

NOTICE
OF
MEETING



PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

will meet on

TUESDAY, 26TH JANUARY, 2016

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD SL6 1RF

TO: MEMBERS OF THE PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

COUNCILLORS LEO WALTERS (CHAIRMAN), MALCOLM ALEXANDER (VICE-CHAIRMAN), GERRY CLARK, DAVID EVANS, DAVID HILTON, SAMANTHA RAYNER AND MALCOLM BEER

SUBSTITUTE MEMBERS

COUNCILLORS MICHAEL AIREY, CLIVE BULLOCK, SAYONARA LUXTON, MJ SAUNDERS, ADAM SMITH, LYNDA YONG, LYNNE JONES AND SIMON WERNER

Karen Shepherd - Democratic Services Manager - Issued: Monday, 18 January 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Tanya Leftwich** 01628 796345

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	7 - 8
3.	<u>MINUTES</u> To confirm the Part I minutes of the meeting of Monday 16 November 2015.	9 - 12
4.	<u>PETITION APPEAL - PETITION TO RETAIN ALL THE LAND AT RAY MILL ROAD EAST, MAIDENHEAD, CURRENTLY DESIGNATED AS PUBLIC OPEN SPACE, UNDER COUNCIL OWNERSHIP AND ENSURE THAT THE MAJORITY OF THE LAND REMAINS SO DESIGNATED AND INCORPORATES NATURE AS AN INTEGRAL FEATURE FOR THE BENEFIT OF FUTURE GENERATIONS.</u> This petition was debated at Full Council as per the petition scheme – the petition organiser is not satisfied with the Councils response hence has requested that it be brought before the relevant Overview & Scrutiny Panel. Attached is the full debate (Full Council) on this petition and below is a link to the petition itself: http://petitions.rbwm.gov.uk/RayMillRoadEast/	13 - 18
5.	<u>DRAFT CONSERVATION AREA APPRAISAL, HOLYPORT</u>	19 - 30
6.	<u>DRAFT CONSERVATION AREA APPRAISAL, MAIDENHEAD TOWN CENTRE</u>	31 - 38
7.	<u>BUDGET 2016/17</u>	(to follow)
8.	<u>DATES OF FUTURE MEETINGS</u> The dates of future meetings are as follows (7pm start): <ul style="list-style-type: none">• Monday 18 April 2016.	-
9.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:-	-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 10 on the grounds that it involves the likely disclosure of exempt information as defined in in Paragraphs 1-7 of part I of Schedule 12A of the Act"

PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
10.	<u>MINUTES - PART II</u> <i>(Not for publication by virtue of Paragraph 1, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	39 - 40

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MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Public Document Pack Agenda Item 3

PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

MONDAY, 16 NOVEMBER 2015

Present: Councillors Leo Walters (Chairman), Malcolm Alexander (Vice-Chairman), Gerry Clark, David Hilton, Samantha Rayner and Malcolm Beer.

Also Present: Councillors Christine Bateson & Derek Wilson.

Officers: Tanya Leftwich, Alison Alexander, Andrew Brooker, Chris Hilton, Hilary Oliver, Chris Targowski and Ben Wright.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor David Evans.

DECLARATIONS OF INTEREST

None from Members.

Alison Alexander, Andrew Brooker and Chris Hilton declared a personal interest in the Part II 'Senior Leadership Team Structure' item.

It was announced by the Chairman that the meeting was being recorded.

MINUTES

The minutes from the meeting on the 21 September 2015 were agreed as a correct record.

CIL – APPROVAL OF RATES AND AGREEMENT TO SUBMIT FOR EXAMINATION

The Chairman informed Members that the Community Infrastructure Levy (CIL) was a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It was noted that CIL had come into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 and largely replaced the ability of the council to seek developer contributions under section 106 of the Town & Country Planning Act (1990) as amended.

It was noted that the report sought approval of the CIL Draft Charging Schedule (DCS) rates in Appendix 1 and to submit the DCS for public examination.

The Director of Development and Regeneration, Chris Hilton, explained that since the change in legislation the Council had appointed external consultants (AECOM) to produce the key evidence to support the proposed CIL rates:

- Viability Report – Viability testing in the context of CIL assesses the 'effects' on development viability of the imposition of CIL.
- Infrastructure Delivery Plan (IDP). The IDP to be part of the evidence base (on page 25 of the agenda) required for the Borough Local Plan. In the context of CIL it assesses the funding required to provide the infrastructure to support new development and compares it with the funding available to the council to prove there would be a gap between the two.

The Director of Development and Regeneration went onto explain that the Council was unique as it was progressing CIL before the Borough Local Plan was in place. It was noted that once the Borough Local Plan was in place the interim rates would be reviewed.

In the ensuing discussion the following points were noted:

- That whilst the proposed residential rate of £240/sqm was higher than some Local Authorities it was lower than others. It was noted that the viability study had considered all the factors and produced the £240/sqm figure. Members were informed that the proposed residential rate was a broad brush approach and therefore could not be compared like for like.
- Councillor Hilton stated that he felt it would have been helpful to have the information about the proposed residential rate in the body of the report.
- That whilst S106 was on a scheme by scheme basis CIL was administered more like a tax and therefore had to be set so it worked for the majority of developments.
- That under key implications on page 15 of the agenda the 'Contributions collected from developers to help fund the infrastructure needed to support new development' should read >£3m rather than <£3m.
- That if the Borough Local Plan was in place by the first quarter of 2017 the rates would look to be reviewed in the third quarter of 2017.
- That it was hoped CIL would be attached to some of the Maidenhead opportunity area sites in 2016 and 2017.
- That most of the CIL delivery would be on small sites.
- That schools were excluded from paying CIL.

RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- **That the Draft Charging Schedule rates be approved.**
- **That the Draft Charging Schedule and accompanying evidence be submitted for public examination.**

REVIEW AND REVISION OF THE S106 EDUCATION CONTRIBUTIONS

The Director of Development and Regeneration gave Members an overview of the paper and explained that provisions made in the Community Infrastructure Levy Regulations 2010 (as amended) had come into effect on 6th April 2015. It was noted that the provisions restricted the use of S106 contributions which had resulted in a need to change the way in which Education S106 contributions were allocated. Members were informed that the contributions were used to offset the impact of new housing on school capacity.

The Director of Development and Regeneration went onto explain that the report recommended approval of an interim methodology of justifying and allocating developer contributions for education as set out in Appendix A, with implementation from 1st December 2015. It was noted that the interim methodology included updates to the level of contribution sought, those being amended in accordance with prior delegation from Council. Members were informed that Appendix A set out when contributions were required from developers for education projects and the justification for the amount sought, in addition to setting out the process for prioritising specific projects to offset the impact of a particular development.

Members were informed that the Royal Borough would continue to negotiate for developer contributions in this way until Community Infrastructure Levy (CIL) had been implemented.

In the ensuing discussion the following points were noted:

- That no more than five developers could contribute to one scheme.
- There would be a number of schools with potential projects which would be prioritised as follows:
 - Priority 1 – school expansion schemes that were already approved by Cabinet.
 - Priority 2 – other compliant schemes.

- That the net capacity calculation calculated space in 'workplaces'.
- That the comments / suggestions from the Fairer Funding Group were taken on board where possible.
- That schools tended to undertake asset management plans although did not necessarily share them with the council.
- That going forward the council would be informing schools in the Royal Borough when they received a planning application for developments of £100k or more.
- That the council provided the Government with a 'school capacity return' every year.

RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- i) Approves the interim education S106 developer contributions methodology attached at Appendix A to be used as the basis for negotiations with developers. This includes revisions to the level of contribution sought per dwelling, in accordance with prior delegation from Council.**
- ii) Requests that schools submit updated Asset Management Plans.**
- iii) Delegates authority to the Strategic Director of Children's Services to agree future updates to the level of contribution sought per dwelling.**

COUNCIL STRATEGIC PLAN 2016-2020

The Managing Director and Strategic Director for Children's Services, Alison Alexander, apologised to Members for the lateness of this report. It was noted that it had been agreed that this report would go to Overview & Scrutiny Panels so Members could share their views at the meetings or in the next week or so.

Members were informed that the report proposed a new draft four-year strategic plan for the Royal Borough. It was noted that the report requested that Cabinet approved the draft plan (included in Appendix A) and allowed it to proceed to Council for consideration on 15 December 2015. The Managing Director and Strategic Director for Children's Services explained that the plan had a vision to make the Royal Borough a great place to live, work, play and do business. The plan had four strategic priorities; Residents First, Value for Money, Delivering Together and Equipping Ourselves for the Future.

In the ensuing discussion the following points were noted:

- Councillor Hilton suggested two things that he felt were important:
 - Needed to find what needed to be achieved.
 - Needed to work out how to achieve / measure success.
 It was agreed that some micro and macro measures would be added in each section.
- That a range of indicators were currently monitored by Cabinet on a quarterly basis and would be monitored annually at a Full Council meeting in order to show what had been delivered and what needed to be budgeted for.
- That this information would be published to the web and would be included in the Around The Royal Borough newsletter. It was noted that this information would be distributed as widely as possible.
- That this was linked to the Councils manifesto commitments.
- That on page 5 of the plan, under Vision it should read 'RBWM, a great place to live, work, play and do business'.
- It was suggested that black text be used in the yellow Governance box on page 5 of the plan as it would make it easier to read.
- That the wording on page 11 of the plan be tidied up so they were more deliverable (e.g. 'Residents be encouraged to enjoy healthy lifestyles and be supported into their old age').

RESOLVED UNANIMOUSLY: The Planning & Housing Overview & Scrutiny Panel unanimously agreed to recommend to Cabinet the following:

- i. Approves the draft Council Strategic Plan 2016-2020 and recommends it proceed to Council for their consideration on 15 December 2015.**
- ii. Delegates authority to the Managing Director and Leader of the Council in consultation with the Principal Member for Policy to make alterations to the proposed plan ahead of its submission to Council.**

The following comments from the Panel were noted:

- That distribution of this information would be done as widely as possible (e.g. on the RBWM website, in the ATRB newsletter, send out with the Council Tax document if possible, etc).
- That road improvements be included in the 'What will be different for residents in four years time' section of the plan.
- That a higher profile be given to regional issues happening outside the Royal Borough (e.g. Heathrow expansion).

As this paper was only received on the night of the meeting it was agreed that additional comments would be emailed to the Managing Director & Strategic Director of Children's Services and / or the Cabinet Policy Manager, Chris Targowski.

A.O.B. - NEIGHBOURHOOD PLAN TIMETABLE UPDATE

The Chief Whip, Councillor Bateson, informed Members that the Royal Borough currently had eleven Neighbourhood Plans being created with the possibility of a twelfth from Cookham. It was noted that of the eleven Neighbourhood Plans one had been to referendum, eight should be going to referendum between now and March 2017 and two would be going to referendum by April 2017 (Bisham & Datchet).

DATES OF FUTURE MEETINGS

Members noted the following future meeting dates (7pm start):

- Tuesday 26 January 2016
- Monday 18 April 2016

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of part I of Schedule 12A of the Act".

