

TOWN AND COUNTRY PLANNING ACT 1990

**AFFORDABLE HOUSING STATEMENT OF COMMON
GROUND IN RESPECT OF AFFORDABLE HOUSING
NEEDS AND DELIVERY ACROSS ELMBRIDGE
BOROUGH**

SECTION 78 APPEAL

**Outline application for up to 60 dwellings, associated
landscaping, and open space with access from
Raleigh Drive (For access).**

**Land North of Raleigh Drive, Claygate, Esher, Surrey,
KT10 9DF**

**Claygate House Investments Ltd & MJS Investments
Ltd**

March 2024

PINS REF: APP/K3605/W/23/3334391

LPA REF: 2023/0962

1.0 Affordable Housing Offer

- 1.1 The appeal proposals seek outline planning permission for up to 60 dwellings, of which 50% are proposed as affordable homes, equivalent to up to 30 affordable dwellings. This level of provision meets the requirements of Policy CS21 of the Core Strategy (2011) which requires 50% affordable housing provision on greenfield sites delivering 15+ dwellings.
- 1.2 The provision is also in excess of the emerging requirements under policy HOU4 of the emerging Local Plan 2037 (which prescribes 30% for brownfield sites of 10 or more units and 40% for greenfield sites of 10 or more units).
- 1.3 The agreed tenure split is 25% First Homes (up to 8 dwellings), 12% social rented (up to 3 dwellings), 41% Affordable Rented (up to 12 dwellings) and 22% intermediate (up to 7 dwellings), (subject to being agreed between both parties in the Section 106).
- 1.4 The proposed affordable housing will be secured by way of a Section 106 ("S106") planning obligation.

2.0 Affordable Housing Needs

- 2.1 Policy CS21 of the adopted Core Strategy (2011) sets a target to deliver at least 1,150 affordable dwellings between 2011/12 and 2025/26, equating to **77 affordable dwellings per annum** during this period.
- 2.2 The Kingston upon Thames and North East Surrey SHMA 2016 ("2016 SHMA") identifies a need for **332 affordable dwellings (net) per annum** between 2015/16 and 2034/35 (Table 8.10, page 163).
- 2.3 The Elmbridge Borough Council Local Housing Needs Assessment 2020 (2020 LHNA") identifies a need for **269 affordable dwellings per annum** between 2019/20 and 2038/39 (paragraph 5.106, page 90).
- 2.4 The supporting text to Emerging Policy HO4 refers to the 2020 LHNA need figure of 269 affordable dwellings per annum (paragraph 6.27, page 67). Furthermore, the Council's evidence base includes an Affordable Housing Topic Paper (ref. TOP002) which also refers to the need figure contained within the 2020 LHNA.

3.0 Housing Register

- 3.1 DLUHC Live Table 600 confirms that as of 31st March 2023 there were 2,306 households on the Council's Housing Register. This represents a 17% increase in a single year from 1,976 households on 31st March 2022.

4.0 Temporary Accommodation

4.1 DLUHC statutory homelessness data highlights that on 31 March 2023 there were 99 households housed in temporary accommodation by Elmbridge Borough Council. Of these 64 households (65%) were households with children. The Council has a responsibility to house these households.

4.2 DLUHC data indicates that Elmbridge Borough Council spent £2,737,000 on temporary accommodation between 1 April 2022 and 31 March 2023, 56% (£1,523,000) of which was spent on bed and breakfast hotels (including shared annexes).

5.0 Homelessness

5.1 DLUHC statutory homelessness data shows that in the 12 months between 1 April 2022 and 31 March 2023, the Council accepted 288 households in need of assistance pursuant to homelessness prevention duty¹, and a further 170 households eligible for assistance under relief duty² from the Council.

6.0 Gross Additions to Affordable Housing Stock

6.1 Figure 1 below illustrates the gross delivery of affordable housing across Elmbridge Borough since the start of the Core Strategy (2011) period in 2011/12.

