

Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Yes	11/2/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	Yes	23/2/26
Relevant Group Head review	Yes	24/2/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)	Yes	23/2/26
This item is on the Forward Plan for the relevant committee	Yes	4/2/26
	Reviewed by	
Finance comments (circulate to Finance)	Yes	25/2/26
Risk comments (circulate to Lee O’Neil)	LO	02/03/26
Legal comments (circulate to Legal team)	WB	05/03/26
HR comments (if applicable)	N/A	

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	09/03/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	2/3/2026
Confirm final report cleared by MAT		

Environment and Sustainability Committee

19 March 2026

Title	Statutory Consultation on Spelthorne Affordable Housing Supplementary Planning Document (SPD) and Climate Change Supplementary Planning Document (SPD)
Purpose of the report	To make a decision
Report Author	Jane Robinson, Local Plans and Infrastructure Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Addressing Housing Need
Recommendations	Committee is asked to: <ol style="list-style-type: none">1. Agree that the consultation draft version of the Spelthorne Affordable Housing Supplementary Planning Document (SPD) be published for a four-week public consultation starting on 8 May 2026, under Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012.2. Subject to recommendation 1, agree that delegated authority is given to the Deputy Chief Executive in agreement with the Chair of the Environment and Sustainability Committee, to agree any minor revisions to the draft document prior to the consultation.3. Agree that that delegated authority is given to the Deputy Chief Executive in agreement with the Chair of the Environment and Sustainability Committee, to agree the consultation draft version of the updated Climate Change Supplementary Planning Document (SPD) and that this draft be published for a four-week public consultation starting on 8 May 2026, under Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012.
Reason for Recommendation	The Affordable Housing Supplementary Planning Document (SPD) has been prepared in collaboration with a cross-party Member Steering group, supported by officers and consultants JJ

	<p>Viability (JJV). The document provides detailed guidance to support the delivery of affordable housing within the borough.</p> <p>The Climate Change Supplementary Planning Document was adopted by the Council on 25 April 2024. Following the adoption of the emerging Local Plan, the SPD will require updating to ensure alignment with the newly adopted policies, after which it must be re-consulted on before being readopted as part of the Spelthorne Local Plan 2024-2039/40.</p> <p>Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012 requires that a draft Supplementary Planning Document be subject to public consultation for a minimum of four weeks prior to adoption.</p>
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1. Executive summary of the report *(expand detail in Key Issues section below)*

What is the situation	Why we want to do something
<ol style="list-style-type: none"> 1. Spelthorne Borough Council has been working with consultants JJV to prepare the Affordable Housing Supplementary Planning Document (SPD). 2. The government has set a deadline of 30 June 2026 for the adoption of all Supplementary Planning Documents (SPDs). If the Affordable Housing SPD and updated Climate Change SPD are not adopted by this date, they would instead be adopted as non-statutory Technical Guidance, carrying less weight in planning decision making. 3. It is not considered good practice to undertake public consultation during the pre-election period, therefore the proposed four-week consultation is scheduled to commence on 8 May 2026, following the West Surrey elections are held on 7 May 2026. 4. Once the Local Plan is adopted the Climate Change SPD will be out of date and therefore needs to be updated to “hook on to” the new Local Plan Climate Change policy. 	<ol style="list-style-type: none"> 5. The Affordable Housing and updated Climate Change SPDs will provide detailed guidance to support, the effective implementation of the Spelthorne Local Plan 2024-2039/40. 6. Once adopted, the SPDs will become a material planning consideration for decision making purposes. They will not introduce new policies or requirements but will assist in the interpretation and application of existing Local Plan policies. 7. Under Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012, a draft Supplementary Planning Document must be subject to a minimum four-week public consultation before it can be adopted.