The meeting, which began at 7.00 pm, finished at 8.40 pm

CHAIRMAN.....

DATE.....

An e-petition containing 1392 signatories was submitted to the Council on 8 October 2015. In accordance with the provisions of the Council's Constitution, it was requested by the lead petitioner that the petition be reported to, and debated at, a full Council meeting. The petition read as follows:

'We the undersigned petition The Royal Borough of Windsor and Maidenhead to retain all the land at Ray Mill Road East, Maidenhead, currently designated as public open space, under council ownership and ensure that the majority of the land remains so designated and incorporates nature as an integral feature for the benefit of future generations'

The petition was introduced by Mark Shephard, Development & Property Manager. He explained that the 6 acre site (former playing fields to St Luke's School) was acquired from Berkshire County Council in February 1997 for future residential development.

The majority of the site was bounded by residential property. The site could be accessed via an open pedestrian pathway leading from Blackamoor Lane. It could also be accessed to the side of the council owned Mill House Family Centre on Ray Mill Road East (RMRE). The site was split west to east with two different zones of flood risk. The western part of the site was the lower Flood Risk Zone 2 (3.7 acres) while the eastern part of the site was the higher Flood Risk Zone 3 (2.3 acres).

Options for the future use of the site were considered at Cabinet in October 2013. Options included the provision of adult social care, a new school and residential development. Residential development was the preferred option. Cabinet updates were provided in February 2014 and July 2014. Commercial property consultants, GVA, were appointed to undertake an initial feasibility assessment of the site. The feasibility study confirmed the suitability of the site for residential development. The report discussed delivery options available to the Council including self development or a direct land sale of the site (subject to Council conditions as to the form of development). The indicative scheme layout from the feasibility study included 64 dwellings comprising 26 four bed houses, 22 three bed houses, 12 two bed flats and 4 one bed flats. It is proposed that approximately 50% of the site (32 units) would be developed for private sale housing, 20% as shared ownership (12 units) and 30% retained by the Council as private rented units (20 units).

In March 2015 Cabinet recommended a Development Manager be appointed to market the lower flood risk site and identify a suitable development partner to the Council. The remaining 2.3 acres of the site (contained in the higher risk flood zone 3) would be professionally landscaped to provide high quality public open space. A development partner was expected to be confirmed in the first quarter of 2016. The site would be subject to a full planning application.

Jan Stannard spoke on behalf of the Lead Petitioner. She stated that the land at RMRE should be taken out of the Borough Local Plan for two reasons. Firstly, the land was to be sold off as surplus yet Maidenhead had a big deficit and did not meet Section 74 requirements. Secondly, the document stated that there were no known conservation issues, but there was a toad colony of regional importance. Professional landscaping would decimate the colony. Misleading statements meant

the consultation had been undemocratic. The council had a manifesto pledge to maintain and improve open spaces; residents expected it to act with integrity and honour. Residents were asking the council to remove Deerswood in totality from the plan and designate it a local green space.

Councillor Jones and McWilliams arrived at 7.55pm.

Members viewed a short video in relation to the petition.

Councillor Smith commented that in the two years since the plan was put into place he as a Ward Councillor had not heard from petitioners. He had received one call from a resident who objected to the development on the grounds of overdevelopment and building on the flood plain. The absence of comment did not surprise him because the open space policy showed that the large majority of residents were happy with the provision of open space as it existed. He highlighted that he used Town Moor and North Town Moor both of which were decent sized pieces of open space. The 2008 review, pre-Crossrail and crystallisation of regeneration plans generally agreed that demand for new private and social housing exceeded supply. RBWM policy was brownfield first, but if it did not give serious consideration to developing all land, it would lose planning appeals and therefore lose control.

If we build up or out, the ratio of people to open space would shrink. The open space policy needed to be coherent with emerging Local Plan and with rising housing pressure. The policy needed an injection of imagination as it was about quality as well as quantity. If ratio fell below an unacceptable level then it would need to be addressed.

Notwithstanding the desirability of reviewing the Open Space Policy, standing policy guidance was clear that 'existing open space should not be built on unless clearly shown to be surplus to requirements'.

Councillor Dudley commented that the site was adjacent to Boulters Meadow. He had attended a number of meetings with local residents over the last few months; their concerns had been in relation to bulk and scale. The council was going through a procurement route so it retained a degree of control about the bulk and height of the design on the site. As elected politicians, councillors had to make difficult decisions. He was a great lover of the natural habitat and 83% of the land in the borough was Green Belt, but there was also a great number of people who wanted to live in the area. Younger people wanted the opportunity to buy their own home. The council had a responsibility to balance the interests of the natural environment with the ability to get people on the housing ladder. Therefore the council was looking to bring forward proposals for a mixed supply of housing on the site.

Councillor Ms Stretton, spoke as Principal Member with responsibility for public open spaces. She was aware of the toads as she knew a resident who lived in a property backing onto the site. It would give her great pleasure to give unequivocal support to the petition however life was not so simple. The council was continually required to balance the needs of different groups. The petition described the site as being designated as a public open space. This was not the case. The site had been

described in 2003 as an important urban open space. There were 200 hectares of designated open space and parks in the borough and the council had a good track record of managing these areas. She was currently on working on two areas in Eton Wick and Shurlock Row to bring them into public access. A motion later in the meeting would clarify the overall picture and reassess the site in question. The national housing shortage meant the council was required by the government to provide minimum housing levels despite constraints. Every potential piece of land needed to be assessed on its own merits. She assured residents that the information presented at the meeting would be taken into account in the Borough Local Plan and any planning application for the site.

