

# CABINET

THURSDAY, 27TH JULY, 2017

At 7.30 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
	ii. Hurley and Walthams Neighbourhood Plan Decision to Proceed to Referendum - Appendices	3 - 126

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**YOUR NEIGHBOURHOOD, YOUR SAY**  
**HURLEY AND THE WALTHAMS NEIGHBOURHOOD PLAN**

**HURLEY & THE WALTHAMS**  
**2015 - 2030**

**SUBMISSION PLAN**



***Published by the Hurley & The Walthams Neighbourhood Plan Steering Group  
for consultation on behalf of Hurley, Waltham St Lawrence, White Waltham  
Parish Councils and Shottesbrooke Parish Meeting.***

**June 2016**

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## List of Land Use Policies

### Environment:

ENV 1 – Sustainable Development

ENV 2 – Climate Change, Flood and Water Management

### Spatial Policies:

SP1 – Spatial Policy

### Hurley:

HUR1 – Housing Schemes in Hurley

HUR2 – Berkshire College of Agriculture

HUR3 – Intensification of non-excluded development at Star Works

### Waltham St Lawrence:

WSL1 – Development in WSL

### White Waltham:

WW1 – Housing at Grove Park

WW2 – Housing at Sawyers Crescent

WW3 – Housing at Smithfield Road

WW4 – Infill in Woodlands Park

WW5 – White Waltham Airfield

### General Policies:

Gen1 – Rural Exception Sites

Gen2 – Quality Design

Gen3 – Areas of Special Character

Gen4 – Local Employment Sites

Gen5 – Community Facilities

Gen6 – Education

Gen7 – Local Green Spaces

### Transport Policies

T1 – Accessibility and Highways safety

T2 – Residential Parking

T3 – Goods Vehicle Traffic

## Foreword from the Steering Group Chairman

As part of the government's 'Big Society' agenda local communities are being given the opportunity to develop a Neighbourhood Plan.

Although the Government's intention is for local people to decide what goes on in their Neighbourhood Plan area, the Localism Act 2011 sets out some important laws. One of these is that all Neighbourhood Plans must be in line with higher level planning policy. That is, Neighbourhood Plans must be in line with the National Planning Policy Framework (otherwise known as the NPPF) and local policy.

In 2011 the parishes of Hurley, White Waltham, Waltham St Lawrence and Shottesbrooke were offered the opportunity to produce such a plan. This plan gives our community direct power to develop a shared vision for our neighbourhood and shape the development and growth for the next 15 years. The Plan may be updated from time to time and can be reviewed should there be major development in our area.

Our focus has been to protect the Green Belt and ensure our Conservation Areas are preserved whilst looking at future housing needs in the Neighbourhood Plan area and maintaining and enhancing our environment. The Parish Councils have worked tirelessly to ensure they maintain and preserve the distinct atmosphere and environment of their villages whilst ensuring communities thrive.

Our Neighbourhood Plan area is 99% green belt and therefore largely constrained from new development by the NPPF and Borough Local Plan policies on green belt and in many areas, flood zones policies.

So many residents attended the consultation events and the response to our survey was indeed very high. Our grateful thanks to all our residents who participated in the consultation event and responded to the survey.

Our pre-submission consultation took place between December 2015 and March 2016 and we thank all of our residents, landowners and businesses that provided us with feedback on the Neighbourhood Plan policies.

The Hurley & the Walthams Neighbourhood Plan Steering Group has considered your feedback, and a full report on our consultation is available as a separate document.

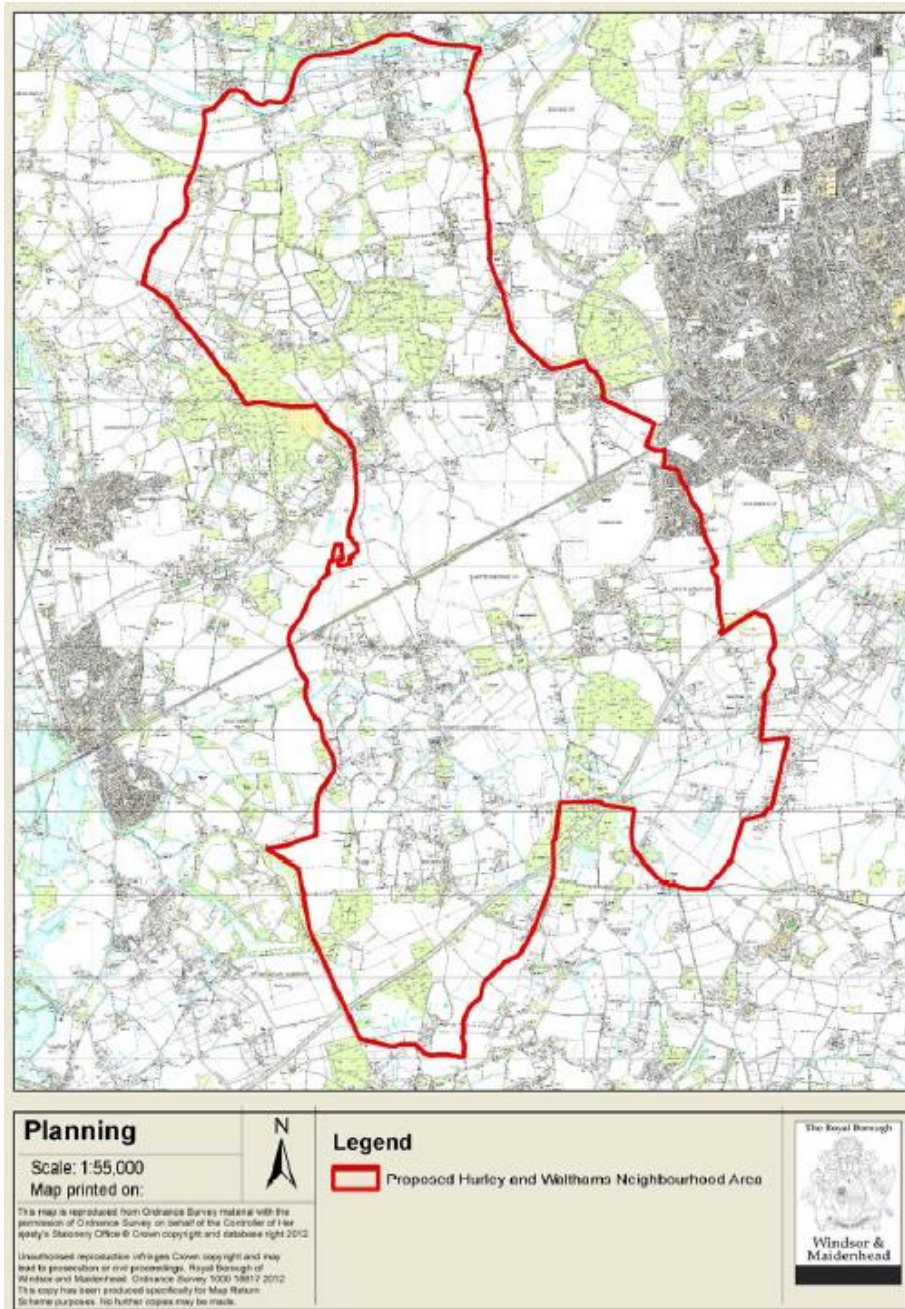
The Steering Group has now produced a final version of the Hurley and the Walthams Neighbourhood Plan to be submitted to the Royal Borough of Windsor and Maidenhead for review and for examination.

Maureen Hunt  
Hurley and the Walthams Neighbourhood Plan Chairman

# 1. INTRODUCTION AND PURPOSE

## The Hurley & the Walthams Neighbourhood Plan

1.1 The Parish Councils of Hurley, Waltham St Lawrence and White Waltham and the Parish Meeting of Shottesbrooke ("the Parish Councils") are jointly preparing a Neighbourhood Plan for the area designated by the Royal Borough of Windsor and Maidenhead under the provisions of the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. The designated area is shown in Plan A below.



Plan A: Hurley & The Walthams Designated Neighbourhood Area

1.2 The purpose of the Neighbourhood Plan is to make planning policies that can be used to determine planning applications in the area. In some cases, its policies will



encourage development proposals for the benefit of the local community. In others, its policies will aim to protect the special Green Belt character of the parishes.

1.3 Neighbourhood Plans provide local communities with the chance to shape the future development of their areas. Once approved at a referendum, the Plan becomes a statutory part of the development plan for the area and will carry significant weight in how planning applications are decided. Plans must therefore contain only land use planning policies that can be used for this purpose. This often means that there are important issues of interest to the local community that cannot be addressed in a Plan if they are not directly related to planning.

1.4 Although there is considerable scope for the local community to decide on its planning policies, Plans must meet four 'basic conditions'. These are:

- Is the Plan consistent with national planning policy?
- Is the Plan consistent with local planning policy?
- Does the Plan promote the principles of sustainable development?
- Has the process of making of the Plan met the requirements of European environmental standards?

1.5 In addition, the Parish Councils must be able to show that they have properly consulted local people and other relevant organisations during the process of making the Plan and have followed the Regulations.

1.6 These requirements will be tested by an independent examiner once the Plan is finalised. If satisfied, the examiner will recommend to the Royal Borough that the Plan goes to a referendum of the local electorate. If a simple majority of the turnout votes for the Plan then it must become adopted as formal planning policy for the area.

## **Hurley & The Walthams – the place**

1.7 The Hurley and the Walthams Neighbourhood Plan Group (HWNP) was constituted in 2011 for the purpose of preparing a neighbourhood development plan that sets out the spacial vision for the parishes of Hurley, Shottesbrooke, Waltham St Lawrence and White Waltham, for the next 15 years.

1.8 The HWNP was instigated as a 'front-runner' group by the Royal Borough of Windsor and Maidenhead. The HWNP comprises an entire ward area of the RBWM, rather than a single parish area.

1.9 An initial workshop was held at the Berkshire College of Agriculture in February 2011. A registry of interest was formed of members from the 3 parish councils and the parish meeting and included members of the village associations and other local interest groups. This was the basis for the creation of the Steering Group and topic groups of the HWNP.

1.10 The HWNP Steering Group comprises a Chairman, Maureen Hunt, and representatives from all of the constituent Parish Councils and Shottesbrooke Parish Meeting as well as representatives from local interest groups and organisations such as village associations, local historians and the Rural Housing Enabler for Berkshire from the Community Council of Berkshire.

1.11 The plan has had the support of a raft of local volunteers during its formulation. Apart from our dedicated Steering Group and Task Group Members, we have benefited at various times from local volunteers who have provided expertise in project management, public relations, media communications, survey analysis, research, marketing expertise and design consultants. Five separate topic groups were formed to explore specific themes that are covered in the plan: Housing, Transport, Environment, Community and Business.

1.12 In 2012, a resident professional project manager volunteered his services and produced a Project Plan for delivery. This helped the group to focus its efforts, which resulted in 8 very successful consultation events and the household survey that took place in 2012-13. The Plan was delayed while the group re-examined its relationship with the RBWM Local Plan and considered the implications of Green Belt constraints on the possible achievable objectives of the Neighbourhood Plan.

1.13 Then, in September 2014, HWNP appointed rCOH to act as the Planning Consultants to provide the technical planning expertise that would enable the production of this plan. A visioning workshop was held in October 2014, with the result that the Steering Group created the Pre-submission Plan which was sent out for consultation in December 2015 through to 18<sup>th</sup> March 2016.

1.14 The Consultation Report that accompanies this Plan contains full details of the consultation activity undertaken and response to feedback that was considered in order to arrive at the policies in this plan.

## **Character of the Area**

1.15 The whole of the Hurley & the Walthams Neighbourhood Plan area is characterised by its close proximity to London via rail links at Maidenhead and Twyford, access to the M4 and M40 motorways. The area is only half an hour from Heathrow Airport. That said, Hurley and the Walthams is the most rural ward in RBWM and is more than 99% Green Belt. The area includes a significant network of footpaths, cycle paths and bridleways through countryside and woodland. For all of these reasons, it is a desirable area to live in and house prices are high.

1.16 There is limited public transport and no train station located in the area. There is also no permanent post office in the area, although there are satellite services in Hurley Village and Waltham St Lawrence. There is a fixed doctors' surgery in Woodlands Park, and a visiting service 2-3 times a week in Waltham St Lawrence, Knowl Hill and Hurley.

1.17 It is useful to review a little background on the character of each parish before reading the data summary. All of the parishes are rural in nature and by definition.

### **Hurley**

1.18 Hurley is geographically a large parish characterised by 6 separate areas: Hurley village, Warren Row (hamlet) parts of Burchetts Green, Littlewick Green, Knowl Hill, and Cockpole Green. These areas are distinct in character and do not necessarily relate to each other as a single unit apart from through a united parish

council. There is little or no public transport between the hamlets, and no single centre that would attract residents as a hub for shopping, community etc.

1.19 However it is important to identify key characteristics of the villages:

- Hurley village is characterised by its proximity to the River Thames, which provides significant leisure and tourist attraction to the area. However the river also forms a natural boundary and includes extensive flood plain that affects the development potential of the area.
- Given the river and lock location, Hurley has many beautiful well used footpaths including the Thames Path.
- Hurley has several popular holiday caravan parks, and a permanent residential park at Frogmill Spinney.
- Hurley village is bounded by the A4130 Henley Road, which is a major transport link between Henley, Maidenhead, and the north Wokingham parishes, as well as the A404M, M4 and M40. To the south of this road are sweeping vistas of green fields, agricultural and equestrian land and woodland. To the north, across the River Thames is the chalk escarpment at the edge of the Chilterns.
- The village is well served with public houses and other amenities that villagers wish to see preserved for the future.
- All of the Hurley areas are in the Green Belt.
- There is a substantial office development at Horizon (formerly Prospect Park), on land south of the A4130
- Warren Row is a hamlet characterised by ancient woodland and equestrian enterprises.
- Park House is a disused factory complex that has received planning permission for 7 houses.
- Littlewick Green is divided between Hurley and White Waltham parishes.
- Knowl Hill is a settlement along the A4 with a village shop on Choseley Road, and a number of other businesses and amenities. Star Lane marks the Borough boundary between RBWM and Wokingham, with the Grundons landfill site entirely contained in Wokingham, but with sole access from Star Lane, which is in the parish. The site is identified as a potential future development location for Wokingham Borough Council.
- Burchetts Green is a small settlement characterised by woodland and proximity to the Berkshire College of Agriculture. The main route through the village is a declassified rural village road that utilises traffic calming measures to discourage heavy use.
- To the south of the A4130 there is an area of outstanding landscape value.

### Shottesbrooke

1.20 Shottesbrooke is a historic hamlet characterised by a single large estate, Shottesbrooke Park and an important 14<sup>th</sup> century church. The area is largely agricultural with some significant woodland. The entire area is Green Belt. It does not have a Parish Council, but instead has a Parish Meeting based on its small size of approximately 155 people living in fewer than 60 households.

### Waltham St Lawrence (WSL)

1.21 Possibly the most rural in character of the parishes, WSL comprises 3 distinct areas: Waltham St Lawrence, West End and Shurlock Row, also encompassing Beenhams and Billingbear. WSL is largely agricultural and wooded, and includes

several equestrian enterprises. There is limited social housing with few services beyond two popular public houses. WSL has a considerable area designated as Flood Zone 3 that is inappropriate for development. The parish includes 3 conservation areas, two of which contain many listed buildings of significant historic interest.

1.22 In many respects residents relate more closely to Twyford and Wokingham than they do to Maidenhead and Windsor, and the village shops in Hurst and Twyford provide the nearest amenities.

### White Waltham

1.23 The largest of the parishes in population terms, White Waltham is divided into distinct areas, White Waltham and Woodlands Park and a number of smaller hamlets namely part of Littlewick Green, and Paley Street. White Waltham village and Littlewick Green village contain conservation areas of considerable architectural value.

1.24 Between the villages of White Waltham and Woodlands Park the parish is home to Europe's largest grass runway airfield at West London Aero Club. As well as providing valuable leisure activity it is also a huge open green space that characterises this part of the parish. It is a key restrictor on further increases to the parish's rural population density which could potentially extend from the Woodlands Park settlement area.

1.25 Woodlands Park has a character very different from the rest of the Neighbourhood Plan area as it is the only part of the NP that is not in the Green Belt, therefore is the most densely populated and developed but also the most susceptible to further development. It is only 0.62% of the geographic area of HWNP but houses 24.75 % of its population. It is often mistaken as being part of Cox Green or Maidenhead, however local residents want to preserve its identity as a rural village and part of the wider parish of White Waltham. It has a thriving Community Centre located on the perimeter of the settlement between Woodlands Park and White Waltham Village and offering a wide range of services to the community.

1.26 It features some significant business park areas, some of which may be open for redevelopment. However there is little available in terms of local retail or amenities for local residents. There are shops, a take-away, chemist and a surgery.

1.27 The roads through the parish experience heavy traffic as a result of proximity to Maidenhead and access to the M4, A404M and Maidenhead Rail Station. As well as having to bear the brunt of heavy traffic from local businesses including large-lorry traffic and parking.

### **The Planning Policy Context**

1.28 The Neighbourhood Plan must be in line with national and local planning policies. At the national level, these are set by the National Planning Policy Framework (NPPF) of 2012, which is complemented by the Planning Practice Guidance of 2014. These documents set out the key planning principles that apply to preparing plans and managing development proposals across the country.

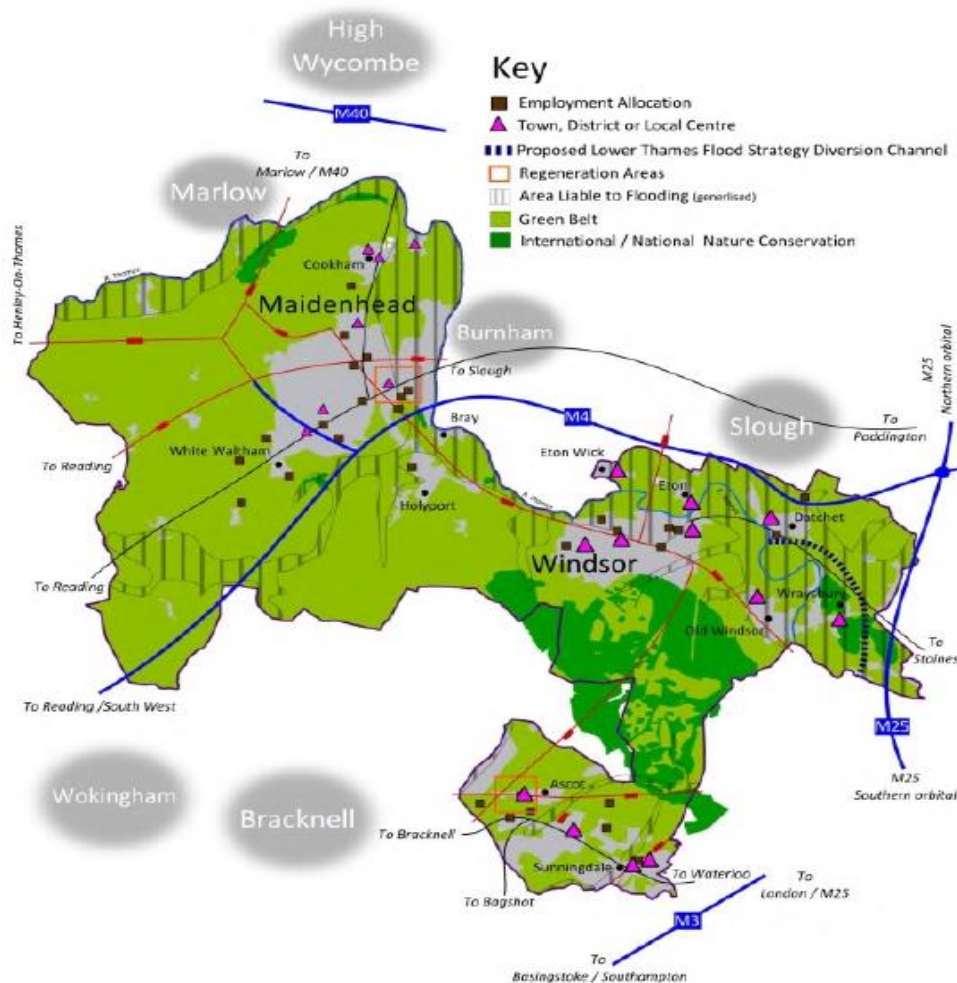
1.29 At the local level, the key document is the Royal Borough of Windsor and Maidenhead Local Plan adopted in 2003. It contains a variety of strategic policies to guide the policies of the Neighbourhood Plan. Given its age, the Royal Borough is preparing a replacement Borough Local Plan. This new Plan will take forward many of those strategic policies from 2003 but, importantly, it will also provide an up-to-date housing supply strategy for the period from 2011 to 2030.

1.30 A 'preferred options' version of the Borough Local Plan was published for public consultation in January 2014. This is the latest published version and has therefore been used to inform the Neighbourhood Plan. However, the Royal Borough indicated in February 2015 that a second preferred options version of the Borough Local Plan will be published for further consultations in summer 2015. Importantly, it proposes not to proceed with any Green Belt land releases in the Hurley & Walthams Neighbourhood Area but rather to focus on the major urban areas of the borough and only established sites in the Green Belt for housing growth in the plan period.

1.31 The key strategic policies of these documents for the Hurley & Walthams Neighbourhood Plan are summarised briefly below:

- GB1 (of the adopted 2003 Local Plan) and GBC1 (of the preferred options version of the new 2014 Borough Local Plan): Green Belt - maintaining and supporting the Green Belt in order to safeguard the open and rural character of the borough's countryside and to protect it from inappropriate development; maintaining the boundaries of existing Recognised Settlements washed over in the Green Belt to identify the limits of any infilling and allowing for potential minor changes to these boundaries in neighbourhood plans.
- GB3 and GBC3: New Residential Development in the Green Belt – allowing for infill within the boundaries of Recognised Settlements, for rural exception sites and for proposals made by Neighbourhood Plans
- GB9 and GBC6 Major Developed Sites in the Green Belt – identifying the Berkshire College of Agriculture at Burchetts Green where infilling or partial or complete redevelopment will be supported within the defined area maps
- HOU1 (2014 Borough Local Plan as amended in February 2015): Amount and Distribution of Housing – proposing the Hurley & The Walthams Neighbourhood Area plans for a total of 269 new homes in the period from April 2011 to March 2030 (but subject to change)
- HOU2 (2014 Borough Local Plan as amended in February 2015): Allocated Housing Development Sites – proposing the allocation of land at Grove Business Park for a total of 79 new homes.
- H4 and HOU5: Affordable Housing Rural Exception Sites – supporting development proposals for limited affordable housing within the Green Belt as exceptions subject to a range of conditions.
- H10 and HOU8: Housing Layout and Design – requiring proposals for residential development to display high standards of design and landscaping in order to create attractive and safe residential areas.

- H12/H13 and HOU11 Development Involving Residential Gardens – supporting the erection of new dwellings on gardens in areas excluded from the Green Belt where this can be achieved without compromising the quality of the environment.
- E1/E3/E4 and EC2: Defined Employment Sites – identifying Grove Business Park at White Waltham as an employment site within which economic uses will be supported and allowing for appropriate intensification of economic activity and some residential development.
- E5 and EC3: Other Sites and Loss of Employment Sites - supporting appropriate economic development on sites that are currently used for employment but not defined as such and requiring proposals in any location for change of use from economic uses to other uses to provide appropriate marketing evidence and not harm the local economy.
- HE7: Non-Designated Heritage Assets - identifying non-designated heritage assets, then to conserve or enhance their character and appearance.
- R1 and NE4: Open Spaces – requiring the retention of open spaces in the borough, creating new open space where possible and improving existing open spaces and access to them, including outdoor recreational / sporting facilities.
- CF1/CF2/CF3 and INF1: Community Facilities - supporting proposals for new or improved community facilities that meet the needs or aspirations of local residents and visitors and supporting the loss of existing community facilities only where adequate alternative facilities are, or will be, provided in a suitable location, where there is no identified need for the facility, where its use is not economically viable or where it is not viable for any other social or community use.
- INF2 Sustainable Transport – proposing to work in partnership with service providers, developers, public transport operators, and neighbouring local transport authorities to improve access to key services and facilities within and around the borough and to improve accessibility to the borough's centres across all modes of travel.



Plan B: Borough Local Plan 2014: Key Diagram

### Community Views on Planning Issues

1.32 The HWNP Steering Group consists of a large and representative group of committed volunteers from the area, including Parish Council members, Village Association members and other dedicated local residents. Members have had consistent input into the plan since the Steering Group was constituted in 2011. A project plan was agreed in May 2012.

1.33 The HWNP website, [www.hurleyandthewalthams.org.uk](http://www.hurleyandthewalthams.org.uk) was created in 2011 and is maintained on a regular basis with updated information on progress and consultation activities.

1.34 The Steering Group meets regularly as required. There are 5 topic task groups, each chaired by a Steering Group member:

- Housing
- Environment
- Transport
- Community
- Business

1.35 The Chairman writes progress updates to local parish magazines and press. She also attends parish council meetings and reports on HWNP progress, and provides updates at other local meetings as required. In October and November 2012 a series of 8 community consultation events were run across the neighbourhood plan area to launch the work of the group to the community at large and capture initial feedback. 449 people attended these events.

1.36 A household questionnaire was formulated using the feedback from the consultations to provide an opportunity for all area residents to input their views. The survey was delivered to all households in the area (2,500) in November 2013. There were 784 responses (31%). The report can be viewed on the HWNP website. All three of the Parish Councils (but not Shottesbrooke Parish Meeting) have undertaken rural housing need surveys to identify local affordable housing needs. The Steering Group and 5 Task groups have met independently with local businesses, landowners, schools and other community organisations to get additional feedback for this plan.

1.37 The pre-submission version of the plan was issued for formal consultation from December 2015 until 18<sup>th</sup> March 2016. In addition to online and written feedback, two additional consultation events were held to give residents, landowners and businesses an opportunity to meet with the Steering Group and discuss the plan and provide feedback.

1.38 Full details of the Regulation 14 Consultation and the Steering Group response are set-out in the separate Consultation Report.

### **Sustainability Appraisal**

1.39 The Royal Borough has determined that the Neighbourhood Plan does not require a Sustainability Appraisal under the Environmental Assessment of Plans and Programmes Regulations 2004. However, the submission documentation will show how the policies will contribute to the achievement of sustainable development, which is one of the basic conditions it must meet if it is to proceed to referendum in due course.

