

REPORT TO OVERVIEW AND SCRUTINY PANEL

Title: **MAIDENHEAD WATERWAYS FRAMEWORK (APRIL 2009):
REPORT OF CONSULTATION**

Date: 17 June 2009

Member Reporting: Councillor Mrs Knight

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Wards affected: Bisham and Cookham, Maidenhead Riverside, Furze Platt,
Oldfield, Bray Wards

1. SUMMARY

- 1.1.1 The council supports the Maidenhead Waterway Project. This is an ambitious plan that aims to transform the waterway that runs from the Cliveden Reach of the River Thames at Cookham through Maidenhead to Bray Marina (see Appendix A), into a valuable amenity for the benefit of all those who live, work or spend their leisure time in the Maidenhead area. The project is promoted by the Maidenhead Waterways Restoration Group (MWRG).
- 1.1.2 The Maidenhead Waterways Framework (the Framework) is a non-statutory planning brief. Its purpose is to aid the restoration of the waterway and the achievement of the emerging Maidenhead Waterway Project by ensuring that both the preparation of future planning policy and the design of development proposals along the length of the waterway corridor contribute to the overall aim of the project and avoid obstacles to its delivery. The Framework will also lead to:
- ❖ Improved appearance of the waterway corridor;
 - ❖ Improved integration of the waterway into the urban area;
 - ❖ Increased attraction of Maidenhead town centre as a destination; and
 - ❖ Extended opportunities for access along the waterway corridor.
- 1.1.3 For the avoidance of doubt, the framework does not assess the feasibility or acceptability of the Maidenhead Waterways Project.
- 1.1.4 The Framework document and supporting documents were published for a four-week period of consultation. Copies of the consultation documents are available in the Group Rooms and can be accessed on the council's website at http://www.rbwm.gov.uk/web/pp_maidenhead_waterways_framework.htm. Comments from thirty-five respondents were received. Overall, comments express support for the Framework, however, a number of changes have been made to satisfy a number of objections. A number of comments were also received regarding

the Maidenhead Waterway Project itself which have been passed to the MWRG for their information and future consideration.

2. RECOMMENDATION

- 1) That the amended Maidenhead Waterways Framework be adopted as non-statutory planning guidance and that the associated sustainability appraisal and consultation report be approved.**
- 2) That the collection of financial contributions from development towards the restoration of the waterway be endorsed.**

What will be different for residents as a result of this decision?
Improving the waterway corridor will provide greater recreational opportunity and help stimulate the rejuvenation of Maidenhead town centre. Residents and developers will have a greater certainty and clarity over what is likely to be acceptable in terms of development along the waterway corridor.

3. SUPPORTING INFORMATION

3.1 Background

- 3.1.1 The Maidenhead Waterway Project is an ambitious plan that aims to transform the waterway that runs from the Cliveden Reach of the River Thames at Cookham, through Maidenhead to Bray Marina (see Appendix A), into a valuable amenity for the benefit of all those who live, work or spend their leisure time in the Maidenhead area. The project is promoted by the Maidenhead Waterways Restoration Group (MWRG).
- 3.1.2 The waterway restoration is one of five key priority regeneration projects identified in “A Vision for Maidenhead Town Centre,” the vision and action plan commissioned by the Partnership for the Rejuvenation of Maidenhead (PRoM) and subsequently adopted by the council as a long-term strategy for the town centre.
- 3.1.3 The level of developer interest in Maidenhead town centre led PRoM to promote ways to help facilitate the improvement of the waterway corridor and the overall achievement of the Maidenhead Waterway Project. The preparation of a planning framework was proposed to
 - 1) Facilitate and promote within a formal context the scope of the Maidenhead Waterway Project,
 - 2) To establish a set of objectives and guidelines to which developments and planning documents should comply, and
 - 3) Formalise implementation measures including the use of S106 funding.
- 3.1.4 The resulting Framework was published for a four-week period of consultation. The absence of an adopted overarching planning policy required that the framework be progressed as a non-statutory planning brief. While not a formal part of the Local

Development Framework, the document has been prepared within the context of national, regional and local planning policy and has been informed by a sustainability appraisal. Further, consultation procedures have followed best practice set out in the adopted Statement of Community Involvement. The document may therefore be considered robust for use by the council and where necessary by the Planning Inspectorate.