¹ The Prevention Duty places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homeless. The prevention duty applies when a local authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.

² The Relief Duty requires housing authorities to help people who are homeless to secure accommodation. The relief duty applies when a local authority is satisfied that an applicant is homeless and eligible for assistance.

Figure 1: Additions to Affordable Housing Stock (Gross), 2011/12 to 2022/23

Monitoring Year	Total Housing Completions (Net)	Additions to AH stock (Gross)	Gross affordable additions as a %age of total completions
2011/12	333	67	20%
2012/13	292	34	12%
2013/14	287	125	44%
2014/15	286	115	40%
2015/16	276	40	14%
2016/17	303	40	13%
2017/18	159	61	38%
2018/19	463	26	6%
2019/20	432	100	23%
2020/21	346	128	37%
2021/22	768	50	7%
2022/23	240	99	41%
Total	4,185	885	21%
Avg. Pa.	349	74	

Source: DLUHC Open Data.

6.2 Figure 1 demonstrates that in the 12-year period between 2011/12 and 2022/23 Elmbridge Borough Council delivered a total of 4,185 net dwellings, equivalent to 349 per annum. Of these, 784 dwellings were affordable tenures, equivalent to 74 per annum. This equates to 21% affordable housing delivery.

7.0 Net of Right to Buy Affordable Housing Delivery

7.1 Figure 2 below calculates the additions to affordable housing stock on a per annum basis since the start of the Core Strategy (2011) period in 2011/12, net of Right to Buy sales.

Figure 2: Net of Right to Buy Additions to Affordable Housing Stock, 2011/12 to 2022/23

Monitoring Period	Total housing completions (Net)	Additions to AH Stock (Gross)	RP RtB sales	Additions to AH Stock (Net of RtB)	Additions to AH Stock (Net of RtB) as a %age of total completions
	A	B	C	D (B – C)	E (D / A) X 100
2011/12	333	67	3	64	19%
2012/13	292	34	9	25	9%
2013/14	287	125	14	111	39%
2014/15	286	115	4	111	39%
2015/16	276	40	11	29	11%
2016/17	303	40	4	36	12%
2017/18	159	61	2	59	37%
2018/19	463	26	6	20	4%
2019/20	432	100	2	98	23%
2020/21	346	128	3	125	36%
2021/22	768	50	12	38	5%
2022/23	240	99	1	98	41%
Total	4,182	885	71	814	19%
Avg. Pa.	349	74	6	66	

Source: DLUHC open data; and Private Registered Provider Social Housing Stock in England: Statistical Data Returns (2011/12 to 2022/23).

7.2 Figure 2 demonstrates that, on average between 2012/13 and 2021/22, Elmbridge Borough Council has delivered 66 affordable dwellings per annum net of Right to Buy sales equivalent to 19% of the total average number of net housing completions.

8.0 Net of Right to Buy Additions to Affordable Housing Stock Compared to Net Affordable Housing Needs

2016 SHMA

8.1 Figure 3 illustrates net of RtB affordable housing delivery compared to the affordable housing need of 332 net affordable dwellings per annum between 2015/16 and 2022/23, as set out in the 2016 SHMA.

Figure 3: Additions to Affordable Housing Stock (Net of Right to Buy) Compared to Affordable Needs Identified in the 2016 SHMA, 2015/16 to 2022/23

Monitoring Period	Additions to AH Stock (Net of RtB)	2016 SHMA AH Needs Per Annum (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2015/16	29	332	-303	-303	9%
2016/17	36	332	-296	-599	11%
2017/18	59	332	-273	-872	18%
2018/19	20	332	-312	-1,184	6%
2019/20	98	332	-234	-1,418	30%
2020/21	125	332	-207	-1,625	38%
2021/22	38	332	-294	-1,919	11%
2022/23	98	332	-234	-2,153	30%
Total	503	2,656	-2,153		19%
Avg. Pa.	63	332	-269		

Source: DLUHC Open Data; Private Registered Provider Social Housing Stock in England: Statistical Data Returns (2011/12 to 2022/23); and 2016 SHMA.

