

NPPF Supplemental - Affordable Housing Matters

Land at Farm View, Langley Vale Road, Epsom, KT18 6AP

August 2026

1. The Affordable Housing Proof of Evidence (**CD6.3**) dated August 2026 was prepared prior to publication of the August 2026 NPPF. The underlying evidence relating to affordable housing need, past delivery and market conditions remains unchanged.
2. Importantly, the factual evidence underpinning that assessment is agreed between the parties through the Affordable Housing Statement of Common Ground ('AH SoCG') (**CD9.5**). The matters remaining in dispute are whether affordable housing should be treated as an individual benefit, separate from the contribution to housing supply generally, and the weight to be attributed to that benefit.
3. Of particular relevance to the affordable housing evidence are Policies HO1, HO7, HO8 and GB8 of the August 2026 NPPF.
4. Policy HO7, *Meeting the need for homes*, provides that *"substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the **evidenced needs of the local community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence**" (emphasis added). This expressly includes homes which meet the needs of the different groups assessed under Policy HO1, which expressly includes those who require affordable housing, including Social Rent.*
5. The effect of that wording is important. HO7 does not simply direct substantial weight to the numerical addition of homes to the overall housing stock. It directs substantial weight to the **benefit of meeting evidenced accommodation needs**. Those needs are not all the same. The need for housing generally and the need for affordable housing are separately identified and separately evidenced.
6. In practical terms, all 110 homes proposed would contribute towards overall housing supply. However, only the 55 affordable homes would contribute towards meeting the separately assessed need for affordable housing. If those 55 affordable homes were instead provided as market homes, the development would still deliver precisely **110 homes** and make precisely the same numerical contribution to overall housing supply, but its contribution towards the identified need for **652 affordable homes per annum would fall from 55 homes to zero**.
7. The affordable housing provision therefore delivers a benefit which cannot be captured by, or subsumed within, the benefit of increasing general housing supply.
8. Policy HO8, *Providing affordable homes*, further reinforces the distinction between general housing delivery and affordable housing provision. It requires development proposals to meet or exceed up-to-date Development Plan requirements for both the proportion and mix of affordable housing tenures, expressly including any minimum proportion of Social Rent. This is directly relevant to the Appeal proposals, which provide 55 affordable homes comprising 39 Social Rent

homes (71%) and 16 Shared Ownership homes (29%), closely reflecting the Core Strategy's 70% Social Rent / 30% intermediate housing approach. HO8 therefore demonstrates that national policy is concerned not simply with the number of homes delivered, but with the specific tenure of those homes and the particular housing needs they are intended to meet.

9. This approach builds directly upon the principles established in *Vistry Homes Limited and Fairfax Acquisitions Limited v Secretary of State* [2024] EWHC 2088 (Admin) (**CD17.1**). Holgate J held that the identification and weighting of a benefit depends upon its **nature and purpose** (paragraph 154) and, in relation specifically to affordable housing, that the decision-maker should assess the contribution by reference to the **level and nature of affordable housing need and any shortfall in delivery** (paragraph 157) . This approach is reflected in the Affordable Housing Proof.
10. The August 2026 NPPF gives that distinction clearer policy expression. HO1 identifies affordable housing as a separately assessed accommodation need; HO7 directs substantial weight to homes which meet those evidenced needs; and HO8 contains a dedicated decision-making policy for securing affordable housing. The new policy framework therefore builds upon the approach established in *Vistry*: the relevant question is not simply **how many homes are provided**, but also **what identified need those homes meet**.
11. The August 2026 NPPF therefore strengthens the basis for the conclusion reached in the Affordable Housing Proof. Consistent with *Vistry*, national policy now expressly distinguishes between general housing need and the evidenced accommodation needs of particular groups, including those requiring affordable housing.
12. The scale of the separate affordable housing need which the 55 homes would address is agreed in the AH SoCG. In particular:
 - the 2023 HEDNA identifies a net need for **652 affordable homes per annum**, comprising 574 affordable/social rented homes and 78 affordable homeownership homes;
 - only **88 net affordable homes** were delivered between 2022/23 and 2024/25 against a need for 1,956 homes, meeting only **4% of identified need** and resulting in a cumulative shortfall of **1,868 affordable homes**;
 - there were **1,456 households on the Housing Register** at 31 March 2025, an increase of 10% from the previous year;
 - **274 households**, including **347 children**, were living in temporary accommodation at 31 March 2025, with the Council spending **£3.266 million** on temporary accommodation in 2024/25;
 - **97 households** were owed a homelessness prevention duty and a further **113 households** a relief duty during 2024/25; and
 - lower quartile house prices reached **£380,000** across the Borough and **£500,000** in Epsom Downs and Common in 2025, with the Borough's lower quartile affordability ratio standing at **13.05**.
13. Policy GB8, *The Golden Rules*, provides further and site-specific support for the affordable housing contribution. GB8 applies to major housing development on sites within the Green Belt subject to

a planning application and requires affordable housing provision which is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply, subject to a cap of 50%, until relevant Development Plan policies are in place.

14. The relevant adopted requirement in this case is 40% under Policy CS9. The 50% affordable housing proposed therefore meets the maximum affordable housing contribution required by GB8. That position is consistent with the affordable housing offer already agreed between the parties, namely 55 affordable homes comprising 39 Social Rent homes and 16 Shared Ownership homes.
15. Importantly, GB8 does not stop at establishing the level of provision expected. GB8(2) expressly states that substantial weight should be given to the importance of complying with the Golden Rules when considering applications for major housing development on Green Belt sites. The provision of 50% affordable housing is therefore not simply policy compliant: it forms part of a suite of contributions to which the NPPF itself directs substantial weight through the Golden Rules.
16. The affordable housing provision should therefore attract **substantial positive weight** as an individual benefit in the planning balance, in addition to the weight attributable to the contribution towards housing supply generally. This is supported by Policy HO7, which directs substantial weight to homes that meet evidenced accommodation needs; and, in this Green Belt context, Policy GB8, which separately requires **substantial weight** to be given to the importance of complying with the Golden Rules.

Contact

Annie Gingell
annie.gingell@turley.co.uk

Client

Fairfax Aspire Ltd

Our Reference

05873

August 2026