

AT AN EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL held at the Holiday Inn, Manor Lane, Maidenhead, SL6 2RA on Tuesday, 8th February, 2022

PRESENT: The Mayor (Councillor John Story), The Deputy Mayor (Councillor Gary Muir)

Councillors John Baldwin, Clive Baskerville, Christine Bateson, Gurpreet Bhangra, Simon Bond, John Bowden, Mandy Brar, David Cannon, Stuart Carroll, Gerry Clark, David Coppinger, Carole Da Costa, Wisdom Da Costa, Jon Davey, Karen Davies, Phil Haseler, Geoff Hill, David Hilton, Maureen Hunt, Andrew Johnson, Greg Jones, Lynne Jones, Neil Knowles, Ewan Larcombe, Sayonara Luxton, Ross McWilliams, Samantha Rayner, Joshua Reynolds, Julian Sharpe, Shamsul Shelim, Gurch Singh, Donna Stimson, Chris Targowski, Helen Taylor, Amy Tisi, Leo Walters and Simon Werner

In attendance virtually: Councillors Catherine del Campo and Helen Price.

Officers: Andrew Durrant, Adele Taylor, Emma Duncan, Adrien Waite, Duncan Sharkey, Kevin McDaniel, David Cook, Terry Ann Cramp, Karen Shepherd, Ama Mitharo, Dean Graham, Danny O'Leary, Ian Manktelow, John Maniscalco, Matt Smith and Ian Motuel.

Also in attendance: Ian Gillespie (consultant) and Mark Beard (RBWM Counsel)

59. APOLOGIES FOR ABSENCE

None received

60. DECLARATIONS OF INTEREST

The Monitoring Officer confirmed that for all Members present at the meeting, any home property already disclosed on their register of interests was taken as having been declared as a personal interest on item 4, Adoption of the Borough Local Plan.

The following interests were also declared in relation to item 4, Adoption of the Borough Local Plan.

Councillor Price declared a Disclosable Pecuniary Interest as she was a member of the Maidenhead Golf Club.

Councillor Hill stated he owned property around the Nicholson's site in Maidenhead and in Market Street and West Street, outside the development zone. He came to the meeting with an open mind.

Councillor Hilton stated he was on the Board of the council's Joint Venture with CALA homes and Countryside.

Councillor Johnson stated he was on the Board of the council's Joint Venture with CALA homes, Countryside and the golf course site in his role as Cabinet Member for Property. He also stated that his wife was a Director of Little Red Hen Nursery on

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Grove Business Park, as tenant of Sorbonne estates. The allocation had been superseded by planning consent granted in late 2020.

Councillor Hunt stated she owned property in Maidenhead.

Councillor Stimson stated she was on the Board of the council's Joint Venture with CALA homes, in her role as Cabinet Member for Sustainability.

Councillor Tisi stated that before she had become a councillor she had campaigned against development on both AL22 and AI21. She approached the meeting with an open mind.

Councillor Clark stated he was a member of the Countryside Development Board and also had property interests around Maidenhead, although not adjacent to any site in the borough Local Plan.

Councillor Rayner stated she was on the Board of the council's Joint Venture with CALA homes and Countryside.

Councillor McWilliams stated, in respect of an interest on his register relating to his personal employment, that since his employers' role was limited to communications consultancy and neither he nor his employer owned any of the sites in the plan nor would receive any financial benefit from the adoption, the Disclosable Pecuniary Interest on his register did not relate to the item under discussion. Since his employment had been a matter of recent public interest he had declared the interest. His employer did not permit him to work within the Royal Borough and the Monitoring Officer had had sight of his employment contract which limited his involvement.

Councillor Baldwin stated that he had a part interest in a property adjacent to the golf club but not within the development site.

Councillor Bond stated that he was a member of the committee at the Quaker Meeting House in West Street, Maidenhead which was in site AL5. It was a charity owned property.

Councillor Brar stated that before she had become a councillor she had campaigned against three sites.

Councillor Carroll stated that as the Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health he was a Director of Optalis Ltd; Optalis had sites across the borough.

61. PUBLIC QUESTIONS

a) Mark Loader of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

A recent Environment Agency document states we live in an area of serious water stress. The council are planning large housing developments. The population growth will result in more demand for water as will the impacts of climate change. In a drought will we have enough water in the Borough without the need for extreme measures?

Written response: *The Council has engaged with the Environment Agency throughout the plan making process as well as other relevant organisations such as Thames Water. The Council has committed to working with the Environment Agency and partners that provide water and sewerage services across the Borough over the plan period to identify infrastructure needs and to ensure that adequate water supply and sewerage capacity is provided in a timely manner to meet planned demand.*

A Statement of Common Ground was agreed with Thames Water in June 2018 (RBWM_015) and this was updated in October 2020 (PS/057). Thames Water confirmed that they believe the BLP (Borough Local Plan) meets the test of soundness in relation to water supply and is supported by an appropriate evidence base covering infrastructure requirement relating to water resources and supply. The Council and Thames Water have committed to continuous and proactive joint working throughout the rest of the plan period on water supply (and sewerage infrastructure) matters, including the provision of key infrastructure.

Policy IF7 of the BLP states that, development proposals must demonstrate that adequate water supply infrastructure capacity exists both on and off site to serve the development and that the development would not lead to problems for existing users.

Developers must liaise with Thames Water at the planning application stage to identify and respond to any necessary infrastructure upgrades. The BLP Inspector is content that IF7 is, as amended, sound.

By way of a supplementary question, Mark Loader commented that his question had been about traffic and population growth and the increased demand for water in an area with serious water stress. There were also concerns about increased traffic and the impact on air quality and the health of the young, elderly and those with poor health. He asked if there was still a climate emergency in the Royal Borough and if there was, did it make sense to build on green belt land with the loss of trees, woodland and habitats which would affect the ability to adapt to the effects of climate change.

Councillor Coppinger responded that yes there was still a climate emergency and this would continue until a conclusion was reached. It was essential that if houses and affordable houses for the growing population and new people coming in were to be provided, a limited amount of green belt would need to be used. The proposal would reduce the amount of green belt from 83% to 82% which was a very small amount. There was a limit to the amount of houses that could be built on a brownfield site and in most cases the pricing was such that you could only go high and build flats or apartments.

b) John Sewell of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The council's environment strategy states access to greenspace is vital for mental and physical wellbeing. However - in response to the housing need for 712 new homes each year there are already hundreds of new flats in the town centre. Surely it's vital for our growing community to protect all the greenspace and amenity potential of the golf course?