- 8.2 Since the start of 2016 SHMA period in 2015/16, affordable housing completions have averaged 63 net affordable dwellings per annum, compared with a need of 332 net affordable dwellings per annum. A shortfall of -2,153 affordable dwellings has arisen over this period, equivalent to an average annual shortfall of -269 affordable dwellings.

2020 LHNA

- 8.3 Figure 4 illustrates net of RtB affordable housing delivery compared to the affordable housing need of 269 net affordable dwellings per annum between 2019/20 and 2022/23, as set out in the 2020 LHNA.

Figure 4: Additions to Affordable Housing Stock (Net of Right to Buy) Compared to Affordable Needs Identified in the 2020 LHNA, 2019/20 to 2022/23

Monitoring Period	Additions to AH Stock (Net of RtB)	2020 LHNA AH Needs Per Annum (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2019/20	98	269	-171	-171	36%
2020/21	125	269	-144	-315	46%
2021/22	38	269	-231	-546	14%
2022/23	98	269	-171	-717	36%
Total	359	1,076	-717		33%
Avg. Pa.	90	269	-179		

Source: DLUHC Open Data; Private Registered Provider Social Housing Stock in England: Statistical Data Returns (2011/12 to 2022/23); and 2020 LHNA.

- 8.4 Since the start of 2020 LHNA period in 2019/20, affordable housing completions have averaged 90 net affordable dwellings per annum, compared with a need of 269 net affordable dwellings per annum. A shortfall of -717 affordable dwellings has arisen over this period, equivalent to an average annual shortfall of -179 affordable dwellings.

Core Strategy (2011) Policy CS21 Target

- 8.5 Figure 5 illustrates net of RtB affordable housing delivery compared to the affordable housing need of 77 net affordable dwellings per annum between 2011/12 and 2022/23, as set out in the Core Strategy (2011).

Figure 5: Additions to Affordable Housing Stock (Net of Right to Buy) Compared to Affordable Needs Identified in the Core Strategy (2011), 2011/12 to 2022/23

Monitoring Period	Additions to AH Stock (Net of RtB)	Core Strategy Policy CS21 AH Needs Per Annum (Net)	Annual Shortfall / Surplus	Cumulative Shortfall	Additions as a %age of Needs
2011/12	64	77	-13	-13	83%
2012/13	25	77	-52	-65	32%
2013/14	111	77	34	-31	144%
2014/15	111	77	34	3	144%
2015/16	29	77	-48	-45	38%
2016/17	36	77	-41	-86	47%
2017/18	59	77	-18	-104	77%
2018/19	20	77	-57	-161	26%
2019/20	98	77	21	-140	127%
2020/21	125	77	48	-92	162%
2021/22	38	77	-39	-131	49%
2022/23	98	77	21	-110	127%
Total	814	924	-110		88%
Avg. Pa.	68	77	-9		

Source: DLUHC Open Data; Private Registered Provider Social Housing Stock in England: Statistical Data Returns (2011/12 to 2022/23); and Core Strategy (2011).

8.6 Since the start of Core Strategy period in 2011/12, affordable housing completions have averaged 68 net affordable dwellings per annum, compared with a need of 77 net affordable dwellings per annum. A shortfall of -110 affordable dwellings has arisen over this period, equivalent to an average annual shortfall of -9 affordable dwellings.