1.40 The Neighbourhood Plan website contains all the necessary background information on the Plan including an electronic copy of the Plan. Its web address is:

[www.hurleyandthewalthams.org.uk](http://www.hurleyandthewalthams.org.uk)



## 2. VISION AND OBJECTIVES

### Introduction

2.1 The Parish Councils have adopted a vision statement to describe how the Neighbourhood Plan area will appear in 2030.

### Vision

"Hurley and the Walthams is an area of four parishes and comprises: 17 villages and hamlets, 7 conservation areas, 200 listed buildings, and approximately 145 public footpaths and bridle and cycle paths.

99% of the HWNP is located in the Metropolitan Green Belt and is further constrained by significant floodplains.

The HWNP recognises the growth pressures on the wider RBWM area as a result of economic growth, pressure from London and the potential of impact from Cross-rail due to open in 2017.

Due to the Green Belt and flood constraints the HWNP seeks to maintain the village nature and rural character of the area. By reason of the protection afforded by the Green Belt we are able to ensure that future development of the area is directed at supporting local housing and employment needs. In addition the HWNP contributes to the sustainability of the natural heritage of the area and provides for the wider Borough, through the provision of green spaces, public footpaths, cycle paths, and bridleways throughout our extensive countryside and woodlands."

### Objectives

- The continuation of the present Green Belt designation to preserve the special character of the villages and hamlets and their surrounding countryside.
- The protection of non-Green Belt areas from the pressures of further intensive development.
- The protection of the special historic and architectural character of the Conservation Areas and Listed Buildings that define many of the villages.
- The protection of valued community assets – village shops, village halls, schools.
- The retention and enhancement of local employment opportunities at the area's main business parks.
- The provision of new homes on small sites to meet the local need for housing; notably of older households wanting to downsize and of newly forming households from local families.

- The better management of traffic through the area resulting from the economic pull of London, Reading and Maidenhead, especially with regard to increases resulting from the opening of Crossrail and proximity to the M4 motorway.

To this end, all of the policies included in this plan should take careful consideration of the additional impact on traffic flow through the area.

2.2 Decisions regarding the expenditure of the community element of any Community Infrastructure Levy that results from development in the plan area should be determined by the individual parish council where development takes place.

### **3. LAND USE PLANNING POLICIES**

#### **Policy Issues**

3.1 The planning policy context and the community engagement work already undertaken have raised a number of issues for the Neighbourhood Plan to address:

- What sites are either available now or may become available for development in the plan period that the Plan should shape the principles of, if they are suited to development at all?
- Should the Plan seek to anticipate the Local Plan proposing site allocations in the parishes by having policies establishing their key development principles?
- What criteria would we use to determine appropriate rural exception sites?
- What are the design characteristics of the area that could be included in a policy?
- Can we define and justify designating areas of special character to ensure development in those areas will conserve their character?
- Is there a need for a local employment policy to refine the existing Local Plan protection policies?
- Which schools would benefit from a supportive policy allowing them to improve/expand their facilities?
- What community facilities would be on the list of those to be protected from a change of use?
- Which spaces meet the criteria for designation as Local Green Spaces?

3.2 These issues have been debated and the conclusions have informed the land use policies of this Pre Submission version of the Plan. These proposals for planning policies are set out in the next section.

#### **Land Use Policies**

3.3 Land use policies are used to determine planning applications made for development proposals. They can establish the principles for retaining or changing the use of land in settlements and in the countryside. They can also set out the

conditions against which development proposals will be judged in terms of their design, access etc.

3.4 The purpose of these policies is to either encourage planning applications to be made for things the local community wants to see happen or to discourage applications for developments that they do not want to happen. Policies must be clearly written so they can be easily applied when considering planning applications.

3.5 The Plan deliberately avoids repeating existing national or local planning policies. The proposed policies therefore focus on a relatively small number of key development issues in the area. For all other planning matters, the national and local policies of other planning documents – the National Planning Policy Framework and the Borough Local Plan – will continue to be used.

3.6 Set out below are the proposed policies of the Plan. Each policy has a number and title and the policy itself is written in bold within a text box for ease of reference. There is also a short statement explaining the intention of the policy. At the end of this document is the Policies Map – where a policy refers to a specific site or area then it is shown on the Map, or where a policy refers to a specific site a map is inset with the policy.

#### **Env 1 - Sustainable Development**

***Proposals will be supported where the following principles have been adhered to as appropriate:***

- i. Account should be taken of the intrinsic character and beauty of the countryside of the Parishes and the need to support thriving rural communities within it.***
- ii. Developments, extensions and renovations should demonstrate how energy use will be reduced through the use of renewable and low-carbon or zero carbon technologies.***
- iii. New development should not harm the network of local ecological features and habitats and will be expected to maintain and enhance existing ecological corridors and landscape features such as ancient woodlands, watercourses, hedgerows and tree-lines for biodiversity.***
- iv. For any new development or change of use proposals consideration should be given to the impact of noise levels on the character of the rural countryside intrinsic to the area and promote good health and a good quality of life through effective management of noise***

3.7 The Neighbourhood Plan recognises the importance of the network of green areas, woodlands, public footpaths, cycle paths and bridle ways to the long-term sustainability, and well-being of residents and visitors to our area. To that end development proposals should serve to ensure the long-term benefits of our green areas continue.

3.8 The importance of different land use in the countryside for the rural economy is recognised, however consideration should be given to the impact of noise levels from certain rural activities on both residents and visitors who use the extensive network of footpaths. It is expected that proposals will be able to demonstrate an ability to conform to the Noise Policy Statement for England (NPSE), World Health Organisation Guidance for noise and Institute of Chartered Environmental Health guidance on noise. In particular, motor cycle scrambling circuits requiring ground engineering works are unlikely to be suitable on noise nuisance grounds alone.

3.9 Policy ENV1 recognises the importance of preserving the valuable natural assets of the area for the long-term benefits of future generations.

### **Env 2 – Climate Change, Flood and Water Management**

***Proposals will be supported where the following principles have been adhered to as appropriate:***

- i. They have incorporated rain harvesting, grey water recycling, high standards of insulation and renewable energy systems as appropriate;***
- ii. They are able to demonstrate that the risk of flooding both on and off site is minimised and managed and that:***
  - a. Development at risk from flooding from either recognised flood plains or from ground water should incorporate a sustainable urban drainage system (SUDS) unless it is demonstrated that an alternative drainage system is appropriate;***
  - b. Development is in line with Environment Agency practice note GP3 “Groundwater Protection: Principles and Practice”; include SUDS as the first method of surface water disposal. Connection to the surface water sewer should only be used as a last option; and***
  - c. Where either SUDS is not feasible/appropriate or if the development is of a size and nature that will likely exacerbate existing drainage issues elsewhere within the Plan Area, an appropriate payment towards off-site drainage and water run-off management will be required.***

3.10 Policy Env 2 – recognises the high cost of climate change with particular regards to circumstances created in the Plan area by the extensive flood plain designations in Hurley and Waltham St Lawrence from river Thames and the Loddon, in addition to high Levels of ground water and poor access to drainage that has caused considerable flooding events in the recent past.

3.11 Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off any development site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure.

3.12 It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is a major contributor to sewer flooding.

### **SP 1- Spatial Policy**

***The Neighbourhood Plan directs development proposals to locations within the Recognised Settlements of Hurley, Knowl Hill, Littlewick Green, Shurlock Row, Warren Row, Burchetts Green, Waltham St Lawrence and White Waltham in the Green Belt, and to within the Settlement Boundary of Woodlands Park. Proposals will only be supported in these settlements if they accord with other provisions of the Neighbourhood Plan and development plan. (See Settlements maps appendix 1)***

***Development proposals outside of the Recognised Settlements will be resisted unless they are appropriate to a location in the Metropolitan Green Belt or unless specific provision has been made in the Neighbourhood Plan or the development plan.***

3.13 This is the spatial policy that directs suitable development to appropriate locations within Recognised Settlements (in the Green Belt) of the parishes, as defined by the Local Plan, and within Woodlands Park, which is the only area that is outside of the Green Belt. This is in accordance with 2003 Local Plan Policy GB1 and 2014 Borough Local Plan Policy GBC1.

3.14 All other development proposals must be appropriate and necessary to a Green Belt location, although it does allow for justified proposals in the Neighbourhood Plan and the Local Plan.

3.15 In doing so, the policy is also consistent with the reasoning and evidence of the emerging Local Plan in accepting the type and scale of its proposals for housing and other development in the parishes over the plan period.

### **Policy HUR 1- Housing Schemes in Hurley**

***Development proposals for a single housing scheme at each of the Recognised Settlements in Hurley Parish will be supported, provided each scheme:***

- i. lies within or adjoins the boundary of the Recognised Settlement;***
- ii. is for no more than five dwellings of 2 or 3 bedrooms only on land with a gross site area of no more than 0.25 Ha;***
- iii. comprises affordable dwellings and/or dwellings of a type and design especially suited to occupation by older households; and***
- iv. it will sustain and enhance the significance of any heritage assets, where relevant; and***
- v. it will not otherwise compromise the permanent open character of the Green Belt.***

3.16 Policies HUR 1-3 guide future development in Hurley Parish. The policies indicate the general types of locations and circumstances that may be appropriate for new

housing, which is consistent with 2003 Local Plan Policy GB3 and 2014 Borough Local Plan Policy GBC3.

3.17 Policy HUR1 is intended to be more permissive of certain types of housing development scheme in the Green Belt than Policy GB3 in order to deliver specific housing outcomes for Hurley Parish. The local community there is increasingly concerned that the consequence of Green Belt policy is a lack of available smaller homes in each of its Recognised Settlements to enable older residents to downsize. The Parish Council therefore considers there is a 'very special circumstance' to allow each settlement to accommodate one housing scheme within or adjoining its present boundary, in line with NPPF paragraph 87. According to Census 2011: 63.5% of people in Hurley live in households of 2 people or less.

3.18 The NPPF paragraph 89 identifies 'limited infilling' within Green Belt villages and 'limited affordable housing to meet local community needs' as being exceptions to inappropriate development in the Green Belt. By confining its support to one scheme in each settlement in the plan period and to each scheme being for no more than 5 dwellings on land of no more than 0.25 Ha in a location that does not undermine the permanent open character of the Green Belt, the policy has paid full regard to national policy in this respect. Although not confined to the planning definition of affordable housing, the policy has a very similar intent in addressing a local housing need.

**Policy HUR 2 - Berkshire College of Agriculture**

***Proposals to extend the development envelope of the Berkshire College of Agriculture (BCA), as shown on the Policies Map, will only be supported if they relate to an educational use (D1).***

3.19 Policy HUR2 is intended to complement Policy GB9 of the 2003 Borough Local Plan, which identifies the Berkshire College of Agriculture as one of a number of Major Developed Sites in the Green Belt and establishes the principles for development on the site. In this regard, the policy seeks to confine the use of the land to its established educational use as any other use, including any form of housing development (i.e. classes C2 or C3), will fundamentally change the character of the land in the Green Belt and will intensify local traffic movements. For the avoidance of doubt, any proposal for alternative uses of the land as enabling development to secure the financial stability of the College, will not be considered sufficient to outweigh the harm of such inappropriate development in the Green Belt.

### **Policy HUR 3 - Intensification of non-excluded development at Star Works**

***Proposals to extend and/or intensify business uses or other non-excluded development uses at the Star Works, Knowl Hill, as shown on the Policies Map, will only be supported if they can demonstrate that their impacts on the local highway network in the village can be satisfactorily mitigated.***

3.20 Policy HUR 3 refers to a site – the Star Works – which is located within neighbouring Wokingham Borough Council but the road access is via Star Lane in Knowl Hill which lies within the Neighbourhood Area. In addition, the majority of the site is in minerals and waste use, which is 'excluded development', that cannot be controlled by a Neighbourhood Plan policy but there are other business uses on the site. The policy therefore seeks to ensure that any future proposals for additional business uses on the site take into account the cumulative impact of noise and heavy goods traffic movements on Star Lane and the local community at Knowl Hill.

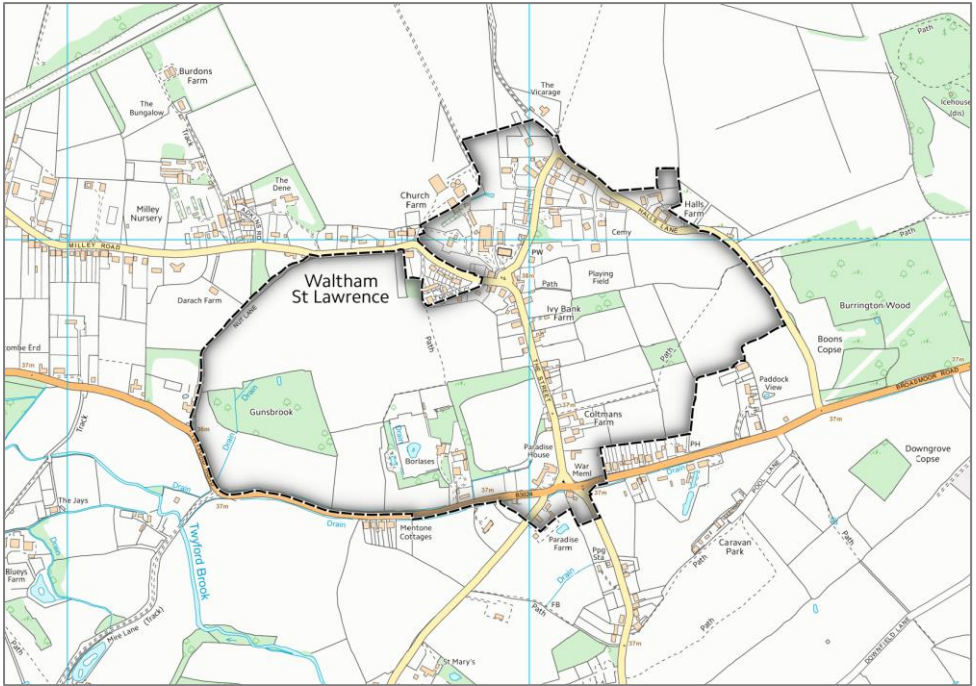
### **Policy WSL 1- Development in Waltham St Lawrence Parish**

***Proposals for infill development in Waltham St Lawrence village, including the sub-division of existing dwelling plots, or for any form of development of any open space outside the Recognised Settlement boundary will be resisted.***

***Proposals for any other form of development in the Recognised Settlements in the parish will only be supported where they can demonstrate they are appropriate in the Green Belt and they will sustain and enhance the significance of heritage assets in the parish.***

3.21 This is a policy that guides future development in Waltham St Lawrence Parish. The policy indicates the general types of locations and circumstances that may be appropriate for new housing, which is consistent with 2003 Local Plan Policy GB3 and 2014 Borough Local Plan Policy GBC3.

3.22 Of necessity, given the special heritage interest of the parish generally and of Waltham St Lawrence village specifically, all of which lies in the Green Belt, the policy is highly restrictive of development. Although a Recognised Settlement in the Green Belt, the village offers no potential for infill or plot sub-division development that will not seriously harm its heritage significance, as much of which derives from the open spaces of the Conservation Area and the gaps between its historic buildings as from the buildings themselves.



Map WSL Conservation Area

3.23 Policies WW1 – WW5 guide future development in White Waltham Parish. The policies indicate the general types of locations and circumstances that may be appropriate for new housing and they propose four specific site development policies. Both options are consistent with 2003 Local Plan Policy GB3 and 2014 Borough Local Plan Policy GBC3.

**Policy WW 1 - Housing at Grove Park**

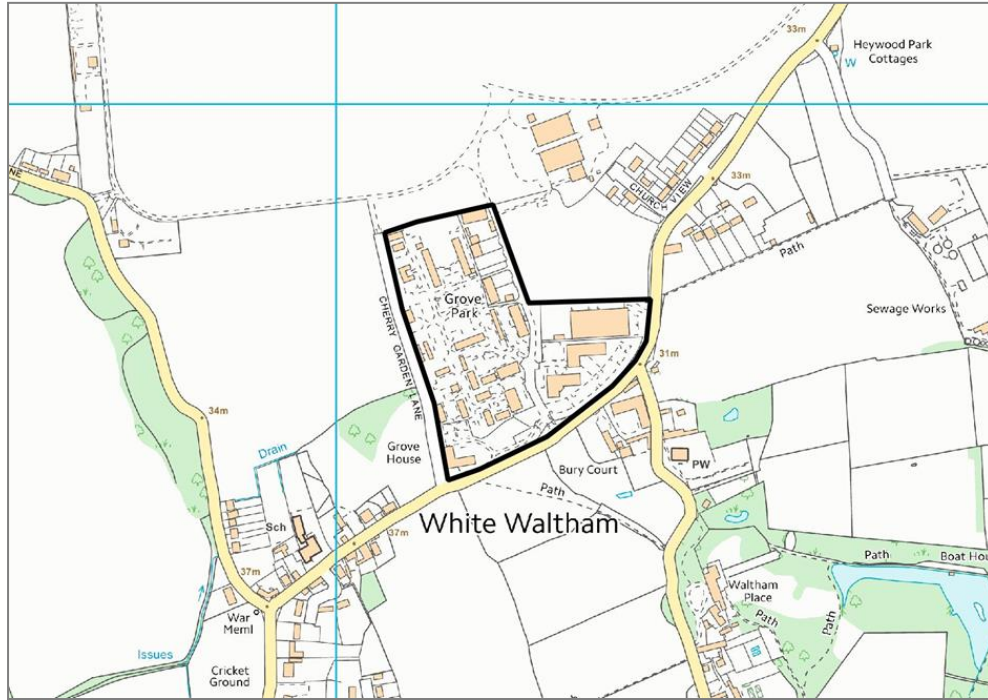
***Proposals for a change of use to dwellings (C3) and for the redevelopment, including demolitions, on land at Grove Park, as shown on the Policies Map, will be supported, subject to the development principles outlined provided the scheme:***

- i. Comprises a majority of smaller 2 and 3 bedroom houses of no more than two storeys height that are suited to downsizer and first time buyer households;***
- ii. Layout and landscape scheme are designed to minimise the impact of the scheme on the Green Belt and to provide an effective landscape buffer between the housing and the existing business uses on the site;***
- iii. Includes the provision of a convenience food retail (A1) unit of up to 250 m<sup>2</sup> gross internal floor space located to serve the housing and existing business uses on the site;***
- iv. Has regard to any consented proposals for Grove House; and***
- v. Has full regard to the need to manage safe traffic movements at the site access on to Waltham Road.***

3.24 Grove Park is an established business park and defined by the Royal Borough as a 'major developed site in the Green Belt'. The preferred option of the new Local Plan proposes to identify it for housing development of approximately 79 dwellings. The policy seeks to guide how such a scheme could be made satisfactory by setting out its key development principles. The site occupies a prominent position in the Hurley & The Walthams Neighbourhood Plan: Submission Plan



landscape; the relationship between new housing and existing businesses is sensitive; and Waltham Road is a busy road in peak hours. All require careful consideration in the design of future proposals. Given that it is only the new Local Plan, and not the Neighbourhood Plan, that can justify and make the housing allocation in such a location, the benefit of this policy will only be possible once the Local Plan is adopted.

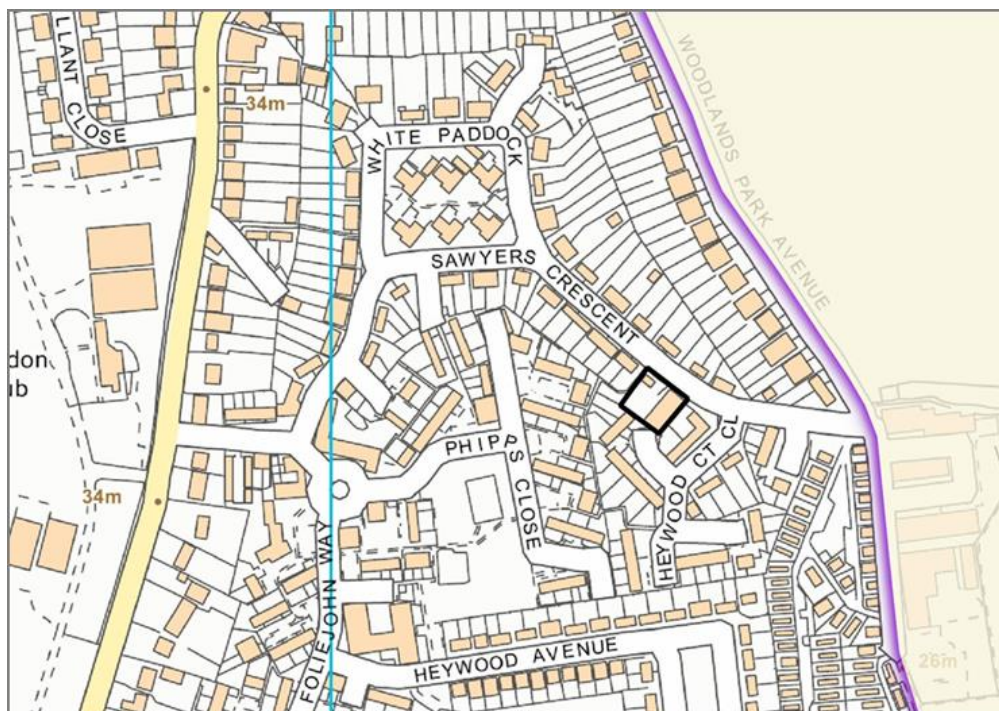


Policy WW1 Grove Park

**Policy WW 2 - Housing at Sawyers Crescent, Woodlands Park**

***Proposals for a change of use to dwellings (C3) and for the redevelopment, including demolitions, on land at Sawyers Crescent, as shown on the Policies Map, will be supported, subject to the development principles outlined provided the scheme:***

- i. Comprises dwellings of no more than two storeys height;***
- ii. Makes provision for effective amenity land; and***
- iii. Meets off-street car parking standards.***

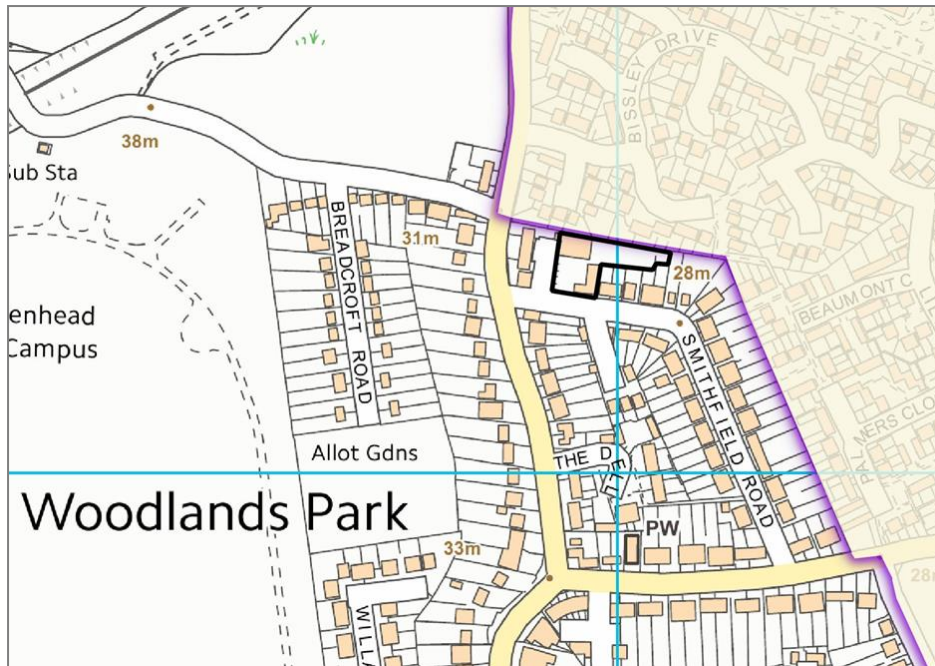


Policy WW2 Sawyers Crescent

### **Policy WW 3 - Housing at Smithfield Road, Woodlands Park**

***Proposals for a change of use to dwellings (C3) and for the redevelopment, including demolitions, on land at Smithfield Road, as shown on the Policies Map, will be supported, subject to the development principles outlined provided the scheme:***

- i. Comprises dwellings of no more than two storeys height;***
- ii. Layout adheres to the existing building line of Smithfield Road and meets its car parking provision within the site boundary; and***
- iii. Includes proposals for addressing any ground contamination issues.***



Map Policy WW3 Smithfield Road

### **Policy WW 4 – Infill in Woodlands Park**

***Proposals for infill development in Woodlands Park, including the sub-division of existing dwelling plots, will be resisted.***

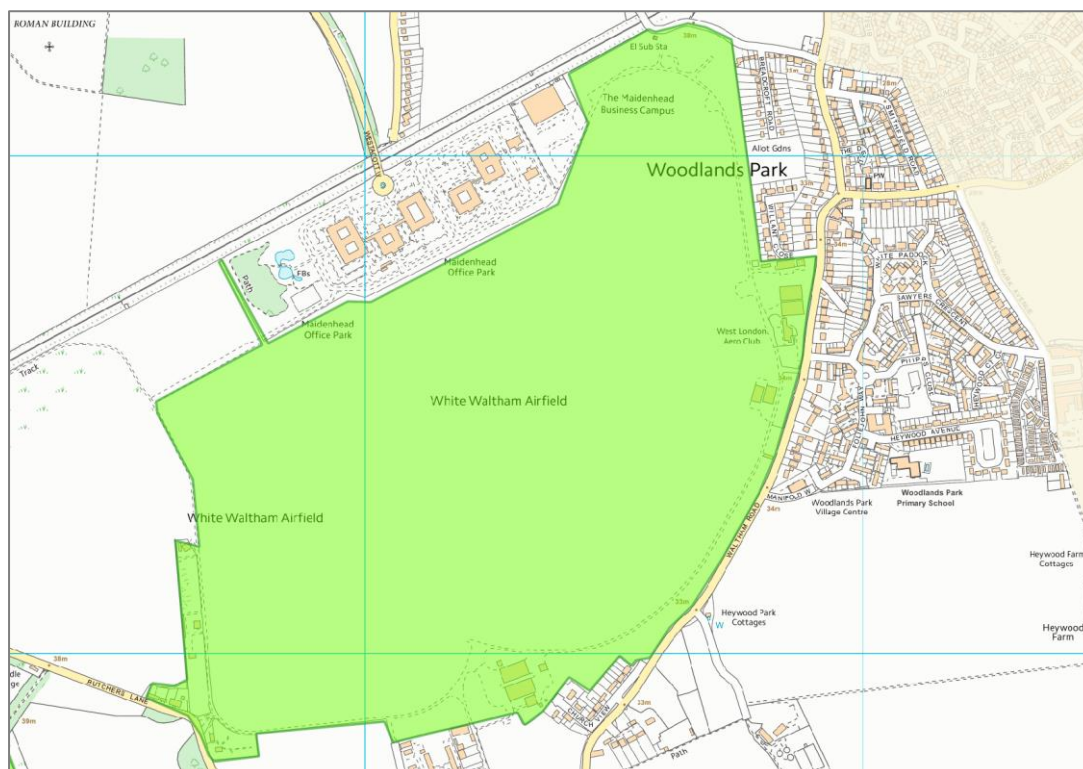
3.25 The two sites in Woodlands Park are the only likely opportunities for redevelopment that will come forward in the plan period whereby a change of use to housing will result in a positive improvement for the local community. Although a planning consent has been granted for the Sawyers Crescent site, the policy ensures that if that scheme is not implemented then another scheme should adhere to the same principles to make it acceptable. The Smithfield Road site is currently in a single builders merchant yard use. Although that use has not formally been determined as 'unneighbourly' - and there is no proposal to force its relocation - the policy seeks to send a market signal to the land owner that a housing redevelopment scheme is acceptable in principle for the proper planning of the area.