Written response: *It's correct to say a large proportion of the new dwellings permitted in recent years have been flats in Maidenhead town centre. The Council has done everything it can to use brownfield sites first, and almost 70% of the housing allocations are on previously developed land. However, such sites are usually in other positive uses (such as providing employment), constrained and expensive to develop. The evidence shows that we need family houses with gardens as well as flats, affordable housing, and community infrastructure such as schools. To achieve this, it's necessary to also build on a limited number of greenfield sites such as the golf course site. The new development will provide a central green area and strategic and local open spaces across the site, including a green spine running from north to south and these facilities will be accessible to all. Rushington Copse would be retained along with as many mature trees as possible, with biodiversity net gains secured.*

The Mayor asked the following question on behalf of John Sewell who was not present:

Why on earth do we need to plan to build 16,000 homes if the demand is only 712 per year ?

Councillor Coppinger responded that there was a requirement to meet a figure laid down by government. That figure could be seen in the report of the Inspector; she had confirmed the housing number being worked towards was exactly the right number.

c) Paul Strzelecki of Bisham and Cookham ward asked the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure, and Digital Connectivity:

The report finds BLP traffic impact at Cookham Bridge and the narrow Pound "would not be severe". My detailed analysis, shared, with cabinet and relevant officers, shows a 540% increase in delay times to less than walking pace. RBWM presented 13%! No responses and refusals to meet on the topic. Will you state I was wrong and Cookham traffic sustainable?

Written response: *The evidence for the Borough Local Plan was prepared in line with appropriate guidance, including in terms of assessing the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward as a result of development and our wider transport strategies.*

This matter and others related to the transport evidence base were discussed extensively at the examination hearings in late 2020 and given due consideration by the Inspector. The Inspector's report, quite correctly, concludes that the approach is robust at a strategic level and that the impacts cannot be considered as severe.

The Development Management process will provide further opportunity for modelling and assessment of highways impacts and secure mitigation relating to more detailed proposals at the planning application stage.

By way of a supplementary question, Paul Strzelecki commented that his analysis of the traffic was radically different from the council's. He asked who was right? The

response had commented on additional transport that was sustainable but none of the 19 mitigations were for Cookham. If there was a bike and a bus on the bridge it all ground to a halt. With 400% difference of Wycombe's assessment of the bridge, the council's addition of just 10 cars from all the BLP development, transit times impossible to hit, and 650 homes in Bourne End not considered, he questioned the plan being robust at the strategic level. However the Inspector also stated, despite misleading numbers by RBWM, that Cookham traffic would be undeniably frustrating for both commuters and residents. He asked for what reason was Councillor Clark supportive of hundreds of his villagers being frustrated and would he vote with a Cookham conscious for non-adoption?

Councillor Clark responded that Paul Strzelecki had robustly submitted his modelling at the examination stage, but it had not been accepted. The calculations undertaken by expert officers using industry standard software to predict changes in traffic flow did not say there would be a 540% increase; neither did the examiner. Councillor Clark stated that he took the effect on Cookham seriously however the examiner did say the impact of development could not be described as severe. The report on which he had to base his decision was clear.

d) Andrew Hill of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Does the Council agree with the Inspector's final report (ID-34, 153-161) that under the NPPF the loss of the golf club "...will not result in an actual loss of open space useable by members of the public", and what steps were taken within the BLP allocations to ensure compensatory leisure and sporting sites for this net loss?

Written response: *The Council agrees with the Inspector that the loss of the golf course would not result in an "actual loss of open space useable by the general public". Other than the public rights of way running across the site, Maidenhead Golf Course is not publicly accessible. In contrast, the many greenspaces created on AL13 will be accessible to everyone.*

The Council addressed the issue of the loss of the Golf Course in paragraph 4.17.11 of its Matter 11 response, stating that "There is a significant demand for golf in the Borough and the level of golf provision is good with a mix of different types of courses. Maidenhead Golf Course...intend to use the surrender money to purchase and construct a new golf course within Maidenhead."

The Council understands that the Golf Club are still looking to secure a replacement site with the lease surrender money. On 9 September 2021, the Golf Club voted to accept a revised offer for surrendering the lease and on 11 January, it is understood that members of the golf club agreed to use the funds that would be released to purchase land for a replacement site.

The Council maintains its view that Maidenhead is well served by golf courses and there is a realistic prospect that the Golf Club will obtain equivalent or better provision in terms of quantity and quality. Sport England did not object to the Plan at the Proposed Change (or indeed the Main Modifications) stage.

By way of a supplementary question, Andrew Hill commented that Councillor Coppinger had said on 11 January the golf club voted to pursue a land replacement site such as Fifield but that was completely wrong; the vote went the other way. They were not buying the land so there was no compensatory sports facility. In fact there would be a loss of a facility contrary to the NPPF. The NPPF definition of open space encompassed visual openness as for mental wellbeing the spirit was lifted as animals and trees were seen far into the distance. The report stated bluntly that losing the golf club was 'not an actual loss of open space'. Andre Hill asked if it was Councillor Coppinger's personal view that it was not a loss of actual open space?

Councillor Coppinger responded that in terms of open space available to all, it was not a loss because it was only used by a limited number of members with a single footpath crossing it.

e) Andrew Hill of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Council's note to the Inspector (RBWM 074, para 29) says it is factually incorrect that the golf club renegotiation will delay delivery of houses in 2023/24.

Given the new contract when did RBWM advise the Inspector of changes to years 9-13 of the housing trajectory (RBWM note 073b), and what are the new numbers for that table?

Written response: At the time of producing RWBM074 in March 2021, the position was that there was an agreement in place for Maidenhead Golf Club to surrender its lease by 2023, with delivery expected to start at the Golf Club part of AL13 in 2024/25 (124 dwellings).

On 9 September 2021, the members of the Golf Club voted to accept a revised offer to vacate their existing site by the end of 2025.

On 20 January 2022, the Inspector asked the council to respond to some points made by Mr Hill in connection with the revised surrender agreement. On 21 January, the Council provided a response to the Inspector, including on the implications of this revised agreement on the housing trajectory. The implication is simply that the housing supply for Year 13 (2025/26) would fall from 1,820 dwellings to 1,696 dwellings and these homes would be provided in later years. It is noted that the Inspector's Report includes a footnote on page 40 that demonstrates that the Inspector is aware of the renegotiation of the surrender agreement and that this would potentially extend the date by which the Club must vacate the golf course, from 2023 to 2025. The revised lease surrender agreement has now been signed by both parties.

To conclude, the housing trajectory is cautious in terms of delivery dates and there is sufficient flexibility within it to absorb a delay of 2 years on the golf course part of allocation AL13. The Inspector is fully aware of this matter and has also confirmed in the report her view that the availability of the land is not at significant risk.