Councillor Ms Stretton proposed the following motion:

- i) The Council notes the petition and acknowledges the concerns raised
- ii) The Council notes the extant Royal Borough Cabinet decision from 26 March 2015 to develop part of the land
- iii) The Council notes the opportunity for representations to be made to any subsequent planning application
- iv) The Council notes the motion relating to Public Open Space on tonight's agenda

Councillor D. Wilson stated that the administration wanted to protect the Green Belt. The piece of land in question was purchased by the council in 1997 for future residential development. The site had constraints. He fully supported the motion by Councillor Stretton.

Councillor Werner stated that he was disappointed with the motion and would not be able to support it. There was a need for housing to give people the opportunity to get on the housing ladder but he could not see how this would happen with the housing as proposed. The affordable housing split was 80%/20% but he did not know of any teachers that could afford 80%. Unless controls and covenants were put n the properties would be bought as buy to lets. Other similar sites such as Braywick Park were being divided up by competing interests. The golf club was also being put up for sale. There was a deficit of public open space in the area. The toad colony could be of regional importance and needed to be researched before any decision to sell the land for development. He suggested that at least the decision should be deferred until a proper open space audit was undertaken.

Councillor Brimacombe commented that the public speaker had said the toad population would be decimated by landscaping. It would be important to register the needs and be sympathetic to biodiversity.

Councillor Dudley commented that the council had levers to positively affect the distribution of housing stock in the borough. Twelve of the units would be shared ownership, a successful national scheme. The council was also able to offer Two5Nine properties for private rent. The council was also looking to develop another scheme of direct discounted affordable rental properties.

Councillor Ms Stretton commented that no developer would buy until planning permission was in place therefore the land would not be sold until that happened, which would require ecology surveys.

Councillor Burbage highlighted that no member of the opposition commented on the proposals when they went through Cabinet in March 2015. The pressure to provide housing was putting incredible pressure on land in the south east. The Green Belt protected the borough to some extent but sites such as RMRE were rare.

Councillor Beer commented that before he was a councillor 20 years ago, the council had been a housing association. The stock was then sold off to the tune of £6m which funded council projects including the borough share of TVAC. The council had lost sight of the fact that it was a housing association responsible for funding housing for people. Large house sin particular in the western end f the borough were totally out of the reach of ordinary people. Even shared ownership was a bridge too far. There was a need to focus on rentals. He appreciated the 712 figure but asked where they would go? The Davies Commission had highlighted that few local authorities had addressed housing need of 70,000 extra houses for Heathrow expansion. This would spill into neighbouring boroughs in the countryside. The council should not be releasing areas of green field or green space because when more people were living in the area more open space would be required. Crossrail would bring people into work in Maidenhead, but not necessarily to live there.

Councillor Werner commented that in March 2015 he did not know much about the site in question, thanks to the campaign he now understood the implications.

It was proposed by Councillor Stretton, seconded by Councillor D. Wilson and:

RESOLVED: That:

- i) The Council notes the petition and acknowledges the concerns raised**
- ii) The Council notes the extant Royal Borough Cabinet decision from 26 March 2015 to develop part of the land**
- iii) The Council notes the opportunity for representations to be made to any subsequent planning application**
- iv) The Council notes the motion relating to Public Open Space on tonight's agenda**

45 Councillors voted in favour of the motion – Councillors Michael Airey, Natasha Airey, Malcolm Alexander, Christine Bateson, George Bathurst, Hashim Bhatti, Phillip Bicknell, John Bowden, Paul Brimacombe, Clive Bullock, David Burbage, Stuart Carroll, Gerald Clark, John Collins, David Coppinger, Simon Dudley, Marius Gilmore, Jesse Grey, Geoffrey Hill, David Hilton, Maureen Hunt, Mohammed Ilyas, Richard Kellaway, John Lenton, Sayonara Luxton, Ross McWilliams, Marion Mills, Gary Muir, Nicola Pryer, Eileen Quick, Jack Rankin, Colin Rayner, Samantha Rayner, Wesley Richards, MJ Saunders, Hari Sharma, Shamsul Shelim, Adam Smith, John Story, Claire Stretton, Lisa Targowska, Leo Walters, Derek Wilson, Ed Wilson and Lynda Yong.

Three councillor voted against the motion – Councillors Beer, Mrs Jones and Werner.

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Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Draft Conservation Area Appraisal: Holyport
Responsible Officer(s)	Russell O'Keefe, Strategic Director of Corporate & Community Services.
Contact officer, job title and phone number	Chris Hilton Director of Planning, Development and Regeneration. 01628 683811
Member reporting	Councillor Derek Wilson, Lead Member for Planning.
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediately
Affected Wards	Holyport

REPORT SUMMARY

1. This report covers the proposed process for a revised Conservation Area Appraisal (the 'Appraisal') for Holyport.
2. It recommends that Cabinet authorises public consultation and following consultation, revised conservation area proposals (including boundary changes) are brought back to cabinet for approval. This recommendation is being made because local authorities have a duty under section 71(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (the 1990 Act) to formulate and publish proposals for the preservation and enhancement of any parts of their area which are within conservation areas and under s71(2) of the 1990 Act such proposals shall be submitted for consideration to a public meeting in the area which they relate. It is appropriate to consult publicly on the documents prior to formal adoption.
3. Boundary changes are being recommended because the National Planning Policy Framework (NPPF) (para 127) states, 'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'
4. If adopted, there would be no foreseeable financial implications arising other

than those as set out below.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Residents in the conservation area would be able to comment upon the appraisal prior to formal adoption and to engage with the Council during the consultation period on the issues set out in the appraisals.	March/April 2016
2. Residents and stakeholders comments will be reported back to Cabinet through overview and scrutiny to seek agreement to adopt the proposals.	May 2016
3. Ultimately residents would benefit from adoption of the proposals that would strengthen the powers of the conservation areas. This will benefit residents across the Borough as the appropriate protection of the historic environment will raise the overall quality of the places in which people live, work and play.	June 2016 forward

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- (i) **Notes the revised appraisal and agrees that that it should go out for public consultation**
- (ii) **Delegates authority to the Strategic Director of Corporate and Community Services to launch the consultation in conjunction with the Lead Member for Planning, and following consultation, to bring revised conservation area proposals (including boundary changes) back to Cabinet for approval.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals for the preservation and enhancement of parts of their area which are conservation areas. In so doing, and in line with the Government's desire to engage with local communities, it is appropriate to consult the public on the proposed revisions to the Holyport conservation area.