3.26 Other than those specific proposals, the policy seeks to prevent any infill development or proposals for the sub-division of existing housing plots using rear garden land for new housing. Given the area lies outside the Green Belt the pressures for intensifying its residential use have been considerable and no further realistic opportunities now remain. It is considered that any more intensification will seriously harm the character and amenities of the area and will therefore undermine the quality of life for its community.

**Policy WW 5 – White Waltham Airfield**

***Proposals for development on the White Waltham Airfield, as shown on the Policies Map, will only be supported if they are ancillary to the established airfield use and their scale and form is appropriate in the Green Belt. Proposals for any other form of development on the site will be resisted.***

3.27 Policy WW5 addresses the future use of the Airfield. This use covers a large area of the Green Belt in the parish and adjoins part of Woodlands Park. It is a popular airfield with a series of buildings located on its edge, all serving a purpose directly associated with its use, e.g. navigation, servicing, storage. Some airfield development is deemed permitted by the GPDO 2015 but other proposals may require planning consent, which this policy supports provided they remain ancillary to its primary purpose. However, the policy rules out any other use as a matter of principle of being contrary to the purpose of the Green Belt in this location.



Map Policy WW5: White Waltham Airfield

## **General Policies: Gen Policies apply to all of the HWNP**

### **Policy Gen 1: Rural Exception Sites**

**Proposals for small-scale affordable housing development that is within or well related to an existing settlement will be supported, provided: (Settlements set-out in maps in Appendix 1)**

- i. The homes on the scheme meet a demonstrable local need for affordable homes from people with a local connection to the parish within which the scheme is located, whereby need is demonstrated by an up to date Housing Need Study of that parish***
- ii. The scheme does not exceed 8 dwellings in total***
- iii. The scheme is designed to respect the characteristics of the local area including the countryside setting.***
- iv. The scheme shall comprise only smaller dwellings suited to meeting the needs of older people wishing to downsize and/or to new households wishing to gain access to housing for the first time***
- v. The scheme does not fall within a Conservation Area***

**The initial and future occupation of all affordable homes will be controlled by means of a Planning Obligation to ensure that each home remains as affordable housing for people with a local connection in perpetuity, whereby a local connection is defined by people with a demonstrable connection to the village thus:**

- vi. The occupants currently live in the village and/or;***
- vii. The occupants have immediate family in the village (immediate is Parents and or children); and/or***
- viii. The occupants are employed in the village and have been for a minimum of 3 years; and/or***
- ix. The occupants are employed as key workers in the village, i.e. teachers, care workers, nurses, firemen, police.***
- x. Should future vacancies arise, the same criteria will be required. In the event that a vacancy arises in an affordable home and there is no household that meets the criteria of this policy, then the definition of local connection will be extended to the neighbouring parishes within Hurley and the Walthams designated neighbourhood area. In the event that there is no household from that extended area that meets the criteria of this policy, then the allocation may be made available to the Royal Borough General Housing Needs Register.***

**Cross subsidy through the provision of open market housing on the scheme shall be allowed only where it ensures the delivery of the affordable housing and shall comprise the minimum number of open market dwellings necessary to ensure the delivery of affordable housing as part of the same development proposal, to be demonstrated by a viability appraisal of the full scheme.**

3.28 This is a policy that allows for small schemes of only affordable housing adjoining the Recognised Settlements in the Green Belt. It indicates the general types of locations and the very special circumstances that may be appropriate for such sites,

which is consistent with 2003 Local Plan Policy H4 and 2014 Borough Local Plan Policy HOU5.

3.29 The Neighbourhood Plan area recognises that given the particularly high price of housing in the area, and the lack of development of smaller homes for starters and downsizing, local residents are being priced out of the market. There is a confirmed need for affordable homes for local people identified in Housing Need Surveys conducted by the Rural Housing Enabler for Berkshire based at the Community Council for Berkshire across the 3 parished areas of the Neighbourhood Development Plan area.

3.30 Affordable Housing is defined by the NPPF as: "Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices."

3.31 Need may include existing residents of the parish or from adjoining parishes who require separate accommodation or are currently living in accommodation unsuited to their needs.

3.32 The policy seeks to permit in exceptional circumstances development within, adjacent to, or well related to existing settlement boundaries as set-out in the Settlement Maps in Appendix 1. This policy seeks to prevent development in the open countryside but where proposal is outside the settlement boundary 'Well-related' in this case means according to what has been determined acceptable by the Parish Council through public consultation.

3.33 This policy seeks to limit the size of any rural exception development based upon impact to the Green Belt and rural character of the HWNP as well as with regards to feedback from the vast majority of residents in the HWNP consultation that would find this threshold acceptable.

3.34 This policy is consistent with the National Planning Policy Framework that allows for limited open market development on rural exception sites, but seeks to clarify that this is only acceptable where the open market development is necessary to make the affordable units deliverable. With the high land values in this area it is unlikely a scheme will require more than 25% of open market units on the development.

Land Registry Average Sold House Values April 2015 – March 2016			
	HWNP Area	RBWM	England
All homes sold	£594,000	£424,877	£185,304
Semi detached properties only	£462,000	£398,616	£175,130
Lower Quartile average price	£276,000	*	*

3.35 This policy further seeks to set-out the legal framework for the control of occupancy of the affordable homes on any rural exception development in the HWNP.

**Policy Gen 2: Quality Design**

*Development proposals, including alterations to existing buildings, will be supported within the context of all other policies, providing their scale, density, massing, height, landscape design, layout and materials, and new ground surfaces, reflect and enhance the architectural and historic character and scale of the buildings and landscape of the respective Parishes. Innovative design solutions may be supported but only where the proposals demonstrate a clear, site-specific case and where they will enhance the appearance of the street scene.*

- i. Where appropriate, new developments should seek to reflect local materials and features evident in the immediate surrounding area, especially if located within a Conservation Area or Area of Special Character or is development affecting the setting of a Listed Building*
- ii. Materials used for paved surfaces should be appropriate to the setting with a preference given to permeable surfaces.*

3.36 This is a design policy that requires all planning applications to respond to the common design characteristics of the area and specifically to the adopted Conservation Area Appraisals for proposals located within or adjoining one of the Conservation Areas in the area, line with Borough Local Plan Policy HOU8 and 2003 Local Plan Policies DG1 and H10.

**Policy Gen 3: Areas of Special Character**

*The Neighbourhood Plan designates the following areas as Areas of Special Character, as shown on the Policies Map:*

**Hurley Parish:**

- i. Warren Row*

**Shottesbrooke Parish:**

- ii. Shottesbrooke Park*

**White Waltham Parish:**

- iii. White Waltham Airfield*

*Development proposals in a designated area should have regard to the desire to conserve and enhance the characteristics that define that area, as set out in the Neighbourhood Plan Areas of Special Character Study.*

3.37 This policy designates Areas of Special Character in the HWNP area for the purpose of managing development proposals in those settlements to ensure their essential characteristics are maintained. This designation is not the equivalent of a Conservation Area but as non-designated heritage assets, the policy is in line with Borough Local Plan Policy HE7 (there is no such policy in the 2003 Local Plan).

3.38 The design guidance for each Area, and the definition of their local architectural and historic character that justifies their designation, is contained in the Areas of Special Character Study in the evidence base.

**Policy GEN 4: Local Employment Sites**

***Development proposals to expand existing shops and businesses as well as to create new shops and businesses will be supported, provided they are located within a Recognised Settlement.***

***Proposals that result in the loss of an existing employment or business use, will be resisted, unless it can be demonstrated that its continued use is no longer viable. Proposals to expand an existing employment or business use will be supported, provided their impact on flood risk, local amenity, traffic and landscape can be satisfactorily mitigated and they do not compromise the open character of the Green Belt.***

3.39 This is a policy that supports local economic development, either at existing sites or on new sites in line with Borough Local Plan Policies EC2 and EC3 and with 2003 Local Plan Policies E1 and E3.



## **Policy Gen 5: Community Facilities**

**Development proposals to sustain or extend the existing community use of the following buildings and the development of new facilities will be supported: (as identified on the Policies Map)**

### **Hurley Parish sites:**

- i. Black Boys Public House, Hurley**
- ii. Doctors' Surgery, Hurley**
- iii. Village Hall, Hurley**
- iv. Hurley farm shop, Hurley**
- v. Rising Sun Public House, Hurley**
- vi. Old Bell complex, Hurley**
- vii. Royal Oak Public House, Knowl Hill**
- viii. Village Hall, Knowl Hill**
- ix. Doctors' Surgery, Knowl Hill**
- x. Choseley Road Stores, Knowl Hill**
- xi. St Peter's Church, Knowl Hill**
- xii. Public House, Warren Row (formerly Snooty Fox)**
- xiii. The Crown Public House, Burchetts Green**
- xiv. Dew Drop Inn Public House, Burchetts Green**

### **Waltham St Lawrence Parish sites:**

- i. Neville Hall Village Hall, Milley Road Waltham St Lawrence**
- ii. Bell Inn, The Pound, Waltham St Lawrence**
- iii. Shurlock Inn, The Street, Shurlock Row**
- iv. Billingbear Park Public Golf Course, The Straight Mile, Wokingham**

### **White Waltham Parish sites:**

- i. Holly Cottage and Parish Hall, White Waltham**
- ii. The Beehive Public House, White Waltham**
- iii. The Royal Oak Public House, Paley Street**
- iv. Bridge House Public House, Paley Street**
- v. The Cricketers Public House, Littlewick Green**
- vi. Woodlands Park Village Centre and Community Halls, Woodlands Park**
- vii. Woodlands Park Surgery, Woodlands Park**
- viii. Gilchrist Thomas Village Hall, Littlewick Green**

**In respect of these sites, proposals will only be supported if it can be demonstrated they are needed to ensure the continued viability and sustainability of a facility as each of these is a valuable asset to the community, adding elements of social cohesion and group leisure, sport, health or learning activity. They must also demonstrate that they are proportionate to the site and will not compromise the permanent open character of the Green Belt and that they will cause no harm to local amenity in terms of their car parking, access arrangements, noise and lighting.**

**Proposals that will result in the loss, or significant reduction in the scale, of a community facility identified in this policy will be resisted, unless suitable alternative facilities are provided.**

**Proposals that will provide new community, health, post office, convenience store and public house facilities will be supported provided they are located within a Recognised Settlement and they accord with other Green Belt policies.**

3.40 This policy identifies those built community facilities that will be protected from a change of use that will result in a loss of their community value. Some may already have protection from demolition given they are designated heritage assets but this policy seeks to ensure their community value is sustained. Further, it encourages proposals to enable the facilities to remain viable community assets, in line with Borough Local Plan Policy INF1 and with 2003 Local Plan Policy CF1.

3.41 Further, it encourages proposals to enable the facilities to remain viable community assets, in line with Borough Local Plan Policy INF1 and with 2003 Local Plan Policy CF1. However, this cannot be at any cost, and so the policy confines proposals to those that are the minimum to maintain the viability of the facilities and that will not undermine the character of the Green Belt or harm local amenities.

### **Policy Gen 6: Education**

***Proposals to extend an existing education facility to provide for additional educational uses and/or to establish a nursery school/play group, will be supported, provided:***

- i. the design of the scheme is proportionate to the site and will not compromise the permanent open character of the Green Belt;***
- ii. the scheme minimises the built up area of the education site by locating new buildings within or adjoining the existing building or cluster of buildings;***
- iii. the design of the scheme will sustain and enhance the heritage significance of any nearby heritage assets; and***
- iv. the scheme will deliver the necessary supporting infrastructure, including ancillary services and car parking.***

***Proposals that will result in the loss, or significant reduction in the scale, of an existing educational facility will be resisted, unless suitable alternative facilities are provided.***

3.42 This is a policy that protects and supports the extension of existing education sites – the six primary schools and nursery schools in the parishes - to ensure they remain of a high standard and popular with local families and students respectively, subject to measures on parking and amenity for example, and is in line with Borough Local Plan Policy INF1 and 2003 Local Plan Policy CF1. The neighbourhood area is very rural and there is therefore a special value in retaining these facilities as part of the social fabric of the local communities.

3.43 It encourages proposals to enable the facilities to remain viable community assets, in line with Borough Local Plan Policy INF1 and with 2003 Local Plan Policy CF1. However, as with Policy GEN6, the policy confines proposals to those that will not undermine the character of the Green Belt or harm local amenities.

## **Policy Gen 7: Local Green Spaces**

**The Neighbourhood Plan designates Local Green Spaces in the following locations, as shown in Appendix Maps, and further defined in the Appendix Local Green Spaces:**

### **Hurley Parish sites:**

- i. Knowl Hill Common**
- ii. Hurley village greens**
- iii. Hurley football pitch and playground**
- iv. Hurley cricket field**
- v. Cockpole Green village green**
- vi. Land opposite Knowl Hill Common, north on A4**

### **Waltham St Lawrence Parish sites:**

- vii. Land adjacent to Pool Lane, Waltham St Lawrence**
- viii. Land behind Primary School, West End**
- ix. Land behind Bell Inn, Waltham St Lawrence**
- x. Land by Milley Bridge, Waltham St Lawrence**
- xi. Land at Yeo Memorial Cricket Ground, Shurlock Row**

### **White Waltham Parish sites:**

- xii. White Waltham Cricket Ground**
- xiii. Land off Breadcroft Lane; Woodlands Park**
- xiv. Village green and cricket ground, Littlewick Green**
- xv. Waltham Grove Park recreation ground, White Waltham**
- xvi. Phipps Close Play area, Woodlands Park**

**Proposals for development on the land that is not ancillary to the use of the land for public recreational purposes or is necessary for utilities works will be resisted.**

3.44 This is a policy that designates Local Green Spaces to protect them from development for the plan period and beyond, as provided for by National Planning Policy Framework and Borough Local Plan Policy NE4 and by 2003 Local Plan Policy R1. To qualify as such, each site meets the criteria set out in para 77 of the NPPF as set out in Local Green Space Study in the evidence base.

## **Transport Policies: Accessibility, Highways Safety and Parking**

### **Policy T1: Accessibility and Highways Safety**

**Development proposals must be able to demonstrate that they can achieve a satisfactory access and will not compromise highway safety. Development must not generate vehicle movements that cannot be safely accommodated on the local highway network and must have regard to the effect of traffic in relation to residential amenity, particularly safety, noise and air quality.**

3.45 Within the HWNP area transport safety and traffic issues are one of the greatest concerns particularly given the proximity to the M4, the A404M and Maidenhead Railway Station. These all represent one of the biggest commuter zones in the country. The impact of future development in addition to the opening of the Crossrail link at Maidenhead is likely to be significant but cannot be measured at this time.

### **Policy T2: Residential Parking**

**Proposals for housing development must make provision for on site car parking as follows:**

<b>1 bedroom house or flat</b>	<b>1 off road parking space minimum</b>
<b>2-3 bedroom dwelling</b>	<b>2 off road spaces minimum</b>
<b>4 or more bedrooms</b>	<b>3 off road spaces minimum</b>
<b>In addition on developments of 5 dwellings or more</b>	<b>An additional 2 off-road parking spaces for visitors for every 5 dwellings built.</b>

3.46 This policy updates and replaces Policy P4 of the 2003 Borough Local Plan in so far as it applies to this neighbourhood area. The lack of off-road parking was a key concern of residents in our consultations. Residents find the impact of on-street parking at current rates unsustainable in terms of the impact on accessibility to the highway and increases in traffic bottlenecks. All new dwellings should have sufficient off-road parking spaces to cater for the residents of those dwellings. This is based on experience of existing developments and the amount of on-street parking, particularly in but not exclusive to Hurley and Woodlands Park.

3.47 Recent developments have provided insufficient off-street parking for the number of cars owned by those occupying the dwellings. As a result, there are high levels of on-street parking which make it difficult for vehicles to pass, particularly emergency vehicles. It also makes it more dangerous for pedestrians who have to cross the road between parked cars.

3.48 There are high levels of car ownership within the HWNP, as well as the Borough and general area which adds pressure to local parking. This justifies a locally defined parking standard.

### **Policy T3: Goods Vehicle Traffic**

Development proposals that will generate additional HGV/LGV traffic movements will be supported, provided they are able to demonstrate that they will not have an unacceptable adverse impact on local amenities in respect of noise and dust that cannot be satisfactorily mitigated.

3.49 Evidence from the consultations indicates that there are particular areas in the HWNP that are detrimentally impacted by noise and congestion from current levels of HGV/LGV traffic, these include Woodlands Park and Knowl Hill at Star Lane.

## **4. Implementation**

4.1 The Neighbourhood Plan will be implemented through a combination of the local planning authority's consideration and determination of planning applications for development in the parishes, and through steering public and private investment into a series of infrastructure proposals contained in the plan.

### **Development Management**

4.2 Most of the policies contained in the Plan will be delivered by landowners and developers. In preparing the plan, care has been taken to ensure, as far as possible, that the policies are achievable.

4.3 Whilst the local planning authority will be responsible for development management, the Parish Councils will also use the Plan to frame their representations on submitted planning applications. They will also work with the Royal Borough to monitor the success of the policies.

### **Infrastructure Projects**

4.4 The Parish Councils propose some or all of the following projects for investment of future Community Infrastructure Levy funding allocated by the local planning authority and to the Parish Councils:

- Sustainable drainage schemes
- Traffic mitigation schemes
- Enhancements to rights of way
- Playground provision
- Education facilities and school playing fields

4.5 This series of local infrastructure projects will be prioritised for investment from the Royal Borough's Community Infrastructure Levy (CIL) in due course. The CIL will replace the pooling of more than four S106 agreement financial contributions towards a single infrastructure project during the plan period. It will be charged on qualifying residential and commercial development. A minimum of 25% of the levy collected from development in the Parishes will be passed to the Parish Councils for investment in the Parishes. The policy provides the local community with an indication of the priorities for investing the fund to improve local infrastructure as a result of new development in the parishes.

## ACKNOWLEDGEMENTS

The journey from the start to the compilation of the final draft of this Neighbourhood Plan was not without difficulties. There are so many thanks to be given to all our volunteers who gave of their time and assistance and were a huge help in bringing to fruition this draft plan that it is too numerous to mention here all their names individually - but to all those volunteers, please accept our very grateful thanks. Without the community coming together as they so willingly did, our plan would still be in its infancy.

However, mention should be made to those who were approached for help and enthusiastically came forward to give their services voluntarily.

**Joe Staunton** – As Vice Chairman, Joe has been without doubt the ‘right hand man’ and the one to go to when anything has to be done. And there has been so much to be done. He has been a constant source of support, inspiration and advice.

**Bob Anwyl-Hughes** – Secretary for the Neighbourhood Plan Group and also Treasurer. Without Bob’s sterling work taking the minutes at each Steering Group meeting and ensuring the minutes are sent on time, and his advice to all our questions, we would have found it very difficult to continue. Our grateful thanks also for Bob’s professional attention to detail in the accounts.

**Nick Flook** – for his knowledge of the Web, setting up our website and updating the site each month.

**Warren Richmond** from Hurley – who compiled and printed the Project Plan and attended many Steering Group meetings with presentations to keep us on track and without which we would have had great difficulty moving forward.

**Jos Christaloudou** from Waltham St Lawrence – who did all our design and artwork. Jos attended the Steering Group meetings and gave design briefs to ensure we had encapsulated the image we wanted for our consultation posters, letter heading, cards, the survey and of course our logo.

**Claire Pickles** from Paley Street – who was our Project Plan Coordinator. Claire kept us on track, which was often a difficult and arduous task and attended many Steering Group meetings and also coordinated our eight Consultation Events.

**Toni Rae** from Paley Street – who was the Lead for Communications. Toni organised the Communications Team – volunteers from all the villages in our Ward – to ensure posters advertising the Consultation Events were put up around the villages and to ensure residents were aware of The Neighbourhood Plan.

**Adrienne Yentis** from Knowl Hill – who gave her expert advice on presenting and writing the survey and continued advising on the formulation of questions.

**The Communications Team** – all our residents on this team who were out and about in their villages and attending the Consultation Events to answer any questions from residents.

**The Village Associations, Village Society and Preservation Society** for all their input.

**The Editors of the Local Magazines** – who were so helpful giving free advertising for the Neighbourhood Plan.

**And the many more residents involved across the Ward** for delivering Neighbourhood Plan information, helping at Consultation Events and coming forward, to help in any way they could.

**The Topic Group Chairmen**– Cynthia Pittaway, Vinnie McCann, Peter Fieldhouse, Pat Macdonald, Paul Martin, and Arlene Kersley **and their teams** - without their involvement and work compiling all the statistics and knowledge of the areas in the Ward relevant to their Topic Group there would be no Neighbourhood Plan.

**The Steering Group** – for their commitment to the community and the numerous hours undertaken to produce the Neighbourhood Plan – Joe Staunton, Sandra Baker, John Birkett, David Burfitt, Nick Flook, Jane Gunnell, Steve Harrington, Linda Jones, Arlene Kersley, Vinnie McCann, Keith Robinson, Heather Scott, Clive Scott-Hopkins, Jane Durgan, June Brayne and Des Warren.

And finally mention and thanks must be made to:

**The Clerks of the Parish Councils** who have given so much support and assistance whenever we have asked

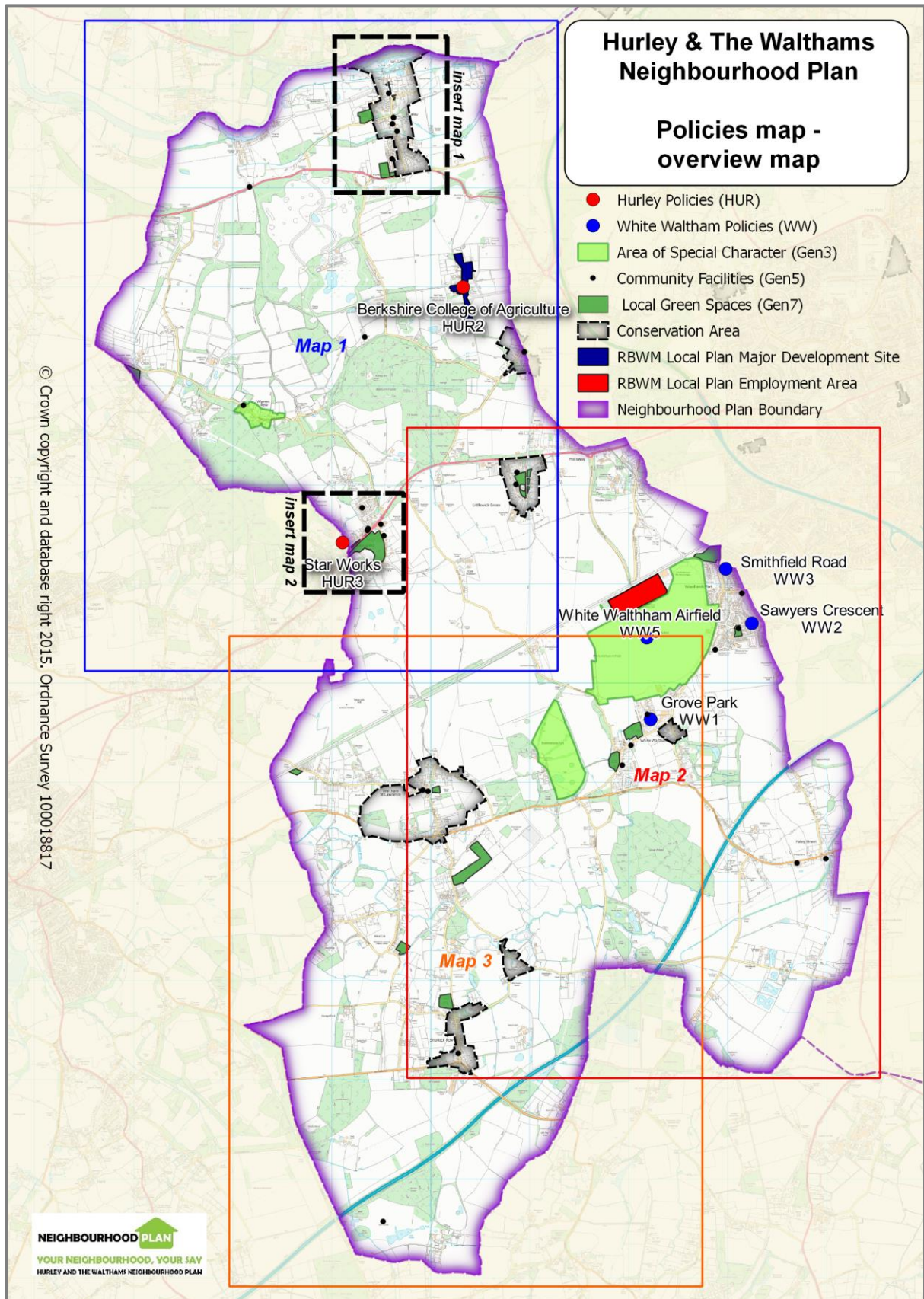
**The Parish Councils** who in the interest of and to reflect their Parish, have painstakingly gone through each page of the draft Neighbourhood Plan prior to giving their approval and agreement.