By way of a supplementary question, Andrew Hill stated that at the council meeting on 28 September Councillor Coppinger had told Mr Adam Bermange that it would be 'a good idea' to formally inform the Inspector about the new golf club contract with its two-year delay clause, and yet this was not done in a timely fashion. The written response said that non-transparent, unpublished notes were being exchanged with the

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Inspector on 20 January, after Mr Hill had objected in the strongest terms. Councillor Coppinger had admitted that the housing numbers, in an allegedly fact-checked report were wrong. Why did he therefore go against his better instincts to keep the Inspector fully informed about the golf club negotiations and why did he not publish the January communications to ensure the BLP was factually correct.

Councillor Coppinger responded that he did not have all the answers required he would ask officers to respond on his behalf in writing.

Written Response provided on 16/2/22: *The Inspector runs the Examination and was not inviting unsolicited information from the Council or others at that time. However, on 20 January 2022, the Inspector asked the council to respond to some comments made by Mr Hill (and Mr Bermange) in relation to the lease surrender agreement and also the impact on the housing trajectory. The Council provided its response to the Inspector on 21 January. The Council has not been asked by the Inspector to publish this correspondence.*

f) Ivan McCullough of Riverside ward asked the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:

Within the Borough Local Plan, allocation AL27 is designated as a "2.29-hectare pocket park" and the site specification stresses its role in flood attenuation, its importance for biodiversity and its educational and leisure potential.

Can the lead member give us more details of her plans to fulfil this vision?

Written response: *Site allocation AL27 (Land South of Ray Mill Road East, Maidenhead) is allocated in the BLP for green infrastructure, including a pocket park, habitat area and flood attenuation. It is noted that a planning application for 80 dwellings and open space on this site (21/02866/FULL) was considered recently by the planning committee and that Members resolved to approve the proposed development subject to referral to the Head of Planning and the Secretary of State under the Call-in direction. The Council is currently awaiting a decision from the Secretary of State on whether to intervene.*

Should the development for housing not proceed, then the Council considers that the site is a feasible location for a pocket park that would deliver biodiversity enhancements and a pond, with trees and grassland retained and enhanced. Pocket Parks can be created at relatively low cost, sometimes supported by grants; for example, in 2019/20 two 'Pocket Parks' were created on open spaces in Windsor, both of which were supported by grants of £25k-£30k under the Government's 'Pocket Park' grants scheme.

In the event the proposed housing development is implemented, about 40% of the site would be retained as open space with works to this area funded by the development.

By way of a supplementary question, Ivan McCullough commented that the entirety of AL27, all 2.29 hectares, were reserved in the BLP for a pocket park. The Inspectors Main Modifications had decided the whole of the site should be dedicated as per the published proformas. Why was Councillor Stimson, as parks and countryside lead member, not defending this position?

Councillor Stimson responded that she believed the site had gone to the Secretary of State for confirmation and the outcome was awaited. It was a recommendation that the site be a pocket park and 40% would be reserved for habitat.

g) Phoebe Ibison of Riverside ward asked the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:

There are thousands of mature trees on Maidenhead Golf Course, which have supported our local ecosystem for decades. How can the council justify cutting down so many trees when we face a Climate Emergency and we have the sixth mass extinction on our hands? The Environment Strategy states the importance of protecting our natural environment, so why aren't you?

Written response: Achieving a sustainable plan for development involves carefully balancing social, economic, and environmental factors. Whilst it is acknowledged that there will be tree loss because of the proposed development, the proforma for the site in Appendix C of the Plan puts in place both safeguards and proposals for enhancement regarding trees and biodiversity.

It indicates that proposals should retain Rushington Copse, together with other mature trees and hedgerows where possible, including buffers zones where necessary, to protect trees from the impact of development. It also indicates that the tree and landscape buffers along the site boundary should be retained and reinforced.

The proforma also indicates that development should safeguard protected species and conserve and enhance the biodiversity of the area in addition to providing net biodiversity gain across the site and adjoining open spaces within the South West Maidenhead Strategic Area. The provision of a green spine running north to south through the site provides an opportunity to connect the biodiversity and green infrastructure networks across the site.

Whilst the character of the area will undoubtedly change, development will overall have to deliver a biodiversity net gain, helping to improve biodiversity across the Borough in line with the Environment and Climate Strategy. At the same time, the allocation will provide substantial social and economic benefits by providing much needed homes, schools, accessible open space, and other facilities near the town centre and transport links adding to the overall sustainability of the plan.

By way of a supplementary question, Phoebe Ibison stated that the development would decimate a large proportion of trees, not all the saplings would survive and it would be at least 20 years before they could provide meaningful habitats and carbon absorption. It was her future and that of other children and living organisms that were relying on the lead member to make an ethical decision and not cause more distress and anxiety to the community. She asked why the advice of experts was being refused and claims being based on unaffordable housing. She asked why the council was not using every pound available to protect the few natural green spaces in the borough for habitat preservation and carbon capture.

Councillor Stimson responded the BLP was about more than just sites; it was complex and included issues such as flooding and increasing biodiversity. She would do her

utmost and this was why she had put herself on the CALA Board to ensure sustainability was built in from the start. There was a need for a BLP to stop irresponsible development across the borough.

h) Fiona Allen of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Climate change is already bringing us more heavy rainstorms and flood events. Building on the greenspace will make our community even more vulnerable to devastating flooding. Why aren't you taking steps to help protect our community by building on brownfield sites instead?

Written response: *The Plan ensures the re-use of brownfield land wherever this has been feasible, but it is not possible to meet the Borough's housing needs using only brownfield land. Almost 70% of the housing site allocations are brownfield sites and 45% of the housing arising from allocations is on this land.*

Because the base date for the Plan is in 2013, a significant proportion of the nearly 16,000 homes provided for in the Plan is made up of homes built since 2013 and sites with current planning permissions. A high proportion of these are on brownfield sites or involve intensification of development within existing built-up areas, with only very limited amounts of greenfield development. In addition, in helping to meet the housing target, assumptions are made about further brownfield development coming forward in the future that we currently cannot identify – this is called a windfall allowance.

Whether the site is brownfield or greenfield, care has been taken to avoid development on areas of greatest flood risk and policies have been set out to ensure detailed consideration of flooding related matters at the planning application stage.

By way of a supplementary question, Fiona Allen commented that regardless of the flawed housing figures, she wanted to point out what the scientists at COP26 had said, that arguably all the flood models were already out of date and climate change was coming faster than predictions. Basic geography told you that the more you covered an area with concrete the less natural absorption could take place. The Thames Valley was already overdeveloped so she asked why building was taking place on green belt putting all at greater risk of flood damage and destroying natural habitats at the same time.