Option	Comments
Simply produce and adopt the appraisal with no changes to the boundary and no consultation process.	This would not engage with the community and would miss an opportunity to inform the community of the importance of their historic environment which informs the quality and character of the place in which people live and work. The current policies would be dated and not reflect

	current thinking on conservation priorities. There is a legal requirement to notify the Secretary of State of the variation.
Consult on the appraisal, and following consultation, bring revised conservation area proposals (including boundary changes) back to Cabinet for approval.	This engages with the community and ensures proper consideration of the historic and architectural qualities and challenges of the area. This is the recommended option.

3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Number of revised conservation area appraisals completed	<1	2	3	>3	1 May 2016

3.1 There is an existing conservation area appraisal for Holyport which was prepared in 1994. This is available on the Council website with a map of the conservation area boundary.

3.2 Section 69 (2) of the 1990 Act places a duty on local planning authorities to consider from time to time whether they should designate new conservation areas or extend existing ones. General guidance from Historic England is that appraisals should be reviewed every 5 years. Officers are seeking to ensure that all appraisals are updated. There is a target to do at least two revised appraisals per year. Two were done earlier this financial year for Inner Windsor and Clarence Road/Trinity Place.

3.3 The key changes from the existing appraisal to the revised appraisal on which consultation will be undertaken is that the information and assessment on the character and appearance of the area is updated; the objectives of the management plan have been updated and boundary changes are proposed as shown on the attached map at Appendix A.

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 There is a requirement under section 70(8) of the 1990 Act that notice of any designation, variation or cancellation of a conservation area including information as to the particulars of its effect is placed in the London Gazette and at least one newspaper circulating in the area of the local planning authority which can be met from existing budgets.

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

- 4.2 There are no financial implications.

5. LEGAL IMPLICATIONS

- 5.1 Under the 1990 Act the Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. Such proposals are known as conservation area appraisals and, as a reasonable part of this process, it is expected that the Council will consult when the proposals are at a draft stage in line with the 'conservation principles. Policies and Guidance' as published by English Heritage 2008.

6. VALUE FOR MONEY

- 6.1 By producing informed documents that set out the special character and significance of places the Council is providing important guidance to those seeking to make changes as well as to inform residents, owners and businesses as to the value of these special places in the most economic, efficient and effective manner.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

8.1

Risks	Uncontrolled Risk	Controls	Controlled Risk
That conservation areas are ill defined and insufficiently protected.	High	Completion of detailed appraisals, with consultation on these and then adoption by the Council	Low

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 Residents First: Improve the Environment, Economy and Transport
Value for Money: Invest in the future
Delivering Together: Enhanced Customer Services

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 EQIA is not considered to be necessary.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 None.

12. PROPERTY AND ASSETS

- 12.1 None.

13. ANY OTHER IMPLICATIONS

- 13.1 There may be public enquiries relating to the consultation that will involve frontline staff. Conservation Areas are registered as a local land charge.

14. CONSULTATION

- 14.1 Draft appraisals have been shared with members of Bray Parish Council (Holyport Ward) and Borough ward councillors. Drafts have also been shared with team leaders in the Planning Policy team.
- 14.2 The public consultation will include large printed boards of information on the appraisals key findings and the management plan objectives being displayed in Maidenhead Library throughout the 6 week consultation period. Printed copies of the appraisals will also be available in Windsor and Maidenhead libraries. Response forms will also be available in the library and will be either deposited in a box or can be posted/ dropped off at Town Hall, Maidenhead.

14.3 The appraisals will also be available online at www.rbwm.gov.uk for members of the public and interested groups to read through. Online response forms will be available.

14.4 Response forms will ask about the:

- accuracy of the appraisal
- the information and assessment about the character and appearance of the area
- the objectives in the management plan; and
- proposed boundary changes.

14.5 The report will be considered by Planning and Housing Overview and Scrutiny Panel on 26 January 2016'

15. TIMETABLE FOR IMPLEMENTATION

15.1

Date	Action
29/01/2016	Development of consultation packs
12/02/2016	Approval of consultation packs
29/02/2016	Consultation 'live'
11/04/2016	Consultation closes
22/04/2016	Results considered by officers/ Lead member etc
26/05/2016	Appropriate decisions to be taken by Cabinet regarding adoption or further consultation

16. APPENDICES

16.1 Appendix A – Draft Maps for Holyport Conservation Area.

17. BACKGROUND INFORMATION

17.1 The published Conservation Area Appraisal for Holyport which is available on the Council website.

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Cllr Burbage	Leader of the Council	4/1/16	18/1/16	
Cllr Wilson	Lead Member for Planning	23/12/15	2/1/15 & 18/1/16	Recommendation and 14.1
Alison Alexander	Managing Director	7/1/16	8/1/16	Recommendation
Sean O'Connor	Head of Shared Legal Services	7/1/16	8/1/16	