**The Royal Borough of Windsor and Maidenhead** for their help and for ensuring officer attendance at our Steering Group meetings to give guidance. Phillip Gill and Ian Bellingier were instrumental during the initial stage of gathering together all those residents interested in a Neighbourhood Plan and setting up the Neighbourhood Plan Group. Thanks also go to them for attending those many long evenings at our Steering Group meetings. Particular mention must also be made of Rebecca Williams who now attends our meetings and has given valuable advice in excess of what was required.

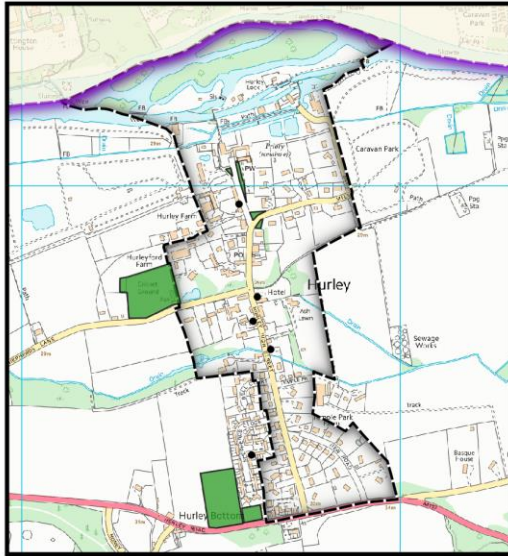
**Arlene Kersley from CCB** (Community Council for Berkshire) whose help has been instrumental in producing the Neighbourhood Plan. With her knowledge of policy legislation and expertise on the computer, Arlene has been the most influential member of the Steering Group from the survey to the production stage of the plan and in gaining a government grant towards our plan. She introduced a consultant to guide us on writing policies and has underwritten all our work with presentations at each stage of the draft plan.

Our consultant, Neil Homer of **rCOH**, for his advice and assistance in preparing the draft Neighbourhood Plan.

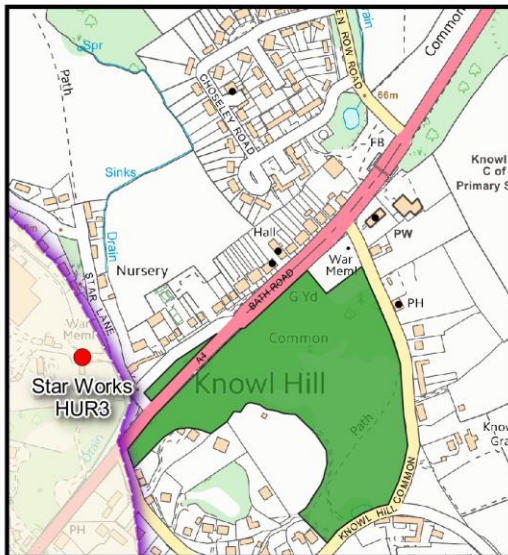
# APPENDIX 1. POLICIES MAPS





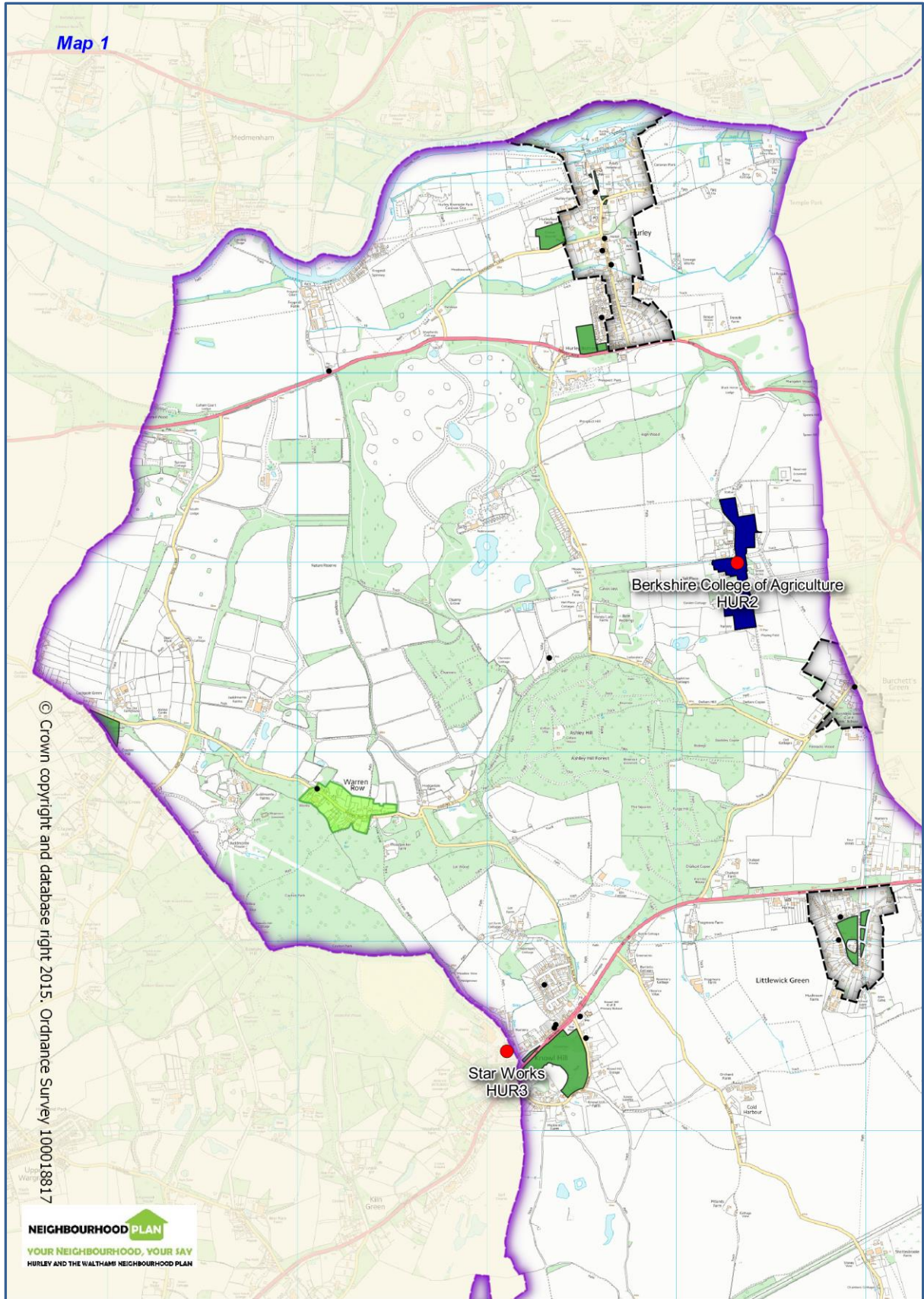


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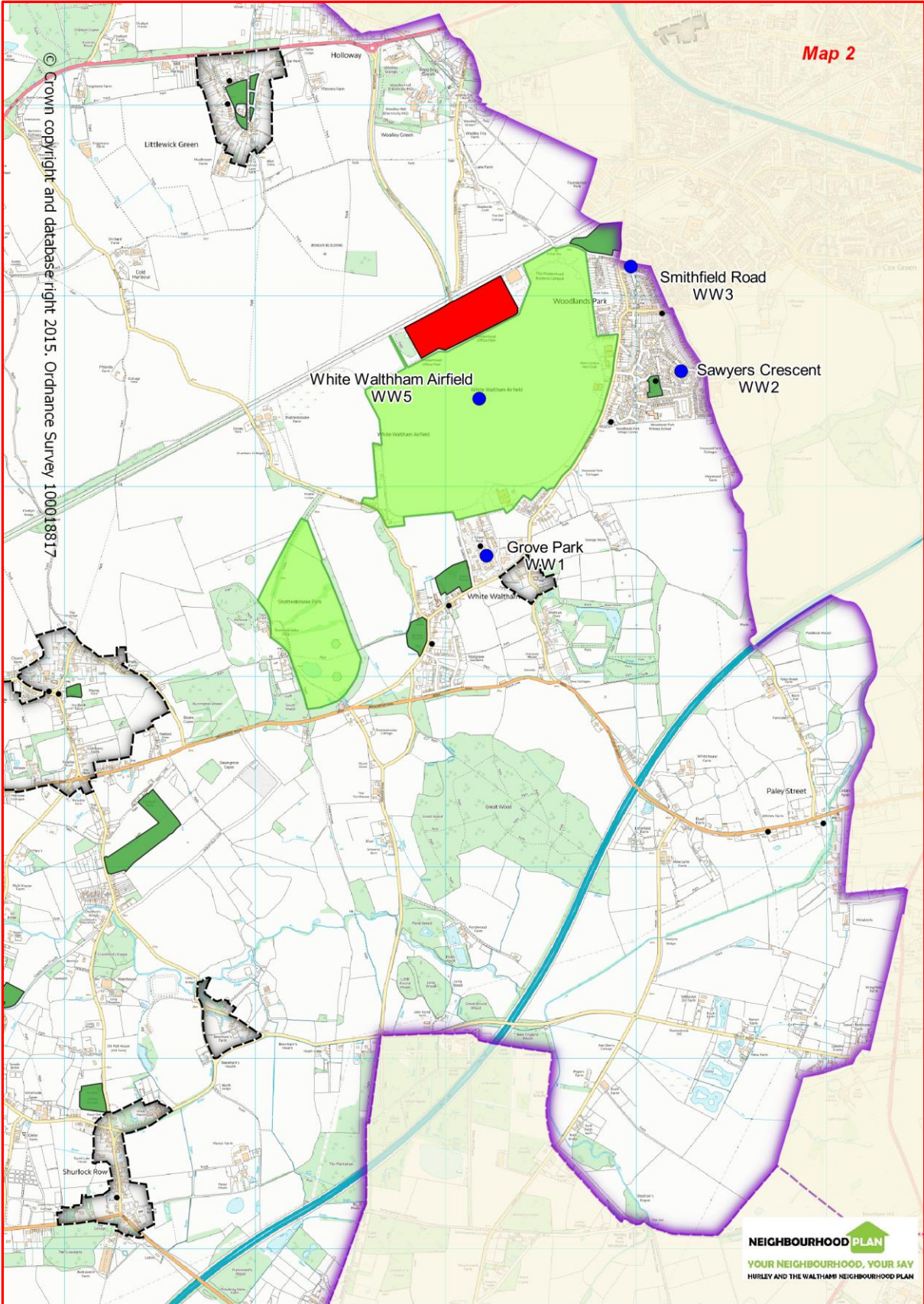


*insert map 2*

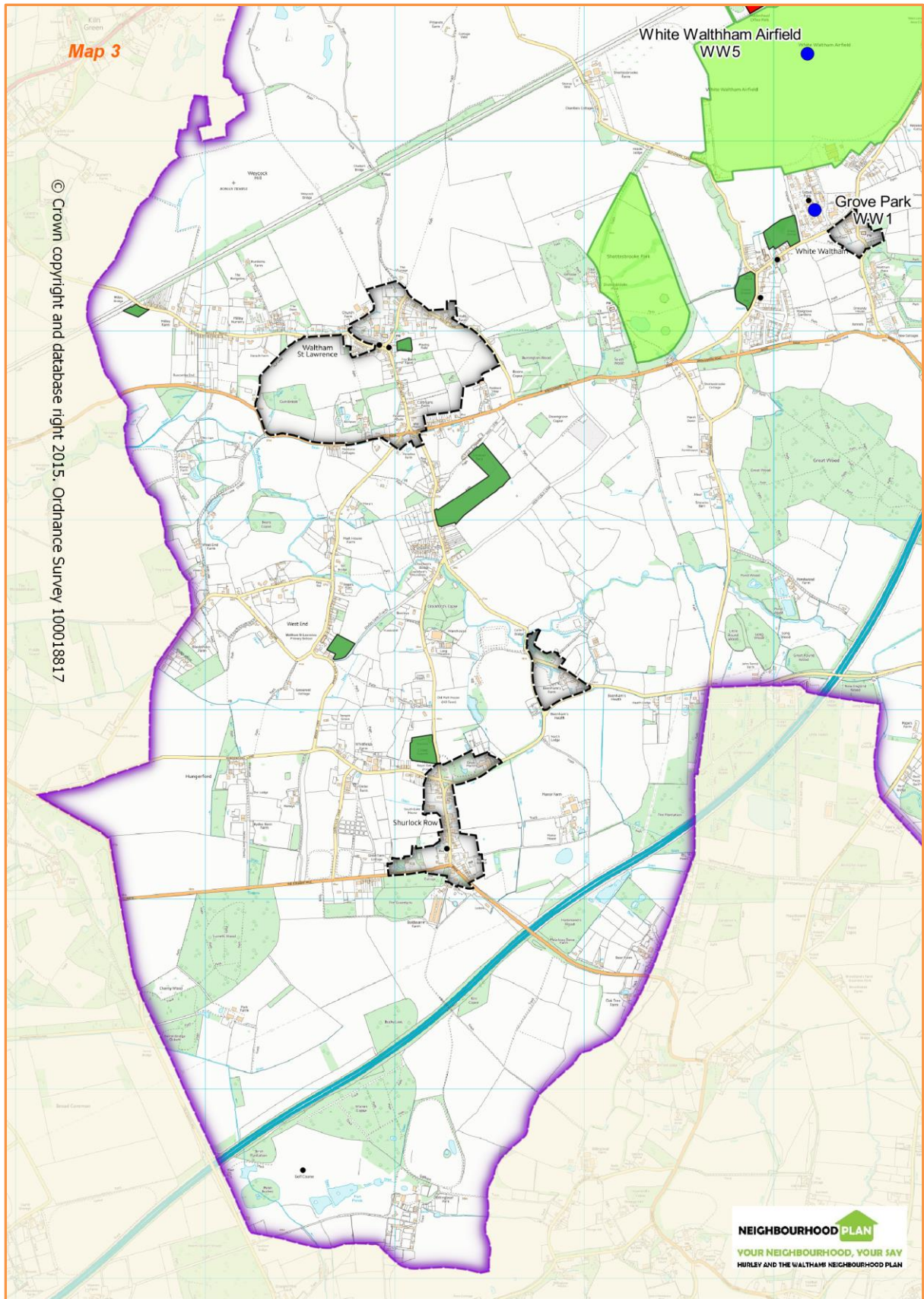
- Hurley Policies (HUR)
- White Waltham Policies (WW)
- Area of Special Character (Gen3)
- Community Facilities (Gen5)
- Local Green Spaces (Gen7)
- Conservation Area
- RBWM Local Plan Major Development Site
- RBWM Local Plan Employment Area
- Neighbourhood Plan Boundary



Map 1

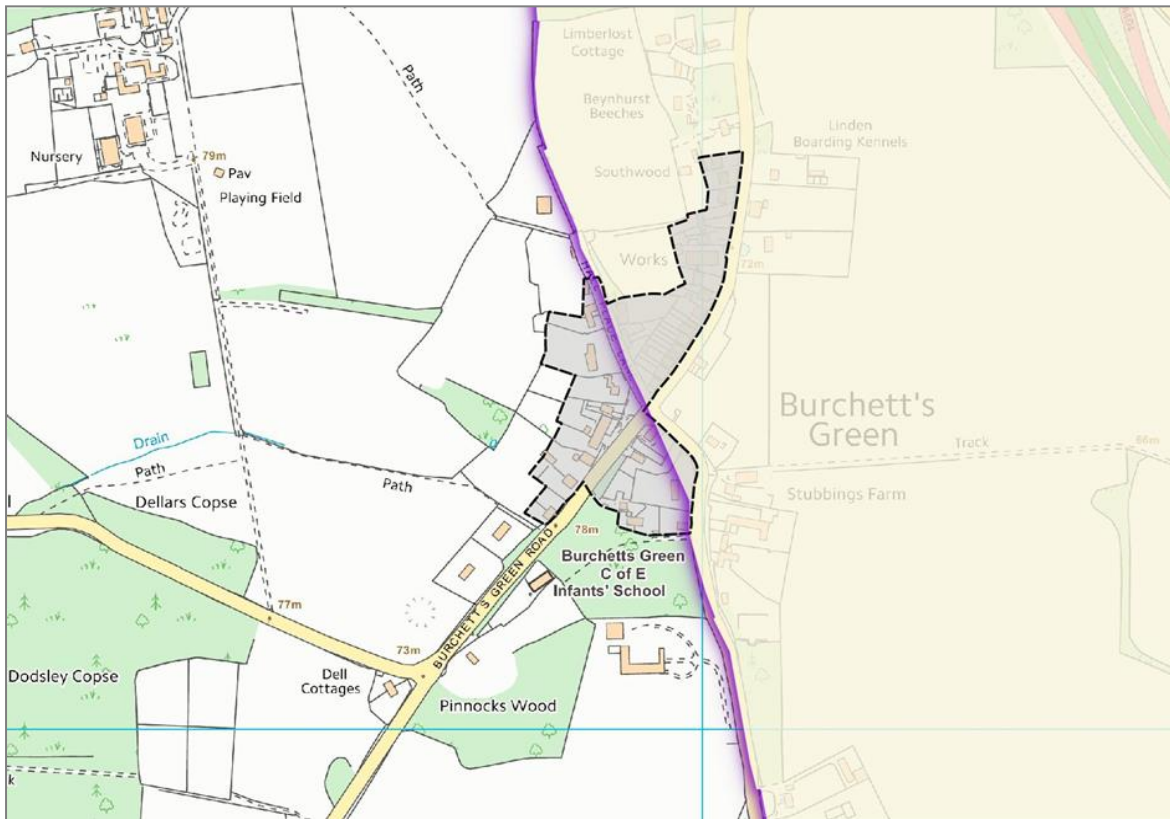


Map 2

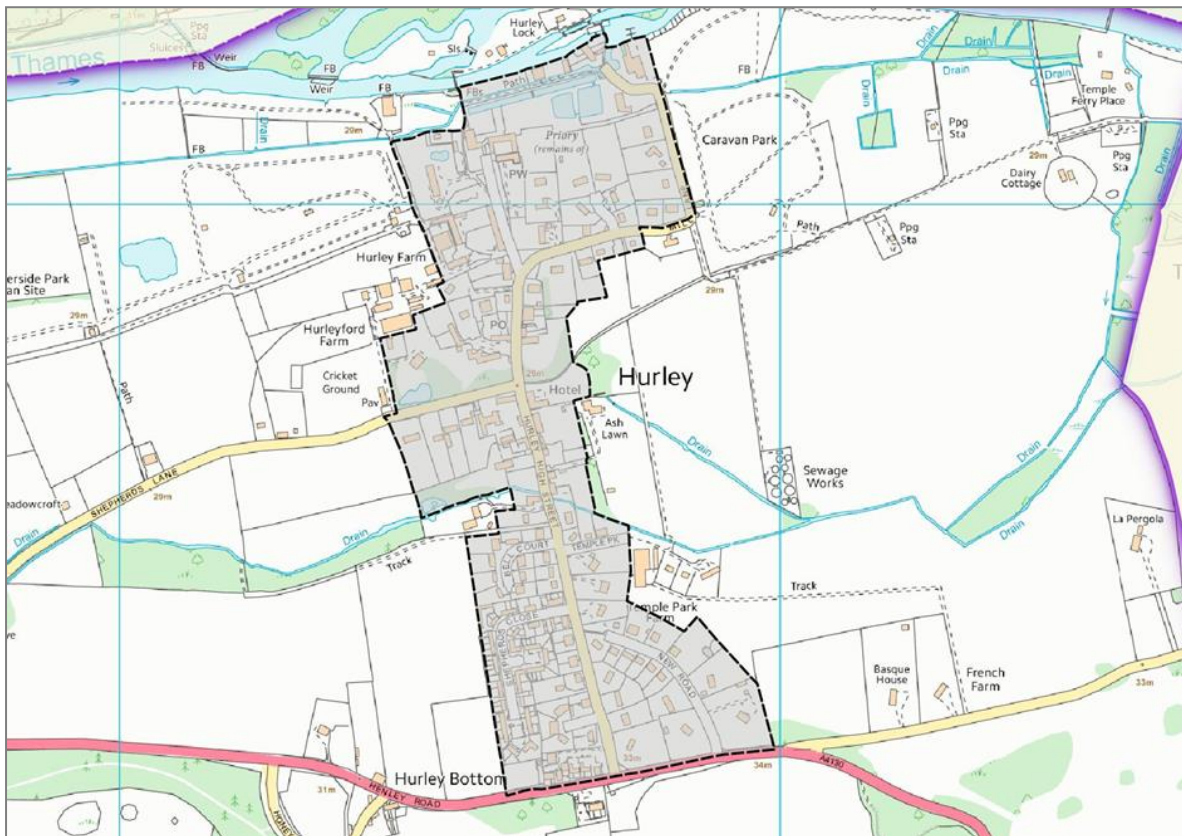


Map 3

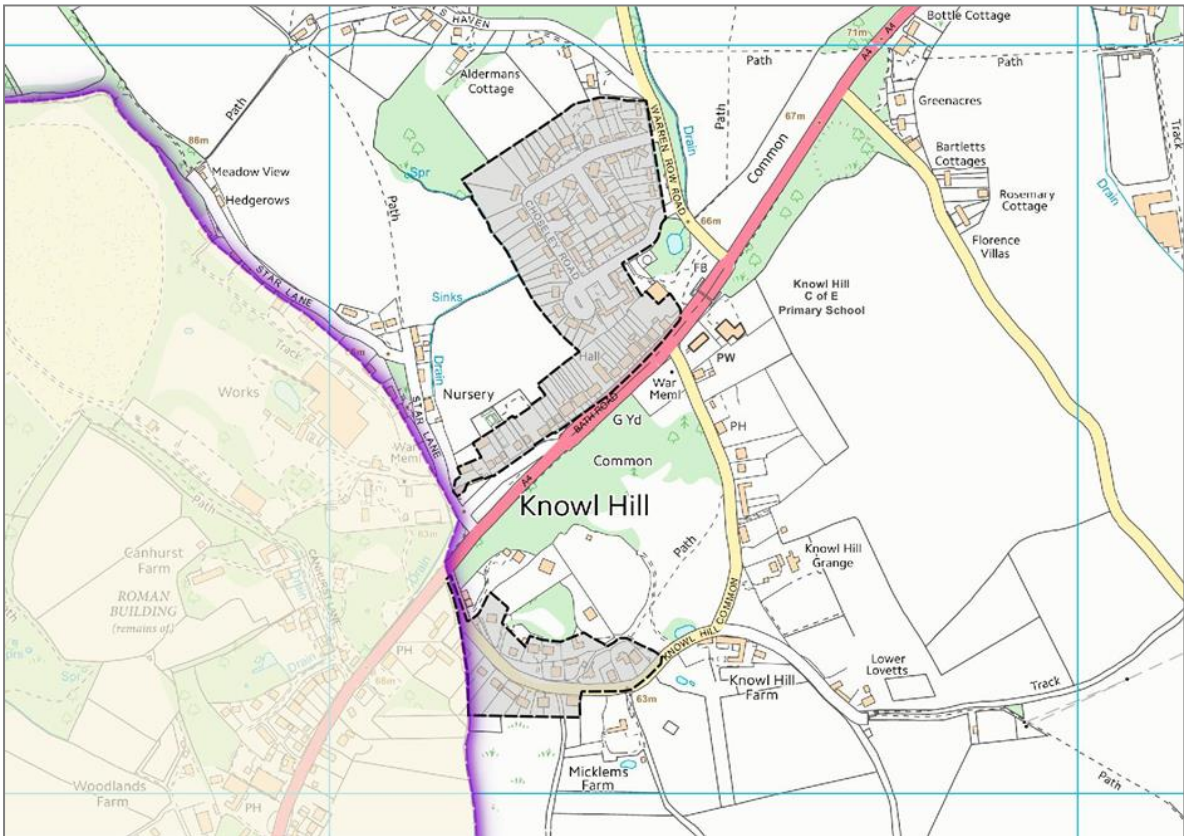
## APPENDIX 2. Recognised Settlement Boundary Maps