Councillor Coppinger responded that the Inspector, who was not a Councillor or a council employee, had said the figures were correct. There was a need to provide for homes for families and young people, including affordable housing. It was not possible to build those on brownfield sites as the only thing that could be viably built were high rise flats and apartments. This was the only reason the proposal was to build on 1% of green belt.

i) Ceri Glen of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Houses in the Aldebury area, adjacent to site AL25, are in flood zone 3. Residents report significant flooding in February 1990, December 2000, 2012, January 2003, &

from January to March 2014. What do you say to residents who fear things will get worse, when building on flood plains, despite prevention schemes, only leads to an increase in flooding?

Written response: *Any planning application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Point 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.*

Document RBWM_086 (post-hearing action note re Exception Test for AL9 and AL25 allocations) describes how the latest flood data results in parts of AL25 falling within Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires development and site-specific Flood Risk Assessment at the planning stage to ensure this remains the case with any detailed proposals and The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

The allocation also specifically requires development and site-specific Flood Risk Assessment at the planning stage to ensure this remains the case with any detailed proposals and The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

By way of a supplementary question, Ceri Glen commented that councillors were elected representatives and should work for the residents not against them. He stated that he would like to know about the people who were described as 'unable to access a safe and appropriate home within the borough, children and families who call the Borough home but cannot find a suitable home'. He asked Councillor Coppinger what he felt was a suitable price for a house for these people.

Councillor Coppinger responded that the number would depend on the circumstances of the individual. He was not an estate agent and did not deal in house prices.

j) Ceri Glen of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Will the Council fund independent consultants to advise residents about our legal rights, planning law and environmental laws, to counter all the Council paid consultants and staff who do not represent residents or our well-being and who are working towards the councils' objectives regardless of resident's objections and wishes?

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Written response: *Members of the Council are democratically elected to represent the residents of the Borough and the Council has adopted a Corporate Plan which sets out our priorities and objectives in meeting these needs. The staff and consultants employed by the Council work towards these objectives and seek to deliver the best overall outcomes for the Borough's residents.*

The Borough has 151,273 residents, every one of whom is unique and contributes to the community with a variety of actions, perspectives, beliefs, and opinions.

The Council will always engage with our community and seek to shape our plans around your diverse needs. This is what we have done in progressing the Council's Corporate Plan and Housing Strategy. It is also what we have done throughout the preparation of the Borough Local Plan. It is recognised that no solution will meet the needs or wishes of every resident but the Council seeks to deliver the best outcomes it can.

Many residents would like to see no building on greenbelt land and we can see that view through the petition which has been submitted. But there are also many people who are unable to access a safe and appropriate home within the borough, children and families who call the Borough home but cannot find a suitable home, and people who would wish to contribute to our community but cannot.

The Corporate Plan and Housing Strategy commit the Council to providing adequate housing to ensure the well-being of our residents. The adoption of a Borough Local Plan which fully meets housing need is essential to doing so and delivering on those promises.

Whilst many residents would prefer these homes not to be provided, nevertheless others within our community desperately need them.

The Corporate Plan and Housing Strategy are well worth a read for any resident who wishes to better understand the situation some members of our community find themselves in and the reasons the Council must make hard choices. These Documents are available at: [Corporate Plan 2021-2026 | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/corporate-plan-2021-2026) [Housing strategy | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/housing-strategy)

Of course, it goes without saying, that it would not be appropriate for the Council to provide public funds to those who wished to undermine the democratic decision of the Council should it choose to adopt the Borough Local Plan on Tuesday 8 February.

By way of a supplementary question, Ceri Glen commented that it was known that consultants always gave recommendations and the advice that their clients needed. He highlighted how dangerous smart motorways had been found out to be recently, despite the previous and wrong advice of Department of Transport consultants. With that in mind he asked if Councillor Coppinger or the council would make a guarantee, in writing, for the residents of the Aldebury estate and future residents of the Spencer's Farm site that their homes would be safe from flooding, insurable and resalable for the next 20 years, and would he guarantee market rate repurchase if they could not sell or cover the higher insurance premiums due to

increased flooding caused by the council and its consultants approving and allowing development in an area already prone to flooding?

Councillor Coppinger responded that given the complexity of the question, he would ask officers to reply in writing.

Written Response provided on 16/2/22: *It is unreasonable to expect the Council to make such a guarantee. However, as stated in our original response, work undertaken by the Council's flooding consultant confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere. Any planning application received on site AL25 (Spencer's Farm) will need to be supported by a detailed Flood Risk Assessment.*

k) Jean Sutherland of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

According to the September Cabinet report "Demand for School Places", a surplus of school places of 5% in September 2021 could increase to 14% by September 2024. The only area of slight concern is in south-east Maidenhead. So why are you building a primary school in the north of Maidenhead where we already have three primary schools close by?

Written response: *The Royal Borough has carried out extensive analysis of the likely impact of new housing on demand for new school places, as part of the analysis supporting the Borough Local Plan and the related Infrastructure Delivery Plan. This analysis looked at the longer-term impacts, so that the borough would still be able to meet demand for school places in fifteen- or twenty-years' time.*

This work concluded that, at times of high birth rates, the proposed new housing would lead to significant shortfalls of both primary and secondary school places.

The strategy for addressing this shortfall involves a mixture of further expansions at our existing schools and new schools, including a primary school within the 'Spencer's Farm' development (AL25). The Borough Local Plan has identified the potential sites for new schools, giving us options to meet future demand over the longer term.

It's correct that there is no current need for new primary school places in North East Maidenhead, due to low birth rates and reduced movement of new families into the borough. The Royal Borough will not, therefore, be looking to open a new school at Spencer's Farm in the immediate future. We will continue to review demand for school places annually and will only bring forward proposals to open the school if a shortage of places locally is expected.

You can find out more about the school places analysis for the Borough Local Plan on the council's website: <https://www.rbwm.gov.uk/home/schools-and-education/school-organisation-places-and-planning/longer-term-needs-school-places>.

The Mayor asked the following question on behalf of Jean Sutherland who was not present:

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'How does your plan to build a school where it's not needed fit in with the borough's climate strategy?'

Councillor Coppinger responded that he would ask officers to provide a written response.

Written Response provided on 16/2/22: The Borough Local Plan has a plan period that extends to 2033. At the time that the plan was submitted, educational forecasts indicated the need for a primary school in north east Maidenhead, but more recently projections show that a new primary school is not required in this area at present. Nevertheless, we will continue to review demand for school places annually, reserve an area of land on the site and will bring forward proposals for the school if a shortage of places locally is expected later in the plan period. If it is decided that a new school needs to be built, then it would be designed to be as sustainable as possible.