This is what we want to do about it	These are the next steps
<p>8. Seek approval from the Committee to initiate the statutory public consultation on the draft Affordable Housing SPD and updated Climate Change SPD, beginning on 8 May 2026.</p>	<p>9. Secure agreement to proceed with two statutory consultations, running from 8 May to 5 June 2026.</p> <p>10. Begin the four-week consultation period using a combination of online, printed materials and public engagement methods.</p> <p>11. Analyse all feedback received and make appropriate revisions to the documents as necessary.</p> <p>12. Present both the updated Affordable Housing SPD and updated Climate Change SPD to Environment and Sustainability Committee, followed by Council, with a recommendation that it be adopted.</p> <p>13. Once adopted the Affordable Housing SPD and updated Climate Change SPD will be used as material considerations in planning decision making.</p>

2. Key issues

Background

- 2.1 This report seeks approval to commence the statutory four-week consultation on the Affordable Housing Supplementary Planning Document (appendix A) and the updated Climate Change Supplementary Planning Document (SPDs).
- 2.2 The Supplementary Planning Documents (SPDs) provide further guidance to support the implementation of Spelthorne Borough Council's Local Plan 2024 - 2039/40. They will also assist the Council's Local Plan Immediate Review which is planned to be submitted within two years of adoption of the emerging Plan.
- 2.3 Once adopted, the SPDs will be a material planning consideration for decision making purposes. They do not introduce new policies or requirements, instead they assist in the interpretation and application of existing Local Plan policies, and particularly those that relate to affordable housing and climate change, including:
- H1: Homes for All.
 - H2: Affordable Housing.
 - PS1: Responding to the Climate Emergency

Affordable Housing Supplementary Planning Document (SPD)

- 2.4 The Affordable Housing SPD (appendix A) reviews key aspects of national policy, guidance, and Local Plan requirements relating to the provision of affordable housing. It draws on up-to-date evidence of housing need in Spelthorne, including the forthcoming Housing and Economic Development Needs Assessment (HEDNA) 2026, the Council's Housing Register and evidence prepared for the Local Plan, such as the Strategic Housing Market Assessment (SHMA).
- 2.5 This SPD provides guidance on delivering affordable housing across different site and development types. This includes thresholds, tenure mix, dwelling types, sizes, and standards. It also addresses design and integration, engagement with Registered Providers (RPs), grant funding, viability assessments, financial contributions in lieu of on-site affordable housing, and the use of Viability Review Mechanisms.
- 2.6 The draft SPD sets out guidance on the following key matters relating to affordable housing delivery:
- **Thresholds:** The circumstances where a requirement to provide affordable housing arises.
 - **Tenure Mix:** The types of affordable housing that the Council prefers to be delivered.
 - **Bedroom Size Mix:** The proportion of unit size (by bedroom) required for the affordable tenures preferred.
 - **Approach to 'Other Residential Development Types'** including Build to Rent, specialist accommodation, self and custom build housing, community led development, rural exception sites.
 - **Application Procedure and Engagement:** This includes encouraging early engagement with the Council and RPs, varying affordable housing obligations and the Vacant Building Credit.

What Affordable Housing Tenures should the guidance advise?

- 2.7 The draft SPD proposes that 75% of affordable homes should be provided as Social/Affordable Rent, with a preference for Social Rent. The remaining 25% should be delivered as either Shared Ownership or Intermediate Rent homes, with a preference for Intermediate Rent.
- 2.8 Potential alternative approaches to include:
- Revising the 75%/25% split between Social Rent/Affordable Rent and Intermediate homes.
Expressing a preference for different affordable housing products, for example Shared Ownership instead of Intermediate Rent or prioritising First Homes within the intermediate tenure.

What Bedroom Size Mix should the guidance describe?

2.9 The draft SPD advises the following Bedroom Size Mix for affordable housing on sites with multiple units:

Affordable Housing Bedroom Size Mix				
	1 bed	2 bed	3 bed	4 bed
Low Cost Rent:				
<ul style="list-style-type: none"> • Social Rent • Affordable Rent 	35-40%	25-30%	25-30%	5-10%
Intermediate	15-25%	40-45%	25-35%	5-10%

2.10 Potential alternatives include amending these ratios, such as increasing the proportion of family sized housing. However the proposed mix aligns with the recommendations in the SHMA and Low Cost Rent mix aligns with an analysis of the Housing Register and has been used in the Local Plan Viability Study.