Burchett's Green



Hurley



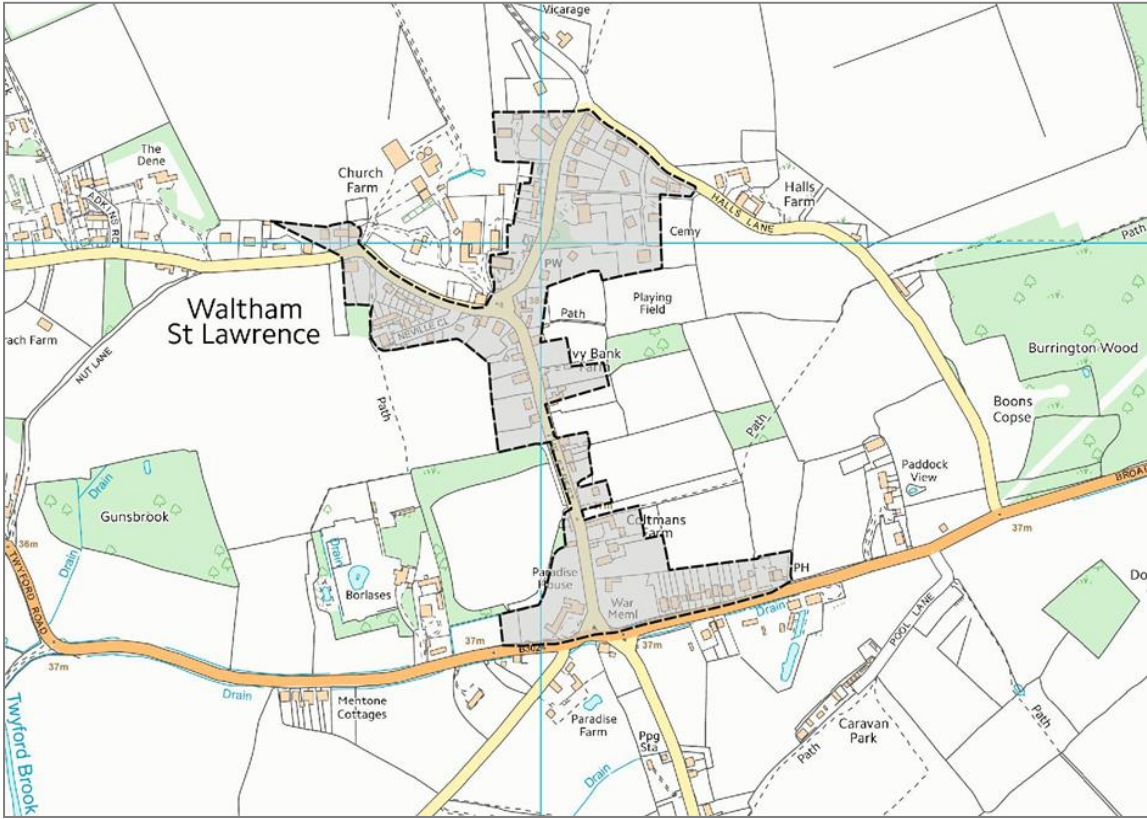
Knowl Hill



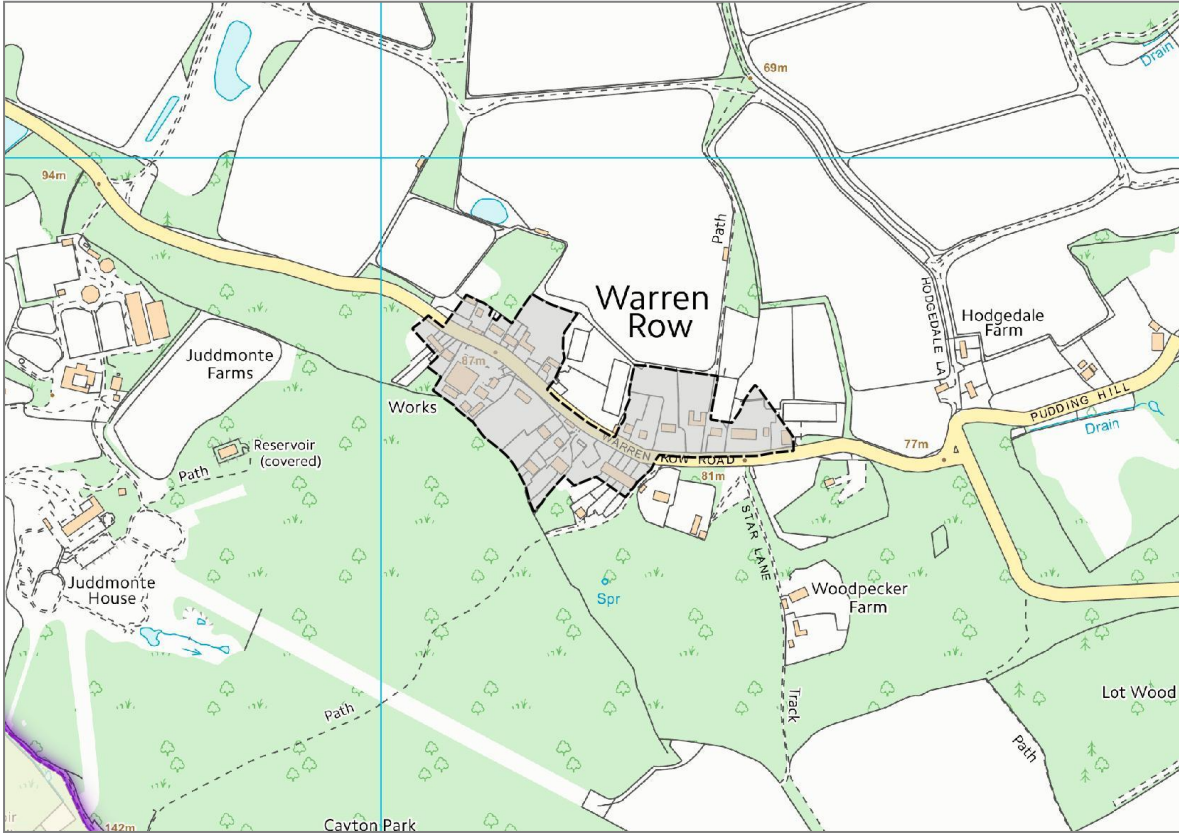
Littlewick Green



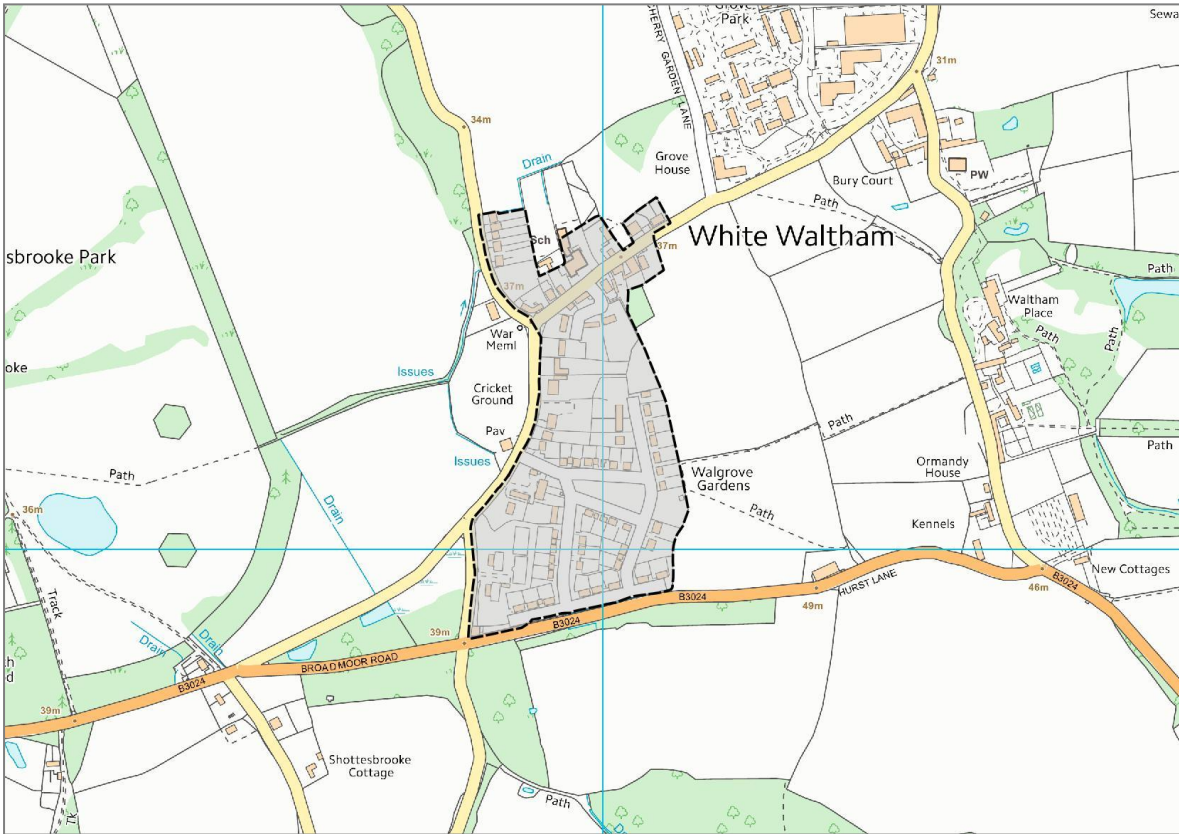
Shurlock Row



Waltham St Lawrence

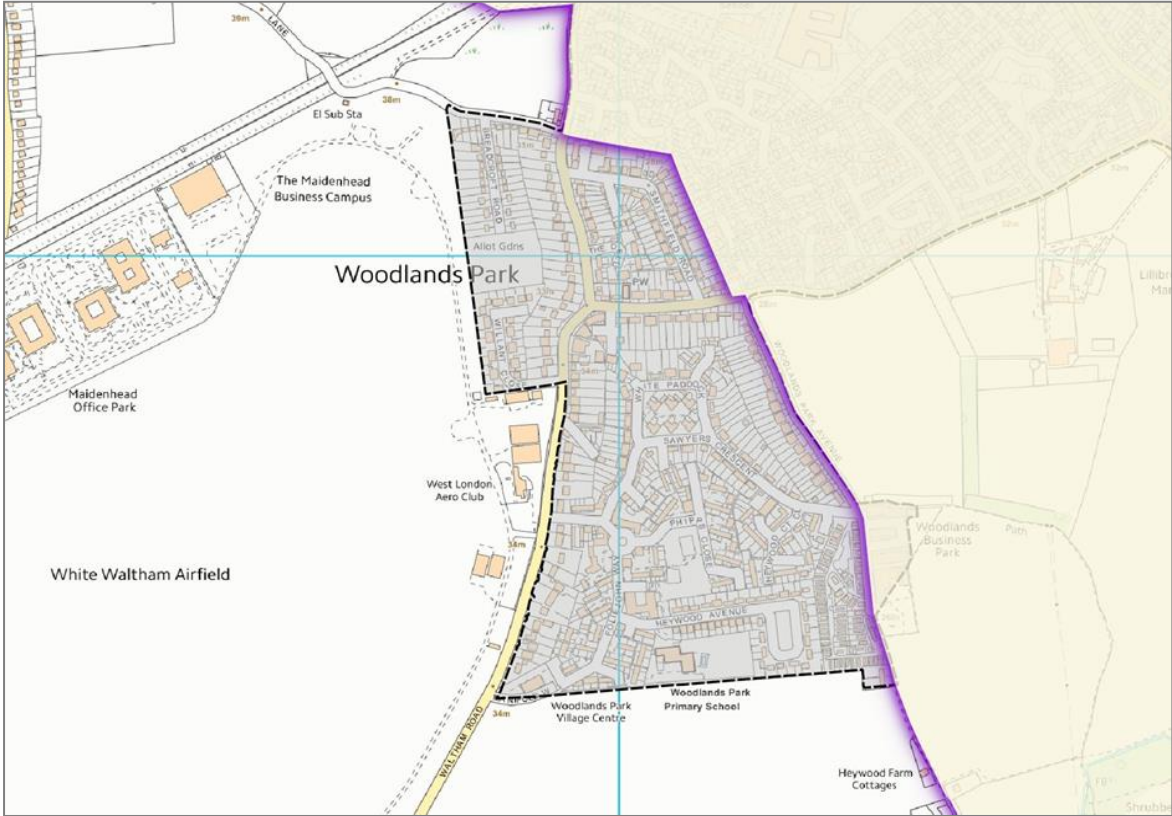


Warren Row



White Waltham





Woodlands Park

## APPENDIX 3: Areas of Special Character Study

The Neighbourhood Plan designates the following areas as Areas of Special Character, as shown on the Policies Map:

### Hurley Parish:

#### Warren Row



Warren Row is a hamlet of some sixty dwellings set on either side of a quiet country road bounded by bluebell woods to the south with open views stretching to the Chiltern Hills in the north. In the centre of the village is The Snooty Fox, a pleasant pub that acts as a centre for village socializing. St Paul's Church (a late 19th century prefabricated mission church of the 'Tin Tabernacle' type) is an unusual building, erected in 1894 that is finished on the exterior in green corrugated iron. The village

has some groups of pretty terraced cottages as well as larger detached properties. Many public footpaths radiate from the village, and to the north, is the working stud farm of Juddmonte. On the south side of the village is the entrance to a network of tunnels, used in WW2 as an underground factory producing aircraft components. Later, during the Cold War, it was maintained by the Ministry of Supply as a Regional Seat of Government. It is now a depository for a wine merchant and provides archiving storage for commercial clients. This rural community does not have the status of a Conservation Area but is typical of a quiet country village (of which there are only a few in east Berkshire) in need of protection from overdevelopment.

### Shottesbrooke Parish:

#### Shottesbrooke Park



A private, old established rural park belonging to Shottesbrooke House (grade 2\* listed, dating from the 16<sup>th</sup> century with later alterations), with St John the Baptist church (grade 1 listed, 14<sup>th</sup> century) adjacent and a collection of other buildings and structures (some also listed) that include the offices of the Landmark Trust.

The parkland is mainly grass but with a small lake and several avenues of mature trees radiating from the house, as well as other considered planting. The grass is often grazed by sheep.

The park is crossed by a bridleway (north to south) and a footpath (east to west) both of which have delightful views of the house and church and which

understandably are popular. With public access at four separate points it is and has been regularly used by local people for walking, riding and cycling over many years. These connect to the extensive public rights of way network beyond the park.

Although there is no known present threat to the character of the park, it being classed as an Area of Special Character should help ensure that any future developments are carefully considered with this wider role in the community in mind.

## **White Waltham Parish:**

### **White Waltham Airfield**



The airfield was the headquarters of Air Transport Auxiliary from February 1940 until 30th November 1945. It was from here that all the operational work needed to organise the task of ferrying RAF and RN warplanes between factories, maintenance units and front-line squadrons took place, i.e. all the planning and logistics needed to recruit and organise the activity of the 1,245

men and women from 25 countries who ferried a total of 309,000 aircraft of 147 different types, without radios, with no instrument flying instruction and at the mercy of the British weather. White Waltham is still widely regarded as the spiritual home of ATA.

Consequently, any building still remaining on the airfield to represent this important heritage should be protected when considering development applications in accordance with our Policy 3 statement concerning the Airfield. The main clubhouse and administrative building (an original wartime structure), plus remaining original hangars, fall in this category.

## **APPENDIX 4: Community Facilities Detail**

(as identified on Policies map)

### **Hurley Parish Facilities:**

#### **Black Boys Public House, Black Boy Lane, Frogmill, Hurley, SL6 5NH/ SL6 5NQ**



The Black Boys Inn dates back partly to the 16<sup>th</sup> Century. It is situated near the western boundary of Hurley Parish and at the entrance to the riverside hamlet of Frogmill. This picturesque beamed public house is an important centre for locals to take friends and visitors. The Inn is within easy walking distance of the large riverside touring park. It is a building well worthy of preservation.

#### **Hurley Doctors' Surgery, 6 Shepherds Close, Hurley, SL6 5LY**

The doctors' surgery is situated in Shepherds Close. It is a satellite surgery to the Marlow Practice and is open twice per week. The surgery is well used especially by the large number of elderly residents who are unable to drive and therefore is an essential asset to the village that must be preserved.

#### **Hurley Village Hall, High St, Hurley, SL6 5LT**

The Village Hall is situated in the centre of Hurley Village and is run as a Charity by the Hurley Village Association. It is the centre of village social life, being used by many local village societies and groups for such events as the village pantomimes, quiz nights, Pilates, dancing classes, Hurley Fete, etc.

#### **Hurley Farm Shop, High St, Hurley, SL6 5NB**

The shop is the only food shop in Hurley Village and is an essential centre for those who cannot easily get out of the village to main shopping centres. It is also an essential for customers of the locally based holiday caravan parks and the many visitors to the village.

#### **Rising Sun Public House, High St, Hurley, SL6 5LT**

The Rising Sun is the centre for casual socializing in the village. It is also important as the local restaurant used not only by local residents but also for casual trippers and caravanners who need to be able to walk rather than drive when they have a drink. The pub also supports all local events supplying drinks and often food to such local events as the Regatta, Village Fete, Village Quiz, Parties, etc.

### **Ye Olde Bell, High St, Hurley, SL6 5NB**



Hotel and Restaurant in the heart of the village. Claims to be the oldest inn in England built in 1135 to accommodate visitors to Hurley Priory. It is a well-known national landmark. Listed as 2\* and has all the features of an ancient ale house. The adjacent Malt House, part of the Old Bell complex, is also an important feature of the village scene. Across the High Street, the Conference Barn and Brick Barn, again part of the Olde Bell complex, are set around the large car

park, which also add to the ambience and openness of this area at the centre of the village. All are essential to the village street scene.

### **The Dew Drop Inn, Honey Lane, Hurley, SL6 6RB**



This attractive public house in the heart of Ashley Hill Forest is very popular with summer walkers. It has attractive views across the Thames Valley. The building was once an important 'watering hole' for workers in the forest and has lovely old beams and open fires in the winter.

### **The Crown Public House, Burchetts Green Road, SL6 6QZ**



The 19th century building dominates the centre of Burchetts Green due to its prominent position and is fundamental to the character of the hamlet. The Crown is now run as a combined pub/ restaurant and is at times used for community events.

### **Royal Oak PH, Knowl Hill Common**



The Royal Oak is a small and friendly public house well used by local residents for social and community events. It is now the only pub open in Knowl Hill and as such would be a significant loss to the community if it were to close. It has a field to the rear which is used for village events such as harvest festivals and fundraisers as well as private functions. It also hosts a monthly get together to which all residents are invited.

### **Knowl Hill Village Hall, Bath Road, Knowl Hill**



The village hall is an attractive, medium sized hall with kitchen, committee room and good parking facilities which is well used by local residents and organisations such as Guides, W.I., parish council and a wide variety of clubs as well as outside organisations such as cycle clubs, dog training clubs, music societies etc. It is a focal point of social contact valuable for the whole community and in particular older people and hosts a wide variety of fundraising

and social events including for St. Peter's Church and the Knowl Hill Village Association.

### **Doctors' Surgery, Bath Road, Knowl Hill**

Next door to the village hall is a dedicated doctors' surgery run as a branch by the practice based in Wargrave. It is well used by residents, particularly older people without transport and is an invaluable amenity for all. It benefits from the shared use of the village hall car park. Prescriptions can be collected from Choseley Road Stores.

### **Choseley Road Stores, Century Chase, Choseley Rd, Knowl Hill, RG10 9YQ**

Choseley Road Stores is situated at the centre of the Choseley Road estate. It is a valuable local amenity for all, particularly for older people who do not have transport. It is a well-stocked general store and provides a collection point for prescriptions.

**Snooty Fox, Warren Row Road, Warren Row, RG10 8QS**



The Snooty Fox is the only pub/restaurant in Warren Row and is well used by families, residents and walkers. It provides an attractive and welcome stopover for residents and passers-by in car and on foot.

**Waltham St Lawrence Facilities:**

**Neville Hall Village Hall, Milley Road, RG10 0JX**

Originally a 16th century cottage extended later as village school, now used as hall for village functions, doctors' surgery, weekly post office and band HQ; the Parish Council act as trustees.

**Bell Inn, The Pound, RG10 0JJ**



Early 15th century wealden style house grade 2 listed with star status, given to the village over 400 years ago by the printer to Queen Elizabeth 1, owned by charity trustees who distribute to worthy local causes.

**Shurlock Inn, The Street, Shurlock Row, RG10 0PS**



Originally known as the White Hart, the Shurlock Inn was saved as a village facility by local subscribers and is run as a combined pub/restaurant.

**Billingsbear Park Public Golf Course, The Straight Mile, Wokingham, RG40 5SJ**

**White Waltham Parish Facilities:**

- i. Holly Cottage, SL6 3SG**
- ii. The Beehive Public House, SL6 3SH**
- iii. The Royal Oak Public House, SL6 3JN**
- iv. Bridge House Public House, SL6 3JS**
- v. The Cricketers Public House, Littlewick Green SL6 3RA**
- vi. Woodlands Park Village Centre, SL6 3GW**



- vii. Woodlands Park Surgery, SL6 3NW**
- viii. Gilchrist Thomas Village Hall, Littlewick Green, SL6 3RF**

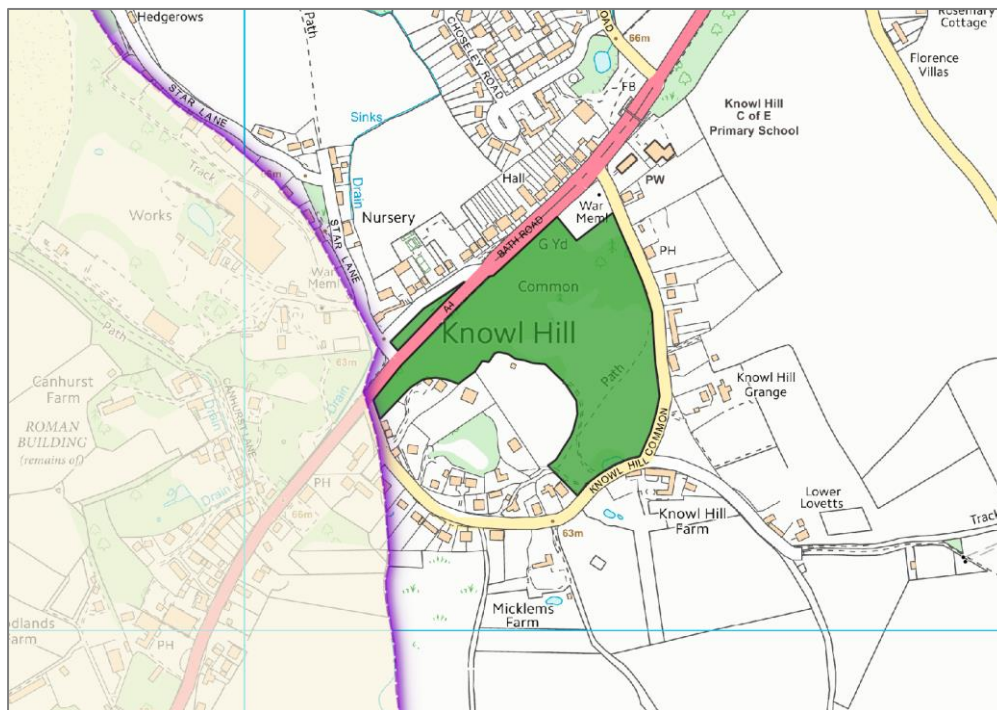


## APPENDIX 5: Local Green Space Designation Justifications

### Hurley

#### Knowl Hill Common:

Knowl Hill Common is a local beauty spot comprising a hill from the top of which can be viewed the countryside for miles around. It is a tranquil and very pleasant site much enjoyed by families for games and picnics, dog walkers and horse riders. It backs onto beech woods covered with bluebells and other wild flowers in the Spring and provides a natural barrier against the noise and traffic of the A4. It is a recreation amenity for the surrounding houses as well as the wider village and others. The adjoining wood and pond, which is thought to be a horse pond, support wildlife including deer, ducks and moorhens.



Map: Knowl Hill Common and Land North of A4

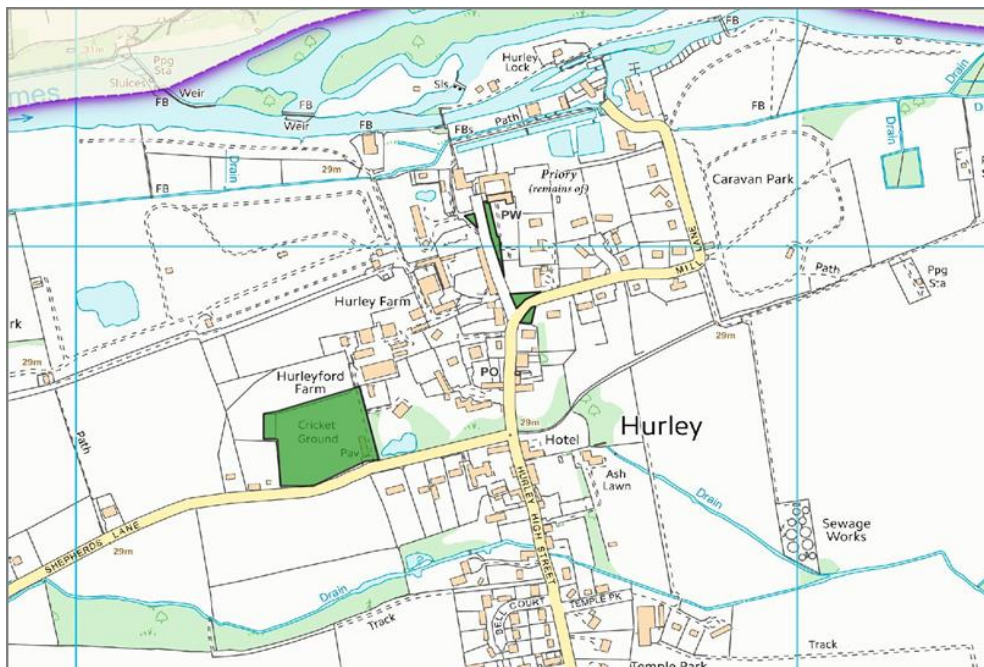
#### Land North A4 Knowl Hill Opposite Knowl Hill Common

Located between the A4 and the original London to Bath Road the green enables parking for walkers and local businesses. This small parcel of green provides a popular local meeting point for walkers and cyclists who make use of National Cycle Network route 4 and woodland footpath up Bowsey Hill. Commonly known as the 7 Stars, the location is a landmark identified on pathfinder maps of the area. It was until recently the location of a popular pub that is now closed down, and due to be converted into housing. The green also represents an important green focal point marking the entrance of the Knowl Village that sets the character of the village. The green prevents development on the north side of the A4 from becoming strip-like in appearance and acts as a green buffer zone between the residential and

commercial buildings and the A4. It defines the village to traffic passing through and has historic significance in that it is reputedly a place where hangings of highwaymen were carried out (once known as Hangman's Common) and also where prize fighting took place.

**Hurley Village Greens:** adjacent to Village Shop SL6 5NB and Mill Lane SL6 5ND.

The Village Greens, in the heart of the village of Hurley, are the main feature of the northern end of the village. They are surrounded by ancient buildings including the Church; ancient Tithe Barn (now Tythecote Manor); a second flint and chalk tithe barn; village shop and other old houses. The four Greens are part of the Waste of the Manor of Hurley and are now owned by the villagers through the Village Association, with one portion owned by the Hurley Church. These attractive Greens are all surrounded by posts and chains, making this the most picturesque part of the whole village.



Map: Hurley Village Greens

**Hurley Cricket Field,** Shepherds Lane, Hurley

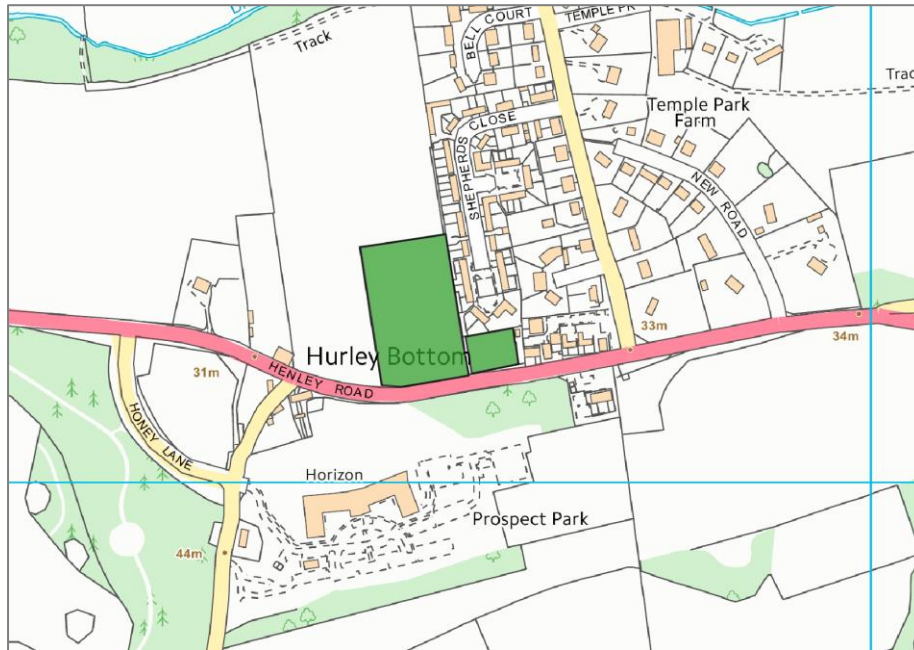
Managed under licence from local landowner. Important open space to west of village centre. Many young children are coached here and play in colts teams in local leagues.