I) Paul Strzelecki of Bisham and Cookham ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

"Duty to cooperate" is a plan legal requirement. An agreed strategic issue in the MOU with Wycombe council of Feb 17 is traffic bottlenecks at Cookham Bridge. Do you believe during the plan making phase that there was sufficient and ongoing cooperation on this issue, what were the specific outcomes and why weren't they included in examination evidence?

Written response: As stated in the Council's examination note RBWM_076, on 13 February 2017, the Royal Borough and Wycombe District Council signed a Memorandum of Understanding (MoU) covering a range of strategic plan-making issues including transport (PS/009). The two councils agreed to seek longer term strategic solutions to address (amongst other matters) congestion related to Cookham Bridge.

Potential solutions that have been explored since 2017 have included modal shift measures to encourage the use of public transport and walking, strategic route planning to direct traffic away from Cookham Bridge and potential changes to the signals to balance the queues of each side of the bridge. The two Councils have continued to engage constructively on plan-making, including making representations to each other's emerging Local Plans.

In answer to the question, the Council is confident that there was sufficient and ongoing cooperation on this issue. The Inspector states, in paragraph 24 of her report that "the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan" and concludes that the duty to cooperate has been met. The MoU is part of the examination evidence, as is RBWM_076.

By way of a supplementary question, Paul Strzelecki commented that Mr Beard, RBEM legal, insisted at the October 2020 hearing, that the obligation 'duty to cooperate' ended at the January 2018 submission. The council agreed to cooperate in February 2017. If the council had not met and cooperated during that year the Inspector, by law, would have not been allowed to recommend the plan for adoption. The answer stated that the council cooperated on traffic solutions to take traffic away from Cookham Bridget including walking and public transport and confirmed that no

minutes of any meetings existed. However the council was confident there was sufficient and ongoing cooperation on the issue. It was interesting that Buckinghamshire Council replied to a recent Freedom of Information request on the pre-submission issue of traffic that they did not hold regular meetings with RBWM. The Inspector could have asked for a re-hearing based on new evidence. Paul Strzelecki therefore asked how many meetings RBWM actually had on the strategic traffic priority of Cookham Bridge. He asked if it was 10, or 5 or was it zero and failing the duty to cooperate.

Councillor Coppinger responded that he did not have the information; the officers and legal officer would need to provide a response.

Written Response provided on 16/2/22: Officers are not aware of any recent meetings held with Buckinghamshire Council specifically on local plan matters although we regularly communicate and have continued to engage constructively on plan-making. However, the Inspector was satisfied that the Council engaged constructively, actively and on an on-going basis in the preparation of the Plan and concludes that the duty to cooperate was met. Longer term strategic solutions to issues around traffic and Cookham Bridge will continue to be explored along with investing in alternatives to the car through our Bus Service Improvement Plan and Local Cycling and Walking Infrastructure Plan. Wycombe no longer exists as a council due to the Districts and County merging to form a unitary and therefore it will be Buckinghamshire Council that we will engage with as planning applications come forward.

m) Graham Owens of Pinkneys Green ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Plan incorporates our Climate and Environment Strategy. However, RBWM scored a very disappointing 48% in the 325 Councils assessed by the independent Climate Emergency UK, in marked contrast to Wokingham (79%) and Reading (74%). Now that Sustainability is one of three top priorities in our 2021/6 Corporate Plan, how and when will we align this Strategy with our priorities?

Written response: Clearly it is disappointing that the scorecard reflects a lower score than some of our neighbouring boroughs but there are also many of our other neighbours who are also scoring much lower. We are looking at the results to see how to improve our plans. Any scorecard-based approach cannot fully reflect the work of the Council and are dependent on the scoring methodology and the interpretation by the assessor.

In this case, the scorecard reflects the written plan rather than what has been delivered. The council has been working hard with communities to deliver many of the actions within the plan that will make a real difference in creating a more sustainable borough:

- *We have increased the size of the team to provide more resource to deliver the strategy and its actions.*
- *We have committed to funding and setting up the Climate Partnership to involve more people in tackling the climate emergency*

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- *This winter we have already planted over 6000 of the 8000 trees we are planning to plant.*
- *We are currently surveying 31 of our buildings to develop heat decarbonisation plans for them to enable the rapid decarbonisation of the council estate.*
- *We are currently undertaking heat mapping of the Borough to understand where opportunities may lie to further decarbonise heat.*
- *We are helping residents on low incomes to improve the energy efficiency of their homes through money secured from government*

Due to the timing of the assessment, we also lost marks that will later be included in our score because of the work we have already done or is in progress. We lost a lot of marks on not including adaptation in our plan. We were clear that our strategy is focused on mitigation, and we would bring forward another plan to deal with adaptation. We have recently moved the Flooding function into our Sustainability and Climate team to better address this issue. Since the climate scorecards were assessed, we have made action on climate change a key pillar of our corporate plan, another area we were marked down.

On a positive note, we scored very highly in the community, engagement, and comms section. We recognise this is not an issue the council can tackle alone and communities across the Borough have a key role to play. Only 6 single-tier councils received 9/9 so to receive 8/9 puts us in the top 20 single-tier authorities on the criteria.

We are making strong progress and fully expect that in next year's scorecard, which will mark progress, not just the plans themselves, we will score more highly.

By way of a supplementary question, Graham Owens commented that, as he read the written response, Councillor Coppinger agreed that much more needed to be done on environmental sustainability. Work was beginning, but very slowly. The Climate Change Leadership had been approved in September 2021. It set a milestone for establishing the Climate Partnership by 30 November 2021. This had not happened. He asked if any progress had been made and how would it get back on track?

Councillor Stimson responded that the Climate Partnership was in a phase of finding members for the board. This included looking at business, schools, civic society and the RBWM CEC to put together a partnership at board level to drive the change. Organisations including Legal and General, schools both public and private, Legoland and the RBWM CEC were involved. Funding of £250,000 would not become available until May 2022, until then any actions needed to be undertaken without funding. The interim sustainability statement was being used by developers therefore some money was coming in for schemes such as decarbonisation projects. There had been a slow start as officers were busy dealing with both sustainability and flooding, however the staffing resource had now increased.

n) Thomas Wigley of Clewer East ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

What assurances can RBWM provide for its residents that it will objectively and properly assess Air Quality Impact reports submitted by Developers as part of their planning application submissions to RBWM. Does it have enough qualified resources?

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Written response: *Policy EP2 in the Borough Local Plan requires that “Development proposals should show how they have considered air quality impacts at the earliest stage possible; where appropriate through an air quality impact assessment which should include the cumulative impacts”.*

This may give rise to a need to implement development-specific mitigation to ensure that localised adverse air quality impacts do not occur in the short/medium term.