9.0 Affordability Indicators

Private Rental Market

- 9.1 Valuation Office Agency (“VOA”) and Office for National Statistics (“ONS”) data (first produced in 2013/14)³ show that median private rents in Elmbridge Borough stood at £1,350 per calendar month (“pcm”) in 2022/23. This represents a 17% increase from 2013/14 where median private rents stood at £1,150 pcm.
- 9.2 A median private rent of £1,350 pcm in 2022/23 is 35% higher than the South East figure of £998 pcm and 64% higher than the national figure of £825 pcm.
- 9.3 The average lower quartile monthly rent in Elmbridge Borough in 2022/23 was £1,100 pcm. This represents a 22% increase from 2013/14 where average lower quartile monthly rents stood at £900 pcm.
- 9.4 A lower quartile rent of £1,100 pcm in 2022/23 is 36% higher than the South East figure of £810 pcm and 76% higher than the national figure of £625 pcm.

Median House Prices

- 9.5 The ratio of median house prices to median incomes in Elmbridge Borough now stands at 20.04, a 61% increase since the start of the Core Strategy (2011) period in 2011 where it stood at 12.42.
- 9.6 A ratio of 20.04 in Elmbridge Borough stands significantly above the national average of 10.75 (+86%) and significantly above the South East average of 8.28 (+142%).
- 9.7 The appeal site is situated within Claygate Ward. In 2023 median house prices in Claygate Ward stood at £860,000 which is 29% higher than Elmbridge Borough (£665,000), 123% higher than the South East figure of £385,000 and 197% higher than the national figure of £290,000.

Lower Quartile House Prices

- 9.8 For those seeking a lower quartile priced property (typically considered to be the ‘more affordable’ segment of the housing market), the ratio of lower quartile house price to incomes in Elmbridge Borough now stands at 18.28, a 49% increase since the start of the Core Strategy (2011) period in 2011 where it stood at 12.25.

³ VOA/ONS Private Rental Data Source:
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/privaterentalmarketsummarystatisticsinengland>

- 9.9 Once again it remains the case that the lower quartile ratio in Elmbridge (18.28) stands significantly above the national average of 10.69 (+71%) and significantly above the South East average of 7.37 (+148%).
- 9.10 Please note that lower quartile house price data at Ward level has not been published for 2023. As such, for consistency we have compared the 2022 Ward figures with 2022 data for Elmbridge Borough, the South East region and England.
- 9.11 In 2022 lower quartile house prices in Claygate Ward (£525,000) were 18% higher than across Elmbridge Borough (£445,000), 98% higher than across the South East (£265,000) and 188% higher than the national figure (£182,500).

10.0 Agreement of the Parties

- 10.1 The parties agree that the affordable housing offer of 50% (up to 30 affordable dwellings) is in accordance with Policy CS21 of the Core Strategy (2011) and exceeds the requirements of Emerging Policy HOU4 (which prescribes 30% for brownfield sites of 10 or more units and 40% for greenfield sites of 10 or more units).
- 10.2 The parties agree that the tenure split accords with Policy CS19 of the Core Strategy 2011.
- 10.3 The parties agree that Policy CS21 of the adopted Core Strategy (2011) sets a target to deliver at least 1,150 affordable dwellings between 2011/12 and 2025/26, equating to **77 affordable dwellings per annum** during this period.
- 10.4 The parties agree that the 2016 SHMA identifies a need for **332 affordable dwellings (net) per annum** between 2015/16 and 2034/35.
- 10.5 The parties agree that the 2020 LHNA identifies a need for **269 affordable dwellings per annum** between 2019/20 and 2038/39.
- 10.6 As shown in Figure 2, the parties agree that between 2012/13 and 2021/22, Elmbridge Borough Council has delivered a total of 814 affordable dwellings (net of Right to Buy), equivalent to 66 affordable dwellings per annum net of Right to Buy sales which equates to 19% of the total average number of net housing completions.
- 10.7 The parties agree that since the start of 2016 SHMA period in 2015/16, affordable housing completions have averaged 63 net affordable dwellings per annum, compared with a need of 332 net affordable dwellings per annum. A shortfall of -2,153 affordable dwellings has arisen over this period, equivalent to an average annual shortfall of -269 affordable dwellings.