**Hurley Playground,** Henley Rd, Hurley and Shepherds Close Hurley.

Only playground in Hurley. Used by many children from the Shepherds Close area and elsewhere in the village. An important source of recreation for many houses with small gardens.

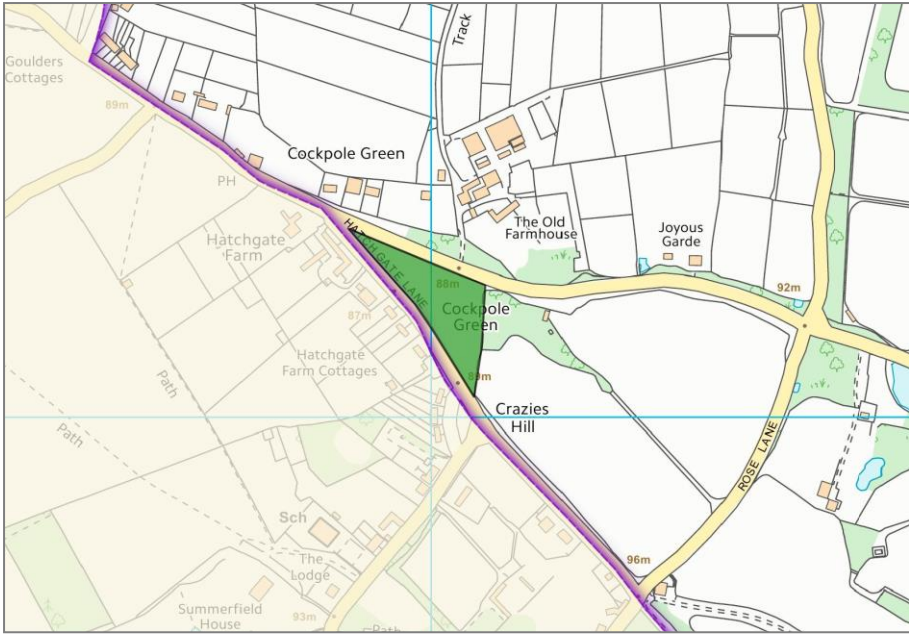
### **Hurley Football Field**, Henley Rd, Hurley

Adjacent to playground. Managed under annual licence from local farmer. Used by some villagers on a regular basis in local area football leagues.



Hurley football pitch, Cricket Ground and playground

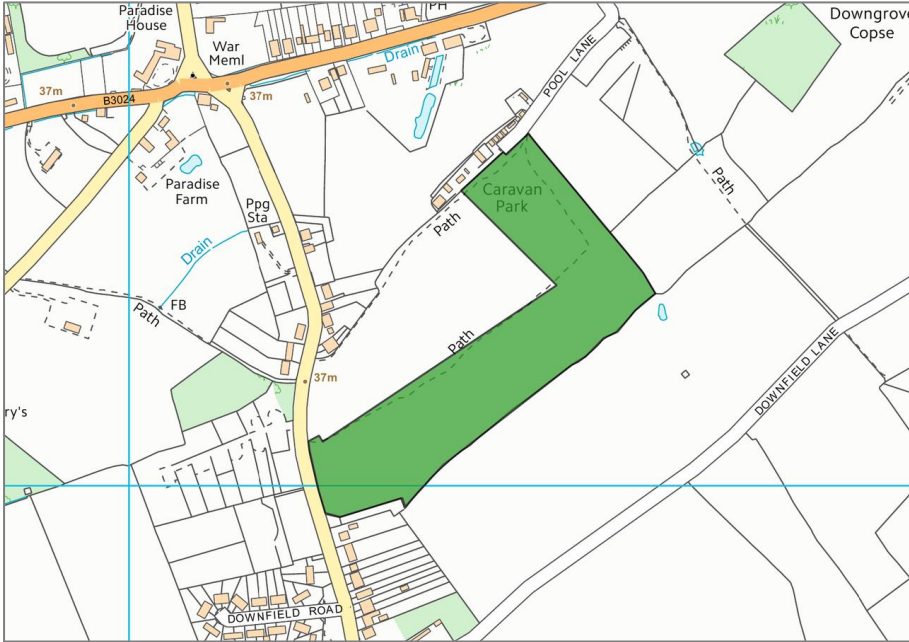
**Cockpole Village Green**, Cockpole Green (Hurley) - Cockpole Green is a small hamlet of some 40 houses, some 25 of which are situated in the Parish of Hurley. Approximately half of these properties are adjacent or overlooking a very attractive open area of rough grassland common and trees. The Common is often used for village events and is otherwise available to residents and visitors alike for air, exercise and recreation. The hamlet has several old properties which have been sympathetically renovated and many have open farmland. It is separately identified to the village of Crazies Hill which has a common boundary, the only pub, school and hall but is situated in the Wokingham Borough.



Inset Map: Cockpole Green village green

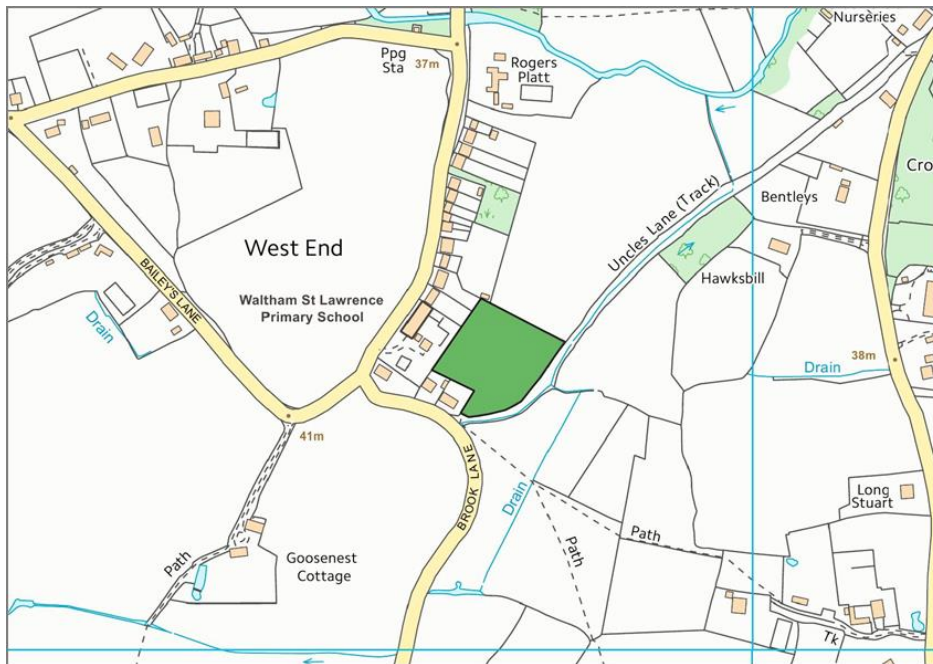
**Waltham St Lawrence:**

**Land Adjacent to Pool Lane, Waltham St Lawrence** – This 13 acres, less 1 acre earmarked by RBWM for a possible extension to the Pool Lane authorised gypsy/traveller site, is still owned by the Borough and originally intended as a 'Jubilee Wood' under the auspices of the Woodland Trust with car parking, walkways and seating proposed. This project appears now to have been abandoned which leaves the site potentially available as a community facility of which we have short supply.



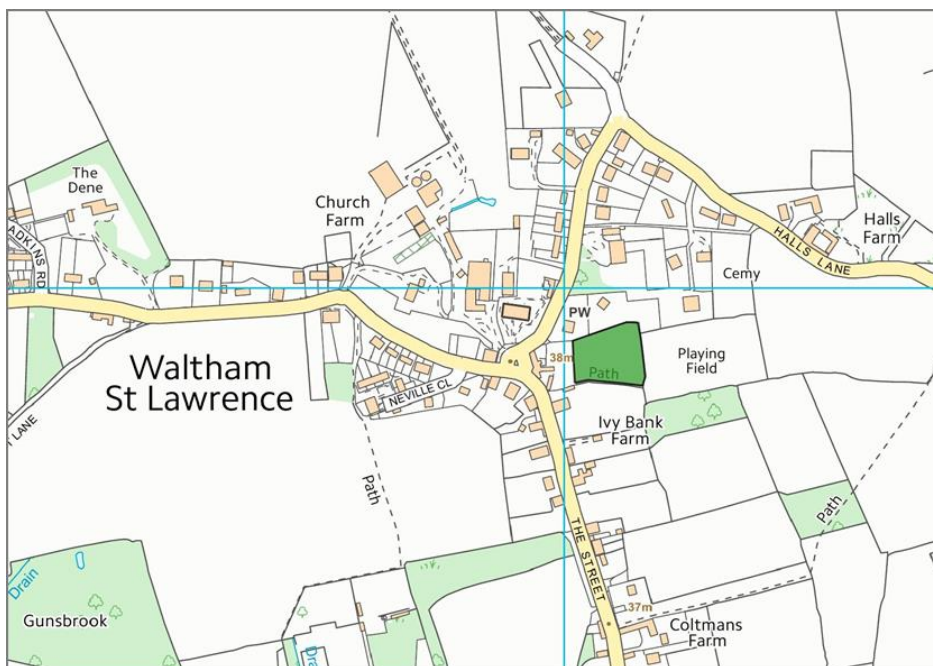
Waltham St Lawrence Land adjacent to Pool Lane

**Land Behind Primary School, West End** - owned and run by Trustees, this 3 acre site lies behind and adjacent to the village school in West End and is available for the school and all parishioners to use as a community facility for informal activities and the occasional village fete.



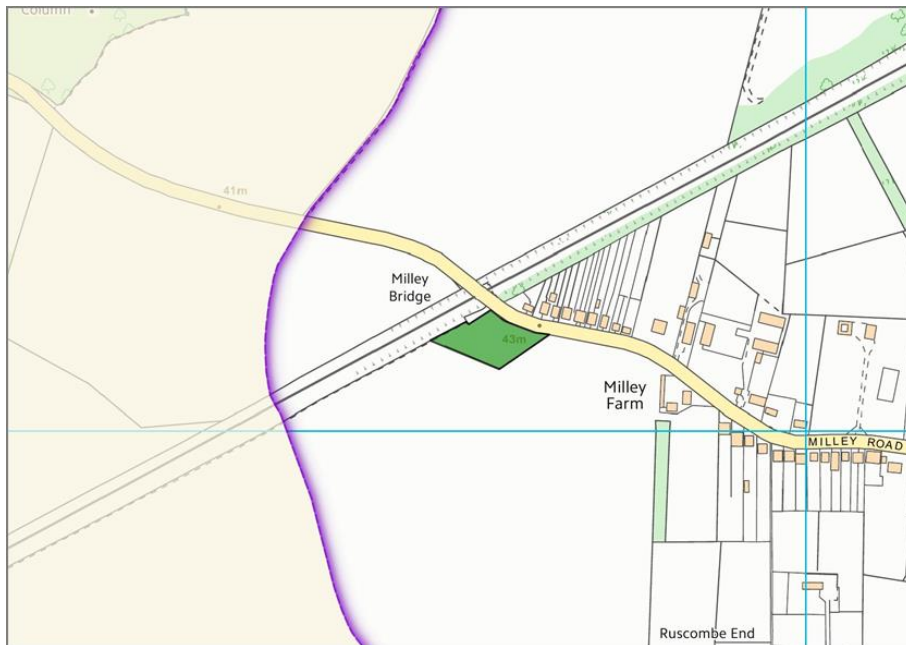
WSL West End, land behind Primary School

**Land Behind Bell Inn, Waltham St Lawrence** - This area directly behind the pub is owned by charity trustees and leased to the tenants who can allow it to be used for village functions; further down the street are the parish allotments.



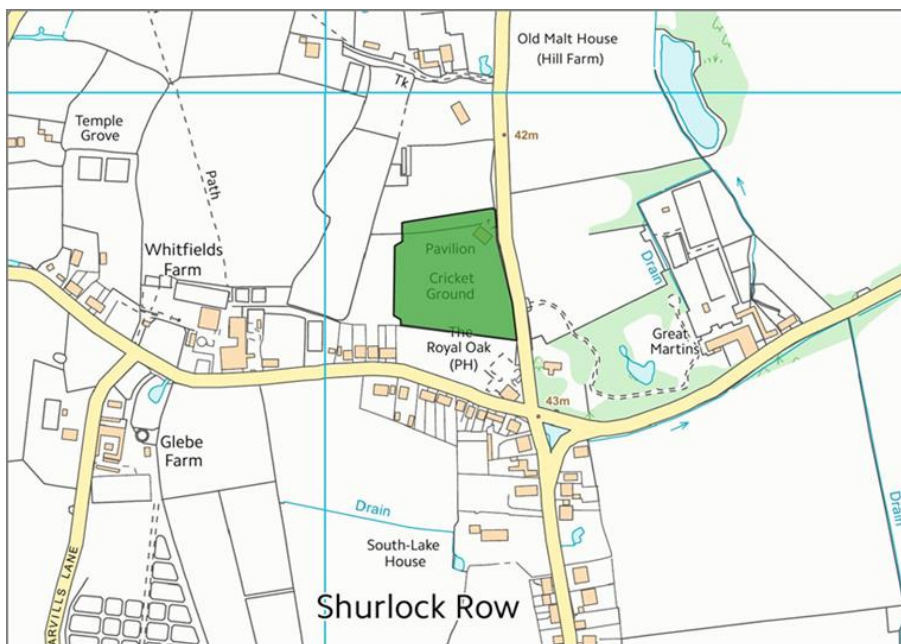
Waltham St Lawrence Land behind Bell Inn

**Land By Milley Bridge, Waltham St Lawrence** - a small one acre site at the extreme north western part of our parish set aside as a football play area. It is owned by the Haines Hill Estate and leased to the parish on an annual renewable basis.



Waltham St Lawrence land by Milley Bridge

**Land At Yeo Memorial Cricket Ground, Shurlock Row** – Previously sited within the grounds of Great Martins at Shurlock Row this 3 acre site is formerly designated as a parish cricket ground and benefits from a purpose built pavilion (also available for functions use). The land at Oak Meadow was funded by a former resident and the Waltham St Lawrence Cricket Club goes back to 1846.

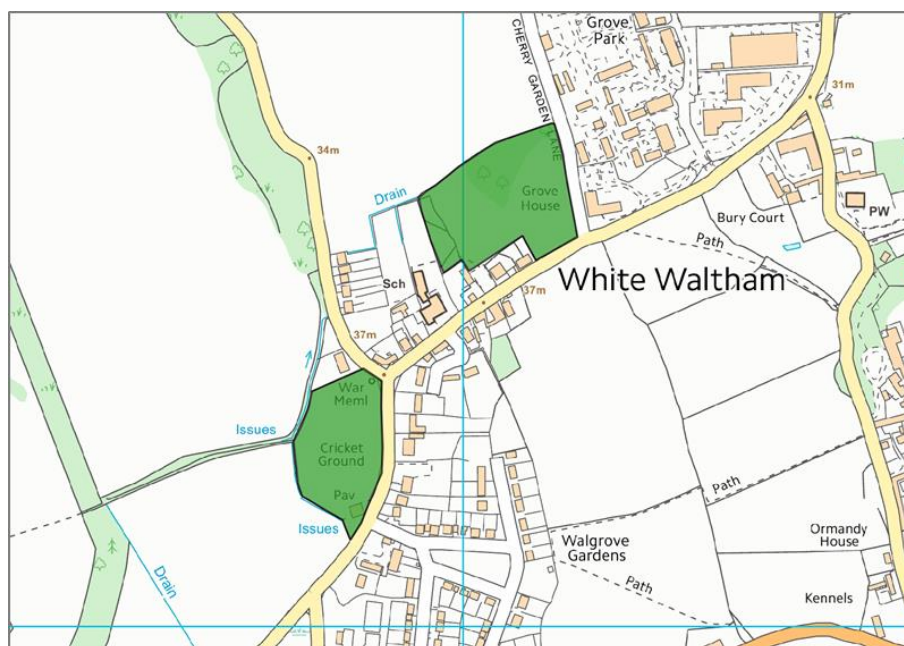


Waltham St Lawrence land at Yeo Memorial Ground, Shurlock Row

## White Waltham:

**White Waltham Cricket Ground** - This is a major contributor to the attractiveness of the village, lying on its western edge and also on the parish boundary. On its N.E. periphery is the First World War Memorial monument. It should be protected as a sports and leisure amenity and an open space between administrative and community areas it must be protected.

**Waltham Grove Park**, White Waltham – This well maintained parkland which was leased to the parish council by the Shottesbrooke estate is not only a leisure, walking and fitness amenity but separates the village centre from the adjacent business park and newly allocated housing development site. As such, its protection as an open green space and civic amenity is vital.



Map: White Waltham Cricket Ground and Waltham Grove Park

**Phipps Close Play Area**, Woodlands Park – Leased from the Royal Borough by the parish council, which provides and maintains the play equipment and security installations, this open space is central to relieving and contrasting the intense housing development of the locality and provides essential leisure activity for young children.



Map: WW Phipps Close Play Area

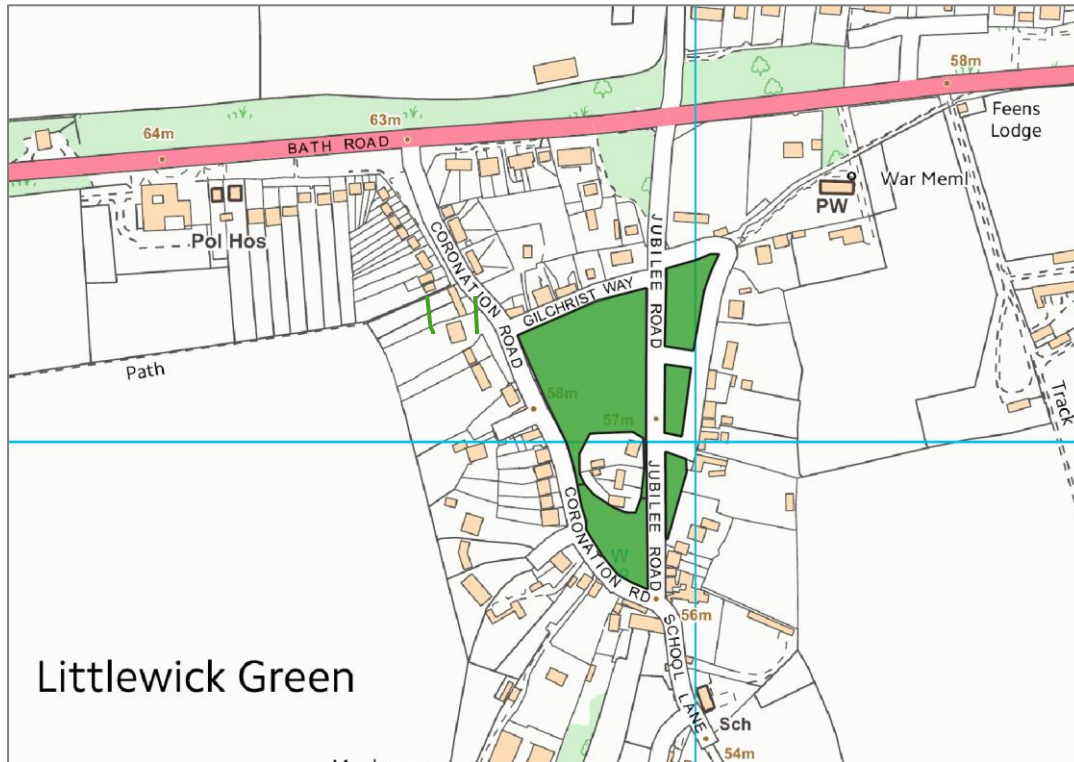
**Land at Breadcroft Lane, Woodlands Park** - A natural and historical boundary between the two parishes of White Waltham and Cox Green, and a semi-rural gap between the villages of White Waltham and Cox Green. The individual communities benefit from this natural green space that protects the biodiversity of the area. Also, to lose this green space would add to the environmental pressure of the established Network Rail siding, including possible Crossrail expansion of the railway track alongside this parcel of land.



WW land off Breadcroft Lane



**Village green and cricket ground**, Littlewick Green- Central to the picturesque village, and overlooked by the majority of properties in the village, the northern cricket ground, the smaller southern area, and the eastern meadow all constitute the major part of village character and openness. Owned and maintained by the parish council and covered by village green / common land statutes and byelaws, it benefits from protected status.



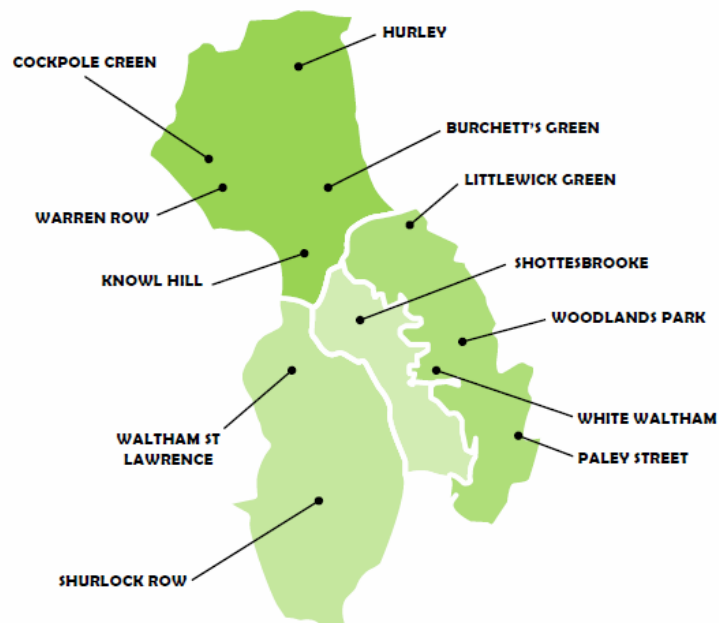
WW Littlewick Green: Village green/ Cricket ground and Littlewick Common



# NEIGHBOURHOOD PLAN

YOUR NEIGHBOURHOOD, YOUR SAY

HURLEY AND THE WALTHAM'S NEIGHBOURHOOD PLAN



# **HURLEY AND THE WALTHAMS NEIGHBOURHOOD PLAN**

Hurley and the Walthams Neighbourhood Plan Examination,  
A Report to the Royal Borough of Windsor and Maidenhead

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

Nigel McGurk

Erimax Land, Planning and Communities

[erimaxltd.com](http://erimaxltd.com)

January 2017

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## 1. Introduction

### The Neighbourhood Plan

**Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in *italics*.**

This Report provides the findings of the examination into the Hurley and the Walthams Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

*“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”*

(Paragraph 183, National Planning Policy Framework)

The Hurley and the Walthams Neighbourhood Plan Group, made up of members of Hurley Parish Council, Shottesbrooke Parish Meeting, Waltham St Lawrence Parish Council and White Waltham Parish Council, was constituted in 2011 to prepare the Neighbourhood Plan.

As set out in Paragraph 1.2 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Hurley Parish Council is the *qualifying body* responsible for the production of the Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Plan would be *made* by the Royal Borough of Windsor and Maidenhead. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Hurley and the Walthams Neighbourhood Area.

## Role of the Independent Examiner

I was appointed by the Royal Borough of Windsor and Maidenhead, with the consent of the qualifying body, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.

I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Hurley and the Walthams Neighbourhood Area to which the Plan relates.

## Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Neighbourhood Plan clearly specifies that the document covers the plan period:

*“2015 – 2030.”*

I also note that Paragraph 1.7 of the Neighbourhood Plan, on page 4, refers to:

*“...the next fifteen years”*

and that Paragraph 2.1, on page 12, introduces a vision of how the Neighbourhood Area:

*“...will appear in 2030.”*

Taking the above into account, the Neighbourhood Plan satisfies the relevant requirement in this regard.



## Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of all of the relevant information, I confirmed to the Royal Borough of Windsor and Maidenhead that I was satisfied that the Hurley and the Walthams Neighbourhood Plan could be examined without the need for a Public Hearing.

## 2. Basic Conditions and Development Plan Status

### Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*<sup>1</sup> following the Localism Act 2011. A neighbourhood plan meets the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.<sup>2</sup>

An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.<sup>3</sup>

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);

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<sup>1</sup> Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

<sup>2</sup> Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007.

<sup>3</sup> The Convention rights has the same meaning as in the Human Rights Act 1998.

- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

Subject to the content of this Report, I am satisfied that these three points have been met.

In line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan. This sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

## European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

## European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal<sup>4</sup>. However, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment.

With the above in mind, draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.

*“Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.”* (Planning Practice Guidance<sup>5</sup>).

This process is often referred to as a screening report, opinion, statement or assessment. If the screening report identifies likely significant effects, then an environmental report must be prepared.

The Royal Borough of Windsor and Maidenhead provided a screening opinion in 2014. Taking into account the fact that the Neighbourhood Plan does not allocate sites for development, led the Royal Borough of Windsor and Maidenhead to the conclusion that it would not lead to significant environmental effects and that a Strategic Environmental Assessment was not necessary.

Each of the statutory consultees, Natural England, Historic England and the Environment Agency, were consulted on the Neighbourhood Plan. All of the statutory bodies concurred with the Royal Borough of Windsor and Maidenhead’s conclusion. In so doing, they stated:

*“...English Heritage agrees with your opinion that the Plan is not likely to have significant effects on the environment and that therefore an SEA Environmental Report is not required...”*

*“...we (Environment Agency) agree with your conclusion that a SEA is not currently required for the proposed neighbourhood plan.”*

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<sup>4</sup> Paragraph 026, Ref: 11-027-20150209, Planning Practice Guidance

<sup>5</sup> Paragraph 027, *ibid*

*“Natural England agrees with the Council’s conclusion that no Strategic Environmental Assessment will be required.”*

In addition to all of the above, national guidance establishes that ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations is placed on the local planning authority,

*“The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.”* (Planning Practice Guidance<sup>6</sup>)

In undertaking the work that it has, the Royal Borough of Windsor and Maidenhead has considered the Neighbourhood Plan’s compatibility with EU obligations and has raised no concerns in this regard.