The Environmental Protection (EP) team are consulted on planning applications. The air quality assessment would need to consider the baseline conditions and the impact of the development proposals on air quality. The assessment may include mitigation measures where necessary and the EP officer can recommend planning conditions.

The Council can confirm that it has the necessary resources to ensure that this requirement can be met.

By way of a supplementary question, Thomas Wigley referred to a report recently published by Transport for New Homes that had found ‘new greenfield housing had become even more car based than before’. The BLP would commit the borough to a significant building programme that would therefore inevitably generate more road traffic pollution. Given that Maidenhead was one big Air Quality Management Area (AQMA), Mr Wigley asked if Councillor Coppinger agreed with him that everyone needed a Maidenhead Great Park to mitigate the aggregate effect arising from all the housing development in the town?

Councillor Coppinger responded that the reason the council believed the golf club site was right for housing was because it was the closest site across the borough to a major train station and a town which was growing and changing with investment. He fully accepted the position of the AQMA. One proposal was a car free green spine to run north-south through the placemaking area to provide the opportunity to create a new public transport corridor, fast cycle links and safe pedestrian connections.

o) George Shaw of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Borough Local Plan being considered this evening cites a significant number of Supplementary Planning Documents, most of which are not yet adopted.

Please could the Lead Member give a progress update on each of these emerging SPDs, including anticipated adoption timetables, and comment on any risks to decision making whilst these are not in place?

Written response: *As stated in para 3.8 of the report to Full Council, several new Supplementary Planning Documents (SPDs) will be produced to help deliver the BLP. These will include the Sustainability and Climate Change SPD, Building Height and Tall Buildings SPD, and the South West Maidenhead Development Framework SPD as well as SPDs for Parking, Affordable Housing and the Ascot and Central Maidenhead Placemaking areas.*

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Detailed timetables for all these SPDs are not available at this stage. The delay in the Inspector finalising her Report has had a knock-on effect on the timescales for a number of these SPDs. Now that the Inspector's report has been received and the plan can be adopted, timetables for the necessary SPDs can be produced.

Work has already commenced on several of the SPDs, including the Tall Buildings SPD and the South West Maidenhead SPD. It is likely that these will be published for consultation in Spring 2022. The Sustainability and Climate Change SPD is expected to be completed before the end of 2022.

Confidence should be taken from the fact that the purpose of SPDs is to build upon and provide more detailed advice or guidance on policies in an adopted local plan. The BLP, which has been found sound, contains all the detailed policies necessary to ensure appropriate decision making and high-quality outcomes until the SPDs are adopted.

By way of a supplementary question, Mr Shaw commented that he could hardly believe that in all the time the BLP had been in development the Supplementary Planning Documents (SPD) were not ready yet, nor was a specific timetable agreed upon. The BLP stated that some of these documents were to be adopted no later than March. Now the council was saying that consultation on them would hopefully be in the spring. He respectfully disagreed that the BLP included all the necessary detail without these documents in place, otherwise they would not be needed in the first place. He expressed concern at what mistakes could be made as the documents had not been produced in a timely manner. Mr Shaw asked the council to commit the resources both financial and staffing to ensure the anticipated SPDs were available with the utmost urgency.

Councillor Coppinger responded that yes he could provide that commitment; it was essential the documents were finished as soon as possible and they would be.

p) Sarah Bowden of Boyn Hill ward asked the following question of Councillor Johnson, Leader of the Council:

In October 2019, you said the plan was not perfect for 2019 but once adopted, the council would seek to make amendments relating to biodiversity and sustainable development. Two years later, the clock is ticking. Has this time been spent wisely preparing the Climate and Environment SPD strengthening the Sustainability Position Statement and when will this be tabled for adoption?

Written response: The interim sustainability position statement has provided a temporary solution to some of the issues that will be included in the Climate and Environment SPD. This has delivered some success in terms of influencing applications to be more sustainable and reduce emissions and as a result we have secured commitments for over £900k in contributions that will be used to support delivery of the Environment and Climate Strategy with further contributions expected to be secured. There have been delays to the Borough Local Plan adoption and there is also uncertainty about what changes might be made to planning guidance in June when the new building regulations come into force. At this stage our target is to ensure that the SPD is adopted by the end of this year.

By way of a supplementary question, Sarah Bowden commented that she presumed the £900,000 mentioned (just £6 per resident) related to monies raised through S106 contributions to the Carbon Offset Fund. This compensated only for the emissions during operation of the properties in question which was on average only half of the total emissions associated with the building. In addition the developer would benefit from the decarbonisation of the grid without even having to lift a finger. Offsetting should be the very last solution adopted, with the offset in this case resulting in at best 50% of the emissions being compensated for so there was still a net increase in emissions. Sarah Bowden asked if Councillor Johnson agreed that the Council needed to be driving for carbon-negative development and if so how would this be achieved

Councillor Johnson responded that he agreed the council needed to be more ambitious in delivering its carbon agenda and needed to push developers harder and further. He highlighted that the council was led by a large extent by government and needed to follow the emerging and changing policy being laid down. As a target he wished for the council to move towards carbon negativity, but that had to be done in a logical, structured, credible and deliverable way.

q) Dave Scarbrough of Belmont ward asked the following question of Councillor McWilliams Cabinet Member for Housing, Sport & Leisure, and Community Engagement:

The proposed plan results in a 22.5% increase in emissions and lacks details of mitigation measures; no areas are set aside for nature-based solutions or renewable energy provision. How are you going to ensure the housing planned doesn't make net-zero by 2050 an impossible task and more importantly mitigate against the worst-case scenarios that will impact people across the globe?

Written response: *Officers do not agree that the plan results in a 22.5% increase in emissions or lacks mitigation measures.*

The 22.5% figure arises from the Sustainability Appraisal which was undertaken in 2019. The appraisal assesses a potential impact, stating that 'The proposed development within the BLPSV-PC could potentially increase local carbon emissions by approximately 22.5%', but then recognises that the 'The contents of the BLPSV-PC would be likely to help reduce the adverse impacts of the Plan in relation climatic factors, with policies and site proformas focusing on the integration of green infrastructure.' Hence, the estimated 22.5% increase is before mitigation considerations are factored in.

Within the Borough Local Plan (BLP) itself, policy SP2 was added to the proposed changes version of the plan to specifically address and mitigate against the issue of climate change. This requires proposals to address several key topics relating to both climate change and its effects. Further to this, whilst no areas are designated specifically for renewable energy provision policy, policy NR5 states that development proposals for the production of renewable energy and associated infrastructure will be supported, should they not cause adverse harm to the area.

The BLP also has three designated areas for green infrastructure within the Borough, involving AL15, AL27 and AL28. The site proformas for all three sites share several climate and nature-based requirements, from biodiversity improvements to the retention and enhancement of trees and wildlife areas on site. Almost all of the other site proformas also require tree planting and local biodiversity enhancements.