Russell O'Keefe	Strategic Director Corporate & Community Services	4/1/16	7/1/16	Recommendation 4a
Andrew Brooker	Head of Financial Services	7/1/16	8/1/16	
Karen Reader	Finance partner	7/1/16		
Chris Hilton	Director of Development and Regeneration	21/12/15		
Michaela Rizou	Cabinet Policy Assistant	31/12/15	4/1/16	Recommendation Financial implications

REPORT HISTORY

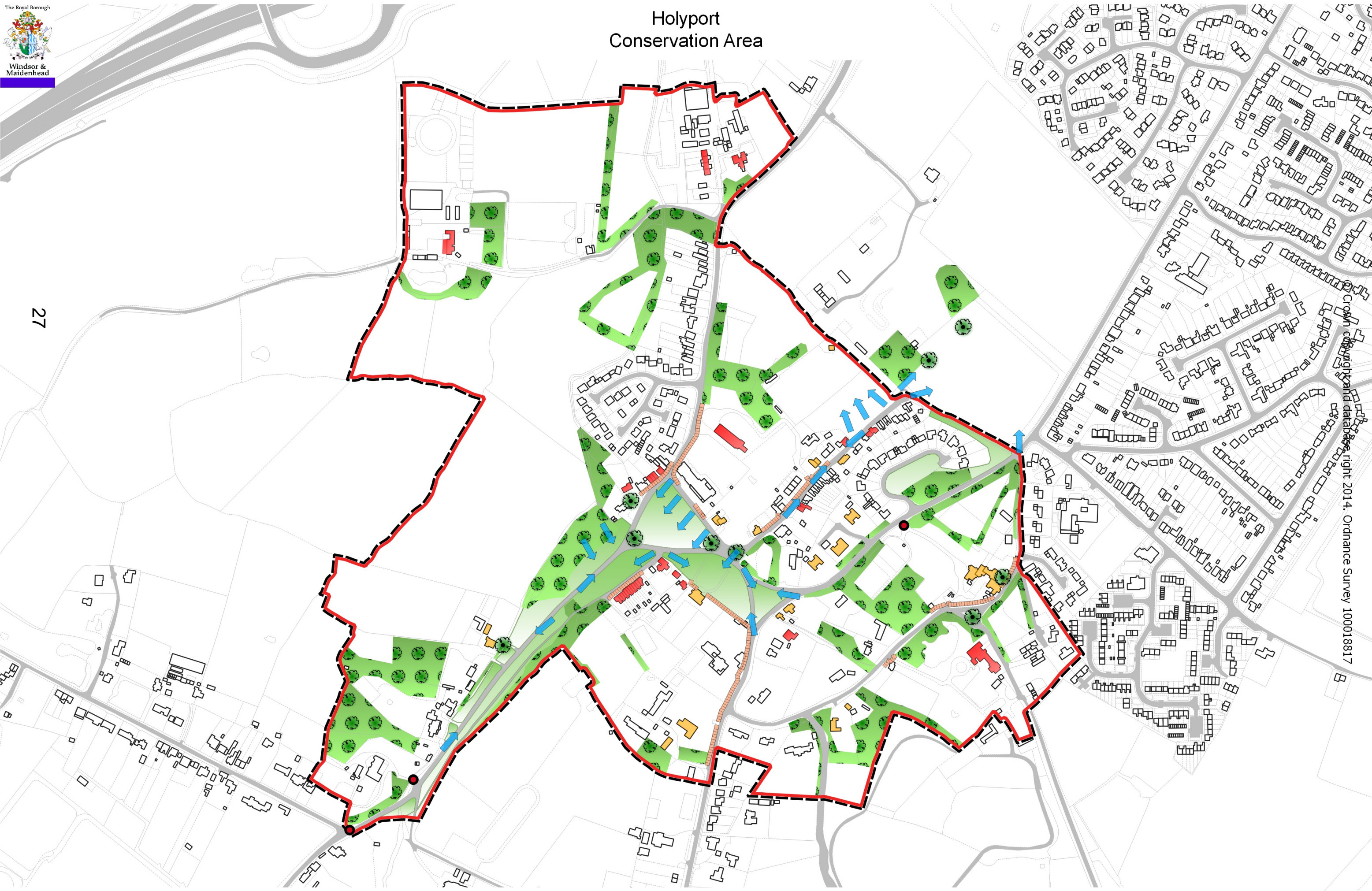
Decision type:	Urgency item
Non-key decision	No

Full name of report author	Job title	Full contact no:
Brian O'Callaghan	Conservation Officer	01628 685949

