213
<u>2016/1677</u>	Littleworth House, 12 Littleworth Common Road, Esher, KT10 9UE	05/07/2017	APP/K3605/W/16/3166135
<u>2016/1260</u>	16 Holroyd Road, Claygate, Esher, KT10 0LG	11/05/2017	APP/K3605/W/16/3164197

²⁵ Information about the cases including copies of the appeal decisions can be found via the planning application number links.

Planning Application Number	Address	Appeal Decision Date	Appeal Reference
<u>2016/1963</u>	Weston Court, 37 The Broadway, Thames Ditton, KT7 0LU	11/05/2017	APP/K3605/W/16/3164143
<u>2016/2230</u>	Princes Cottages, Leatherhead Road, Oxshott, KT22 0EX	11/05/2017	APP/K3605/W/16/3163557
<u>2016/2544</u>	Spencers Place, 14 Burwood Road, Hersham, Walton-on- Thames, KT12 4AG	11/05/2017	APP/K3605/W/16/3164019
<u>2016/0638</u>	Land southwest of 20 Holstein Avenue, Weybridge, KT13 8NX	27/10/2016	APP/K3605/W/16/3153965
<u>2015/4401</u>	Lily Cottage, 2 Castleview Road, Weybridge, KT13 9AB	22/09/2016	APP/K3605/W/16/3151802
<u>2015/3014</u>	Touchwood, 9 Broom Close, Esher, KT10 9ET	08/09/2016	APP/K3605/W/16/3149477
<u>2016/0380</u>	53 & 53A The Furrows, Walton-on-Thames, KT12 3JG	31/08/2016	APP/K3605/W/16/3150955
<u>2015/2032</u> <u>2015/3384</u> <u>2015/0589</u>	April Cottage, Queens Road, Weybridge, KT13 0AU	07/07/2016	APP/K3605/W/15/3132227 APP/K3605/W/16/3142140 APP/K3605/W/15/3129629