Eligibility and Affordability Criteria for Intermediate Housing

2.11 The draft SPD proposes the following income eligibility criteria:

- With respect to Intermediate Rent:
 - Households with a gross income of up to £65,000 will be eligible for Intermediate Rent.
 - Total housing costs including rents and service charges for Intermediate Rent should not exceed the lower of the relevant LHA for the relevant size of property and 80% of the market rent for an equivalent property.
- With respect to Intermediate Ownership:
 - Households with a gross income of up to £65,000 will be eligible for Intermediate Rent.
 - Total housing costs, including equity purchases and rent on the unsold equity should not exceed 40% of net income for the maximum household income (£80,000).

Vacant Building Credit (“VBC”)

2.12 The draft SPD explains how VBC will be applied in Spelthorne and sets out conditions that would apply where it is used. It also confirms that VBC will only apply in Spelthorne where required by national policy.

Financial Contributions in Lieu of On-site Affordable Housing

2.13 The draft SPD sets out:

- Circumstances where the Council may agree that on-site or off-site provision is not feasible.
- The methodology that will be used to determine the level of financial contribution.
- How these financial contributions will be spent by the Council.

2.14 In terms of overarching context, the Local Plan states the following with respect to financial contributions in lieu of on-site affordable housing:

H2(2)(b)(ii) The Council will only accept a financial contribution in lieu of affordable housing provision where it can be satisfactorily demonstrated that on-site or off-site provision is neither feasible nor viable.

6.36 The Council aims to secure the delivery of affordable housing on-site or where it can be demonstrated that it is not viable or feasible to provide any affordable housing on-site, the Council will consider accepting off-site provision and/or financial contributions in lieu of on-site provision.

Overarching Approach to Calculating the Level of Financial Contribution

2.15 A number of different approaches were considered by the Steering group and that the recommended one which is:

An approach which subtracts the Gross Development Value of the scheme assuming on-site affordable housing is provided, as well as an allowance for an additional Community Infrastructure Levy liability and marketing costs, from the GDV of the scheme assuming no affordable housing is provided on-site (i.e. assuming 100% market tenure housing).

Viability Review Mechanisms

2.16 The draft SPD sets out:

- Key principles for Viability Review Mechanisms.
- Matters to be included in Section 106 Agreement.
- The methodology proposed for use in Spelthorne.
- How viability deficits will be treated within the review process.

2.17 Key issues to be addressed include:

- Issue 1: Whether to use a formula-based approach or full reassessment.
- Issue 2: Thresholds for Mid-Stage Reviews.
- Issue 3: Whether Early-Stage Reviews apply only where development has not been progressed within a set timescale.
- Issue 4: Whether review mechanisms should reflect viability deficits identified at application stage.

2.18 Relevant Local Plan policies state:

H2(2)(h) *Viability Review mechanisms should be applied to all viability tested applications at early and late stages in the development process (and mid-term reviews in the case of longer phased schemes) to ensure that affordable housing delivery is maximised as a result of any future improvement in viability.*

6.34 (Supporting text) *If the Council determines that the full on-site affordable housing delivery cannot be made at the time of the decision, the Council will require a review mechanism by way of a planning obligation, to assess if circumstances have improved to increase the provision to the full policy compliant amount. This is more likely to be appropriate on larger or phased developments.*

Issue 1: The methodology to be used (formula based or a full reassessment)

- 2.19 This issue concerns whether review mechanisms should be formula based or should involve full viability reappraisals similar to those undertaken at application stage.

Issue 2: Specific scheme size thresholds where Mid-Stage Reviews apply

- 2.20 The Local Plan states that Mid-Stage Reviews should apply “in the case of longer phased schemes”. This issue relates to whether the drafting should confirm the scale of the scheme (by unit) where Mid-Stage Reviews are required. The draft SPD proposes:

More than one Mid-Stage Review may be required depending on the size of the scheme and the number of phases, plots or buildings. It is generally appropriate for schemes proposing 500 to 1,000 homes to be subject to one Mid-Stage Review, whereas schemes of 1,000 homes should generally be subject to at least two of these reviews.