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

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<sup>6</sup> Paragraph 031, Reference: 11-031-20150209, Planning Practice Guidance

### **3. Background Documents and the Hurley and the Walthams Neighbourhood Area**

#### **Background Documents**

In undertaking this examination, I have considered various information in addition to the Hurley and the Walthams Neighbourhood Plan. This has included the following main documents:

- National Planning Policy Framework (the Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Plan Regulations (2012) (as amended)
- The Saved Policies of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, Adopted in June 2003)
- Basic Conditions Statement
- Consultation Report

Also:

- Representations received

In addition, I spent an unaccompanied day visiting the Hurley and the Walthams Neighbourhood Area.

## Hurley and the Walthams Neighbourhood Area

A plan showing the boundary of the Hurley and the Walthams Neighbourhood Area is provided on page 3 of the Neighbourhood Plan. However, the Legend to map provided is confusing (and incorrect) as it refers to a “*Proposed*” Neighbourhood Area.

I recommend:

- **Plan A, Page 3, Legend, delete “Proposed”**

The Neighbourhood Area covers the Parishes of Hurley, Waltham St Lawrence, White Waltham and Shottesbrooke. The Royal Borough of Windsor and Maidenhead approved the designation of Hurley and the Walthams as a Neighbourhood Area on 21<sup>st</sup> March 2013.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

## **4. Public Consultation**

### Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

### Hurley and the Walthams Neighbourhood Plan Consultation

A Consultation Statement was submitted to the Royal Borough of Windsor and Maidenhead alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *regulations*<sup>7</sup>.

Taking the information provided into account, there is evidence to demonstrate that the Neighbourhood Plan comprises a "*shared vision*" for Hurley and the Walthams, having regard to Paragraph 183 of the Framework.

The Neighbourhood Plan was produced by a Steering Group made up of representatives of the four member Parish Councils/Meeting, along with Village Association representatives and other residents with particular interests and areas of expertise.

During October and November 2012, eight launch events were held at various locations in the Neighbourhood Area. These promoted the emerging plan and provided opportunities to gather public views. The meetings were supported by displays and representatives of the Steering Group and various topic groups were on hand to answer questions and to provide further information. Attendees were invited to make use of maps and post-it notes, to identify areas of concern, and to complete questionnaires.

A total of 449 people attended the launch events and 1,121 topic questionnaires were completed.

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<sup>7</sup>Neighbourhood Planning (General) Regulations 2012.



A household survey was then undertaken. Further to testing, 2,500 surveys were delivered throughout the Neighbourhood Area. Surveys could be returned by freepost or via a Survey Monkey link. A total of 784 surveys were returned.

In October 2014, a professionally-led Vision Workshop helped plan-makers to focus the results of all of the research and consultation undertaken towards the creation of a vision, objectives and policies. This enabled the production of a draft plan.

Two public consultation meetings were then held in January 2016, to consider the results of the questionnaire and to enable further comments and discussion. Around 130 people attended the meetings. Views were considered and conclusions drawn fed into the production of the pre-submission draft plan. This was consulted on between December 2015 and March 2016.

The pre-submission draft plan was consulted on over a six week period during April, May and June 2016. Public consultation was supported by the delivery of postcards and letters to households and businesses in the Neighbourhood Area. All consultees were invited to attend consultation events, which were held on two separate days in different venues, in January 2016.

Evidence has been provided to demonstrate that the plan-making process was widely publicised. In addition to all of the above, a dedicated website was set up in 2011 and this provided access to Neighbourhood Plan information, including the minutes of meetings. Also, events were publicised in all Parish newsletters and the Maidenhead Advertiser.

Taken together, the information provided demonstrates that community engagement was encouraged throughout the plan-making process, that matters raised were duly considered and that the reporting process was transparent.

I am satisfied that the consultation process was robust.

## **5. The Neighbourhood Plan – Introductory Section**

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. This Chapter considers the Introductory Section of the Neighbourhood Plan.

The legislation behind Neighbourhood Planning underpins the power of communities to plan for themselves and it is important that it is interpreted clearly. Parts of the Foreword introduce forms of wording that do not fully reflect the legislation and I recommend:

- **Foreword, second paragraph, change last sentence to “...That is, Neighbourhood Plans *must have regard to national policy and advice, and be in general conformity with local strategic policy.*”**
- **Foreword, third paragraph, change last sentence to “*The Plan can be reviewed in the future, to take account of changing circumstances.*”**

Paragraph 1.1 has been overtaken by events and I recommend:

- **Paragraph 1.1, change to “...*have jointly prepared this Neighbourhood Plan...*”**

The last two sentences of Paragraph 1.2 comprise fairly sweeping statements that fail to properly summarise the Policies in the Neighbourhood Plan. As such, they detract from the clarity of the Neighbourhood Plan. I recommend:

- **Paragraph 1.2, delete “*In some cases...of the parishes.*”**

The basic conditions are misinterpreted in Paragraph 1.4. I recommend:

- **Paragraph 1.4, change bullet points to:**
  - **“- *Does the Plan have regard to national policy and advice ?***
  - ***Is the Plan in general conformity with the strategic policies of the local development plan ?***
  - ***Does the plan contribute to the achievement of sustainable development ?***
  - ***Does the plan meet European obligations and environmental requirements ?”***

Paragraph 1.6 has been overtaken by events. I recommend:

- **Delete Paragraph 1.6**

Whilst it is a basic condition that a Neighbourhood Plan must be in general conformity with strategic policies in the adopted development plan, I note that the Planning Policy Context section sets out that emerging District-wide planning policy has been considered as part of the plan-making process. This has regard to Planning Practice Guidance, which recognises that:

*“Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”* (Planning Practice Guidance 41-009-20160211)

However, whilst much of the text contained in the Planning Policy Context section is an important consideration, the detailed references to draft policies in an emerging plan comprise an unnecessary and potentially confusing inclusion. The draft Borough Local Plan is not at an advanced stage. It has yet to complete public consultation and consequently, the draft policies referenced on pages 8 and 9 of the Neighbourhood Plan are subject to change. I also note that part of this section misinterprets the basic conditions and this is addressed below.

I recommend:

- **Paragraph 1.28, change to “*The National Planning Policy Framework (NPPF) and Planning Practice Guidance set out national planning policy and advice. These documents...the country.*”**
- **Delete Paragraph 1.31 and all bullet points on pages 8 and 9.**

Paragraph 1.39 has been overtaken by events. I recommend:

- **Paragraph 1.39, change to “*...submission documentation shows that the policies contribute to...*”**

## **6. The Neighbourhood Plan – Neighbourhood Plan Policies**

Paragraph 3.5 of the Neighbourhood Plan could result in confusion as it might be interpreted as the Framework and Borough-wide Local Plan not “*being used*” to determine applications in the Neighbourhood Area. If made, the Neighbourhood Plan simply forms part of the development plan. Planning applications must be determined in accordance with the development plan unless material considerations indicated otherwise.

I recommend:

- **Paragraph 3.5, delete second sentence “For all other...to be used.”**

Paragraph 3.6 states that the “*Policies Map*” is at the end of the document. This is not the case. There are a series of “*Policies Maps*,” but these are only provided in an Appendix to the Neighbourhood Plan. Given that the Policies of the Neighbourhood Plan refer to the Policies Maps, it is important that these are contained within the Neighbourhood Plan.

I recommend:

- **Paragraph 3.6, change to “The Policies Maps are contained at the end of the Neighbourhood Plan. Where a policy...*then it is shown on the main Policies Map and/or an inset map.*”**
- **Move Policies Maps from Appendices to main body of the Neighbourhood Plan, immediately after the Policies**

## Environment

### **Policy Env 1: Sustainable Development**

The first sentence of Policy Env 1 provides support for any form of development, subject to “adhering” to the “principles” set out. This could result in unwitting support for unforeseen forms of development – for example, the development of a nuclear power station could meet the four criteria set out in Policy Env 1 and might therefore be supported.

Further to the above, in the context of criterion i) it is not clear what “account should be taken of” means in practice. There is no explanation in the supporting text. Consequently, criterion i) as set out, does not provide a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 154 of the Framework.

The second criterion of Policy Env 1 requires all development to reduce energy use through low carbon, renewable or zero carbon technologies. This is an onerous requirement that goes well beyond the requirements of national or local planning policy. No evidence has been provided to justify such a departure and there is nothing to demonstrate that, in every case, it would be viable, or even possible, for a development to reduce energy use. Consequently, this part of the Policy fails to have regard to Paragraph 173 of the Framework, which requires that:

*“Plans should be deliverable. Therefore, the...scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.”*

The third criterion places a requirement upon all development to enhance ecological corridors and landscape features. No indication is provided of what such enhancement should comprise, where, on what basis and who this will be determined by. Again, this comprises an onerous requirement without justification.

The final criterion places a requirement upon all development to promote good health and a good quality of life through effective management of noise. This would place a significant burden upon applicants for minor development, for example a residential extension, or a new shop sign, without justification and is contrary to Paragraph 193 of the Framework, which limits requests for supporting information to that which:

*“...is relevant, necessary and material to the application in question.”*

Further to the above, much of the supporting text to Policy Env 1 is worded as though it comprises a Policy, which it does not.

National and local policy requires development to respond to local character (Paragraph 58) and promotes biodiversity (Paragraph 109). In Chapter 10, “*Meeting the challenge of climate change, flooding and coastal change,*” the Framework promotes the delivery of renewable and low carbon energy and associated infrastructure; and in Paragraph 58, it establishes that development should not undermine quality of life.

To some considerable degree, Policy Env 1 has regard to these aspects of national policy.

Taking all of the above into account, I recommend:

- **Policy Env 1, change to: “*Development proposals should: i) respect the intrinsic character and beauty of the countryside and Parishes and the need to support thriving rural communities; ii) maintain and where practicable and appropriate, enhance biodiversity; and iii) not give rise to harmful disturbance from noise. The use of renewable and low-carbon or zero carbon technologies to reduce energy use will be supported.*”**
- **Delete Paragraphs 3.7 and 3.8**

## Policy Env 2 – Climate Change, Flood and Water Management

As with Policy Env 1, the opening line of Policy Env 2 may have unintended consequences and I address this in the recommendations below.

With reference to Policy Env 2 criterion i), no indication is provided of when it might be appropriate for development to incorporate the various requirements set out and on what basis this will be assessed, or who by. Consequently, this part of the Policy does not provide a decision maker with a clear indication of how to react to a development proposal.

The Policy then goes on to set out an approach to managing flood risk without regard to the Framework, which requires development to be directed away from areas at highest risk of flooding and in doing so requires:

*“...a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property...”* (Paragraph 100).

The Policy also introduces reliance upon a practice note not under the control of the Neighbourhood Plan.

The final part of Policy Env 2 effectively supports development *“that will likely exacerbate existing drainage issues elsewhere”* subject to an undefined *“appropriate payment towards”* flood management. No justification is provided for this departure from national policy, as set out in Chapter 10 of the Framework, and no detail is presented in terms of what level of exacerbation of issues will trigger this requirement, or what an appropriate payment might comprise. Consequently, this part of the Policy is imprecise and does not provide a decision maker with a clear indication of how to react to a development proposal.

Part of the supporting text reads as though it comprises a Policy, which it does not.

In establishing national flood risk policy, Chapter 10 of the Framework outlines support for Sustainable Drainage Systems and part of the Policy has regard to this.

I recommend:

- **Policy Env 2, delete and replace with: *“Development must not increase flood risk elsewhere. The inclusion of Sustainable Drainage Systems as part of a new development will be supported.”***
- **Delete Paragraphs 3.11 and 3.12**

## Spatial Policies

### **Policy SP 1 – Spatial Policy**

Policy SP1 attempts to provide a spatial policy by directing “*suitable development to appropriate locations within Recognised Settlements (in the Green Belt).*” However, no indication is provided of what kind of development might take place within what part of the Recognised Settlements. No evidence is provided, for example, of where various kinds of development might take place within Recognised Settlements.

Furthermore, rather than comprise a clear land use policy that directs development, Policy SP1 reads as a negatively worded Policy, whereby development “*will only be supported*” if it meets the provisions of other Policies. In this regard, the Policy is simply relying on other Policies and does not “*direct development proposals.*”

Policy SP1 then goes on to state that development proposals outside Recognised Settlements will be resisted unless they are appropriate “*to a location*” in the Green Belt, or unless some other provision, not part of Policy SP1, has been made. Consequently, this part of the Policy is less clear than Green Belt policy itself as it introduces a vague and undefined “*location*” requirement, and an equally vague reference to “*other provisions.*” This results in Policy SP1 lacking clarity. It detracts from the precise and concise nature of the Neighbourhood Plan. This is contrary to Planning Practice Guidance, which requires planning policies to be precise and concise<sup>8</sup>. The Policy does not provide a decision maker with a clear indication of how to react to a development proposal and does not meet the basic conditions.

I recommend:

- **Delete Policy SP1**
- **Delete Paragraphs 3.13 – 3.15**

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<sup>8</sup> Ref: Planning Practice Guidance 41-041020140306.



## Hurley

### **Policy HUR 1 – Housing Schemes in Hurley**

Generally, Policy HUR 1 is a positive, supportive land use planning Policy. It supports the provision of a small housing scheme in each Recognised Settlement in Hurley Parish.

The approach set out in Policy HUR 1 has regard to Paragraph 90 of the Framework, which allows for:

*“...limited infilling in villages, and limited affordable housing for local community needs...”*

However, as worded, the Policy requires development to enhance heritage assets. Such an onerous requirement fails to have regard to national policy, set out in Chapter 12 of the Framework *“Conserving and enhancing the historic environment”*, which requires heritage assets to be conserved in a manner appropriate to their significance, but does not require development to enhance heritage assets or their settings in all circumstances.

The Policy refers to Settlement Maps which do not form part of the Neighbourhood Plan, but which are appended to it. I address this in the recommendations below.

Also, the Policy seeks to require all housing to comprise affordable housing and/or to be suited for occupation by older households. Green Belt policy, as established in Chapter 9 of the Framework, *“Protecting Green Belt Land,”* does not impose any such restrictions. Further, national policy is explicit in seeking to *“boost significantly”* the supply of housing by providing for a wide choice of high quality homes (Paragraph 47, the Framework). Criterion iii) of Policy HUR 1 would serve to prevent this. I also note that no definition of *“older residents”* is provided, resulting in this part of Policy HUR 1 being imprecise.

The supporting text refers to consistency with an emerging policy that is subject to change.

Taking the above into account, I recommend:

- **Policy HUR 1, criterion iv), delete “and enhance”**
- **Policy HUR 1, delete criterion iii)**
- **Move the Maps in Appendix 2 to the end of the Neighbourhood Plan, to follow on from the Policies Maps**
- **Paragraph 3.16, delete “and 2014 Borough Local Plan Policy GBC3.”**

## **Policy HUR 2 – Berkshire College of Agriculture**

Policy HUR 2 supports the extension of the development envelope of the Berkshire College of Agriculture. However, the site is within the Green Belt and no evidence is provided to demonstrate that extensions into the Green Belt “*related to educational use*” would not comprise inappropriate development.

In addition to the above, Policy HUR 2 would support unrestricted extensions, subject to them relating to educational use. Exaggerating for the purpose of emphasis, the Policy could support the creation of the world’s largest university campus in the Neighbourhood Area.

Whilst the Policy’s supporting text refers to the College as comprising “*a major developed site in the Green Belt,*” there is no such reference in the Framework, which post-dates the Saved Policies of the Royal Borough of Windsor and Maidenhead Local Plan (2003) by a considerable period of time.

In addition, the term “*relate to an educational use*” set out in Policy HUR 2, is vague and does not provide a decision maker with a clear indication of how to react to a development proposal.

Also, much of the wording of the supporting text to Policy HUR 2 is written as though it comprises a land use planning policy, which it does not. Paragraph 3.19 asserts that any form of development other than education will fundamentally change the character of the land and intensify traffic movements. However, no substantive evidence is provided to demonstrate that this would necessarily be the case, or that any form of educational development would not serve to exacerbate traffic movements or impact on local character.

Taking the above into account, I recommend:

- **Delete Policy HUR 2**
- **Delete Paragraph 3.19**

### **Policy HUR 3 – Intensification of non-excluded development at Star Works**

Policy HUR 3 relates to development at Star Works, which is located outside the Neighbourhood Area.

The Neighbourhood Plan cannot impose land use planning requirements on land outside the Neighbourhood Area.

I acknowledge that the access road to Star Works is located within the Neighbourhood Area and recommend the following:

- **Delete Policy HUR 3**
- **Replace the deleted Policy with a Community Action “*Hurley Parish Council will seek to work with third parties, with the aim of ensuring that proposals related to Star Works in Wokingham demonstrate that their impacts on Hurley’s highway network are satisfactorily mitigated.*”**
- **Paragraph 3.20, change to “*Star Works is located within neighbouring...Neighbourhood Area. In addition, the majority...business uses on the site. Hurley Parish Council would like to ensure that any future proposals for additional...Knowl Hill.*”**

For clarity, I recommend that Policy HUR 3 is deleted and note that a Community Action does not comprise a land use planning policy.

**Policy WSL 1 – Development in Waltham St Lawrence Parish**

Policy WSL seeks to prevent any form of infill development in Waltham St Lawrence village and “*any form of development of any open space*” in Waltham St Lawrence Parish. Such an approach is far more restrictive than national or local strategic planning policy.

The justification for Policy WSL 1 states, unequivocally, that there is no potential for infill in the village and that any such development will seriously harm heritage. However, nowhere does national planning policy prevent any form of development and no substantive evidence has been provided to demonstrate that, in all cases, any form of infill development in Waltham St Lawrence Parish will necessary fail to comprise sustainable development.

Neither Green Belt policy, nor Local Green Space policy – which together set out some of the most restrictive approaches to development in the country – prevent any form of development of any open space. Again, no significant justification, in the form of substantive evidence, has been provided to support the approach set out in Policy WSL 1.

The second paragraph of Policy WSL 1 goes on to require any development in the Recognised Settlements in the Parish to enhance the significance of heritage assets. As set out earlier in this Report, such an approach is unduly onerous and fails to have regard to national policy. No justification, in the form of substantive evidence, is provided for the approach set out in Policy WSL 1.

Taking the above into account, Policy WSL 1 presents an unduly restrictive approach that may prevent sustainable development from coming forward. It fails to contribute to the achievement of sustainable development and does not meet the basic conditions.

I recommend:

- **Delete Policy WSL 1**
- **Delete Paragraphs 3.21 to 3.22**

In making the above recommendation, I am mindful that national policy provides for the appropriate conservation of heritage assets and for the appropriate protection of Green Belts.

**Policy WW 1 – Housing at Grove Park**

Policy WW 1 is a generally positive land use planning Policy that provides a supportive context for the re-use of brownfield land. The Policy has regard to the Framework, which promotes the effective use of brownfield land (Paragraph 17) and which seeks to boost significantly the supply of housing (Paragraph 47).

The introductory sentence to the Policy is unclear, in that it refers to proposals being “*subject to*” undefined development principles, before going on to add the provision “...*provided that.*” Whilst this part of the Policy was perhaps intended to relate to Policy Env 1, this is not made clear in the Neighbourhood Plan and it results in a confusing Policy.

The provisions of criterion i) are not precise, but refer to the need for the majority of homes to be suited to “*downsizer and first time buyer households.*” No detail is provided in respect of what this means is provided and there is no indication of how such a requirement would be implemented, and so the Policy does not provide a decision maker with a clear indication of how to react to a development proposal and conflicts the Planning Practice Guidance requirement for policies to be precise.

Criterion ii) is confusingly worded due to overuse of the word “*scheme.*” No indication is provided of what an “*effective landscape buffer*” comprises. Furthermore, the criterion requires a buffer to be provided between existing business uses and new housing, whereas the Policy supports redevelopment. There is no indication of which existing uses will be retained, or on what basis. Consequently, this part of the Policy is imprecise and unclear.

Criterion iii) imposes a requirement for the provision of what could comprise a large retail unit. However, there is no substantive evidence to demonstrate that such a requirement would be viable or deliverable, having regard to Paragraph 173 of the Framework.

It is not clear why any proposals must have regard to “*consented approvals for Grove House*” and no information is provided to support such a requirement.

The supporting text refers to emerging planning policies that are subject to change and Paragraph 3.24 makes incorrect assertions in respect of what a neighbourhood plan can, or cannot do. The same Paragraph also refers to the site being defined as a major developed site in the Green Belt, which it is not (see earlier comments).

Taking all of the above into account, I recommend:

- **Policy WW 1, delete and replace with “Proposals for the redevelopment of Grove Park, to provide housing, will be supported, subject to: i) the majority of dwellings comprising smaller 2 and 3 bedroom houses of no more than two storeys in height; ii) providing for a range of housing, including dwellings for downsizers and first time buyers; iii) having a positive impact on local character; and iv) ensuring safe and secure access onto Waltham Road.”**
- **Paragraph 3.23, delete last sentence “Both...GBC3.” NB, given later changes, it is recommended that Paragraph 3.23 be deleted in its entirety. (This recommendation is repeated further to consideration of Policy WW 5 below later in this Report)**
- **Paragraph 3.24, delete “...and defined by...Green Belt.” Also, change to “approximately 80 dwellings” and delete the last sentence “Given that...adopted.”**

## **Policy WW 2 – Housing at Sawyers Crescent, Woodlands Park**

Policy WW 2 appears as a generally a supportive Policy that contributes to sustainable development.

However, in addition to an unclear reference to *“the development principles outlined”* (similarly to Policy WW 1), the Policy refers to *“effective amenity land”* without any indication of what this might comprise. The Policy is imprecise and does not meet the basic conditions.

In addition to the above, the supporting text establishes that the site at Sawyers Crescent already has planning permission. It is not within the scope of the Neighbourhood Plan to introduce retrospective requirements.

Having regard to the above, I recommend:

- **Delete Policy WW 2**
- **Delete Plan on page 21**
- **Paragraph 3.25, delete first two sentences “The two...acceptable.”**



### **Policy WW 3 – Housing at Smithfield Road, Woodlands Park**

Policy WW 3 is generally a supportive Policy that contributes to sustainable development.

However, in addition to an unclear reference to *“the development principles outlined”* (similarly to Policy WW 1), the Policy refers to adhering to *“the existing building line of Smithfield Road...”* It is not entirely clear what this means.

Houses along Smithfield Road are set back slightly from the pavement, allowing for small gardens and/or parking areas. I acknowledge that it would maintain local character if new development at the site the subject of Policy WW 3 were similarly set back and I make a recommendation below that provides for precision in this regard.

The phrase *“meets its car parking provision”* is meaningless and I address this in the recommendations below.

I recommend:

- ***Policy WW 3, change to “Proposals for the redevelopment of land at Smithfield Road, to provide housing, will be supported, subject to dwellings not being more than two storeys in height; maintaining a set back from Smithfield Road no less than that of neighbouring dwellings to the east; the provision of off-road parking spaces within the site; and the satisfactory resolution of any ground contamination issues.”***

## **Policy WW 4 – Infill in Woodlands Park**

Policy WW 4 seeks to prevent infill development in Woodlands Park. It seeks to do this on the basis that “*no further realistic opportunities now remain.*” However, no substantive evidence has been presented to demonstrate that this is necessarily the case. For example, there is no Woodlands Park assessment to demonstrate that the whole area has been considered in detail and not one possible opportunity for infill development exists, or will exist at some time in the future.

Consequently, I am unable to reach the conclusion that no realistic opportunities for infill exist at Woodlands Park. If any such opportunity for infill development did arise, Policy WW 4 would serve to prevent sustainable development from going ahead. Such an approach would fail to have regard to national policy, which requires sustainable development to go ahead without delay (Ministerial Foreword, the Framework).

Taking the above into account, Policy WW 4 does not meet the basic conditions. I recommend:

- **Delete Policy WW 4**
- **Delete Paragraph 3.26**

## **Policy WW 5 – White Waltham Airfield**

Policy WW 5 cherry picks from Green Belt policy in that it only requires the scale and form of development proposals to be taken into account. This fails to have regard to national policy. Furthermore, it supports development regardless of impact on heritage assets. Also, the final sentence of the Policy may serve to prevent the achievement of sustainable development and there is no substantive evidence to the contrary.

However, I note that part of the Policy safeguards an important local asset.

I recommend:

- **Policy WW5, change to “...airfield use, conserve heritage assets and are appropriate in the Green Belt.”**
- **Delete final sentence**
- **Paragraph 3.27, delete final sentence**
- **Delete Paragraph 3.23**

## General Policies

### **Policy Gen 1 – Rural Exception Sites**

With regards housing in rural areas, national policy requires plans to be responsive to local circumstances and to plan:

*“...to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.”*

(Paragraph 54, the Framework)

Policy Gen 1 is a generally positive planning policy that provides a supportive land use planning context for the delivery of small-scale affordable housing. In this regard, the Policy has regard to the Framework and meets the basic conditions.

However, the Policy seeks to impose what appear to be, in the absence of substantive evidence, arbitrary requirements with regards the scale of development proposals. The Policy requires schemes not to exceed 8 dwellings in total. Whilst it emerged through consultation that local residents consider an 8-dwelling limit acceptable, there is no evidence to demonstrate that a development of, say 9 dwellings, would fail to comprise sustainable development.

Whilst an 8-dwelling limit appears arbitrary in the absence of substantive evidence, it is clearly the intention of Policy Gen 1 to provide for small scale development. In the absence of other evidence, it would be reasonable to rely upon the accepted definitions of minor and major development, such that minor development, or in this case, “*small scale*” development, comprises less than 10 dwellings.

I refer to “*downsizing*” earlier in this Report and note that the Neighbourhood Plan does not define what a “*downsized*” property actually comprises. It would be possible to “*downsize*” from a ten-bedroomed manor house to a six-bedroomed dwelling. This part of Policy Gen 1 is therefore imprecise.

Further, the Policy would restrict development to “*smaller*” dwellings, but fails to define precisely what a smaller dwelling is. A four-bedroomed house might be smaller than a six bedroomed one; a large two-bedroomed flat might be larger than a small three-bedroomed flat. In any case, Policy Gen 1 relies on a requirement for an up-to-date Housing Needs Study and this should, itself, help to steer the sizes of dwellings required.