- 10.8 The parties agree that since the start of 2020 LHNA period in 2019/20, affordable housing completions have averaged 90 net affordable dwellings per annum, compared with a need of 269 net affordable dwellings per annum. A shortfall of -717 dwellings has arisen over this period, equivalent to an average annual shortfall of -179 affordable dwellings.
- 10.9 The parties agree that since the start of Core Strategy period in 2011/12, affordable housing completions have averaged 68 net affordable dwellings per annum, compared with a need of 77 net affordable dwellings per annum as per Policy CS21. A shortfall of -110 affordable dwellings has arisen over this period, equivalent to an average annual shortfall of -9 affordable dwellings.
- 10.10 The parties agree that using the Sedgefield approach to determine the future supply of affordable housing is appropriate as supported by a recent appeal decision at Sondes Place Farm, Dorking (ref. APP/C3620/W/23/3324631). For example, if the accumulated shortfall of -717 against the 2020 LHNA is to be addressed within the next five years then Elmbridge Borough Council would need to deliver 412 affordable dwellings per annum between 2023/24 and 2027/28, as opposed to 269 per annum.
- 10.11 The parties agree that a median private rent of £1,350 pcm in 2022/23 is 35% higher than the South East figure of £998 pcm and 64% higher than the national figure of £825 pcm.
- 10.12 The parties agree that a lower quartile rent of £1,100 pcm in 2022/23 is 36% higher than the South East figure of £810 pcm and 76% higher than the national figure of £625 pcm.
- 10.13 The parties agree that a median affordability ration of 20.04 in Elmbridge Borough stands significantly above the national average of 10.75 (+86%) and significantly above the South East average of 8.28 (+142%).
- 10.14 The parties agree that in 2023 median house prices in Claygate Ward stood at £860,000 which is 29% higher than Elmbridge Borough (£665,000), 123% higher than the South East figure of £385,000 and 197% higher than the national figure of £290,000.
- 10.15 The parties agree that a lower quartile ratio in Elmbridge (18.28) stands significantly above the national average of 10.69 (+71%) and significantly above the South East average of 7.37 (+148%).

- 10.16 The parties agree that in 2022 lower quartile house prices in Claygate Ward (£525,000) were 18% higher than across Elbridge Borough (£445,000), 98% higher than across the South East (£265,000) and 188% higher than the national figure (£182,500).
- 10.17 The parties agree there is an acute national housing crisis.
- 10.18 The parties agree there is a significant need for affordable housing across Elmbridge Borough and the wider south of England, and annual need has not been delivered to date.
- 10.19 The parties agree that the provision of up to 30 affordable units at the appeal site is a separate material consideration weighing in favour of the appeal scheme.
- 10.20 The Council accepts that the benefits arising from providing affordable housing accord with the sustainable development definition in the NPPF and the provision of the affordable housing, to deal with the identified need, is a benefit weighing in favour of the development, the extent of which is not agreed.
- 10.21 The parties agree that a proposal's contribution to meeting affordable housing need is a matter that can be taken into account as an "other consideration" when assessing whether there are Very Special Circumstances. The appellants consider that very substantial weight should be afforded to the delivery of up to 30 affordable dwellings. The LPA consider that substantial weight should be afforded to the delivery of up to 30 affordable dwellings.

11.0 Matters in Dispute

- 11.1 The parties disagree on the weight to affordable housing:
- 11.1.1 The Appellants say that the weight to be afforded to 30 affordable housing dwellings, should be very substantial.
- 11.1.2 The LPA contend that substantial weight should be afforded rather than very substantial on the basis that the percentage provided is policy compliant and would provide only up to 30 affordable dwellings.

Signed on behalf of the LPA:

Signed on behalf of the Appellant:

Signature: 

Signature: 

Name: Jack Trendall

Name: James Stacey

Date: 5th March 2024

Date: 5th March 2024