Issue 3: Whether Early-Stage Reviews should only apply where a scheme has not been progressed within a specified timescale

- 2.21 This issue considers whether Early-Stage Reviews should only apply if a scheme has not progressed to a certain stage (for example site preparation and construction to ground floor slab) within a certain time period (e.g. 24 months). The draft SPD reflects this approach.

Issue 4: Whether the approach should account for viability deficits

- 2.22 This issue relates to whether viability deficits identified at application stage should be reflected in viability review mechanisms, i.e. a surplus greater than the extent of an agreed deficit would need to be identified before an additional contribution to affordable housing is identified.

Climate Change Supplementary Planning Document (SPD)

- 2.23 The Council adopted the Climate Change Supplementary Planning Document (SPD) at its meeting on 25 April 2024. The Climate Change SPD encourages the delivery of more sustainable design for future developments within Spelthorne and supports the implementation of climate change policies within the Core Strategy. It was intentionally drafted to be easily updated, enabling it to be re-adopted, following further public consultation, once the Local Plan is in place.
- 2.24 It has always been the intention that, once the Local Plan is adopted by the Council, the Climate Change SPD will be updated to align with and “hook onto” the new climate change policy within the new Local Plan. This will ensure the SPD continues to be used in determining planning applications and that its requirements remain enforceable.
- 2.25 The newly introduced government deadline of 30 June 2026 has meant the acceleration of the timetable to update the Climate Change SPD. The current document is attached as appendix D. The report requests delegated authority is given to the Deputy Chief Executive in conjunction with the Chair of the Environment and Sustainability Committee to approve the necessary updates to the document ahead of the public consultation. The final versions will be brought back to Environment and Sustainability Committee and Council for consideration and adoption.
- 2.26 A working group comprising of the Climate Change officer, Strategic Planning officers, Development Management Planning officers, Sustainability officer, Building Control manager, Biodiversity officer, Principal Pollution Control officer, and Group Head for Commissioning and Transformation developed the specification for the SPD. Following a competitive procurement process David Lock Associates were appointed to prepare the Climate Change SPD and worked closely with officers to produce the document for consultation.
- 2.27 The SPD provides detailed guidance on the following themes:
- Energy use - including the energy hierarchy and renewable energy systems
 - Water - including sustainable drainage systems, managing flood risk and greywater use
 - Building design - including orientation and layout to maximise potential for renewable energy generation and avoid the impacts of climate change
 - Transport - including walkable and low car neighbourhoods
 - Green Infrastructure – including planting species selected for climate resilience
 - Materials and construction – including reduction of embodied carbon lean design and sustainable material choice
- 2.28 The SPD contains 3 checklists one for householder applications, one for minor applications and one for major applications. Applicants must complete the relevant checklist as part of their planning submission to clearly demonstrate how they have addressed the climate change mitigation measures set out in the SPD.

- 2.29 Public consultation on the SPD took place between 18 September 2023 and 16 October 2023. Consultation materials were published on the Council website and made available for the public to view at local libraries and the civic centre during office hours.
- 2.30 The Environment and Sustainability Committee report of 27 February 2024 is attached as a background document. This committee considered a report on the adoption of the Climate Change Supplementary Planning Document (SPD) including the consultation responses. The Committee resolved to approve the Climate Change Supplementary Planning Document and recommend to Council for adoption.
- 2.31 The Climate Change SPD will be updated by David Lock Associates (DLA) and approved by the Deputy Chief Executive and Chair of Environment and Sustainability Committee. It will then undergo the four-week public consultation and then be brought back to Environment and Sustainability Committee and Council for re-adoption under the new Local Plan. It will be linked to policy “PS1: Responding to the Climate Emergency”, ensuring that it continues to be used in determining planning applications and that its standards remain effective and enforceable.