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Holyport Conservation Area

27

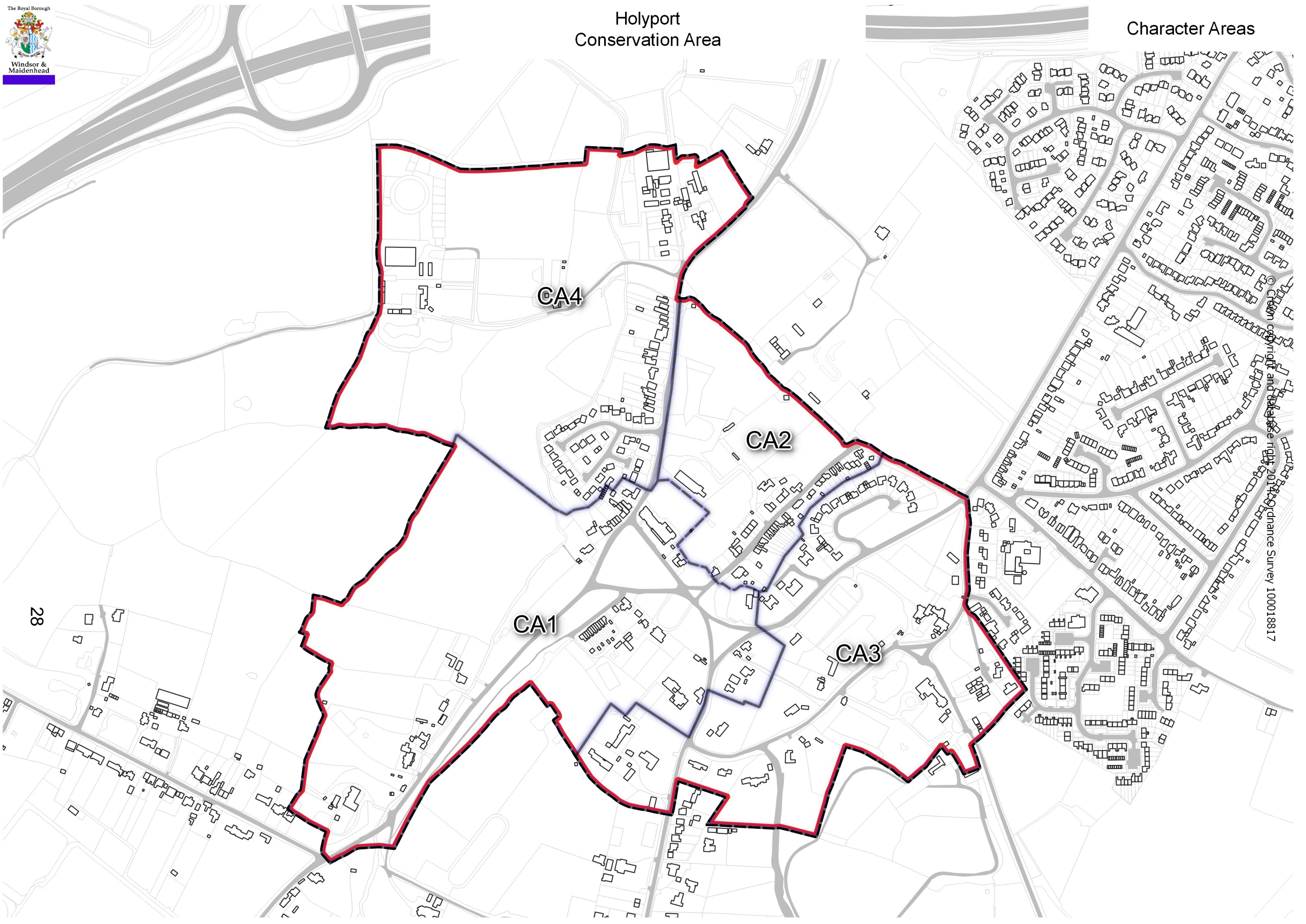


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- Conservation Areas
- Important Views
- Important trees
- Important green spaces and trees
- Important non-listed buildings
- Gates
- Important boundary walls/railings
- Important hedges/green boundaries
- Listed Buildings