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Other policies and initiatives which have arisen since would also serve to mitigate the impacts. These include, but are not limited to, the Council's Environment and Climate Strategy adopted in December 2020, the Council's Interim Sustainability Position Statement, the Government's Net-Zero Strategy, the Government's Heat and Buildings Strategy and revisions to part L & F of the Building Regulations.

Moving forward, the upcoming Sustainability/Climate Change SPD will provide further guidance on climate change issues expanding on the policies set out in the Borough Local Plan and dealing with more specific issues such as carbon emissions, waste recycling, transport, biodiversity and energy.

The Mayor asked the following question on behalf of Dave Scarborough who was not present:

On average, building a three-bedroom semi-detached home will result in 44 tonnes of CO2 emissions. And that's before someone moves in. How will the forthcoming SPD address embodied carbon? And how many houses will already have had planning approved before the SPD is published? We need net-zero homes now, we cannot afford to wait for trees to grow.

Councillor McWilliams responded that in terms of specific policy requirements he would ask officers to respond in writing. However he highlighted that the council would be bringing forward an SPD that would look to deliver policies to achieve what Mr Scarborough had set out. The council had also adopted the climate change strategy which was taken into account when planning applications were brought forward.

Written Response provided on 16/2/22: *Embodied carbon refers to the emissions during the construction of a building rather than when it is in use. The Council is considering how it might introduce a whole life carbon approach and consider embodied emissions within the forthcoming SPD, which will be informed through engagement and consultation. In the interim we are nevertheless encouraging developers for larger sites to take this approach by highlighting the importance of the matter to the Council and its residents. We would encourage residents and groups to provide similar feedback when developers are undertaking early engagement on schemes.*

r) Daniel Seris of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The report commissioned to assess the risk of flooding, conclusions were based on flooding caused by the rain, not rising water from the ground. As flooding is coming from the ground in Spencer's farm, how do you plan to fix this and make sure it doesn't affect future residents? Are further studies going to take place to assess this issue?

Written response: *The Sequential and Exceptions test (BLPSV-PC-030) undertaken by the Council as part of the Examination into the Borough Local Plan provides information not only on flooding from rivers but also from other potential sources such surface water flood risk and susceptibility to groundwater flooding.*

Any planning application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Clause 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.

Document RBWM_086 (post-hearing action note re Exception Test for AL25 allocations) describes how the latest flood data results in parts of AL25 falling within Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires proposed development to provide a site-specific Flood Risk Assessment at the planning stage to ensure that this remains the case with any detailed proposals. Any Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

In addition, the AL25 site proforma stipulates that any proposed development will need to address potential risks to groundwater and investigate an appropriate Sustainable Drainage Systems (SUDS) for the proposals as part of the surface water drainage strategy. The use of infiltration as a potential option for surface water disposal would require a thorough site investigation and risk assessment to demonstrate that the use of infiltration SUDS would not mobilise contaminants which could then pollute groundwater.

By way of a supplementary question, Daniel Seris explained that there had been a workshop with the consultant in relation to Spencer's Farm and when residents had told the consultant that the flooding was coming from the ground rather than the rain he was very surprised. Mr Seris commented that he was not against building as he had children himself and they would need housing. However he asked if everyone knew that the land flooded but this was ignored, how could he trust the council to enable his children to buy a house.

Councillor Coppinger responded that he was delighted that Mr Seris understood that his children would need housing and he would want them to but in the borough. He understood the concerns in relation to flooding. The EA had a strategic overview of all sources of flooding and worked with the Met Office to provide flood forecasts and warnings. It was for the EA to assess how areas were designated. If the EA produced flood maps that amended the designation of AL25 then the site would need to be reassessed. It was essential that the council took full notice of EA advice and if they said a site was unsuitable for building then it would not be used.

s) Daniel Seris of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Spencer's Farm currently has a lot of deer, foxes and other animals that usually eat and live there. Has the impact to those animals' habitats been considered? If so, how and by who?

Written response: *The Borough Local Plan (BLP) acknowledges that planning has an important and positive role to play in protecting and enhancing the Borough's biodiversity, including the conservation of protected species, and helping natural systems to adapt to the impact of climate change.*

Policy NR2 (3) states that Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green corridors, stepping stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

Regarding Spencer's Farm, careful provision has been made within the BLP to protect the diverse local wildlife in and around the site.

Firstly, the site proforma for site AL25 states that any development of the site will be required to conserve and enhance local biodiversity, as well as retaining high/medium quality trees and planting of replacement trees.

Furthermore, AL28 to the immediate east of AL25 has been allocated as a green infrastructure site. Any development of the site will be required to deliver significant biodiversity improvements, including along the Greenway Corridor/Strand Water, which is a Local Wildlife Site. Development will also be required to retain the existing area of woodland to the north of the site.

Sustainability Appraisal has been carried out at all relevant stages of the plan making process and all have found that Policy NR2 (previously NR3) is anticipated to ensure the ecological value of AL25 is protected and enhanced.

Mr Seris confirmed he did not wish to ask a supplementary question.

t) Ian Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

How confident are you that the already busy junction of Aldebury Road and Cookham Road can cope with additional traffic linked to 330 new homes and a primary school?

Written response: *The evidence for the local plan was prepared in line with appropriate guidance and is considered appropriate for an assessment of a local plan and the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward because of development and our wider transport strategies.*

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The strategic transport assessment identified a series of junctions that may require improvement because of the overall development coming forward in the plan. At this stage, no improvements were identified as being needed at the Aldebury Road/Cookham Road junction.

As part of the planning application process there will need to be a full transport assessment prepared which will consider the impacts of the proposed development on the transport network. This more detailed modelling will identify whether any site-specific improvement or mitigation is required, and this will be secured through an appropriate legal agreement

The site proforma requires the development to come forward with a robust travel plan for the residential development and school to reduce car trips from the site.

By way of a supplementary question Mr Lester asked, in relation to the transport assessment mentioned, what had changed since 2013 when the highways team expressed significant concern over the site.

Councillor Coppinger responded that he would ask officers to respond in writing as he did not have the facts in front of him.

Written Response provided on 16/2/22: *The BLP is supported by an extensive evidence base, including a Strategic Highways Assessment at the Proposed Changes stage (2019). This indicated that no improvements were needed at the Aldebury Road/Cookham Road junction. In paragraph 172 of her final Report, the Inspector states that "The oral evidence given at the hearing provided comfort that localised transport/access issues are capable of being addressed".*

u) Ian Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

As local residents we all enjoy watching the wildlife that roam Site AL25 - I especially like seeing the herd of deer. Should we build 330 homes on this land what will happen to the wildlife that live on this land?