Whilst national and local strategic policy affords protection to heritage assets, nowhere does it impose a blanket ban on development in Conservation Areas. Without any evidence to the contrary, criterion (v) of Policy Gen 1 would serve to prevent, rather than contribute to, the achievement of sustainable development.

I have recommended earlier in this Report that the contents of Appendix 1 be moved into the Neighbourhood Plan itself. This leads to the recommendations below in respect of Policy Gen 1 and Paragraph 3.32.

Paragraph 3.28 refers to an emerging policy which has not been adopted and is therefore subject to change.

Having regard to the above, I recommend:

- **Policy Gen 1, delete “(Settlements set-out in maps in Appendix 1)” and in Paragraph 3.32, delete “as set out...Appendix 1.”**
- **Policy Gen 1, change criterion ii) to “...10 dwellings...”**
- **Delete criterion (iv) and criterion (v)**
- **Paragraph 3.28, delete “...and 2014...HOU5”**

## Policy Gen 2 – Quality Design

Good design is recognised by national policy as comprising

*“a key aspect of sustainable development...indivisible from good planning.”*  
(Paragraph 56, The Framework)

In addition, national policy requires good design to contribute positively to making places better for people (Chapter 7, The Framework).

In general, Policy Gen 2 seeks to promote good design, having regard to national policy. However, a requirement for all development to enhance architectural and historic character is onerous and goes well beyond the requirements of national or local strategic planning policy. No evidence is provided to demonstrate that such a requirement would be viable, or indeed possible, in all circumstances and consequently, this part of Policy gen 2 does not have regard to Paragraph 173 of the Framework.

No indication is provided of what *“a clear site specific case”* means. Consequently, it is not clear how such a thing can be demonstrated and the inclusion of this phrase within Policy Gen 2 fails to provide a decision maker with a clear indication of how to react to a development proposal.

The Framework is explicit in stating that:

*“Planning policies...should not stifle innovation, originality or initiative through unsubstantiated requirements...It is, however, proper to seek to promote or reinforce local distinctiveness.”* (Paragraph 60)

Whilst worded negatively and, taking earlier comments into account, it is somewhat unclear, Policy Gen 2 provides some context for a positive approach to innovation that enhances local character and this is clarified in the recommendation below.

Criterion i) makes little sense, as no indication of how *“especially”* is to be applied in land use planning terms is provided. Consequently, part of the criterion does not provide a decision maker with a clear indication of how to react to a development proposal.

The term *“setting”* is less clear than *“immediate surroundings”* and I make a recommendation in this regard below.

Having regard to the above, I recommend:

- Policy Gen 2, line four, delete “...and enhance...”
- Line 5, change to “*Innovative design solutions that enhance the appearance of the street scene will be supported.*”
- Criterion i), delete “, especially if located...Building”
- Criterion ii) change to “...appropriate to their *immediate surroundings*...”

### Policy Gen 3 – Areas of Special Character

Paragraph 58 of the Framework seeks to ensure that developments:

*“...respond to local character and history, and reflect the identity of local surroundings and materials...”*

Policy Gen 3 establishes a requirement for development proposals to have regard to a Neighbourhood Area-wide desire to conserve and enhance local character.

In so doing, the Policy promotes locally distinctive development that recognises the community’s wishes to protect and improve those things that are special about the Neighbourhood Area, but does so in a manner that provides for appropriate flexibility.

Policy Gen 3 has regard to national policy. No changes to the Policy are recommended, although there is an error in the supporting text.

I recommend:

- **Paragraph 3.37, delete final sentence, which references an emerging policy subject to change**



## Policy Gen 4 – Local Employment Sites

As set out, Policy Gen 4 supports the development of any new retail or (undefined) business use anywhere in any settlement. Such an approach could result in support for inappropriate development – for example, new offices or a supermarket in a residential street - and no substantive evidence to the contrary is provided in support of the approach set out.

The Policy is also unclear in relation to the expansion of businesses. The first paragraph of the Policy supports the expansion of existing businesses without restriction, other than that such development should take place within a settlement. However, the second paragraph requires such changes to be subject to the mitigation of various things, but it does not distinguish whether this applies to development within settlements, or anywhere. This is confusing and fails to provide a decision maker with a clear indication of how to react to a development proposal.

As a result of the above, much of the Policy is confusing and imprecise, in contrast to the Framework, which provides a clear policy context for commercial development in rural areas in Chapter 3 *“Supporting a prosperous rural economy.”*

Part of Policy Gen 4 seeks to resist the loss of employment or business use and this has regard to Paragraph 28 of the Framework:

*“Planning policies should support economic growth in rural areas...promote a strong rural economy...promote the retention and development of local services...”*

However, as set out, the remaining part of Policy Gen 4 conflicts with Policy WW 1, which supports the redevelopment of Grove Park and I address this in the recommendations below.

Paragraph 3.39 refers to emerging policy that is not adopted and is therefore subject to change.

I recommend:

- **Policy Gen 4, delete first paragraph “Development...Settlement.”**
- **Policy Gen 4, delete “Proposals to expand...Green Belt.”**
- **Policy Gen 4, start Policy “With the exception of land at Grove Park (see Policy WW 1), proposals that...viable.”**
- **Delete Paragraph 3.39**

In respect of employment, a representation suggests that the Neighbourhood Plan should include a Policy to provide for the expansion of the “*Horizon*” site in Hurley, should the site be removed from the Green Belt at some stage in the future. However, there is no requirement for the Neighbourhood Plan to seek to provide for something that is subject to something else possibly happening at some stage in the future.

## **Policy Gen 5 – Community Facilities**

Paragraph 28 of the Framework requires planning policies to:

*“...promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”*

Further, in Chapter 8, *“Promoting healthy communities,”* the Framework requires planning policies to:

*“...plan positively for the provision and use of shared space, community facilities...and other local services to enhance the sustainability of communities and residential environments...”*

and

*“...guard against the unnecessary loss of valued facilities and services...”*

Policy Gen 5 seeks to improve and/or prevent the loss of community facilities. In this way, it has regard to national policy and contributes to the achievement of sustainable development.

The wording of the opening paragraph of the Policy is unclear, to the point that it lacks precision, and I address this in the recommendations below.

The second part of the Policy, which states that development *“will only be supported”* introduces a negative, unduly onerous approach that would serve to hinder investment into the development of community services, contrary to the aims of the Policy. It places an additional requirement upon community facilities, such that any development proposal would need to demonstrate viability, sustainability, proportionality and no harm in respect of various factors.

Nowhere does national or local strategic planning policy require a complete absence of harm – but rather, a sustainable, considered approach allows for possible harm to be balanced against possible benefits. No justification for such a departure is provided. Further, no indication is provided of how *“continued viability and sustainability”* will be measured, on what basis, or who by. This part of the Policy is imprecise.

In addition to the above, references such as *“social cohesion”* and *“group leisure”* detract from the clarity of the land use planning Policy itself. It is not clear whether, say, *“social cohesion”* is meant to comprise a factor that would add positive or negative weight with regards consideration of a planning application, or whether this is just some passing reference. Consequently, this part of the Policy is imprecise.

Also, as worded, Policy Gen 5 would seek to prevent the change of use of a community facility regardless of viability. This fails to have regard to Paragraph 173 of the Framework.

Paragraphs 3.40 and 3.41 refer to an emerging policy that has not been adopted and is therefore subject to change.

I note that a representation has been made in respect of adding sites to the list of Community Facilities. It is not the purpose of examination to consider new sites and I note above that the Neighbourhood Plan has undergone robust public consultation.

I recommend:

- **Policy Gen 5, change first paragraph to “*Development proposals to provide new community facilities, or that will sustain or extend the following existing community facilities, will be supported:*”**
- **Policy Gen 5, delete “In respect of these sites, proposals will only...noise and lighting.”**
- **Penultimate paragraph, add “*...facilities are provided, or the existing community facility is demonstrated to be unviable in its current use.*”**
- **Paragraph 3.40, delete “...Borough Local...and with...”**
- **Paragraph 3.41, delete “...Borough Local...and with...”**

## **Policy Gen 6 – Education**

Paragraph 72 of the Framework states:

*“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools;”*

Policy Gen 6 supports the extension of educational facilities and has regard to national policy.

The third criterion of the Policy seeks to introduce a requirement for all development to enhance heritage assets. Such an approach has no basis in national or local strategic policy and is not justified by any supporting evidence. In making the recommendation below in this regard, I am mindful that it is a requirement that all development must consider the significance of heritage assets.

No indication of what is meant by “*ancillary services*” is provided and this part of the Policy fails to provide a decision maker with a clear indication of how to react to a development proposal.

Paragraph 3.42 refers to emerging policy. Paragraph 3.43 does the same and is incorrect, as there is no Policy reference to “*local amenities*.”

I recommend:

- **Policy Gen 6, delete criterion iii)**
- **Criterion iv) delete “...ancillary services and...”**
- **Paragraph 3.42, delete “Borough Local...and with”**
- **Delete Paragraph 3.43**

## Policy Gen 7 – Local Green Spaces

The Framework enables local communities to identify, for special protection, green areas of particular importance to them. Paragraph 76 states that

*“By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.”*

Local Green Space is a restrictive and significant policy designation. The Framework requires the managing of development within Local Green Space to be consistent with policy for Green Belts. Effectively, Local Green Spaces, once designated, provide protection that is comparable to that for Green Belt land. Notably, the Framework is explicit in stating that

*“The Local Green Space designation will not be appropriate for most green areas or open space.” (Para 77)*

Consequently, when designating Local Green Space, plan-makers should demonstrate that the requirements for its designation are met in full. These requirements are that the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land. Furthermore, identifying Local Green Space must be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

Policy Gen 7 seeks to allocate sixteen areas of Local Green Space. The Neighbourhood Plan’s evidence base establishes that each of these sites meet the Local Green Space tests set out in the Framework.

The Policy refers to maps in the Appendices. This is inappropriate. As important designations, it is fundamental to ensure that each Local Green Space is clearly defined within the Neighbourhood Plan itself. The maps produced and currently located in Appendix 5 of the Neighbourhood Plan are very clear and appropriate for inclusion in the document, following the Policy itself.

The final paragraph of Policy Gen 7 fails to have regard to Paragraphs 76 and 78, which establish how Local Green Space policy should be applied.

The supporting text refers to emerging and adopted policies that are not adopted and subject to change, or which do not set out Local Green Space policy.

A representation has been made in respect of adding a further Local Green Space. It is not the purpose of examination to consider new sites, but to consider the Neighbourhood Plan against the basic conditions and I note above that the Neighbourhood Plan has undergone robust public consultation.

I recommend:

- **Policy Gen 7, change opening paragraph to “...locations, as shown on the accompanying plans:”**
- **Move the plans (NB, “maps” have a north point, key and scale) from Appendix 5 to the Neighbourhood Plan, to follow the Policy. Do not move the accompanying text.**
- **Policy Gen 7, final paragraph, change to “*New development in a Local Green Space is ruled out other than in very special circumstances.*”**
- **Paragraph 3.44, delete “...and Borough...Policy R1.”**

**Policy T1 – Accessibility and Highway Safety**

Highway safety and access will not be relevant to all development proposals and consequently, Policy T1 does not have regard to Paragraph 193 of the Framework, which states:

*“Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.”*

Policy T1 is vague and imprecise – for example, it requires all development “to have regard to the effect of traffic in relation to residential amenity.” As well conflicting with Paragraph 193, it is not clear how such a requirement would be measured, on what basis and who by. It fails to provide a decision maker with a clear indication of how to react to a development proposal.

To some extent, part of the Policy has regard to Paragraph 32 of the Framework, which states:

*“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

Taking this into account, I recommend:

- ***“Policy T1, change wording to “Development proposals requiring access must demonstrate safe and suitable access; and development proposals that would have severe residual cumulative impacts on highway safety will be refused.”***



## **Policy T2 – Residential Parking**

Paragraph 39 of the Framework establishes that:

*“If setting local parking standards for residential and non-residential development, local planning authorities should take into account: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; an overall need to reduce the use of high-emission vehicles.”*

Policy T2 seeks to establish local car parking standards for residential development. In support of the proposed Policy, the supporting text states that:

*“There are high levels of car ownership within the HWNP, as well as the Borough and general area which adds pressure to local parking. This justifies a locally defined parking standard.”*

In this regard, there is some conflict with the evidence basis for the Neighbourhood Plan, which states, in respect of *“Input from the Community:”*

*“4. Parking. Not identified as a major problem in the area except a few sites such as Hurley at week-ends.”* (Transport Topic Group)

Notwithstanding this, there is no evidence to demonstrate that the proposed local parking standards have considered the explicit requirements of national planning policy as set out above.

Policy T2 does not have regard to national policy and does not meet the basic conditions.

I recommend

- **Delete Policy T2**
- **Delete Paragraphs 3.46 to 3.48**

### **Policy T3 – Goods Vehicle Traffic**

As worded, Policy T3 is a very broadly supportive Policy that could have unforeseen consequences. It supports any form of development that generates additional HGV/LGV traffic movements, subject to mitigating noise and dust.

Consequently, as worded, Policy T3 could lead to conflict with those Policies of the development plan that seek to protect, for example, local character, residential amenity and highway safety. However, Paragraph 58 of the Framework requires planning policies to ensure that developments function well and part of Policy T3 seeks to achieve this.

I recommend:

- **Policy T3, change to “*Development generating additional HGV/LGV traffic movements should ensure that any harm arising from noise and dust is satisfactorily mitigated.*”**

## **7. The Neighbourhood Plan: Other Matters**

I note that the recommendations made in this Report will have a subsequent impact on page and paragraph numbering, Contents and plans. They will also impact on the content of the Appendices.

I recommend:

- **Update the Contents page and List of Policies page (page 1). Update page, paragraph and Policy numbering.**

## **8. Summary**

I have recommended a number of modifications further to consideration of the Hurley and the Walthams Neighbourhood Plan against the basic conditions.

Subject to these modifications, I confirm that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

Taking the above into account, I find that the Hurley and the Walthams Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

## **9. Referendum**

I recommend to the Royal Borough of Windsor and Maidenhead that, subject to the modifications proposed, the **Hurley and the Walthams Neighbourhood Plan should proceed to a Referendum.**

### **Referendum Area**

I am required to consider whether the Referendum Area should be extended beyond the Hurley and the Walthams Neighbourhood Area.

I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

Consequently, I recommend that the Plan should proceed to a Referendum based on the Hurley and the Walthams Neighbourhood Area approved by the Royal Borough of Windsor and Maidenhead on 21<sup>st</sup> March 2013.

**Nigel McGurk, January 2017**  
**Erimax – Land, Planning and Communities**

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## Appendix B – Hurley and the Walthams Neighbourhood Plan

### Examiner's Recommended Changes

Location of change	Page of Plan	Proposed Change	Commentary on examiner's view	Officer recommendation
Plan A	Page 3	Legend, delete "Proposed"	The Legend to map provided is confusing (and incorrect) as it refers to a "Proposed" Neighbourhood Area.	Accept the change.
Forward	2	Second paragraph, change last sentence to "That is, Neighbourhood Plans must have regard to national policy and advice, and be in general conformity with local strategic policy."	Parts of the Foreword introduce forms of wording that do not fully reflect the legislation	Accept the change.
Forward	2	Third paragraph, change last sentence to "The Plan can be reviewed in the future, to take account of changing circumstances."	Parts of the Foreword introduce forms of wording that do not fully reflect the legislation	Accept the change.
Para 1.2	3	delete "In some cases...of the parishes."	The existing wording detracts from the clarity of the Neighbourhood Plan	Accept the change.
Para 1.4	4	Change bullet points to: "- Does the Plan have regard to national policy and advice ? - Is the Plan in general conformity with the strategic policies of the local development plan ? - Does the plan contribute to the achievement of sustainable development ? - Does the plan meet European obligations and environmental	The basic conditions are misinterpreted in Paragraph 1.4.	Accept the change.

		requirements ?”		
Para 1.6	4	Delete Paragraph 1.6	Has been overtaken by events.	Accept the change
Para 1.28	7	change to “The National Planning Policy Framework(NPPF) and Planning Practice Guidance set out national planning policy and advice. These documents...the country.”	An earlier version of the BLP is referenced and is not appropriate.	Accept the change
Para 1.31	8 and 9	Delete Paragraph 1.31 and all bullet points on pages 8 and 9.	An earlier version of the BLP is referenced and is not appropriate.	Accept the change
Para 1.39	11	Change to “...submission documentation shows that the policies contribute to...”	Paragraph 1.39 has been overtaken by events.	Accept the change
Para 3.5	14	Delete second sentence “For all other...to be used.”	The original wording would have led to confusion on how the Neighbourhood Plan will be used to make planning decisions.	Accept the change
Para 3.6	14	Change to “The Policies Maps are contained at the end of the Neighbourhood Plan. Where a policy...then it is shown on the main Policies Map and/or an inset map.”	The policies maps are to be moved into the main body of the document as they are referred to in the plan.	Accept the change
	Several pages	Move Policies Maps from Appendices to main body of the Neighbourhood Plan, immediately after the Policies	Policies maps are an important part of interpreting the policy.	Accept the change
Policy ENV 1	14	Change to: “ <i>Development proposals should: i) respect the intrinsic character and beauty of the countryside and Parishes and the need to support thriving rural communities; ii) maintain and where practicable and appropriate, enhance biodiversity;</i> ”	Several of the clauses of the original policy would have imposed to onerous a burden on smaller applications and elsewhere it need to be amended to comply with national guidance and advice.	Accept the change

		<i>and iii) not give rise to harmful disturbance from noise. The use of renewable and low-carbon or zero carbon technologies to reduce energy use will be supported.</i>		
Paras 3.7 and 3.8	14 & 15	Delete Paragraphs 3.7 and 3.8	Consequential amendments following changes to Policy ENV 1.	Accept the change
Policy ENV2	15	Delete and replace with: <i>“Development must not increase flood risk elsewhere. The inclusion of Sustainable Drainage Systems as part of a new development will be supported.”</i>	The original policy lacked clarity and went beyond national guidance with clear evidence or justification, it would have been difficult to implement.	Accept the change
Paras 3.11 and 3.12	15 and 16	Delete Paragraphs 3.11 and 3.12	Consequential amendments following changes to Policy ENV 2.	Accept the change
Policy SP1	16	Delete Policy SP1	The original Policy lacked clarity and went beyond national policy on the Green Belt.	Accept the change
Paras 3.13 to 3.15	16	Delete Paragraphs 3.13 – 3.15	Consequential amendments following deletion of Policy SP1	Accept the change
Policy HUR1	16	Policy HUR 1, criterion iv), delete “and enhance” delete criterion iii)	The examiner felt that the policy as drafted was too restrictive and these changes would make it comply with national policy.	Accept the change
Appendix 2	End of the Plan	Move the Maps in Appendix 2 to the end of the Neighbourhood Plan, to follow on from the Policies Maps	To ensure the related maps form part of the Plan.	Accept the change
Para 3.16	17	Delete “and 2014 Borough Local Plan Policy GBC3.”	This is factually incorrect	Accept the change
Policy	17	Delete Policy HUR 2	Policy HUR 2 would support unrestricted	Accept the change



HUR2			extensions, subject to them relating to educational use, in the Green Belt.	
Para 3.19	17	Delete Paragraph 3.19	The paragraph makes assertions which are not supported by evidence.	Accept the change
Policy HUR3	18	Delete Policy HUR 3	The policy sort to control development outside the Royal Borough.	Accept the change
Replace Policy HUR3	18	Replace the deleted Policy with a Community Action "Hurley Parish Council will seek to work with third parties, with the aim of ensuring that proposals related to Star Works in Wokingham demonstrate that their impacts on Hurley's highway network are satisfactorily mitigated."	This can be treated as a project within the Neighbourhood Plan.	Accept the change
Para 3.20	18	Change to "Star Works is located within neighbouring...Neighbourhood Area. In addition, the majority...business uses on the site. Hurley Parish Council would like to ensure that any future proposals for additional...Knowl Hill."	Consequential amendments following deletion of Policy SP1 and the new community project.	Accept the change
Policy WSL1	18	Delete Policy WSL 1	Policy WSL 1 presented an unduly restrictive approach that may have prevented sustainable development from coming forward.	Accept the change
Paras 3.21 & 3.22	18	Delete Paragraphs 3.21 to 3.22	Consequential amendments following deletion of Policy WSL1	Accept the change
Policy WW1	19	Delete and replace with " <i>Proposals for the redevelopment of Grove Park, to provide housing, will be supported, subject to: i) the majority of dwellings</i>	The policy is considered positive but the rewording aims to make it more effective.	Accept the change

		<i>comprising smaller 2 and 3 bedroom houses of no more than two storeys in height; ii) providing for a range of housing, including dwellings for downsizers and first time buyers; iii) having a positive impact on local character; and iv) ensuring safe and secure access onto Waltham Road.”</i>		
Paragraph 3.23,	19	Delete the paragraph.	Consequential changes as the result of changes to White Waltham Policies.	Accept the change
Paragraph 3.24,	19	Delete the last two sentences.	The examiner suggested that the wording be amended to clarify the text and the last sentence to be deleted. The text to be amended was from an old BLP consultation and so is now out of date and factually incorrect; the second sentence has been deleted.	Accept the changes
Policy WW2 and Plan	21	Delete Policy WW 2 – Housing at Sawyers Crescent, Woodlands Park As well as associated plan.	The Policy is imprecise and does not meet the basic conditions. The site also has a planning consent.	Accept the change
Para 3.25	22	Delete first two sentences “The two...acceptable.”	Consequential changes as the result of changes to Policy WW2	Accept the change
Policy WW3	22	Change to “Proposals for the redevelopment of land at Smithfield Road, to provide housing, will be supported, subject to dwellings not being more than two storeys in height; maintaining a set back from Smithfield Road no less than that of neighbouring dwellings to the east; the provision of off-road parking spaces within the site; and the satisfactory	This rewording is intended to make the policy clearer and more effective.	Accept the change

		resolution of any ground contamination issues.”		
Policy WW4	22	Delete Policy WW 4 Infill in Woodlands Park	Policy WW 4 does not meet the basic conditions.	Accept the change
Para 3.26	23	Delete Paragraph 3.26	Consequential amendment following deletion of Policy WW4	Accept the change
Policy WW5	23	Change to “...airfield use, conserve heritage assets and are appropriate in the Green Belt.” Delete final sentence	This is to ensure that the policy complies with national policy.	Accept the change
Para 3.27	23	Delete final sentence.	A consequential amendment following changes to Policy WW5	Accept the change
Policy Gen 1	24	Delete “(Settlements set-out in maps in Appendix 1)” Change criterion ii) to “10 dwellings...” Delete criterion (iv) and criterion (v)	These changes are to make the policy more in line with national policy. The maps are to be moved into the body of the plan.	Accept the change
Para 3.32	25	Delete “as set out...Appendix 1.”	The maps are to be moved into the body of the plan from an appendix.	Accept the change
Para 3.28	24	Delete “...and 2014...HOU5”		Accept the change
Policy GEN2	26	Line four, delete “...and enhance...” Line 5, change to “ <i>Innovative design solutions that enhance the appearance of the street scene will be supported.</i> ” Criterion i), delete “, especially if located...Building” Criterion ii) change to “...appropriate to their <i>immediate surroundings</i> ”	The revised wording brings the policy more in line with national and local policy as well as making it more positively worded.	Accept the change
Para 3.37	26	Delete final sentence, which references an emerging policy subject to change	This was a reference to a draft policy in an earlier BLP consultation.	Accept the change
Policy GEN 4	27	Delete first paragraph “Development...Settlement.”	These revisions seek to clarify the policy and minimise unintended adverse effects	Accept the change

		Delete "Proposals to expand...Green Belt." Start Policy " <i>With the exception of land at Grove Park (see Policy WW 1), proposals that...viable.</i> "	from as well as make it more in compliance with national policy.	
Para 3.39	27	Delete Paragraph 3.39	As drafted the paragraph refers to emerging policy that is not adopted and is therefore subject to change.	Accept the change
Policy GEN 5	28	Policy Gen 5, Change first paragraph to " <i>Development proposals to provide new community facilities, or that will sustain or extend the following existing community facilities, will be supported:</i> " Delete "In respect of these sites, proposals will only...noise and lighting." Penultimate paragraph, add " <i>...facilities are provided, or the existing community facility is demonstrated to be unviable in its current use.</i> "	The proposed changes are aimed at making the policy more precise and effective as well as compliant with national policy.	Accept the change
Para 3.40	29	Delete "...Borough Local...and with..."	Paragraphs 3.40 and 3.41 refer to an emerging policy that has not been adopted and is therefore subject to change.	Accept the change
Para 3.41	29	Delete "...Borough Local...and with..."	Paragraphs 3.40 and 3.41 refer to an emerging policy that has not been adopted and is therefore subject to change.	Accept the change
Policy	29	Delete criterion iii)	The proposed changes are aimed at	Accept the change

GEN 6		Criterion iv) delete "...ancillary services and..."	making the policy more precise and compliant with national policy.	
Para 3.42	29	Delete "Borough Local...and with"	Paragraph 3.42 refers to emerging policy	Accept the change
Para 3.43	29	Delete Paragraph 3.43	Paragraph 3.43 refers to emerging policy	Accept the change
Policy GEN7	30	Change opening paragraph to "...locations, as shown on the accompanying plans." Final paragraph, change to "New development in a Local Green Space is ruled out other than in very special circumstances."		Accept the change
Para 3.44	30	Delete "...and Borough...Policy R1."	In this case it is not appropriate to refer to Local Green Space and a Local Plan Policy.	Accept the change
Policy T1	31	Change wording to " <i>Development proposals requiring access must demonstrate safe and suitable access; and development proposals that would have severe residual cumulative impacts on highway safety will be refused.</i> "	The proposed changes are aimed at making the policy more precise and effective as well as compliant with national policy.	Accept the change
Policy T2	31	Delete Policy T2	There is no evidence to demonstrate that the proposed local parking standards have considered the explicit requirements of national planning Policy.	Accept the change
Paras 3.46 to 3.48	31	Delete Paragraphs 3.46 to 3.48	Consequential changes from deletion of Policy T2	Accept the change
Policy T3	32	Change to "Development generating additional HGV/LGV traffic movements should ensure that any	The proposed changes are aimed at making the policy more precise and effective as well as compliant with	Accept the change

		harm arising from noise and dust is satisfactorily mitigated.”	national policy.	
		There will be a need to update the contents page as a result of the changes to the plan.	Noted	Accept the change