Statutory Public Consultation and adoption

- 2.32 The purpose of this report is to seek approval to undertake two four-week statutory consultations one on the Affordable Housing SPD and one on the updated Climate Change SPD, to run from 8 May to 5 June 2026. Statutory Consultation Strategies for both documents are set out in appendices B and E of the report. Following the consultation officers and consultants will review and analyse all feedback received and make any necessary revisions. Both the updated SPDs will then be presented to the Environment and Sustainability Committee, with a recommendation to adopt, followed by Council. Upon approval, the Affordable Housing SPD and Climate Change SPD will form part of the Council’s policy framework and will be used as material considerations in planning decision making.

3. Options appraisal and proposal

- 3.1 **Option 1 – Preferred option:** That the Committee approves the three recommendations and the commencement of the four-week public consultation on both the Affordable Housing and updated Climate Change SPD documents running from 8 May to 5 June 2026.
- 3.2 **Option 2 – Not Recommended:** That the Committee seeks amendments to the Affordable Housing SPD and requests to see the updated Climate Change SPD documents prior to commencing the public consultation.

This option is not recommended, as it is not good practice that matters such as this are debated at Committee during pre-election period. Failure to agree the SPDs for consultation would prevent the consultation from commencing on 8 May 2026, creating delay that makes it unachievable to meet the Government’s adoption deadline of 30 June 2026. After this date, it is likely that the SPDs will no longer be capable of being adopted, meaning the

documents would instead only be issued as non-statutory guidance with reduced weight.

- 3.3 **Option 3 – Not Recommended:** That the Committee does not approve the request to undertake statutory consultation on the Affordable Housing SPD and Climate Change SPD.

This option is not recommended, as a statutory public consultation is a legal requirement for adopting a SPD. Without completing this process, the Affordable Housing SPD and Climate Change SPD cannot progress and will not be able to be adopted as a statutory document or used as a material planning consideration in decision making.

4. Risk implications

- 4.1 A risk register is used in projects to document, assess, and manage potential risks that could impact the project's success, ensuring proactive mitigation and response strategies. The risk register for the project is regularly monitored and updated by the Project Manager.
- 4.2 Failure to proceed with the statutory public consultation for Affordable Housing SPD and climate change SPD may result in significant reputational damage to the Council, undermining its commitment to community engagement, transparency, and proactive planning.
- 4.3 The Council has already invested considerable financial and staff resources in the development of both the Affordable Housing SPD and Climate Change SPD. Not progressing with the public consultation would render this work ineffective, resulting in wasted expenditure without achieving the intended outcomes and delay the implementation of essential planning guidance.
- 4.4 Without the progression of the adoption of the Affordable Housing SPD and Climate Change SPD, the Council will be less equipped to take a consistent and proactive approach to affordable housing delivery and climate change mitigation. This may lead to inconsistent planning outcomes and a missed opportunities to secure appropriate affordable housing across the Borough.
- 4.5 If the public consultation does not commence on 8 May 2026, the Council will not be able to adopt the SPDs by the Government's deadline of 30 June 2026. If this deadline is missed, there are only two possible alternatives, both of which present significant risks:
- The SPDs would become non-statutory technical guidance, carrying substantially less weight in planning decision making. This would reduce the Council's ability to secure affordable housing and climate resilient development consistently across the Borough.
 - The SPDs would need to be progressed as a Supplementary Plan, a process for which detailed secondary legislation and procedural requirements have not yet been published. This represents a significant risk, as meeting these requirements is likely to require additional resources, time, and cost, particularly as Supplementary Plans will need to be taken through an examination.