3.2 Results of Consultation

3.2.1 Comments from thirty-five respondents were received, including ones from the MWRG and the Environment Agency (the navigation authority). Overall, comments express support for the Framework. Key issues raised in responses include:

- ❖ The presentation of alternative approaches given the emerging nature of the Maidenhead Waterway Project.
- ❖ Concern regarding the acceptability and feasibility of navigation by powered boats.
- ❖ Historic position on navigation is not supported by evidence.
- ❖ The acceptability of ecological impacts from the raising of water levels, dredging and channel widening.
- ❖ Possible impacts on flood risk.
- ❖ Concerns that the restoration would lead to development along the waterway corridor in the Green Belt.
- ❖ The need for fuller references to crime reduction measures such as Secure by Design principles.
- ❖ The lack of any timescale for the achievement of the Maidenhead Waterway Project.
- ❖ Concern regarding construction and ongoing maintenance costs and arrangements of the Maidenhead Waterway Project.

3.2.2 A schedule of detailed comments and recommended responses in Appendix B to this report. Matters to note include:

- ❖ The Framework does not assess the feasibility or the acceptability of the Maidenhead Waterway Project. It provides a mechanism to help facilitate the improvement of the waterway corridor in general and avoid obstacles to the overall achievement of the Maidenhead Waterway Project. The Framework does not address detailed design issues and the potential effects on flood risk or ecology, which are only capable of assessment at the planning application stage. Similarly, the Framework does not conclude on issue of navigation by narrow boats, but seeks to ensure this possibility is recognised by developments.
- ❖ It is accepted that there is no conclusive evidence on the commercial

navigation of the waterways or that navigation did not occur. While the Framework and the Maidenhead Waterway Project do not seek to replicate the past, the document has been amended to reflect this uncertainty.

- ❖ The Framework states that it provides guidance for developments which are acceptable in principle under wider planning policy. Inappropriate development in the Green Belt along the waterway would be contrary planning policy and not supported by the document. Amended text is recommended to provide further reassurance.
- ❖ The costs of the Maidenhead Waterway Project are dependent on the final form of the project and the timeframe for its delivery. The Framework is independent of these matters.

3.2.3 A copy of the amended Framework is provided in Appendix C to this report.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	Do not adopt the planning brief	Not recommended. Failure to adopt the planning brief will mean there is no coordinated planning guidance along the waterway corridor. This may lead to development which does not enhance the waterway and could obstruct the achievement of the Maidenhead Waterway Project.	Revenue: None Capital: None
2.	Adopt the planning brief	Recommended. The planning brief will carry some weight in future planning decisions. The documents have been tested by public consultation and generally well received. The recommended changes will further improve the documents.	Revenue: None Capital: The Planning Obligations and Developer Contributions SPD identifies the waterways and other town centre projects as schemes where funds can, and indeed have been, collected in association with

	Option	Comments	Financial Implications
			appropriate development. These funds can be used to deliver aspects of the Framework, albeit reliant on future developments within the town centre and wider waterway corridor.

4.2 Risk assessment

- 4.2.1 The main risk of not adopting the Framework is that the council will not have a strategy in place to effectively coordinate development along the waterway corridor.
- 4.2.2 The purpose of the Framework is to help facilitate the improvement of the waterway corridor in general and avoid obstacles to the overall achievement of the Maidenhead Waterway Project. If the Framework is not adopted, there could be adverse impacts on the waterway as a result of the lack of a coordinated design approach and the collection and use of S106 funding from developments.
- 4.2.3 While as a non-statutory planning brief the Framework is not able to formally safeguard land, non-adoption would increase the risk of development failing to respond to the potential of the Maidenhead Waterway Project, potentially leading to obstacles to its delivery.

5. CONSULTATIONS CARRIED OUT

- 5.1.1 The consultation draft document and associated sustainability appraisal were published for a four-week period from 9th April to 7th May 2009. The documents were sent to local and statutory groups, made available at the council receptions and at the Cookham, Cox Green and Maidenhead libraries, and downloadable via the council's website. Notification of the consultation was also publicised by a public notice within the Maidenhead Advertiser, by site notices along the length of the waterway corridor and letters to contacts on the planning consultation system.

6. COMMENTS FROM THE OVERVIEW AND SCRUTINY PANEL

- 6.1.1 To be completed following the meeting of the Panel on 17th June.

7. IMPLICATIONS

- 7.1.1 The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	✓	✓	✓	✓

Background Papers:

A Vision for Maidenhead Town Centre, January 2009.
Maidenhead Waterways Framework: Consultation Draft Document, April 2009.
Draft Sustainability Appraisal: Maidenhead Waterways Framework, April 2009.

Appendix A: The Maidenhead Waterway Project Route