Holyport Conservation Area

Character Areas

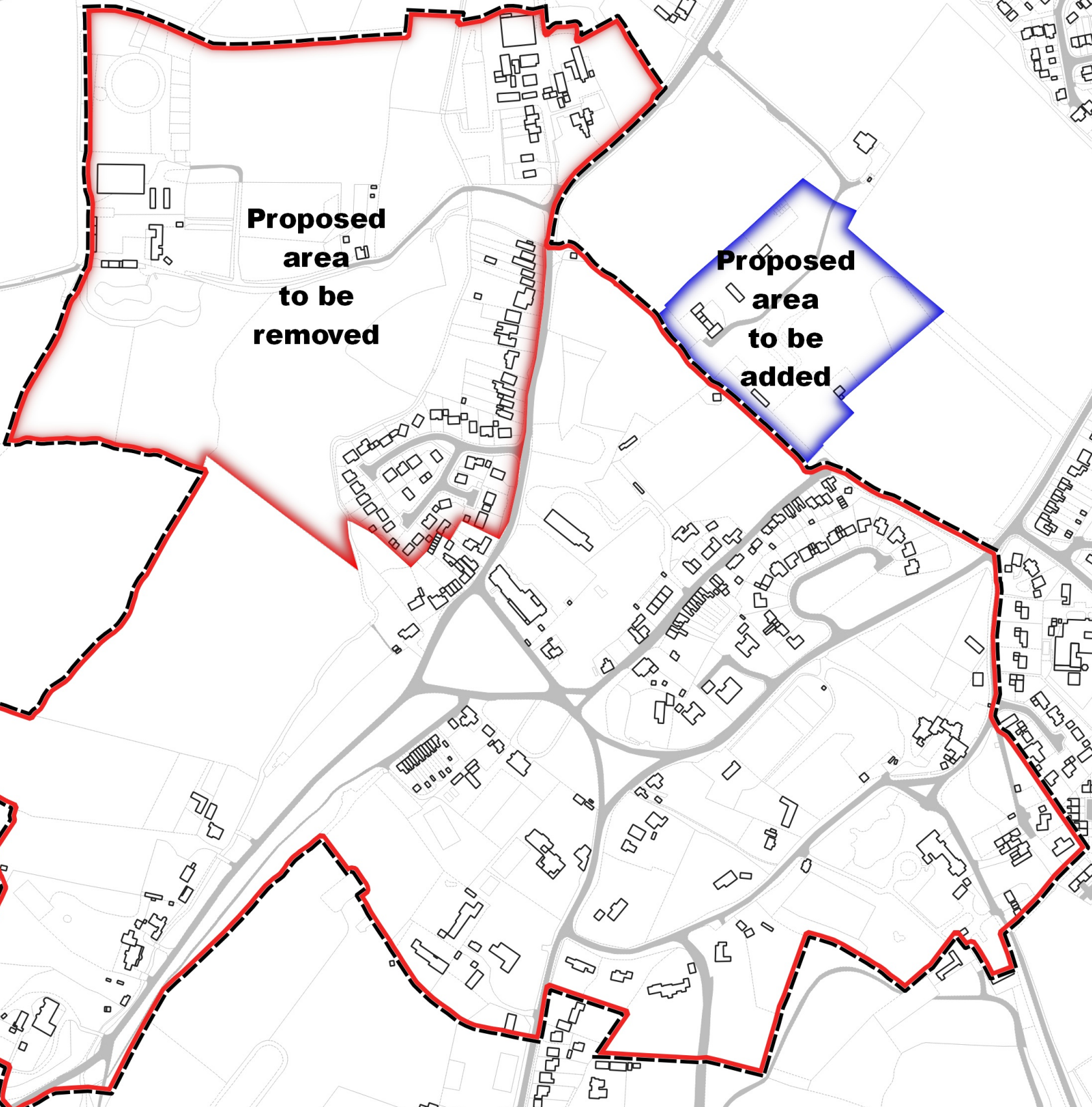


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Holyport Conservation Area

29



**Proposed
area
to be
removed**

**Proposed
area
to be
added**

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Agenda Item 6

Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Draft Conservation Area Appraisal: Maidenhead Town Centre
Responsible Officer(s)	Russell O'Keefe, Strategic Director of Corporate & Community Services.
Contact officer, job title and phone number	Chris Hilton Director of Planning, Development and Regeneration. 01628 683811
Member reporting	Councillor Derek Wilson, Lead Member for Planning.
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediately
Affected Wards	Oldfield

REPORT SUMMARY

1. This report covers the proposed process for a reviewed Conservation Area Appraisal (the 'Appraisal') for Maidenhead Town Centre.
2. It recommends that Cabinet authorises public consultation and following consultation, a report is brought back to cabinet for approval. This recommendation is being made because local authorities have a duty under section 71(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (the 1990 Act) to formulate and publish proposals for the preservation and enhancement of any parts of their area which are within conservation areas and under s71(2) of the 1990 Act such proposals shall be submitted for consideration to a public meeting in the area which they relate. It is appropriate to consult publicly on the documents prior to formal adoption.
3. No changes are being recommended but the appraisal has been reviewed and updated.
4. If adopted, there would be no foreseeable financial implications arising other than those as set out below.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which
---	----------------

	residents can expect to notice a difference
1. Residents in the conservation area would be able to comment upon the appraisal prior to formal adoption and to engage with the Council during the consultation period on the issues set out in the appraisals.	March/April 2016
2. Residents and stakeholders comments will be reported back to Cabinet through overview and scrutiny to seek agreement to adopt the reviewed appraisal.	May 2016
3. This will benefit residents across the Borough as the appropriate protection of the historic environment will raise the overall quality of the places in which people live, work and play.	June 2016 forward

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- (i) **Notes that the appraisal has been reviewed and updated and agrees that that it should go out for public consultation**
- (ii) **Delegates authority to the Strategic Director of Corporate and Community Services to launch the consultation in conjunction with the Lead Member for Planning, and following consultation, to bring the conservation area appraisal back to Cabinet for approval.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals for the preservation and enhancement of parts of their area which are conservation areas. In so doing, and in line with the Government's desire to engage with local communities, it is appropriate to consult the public on the proposed revisions to the Holyport conservation area.

Option	Comments
Simply produce and adopt the appraisal with no consultation process.	This would not engage with the community and would miss an opportunity to inform the community of the importance of their historic environment which informs the quality and character of the place in which people live and work. The current policies would be dated and not reflect current thinking on conservation priorities.
Consult on the updated appraisal, and following consultation, bring back to Cabinet for approval.	This engages with the community and ensures proper consideration of the historic and architectural qualities and challenges of the area. 3 This is the recommended option.

3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Number of revised conservation area appraisals completed	<1	2	3	>3	1 May 2016

3.1 There is an existing conservation area appraisal for Maidenhead town centre which was prepared in 1995. This is available on the Council website with a map of the conservation area boundary.

3.2 Section 69 (2) of the 1990 Act places a duty on local planning authorities to consider from time to time whether they should designate new conservation areas or extend existing ones. General guidance from Historic England is that appraisals should be reviewed every 5 years. Officers are seeking to ensure that all appraisals are updated. There is a target to do at least two revised appraisals per year. Two were done earlier this financial year for Inner Windsor and Clarence Road/Trinity Place.

3.3 The key changes from the existing appraisal to the revised appraisal on which consultation will be undertaken is that the information and assessment on the character and appearance of the area is updated and the objectives of the management plan have been updated.

4. FINANCIAL DETAILS

Financial impact on the budget

4.1 There is a requirement under section 70(8) of the 1990 Act that notice of any designation, variation or cancellation of a conservation area including information as to the particulars of its effect is placed in the London Gazette and at least one newspaper circulating in the area of the local planning authority which can be met from existing budgets.

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9. LINKS TO STRATEGIC OBJECTIVES

9.1 Residents First: Improve the Environment, Economy and Transport
Value for Money: Invest in the future **34**

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 EQIA is not considered to be necessary.

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REPORT HISTORY

Decision type:	Urgency item
Non-key	No

decision	
----------	--

Full name of report author	Job title	Full contact no:
Brian O'Callaghan	Conservation Officer	01628 685949

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By virtue of paragraph(s) 1, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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