Planning Department  
Elmbridge Borough Council  
Civic Centre  
High Street  
Esher KT10 9SD  
29th January 2020

By email to planningpolicy@elmbridge.gov.uk

Dear Sirs

“Consultation” on Development Contributions Supplementary Planning Document (“SPD”)

We write on behalf of Cobham Conservation & Heritage Trust (“The Trust”) to make observations in this consultation which it asks to be taken into account as this SPD is revised.

The Trust has approximately 1,100 members, most from the Cobham, Downside, Stoke D’Abernon and Oxshott area. Before writing this submission the Trust gauged views from its membership, which generally supports the approach taken in this letter.

Elmbridge Borough Council (EBC) put this document out for consultation stating that it was seeking views on revisions to the existing SPD to ‘to support the existing Local Plan in particular Core Strategy (2011) policies CS13: Thames Basin Heaths Special Protection Area, CS21: Affordable housing and CS28: Implementation and Delivery’.

The Trust understands that the making of these policies will be more flexible if part of an SPD but it is concerned that in making this policy in such a document it may have less standing than the document(s) that form the Local Plan, which go forward under Regulation 19 for consultation and examination by the Government Inspector. We believe that this policy is an integral part of the Local Plan and therefore should be treated as such.

The Trust makes the following observations on the draft document.

1. Payments in full of all CIL, SAMM and Affordable Housing contributions should be made before any project commences.
2. All residential developments load and/or damage our existing infrastructure and all therefore should contribute to infrastructure maintenance and enhancement through the CIL regime. Various exemptions to CIL are part of its existing regime but these exemptions can be easily used to avoid CIL and/or lead to inappropriate developments. There is a case for all exemptions being removed but certainly those
for C2 or C3 residential developments. There are loopholes in the self-build provisions which need to be better monitored and where the Council finds its hands tied by legislation it should lobby for tougher provisions.

3. The policy for affordable housing contributions has not been successful and has needed root and branch reform:

   (i) The present policy is impenetrably complex - it must be simple

   (ii) One source of the present complexity is exemptions – there should be no exemptions

   (iii) It is all too easy to make a case that contributing dwellings for affordable housing on site will somehow damage the development so financial contributions are accepted instead. It is undesirable to have exclusively affordable developments - mixed developments are what is needed. Stopping any exemptions being made should be a priority

   (iv) Affordable Housing or financial contributions to that are subject to 'viability' considerations. Disputes over evidence for prospective sales values ensue. Make financial contribution a fixed amount (e.g. the average cost of EBC providing similar affordable dwellings in the prior year).

   (v) The level of the Affordable Housing contribution is presently 20% yet the latest Strategic Housing Market Assessment for Kingston upon Thames and North East Surrey Authorities in 2016 provided evidence and EBC accept that the need for Affordable Housing is at least 75% of the houses being built during the term of the new Local Plan. The 20% rate must therefore be considerably increased to make this policy consistent.

Yours sincerely

David Bellchamber, David Tipping, Adrian Wise
Planning Team: Cobham Conservation & Heritage Trust