5. Financial implications

- 5.1 The fee for JJ Viability (JJV) for producing the Affordable Housing SPD is £41,280. JJV were appointed following a competitive tendering process undertaken with support and guidance from the Council Procurement team. The cost will be split across financial years, with 50% incurred in this financial year, and 50% in 2026/27.
- 5.2 If the statutory public consultation does not commence on 8 May 2026, the Council will be unable to adopt the SPDs before the Government's deadline of 30 June 2026. After this date, two alternative outcomes exist: The document would be a non-statutory technical note, which would carry less weight in planning decisions or as a Supplementary Plan, a process expected to involve greater cost and resource demands.
- 5.3 The cost for David Lock Associates to update the Climate Change Supplementary Planning Document was originally quoted at £6,094 however costs may have risen since the work was quoted in 2024. The £6,094 plus a contingency is already incorporated in existing budget as the update was planned.

6. Legal comments

- 6.1 Without the SPD in place limits the Council's ability to insist on certain aspects of affordable housing required. It may also increase socio economic inequalities as the Council have no clear strategy for dealing with developers on affordable housing requirements that suit the assessed needs of the local community. The consultation process of adopting a SPD enable the community to have they say on their particular needs and requirements that have are then potentially encapsulated within the SPD.

Corporate implications

7. S151 Officer comments

- 7.1 Affordable housing provision is a key issue for the Borough both in terms of addressing the housing need of residents but equally insufficient supply of affordable housing impacts on the ability of the Council to place households off its register and ease pressures on its Temporary Accommodation which has a significant ongoing revenue budget. The S151 Officer confirms that all direct financial implications relating to the report proposal have been taken into account and that the recommendations are fully funded from within the current and 2026-27 budget.

8. Monitoring Officer comments

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

- 9.1 There are no procurement implications arising directly from this report, but it should be noted that the appointment of the consultants is compliant with the relevant rules and regulations including the Council's Contract Standing Orders.

10. Equality and Diversity

- 10.1 An Equalities Impact Assessment (EIA) has been completed for the Affordable Housing SPD. It is attached at appendix C.

11. Sustainability/Climate Change Implications

- 11.1 Updating and consulting on the Climate Change SPD ensures the council can continue to apply clear guidance to support low- carbon development, energy efficiency, sustainable design, and climate- resilient infrastructure. Proceeding with consultation before the June 2026 deadline protects the SPD's planning weight, helping secure consistent delivery of the borough's climate objectives.
- 11.2 The Affordable Housing SPD should connect with the Climate Change SPD to provide clarity on delivering high-quality affordable housing that reduces energy bills and is resilient to the future risks of climate change.

12. Other considerations

- 12.1 It is not good practice to hold a public consultation during the pre-election period which is likely to start on 23 March 2026 with West Surrey Council elections due to take place on the 7 May 2026. The four-week consultation will begin on 8 May and run to 5 June.
- 12.2 The government has a set deadline of 30 June 2026 by which all new SPDs need to be adopted. This means an incredibly tight timeline for consultation responses to be analysed and then to hold an extraordinary meeting of the Environment and Sustainability Committee to consider the adoption of the documents and for a Council meeting to adopt them. To address this an expedited delivery programme has been provided by consultants JJV and David Lock Associates.
- 12.3 If it is not possible to meet this deadline, both documents can be delivered as non-statutory technical guidance after 30 June 2026.

13. Timetable for implementation

- 13.1 If agreed, the two statutory consultations would begin on 8 May, the day after the West Surrey elections are held. They will run for four-weeks until 5 June 2026. The SPDs will need to be adopted by 30 June 2026.

14. Contact

14.1 Jane Robinson; j.robinson@spelthorne.gov.uk

***Please submit any material questions to the Committee Chair and Officer
Contact by two days in advance of the meeting.***

Background papers:

[Environment and Sustainability Committee report - 27 February 2024 – Climate Change Supplementary Planning Document](#)

Appendices:

Appendix A: Spelthorne Affordable Housing SPD - Final Draft for Consultation - March 2026

Appendix B: Affordable Housing SPD – Statutory Consultation Strategy

Appendix C: Affordable Housing SPD - Equalities Impact Assessment (EIA)

Appendix D: Climate Change SPD 2024

Appendix E: Climate Change SPD – Statutory Consultation Strategy