Written response: *The Borough Local Plan (BLP) acknowledges that planning has an important and positive role to play in protecting and enhancing the Borough's biodiversity, including the conservation of protected species, and helping natural systems to adapt to the impact of climate change.*

Policy NR2 (3) states that Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green corridors, stepping-stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

Regarding Spencer's Farm, careful provision has been made within the BLP to protect the diverse local wildlife in and around the site.

Firstly, the site proforma for site AL25 states that any development of the site will be required to conserve and enhance local biodiversity, as well as retaining high/medium quality trees and planting of replacement trees.

Furthermore, AL28 to the immediate East of AL25 has been allocated as a green infrastructure site. Any development of the site will be required to deliver significant biodiversity improvements, including along the Greenway Corridor/Strand Water, which is a Local Wildlife Site. Development will also be required to retain the existing area of woodland to the north of the site.

Sustainability Appraisal has been carried out at all relevant stages of the plan making process and all have found that Policy NR2 (previously NR3) is anticipated to ensure the ecological value of AL25 is protected and enhanced.

By way of a supplementary question, Mr Lester commented that protecting wildlife meant leaving them be, not destroying their habitat, making it smaller or moving them on. The site east of AL25 was not great for wildlife at all. If climate change had taught people anything it was to respect the planet and all species that lived on it, not build on it.

Councillor Coppinger responded that it was not possible to guarantee specific types of wildlife would continue to be regularly seen on AL25 after the site was developed. However the measures included in the BLP to conserve and enhance local diversity on all AL25, including provision of a high-quality network of blue and green infrastructure across the site and the retention of the woodland features to the north of the site, were intended to ensure that a suitable habitat was retained for the existing wildlife in the area as far as possible.

v) Mark Smith of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

There are two areas of the field, outside of the river flood zone, that flood due to the rising of the ground water table and not "ponding" as was suggested at a previous meeting. What evidence is there that it possible to prevent flooding from Ground water rising on the site?

Written response: *The Sequential and Exceptions test (BLPSV-PC-030) produced for the Borough Local Plan Examination provides information not only on flooding from rivers but also from other potential sources such surface water flood risk and susceptibility to groundwater flooding.*

Any application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Point 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.

Document RBWM_086 (post-hearing action note re Exception Test for AL25 allocations) describes how the latest flood data results in parts of AL25 falling within

Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires a site-specific Flood Risk Assessment at the planning application stage to ensure that this remains the case with any detailed proposals. The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

In addition, the AL25 site proforma stipulates that any proposed development will need to address potential risks to groundwater and investigate an appropriate Sustainable Drainage System (SUDS) for the proposals as part of the surface water drainage strategy. The use of infiltration as a potential option for surface water disposal would require a thorough site investigation and risk assessment to demonstrate that the use of infiltration SUDS would not mobilise contaminants which could then pollute groundwater.

By way of a supplementary question, Mark Smith referred to the flooding on Spencer's Farm, which was a huge lake in the middle. If it was built on and those houses got flooded, affecting the neighbours currently there, he asked who should they come back to, to hold responsible?

Councillor Coppinger responded that the site had been tested through the site selection process based on the information on flood risk contained in the WSP sequential and exception test. Further work had been carried out by WSP on AL25 specifically in response to the updated EA flood maps. A note to the Inspector on implications was contained in the report. Based on their study, WSP had provided a suite of recommendations to be included in the flood risk assessment that would be a necessary part of any planning application on site. The proforma for AL25 required the potential risks to groundwater to be addressed at the planning application stage, and the flood risk assessment would also need to demonstrate that the exception test could be passed. If it could not be passed, no building could take place.

w) Caroline Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Parking and transportation – how will the local area cope with the influx of vehicles from an additional 330 homes – not only resident vehicles, but deliveries – which have increased significantly with people working from home and shopping online, the train bridge already has a weight limit – how will we manage congestion around the Cookham road?

Written response: *The evidence for the local plan was prepared in line with appropriate guidance, including in terms of assessing the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward because of development and our wider transport strategies.*

The strategic transport assessment identified a series of junctions that may require improvement as a result of the overall development coming forward in the plan. At this stage, no improvements were identified along Cookham Road. As the local transport authority, we will keep this under review to ensure changing transport trends such as online shopping and delivery are not affecting these conclusions. We will continue to assess the need for improvements across the transport network, in line with our corporate plan actions and targets.

This matter and other related to the transport evidence base were discussed extensively at the Examination hearings in late 2020 and given due consideration by the Inspector. The Inspector's Report quite correctly concludes that the approach is robust at a strategic level and that the impacts cannot be considered as severe.

The Development Management process will provide further opportunity for modelling and assessment of highways impacts and secure mitigation relating to more detailed proposals at the planning application stage.

The site proforma requires the development to come forward with a robust travel plan for the residential development and school to reduce car trips from the site.

Caroline Lester expressed concern about the number of councillors involved in the Joint Venture which she felt was a conflict of interest. By way of a supplementary question she asked, in relation to local infrastructure how the borough would be able to cope with the vast amount of properties to be built, particularly given the ageing population. There was no emergency care in Maidenhead; for A&E residents needed to go to Slough and the walk-in centres were in Henley. She asked how would the borough cope with an influx of people.

Councillor Carroll responded that the NHS was responsible for all future plans for health services. In terms of their consideration of the BLP, they were already looking at future plans but to take these forward a BLP needed to be in place. Subject to the decision taken at the meeting, the NHS would come forward with plans to service the local population. The same would be the case for education which the local authority had a direct hand in. The council was therefore required to work with the Department for Education and Department for Health and Social Care to ensure necessary provision of services in line with population demand.

x) Caroline Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

What plans are in place to mitigate the effects on the local infrastructure – 330 additional homes (some 600-800 + residents) will put a huge strain on our local infrastructure – Doctors surgeries, dentistry etc which already have waiting lists.

Written response: As set out in our corporate plan, delivering quality infrastructure is a priority for the Council. As part of the Borough Local Plan process, an Infrastructure Delivery Plan was prepared which assesses the impact on local infrastructure because of the local plan growth to identify where additional capacity in the school, healthcare and other systems may be required. This allows us to plan future investment in partnership with teams across the council and the NHS to ensure this capacity is in place when it is needed.

This is a document that is kept under review and will be regularly updated over the life of the Borough Local Plan to ensure it represents the current infrastructure needs of the borough and its communities.

By way of a supplementary question, Caroline Lester commented that there was a vast amount of empty properties and commercial properties that were empty. She asked why they could not be invested in rather than building on the green belt?

Councillor Coppinger responded that there were many requirements when the borough was developed, one of which was employment. There were a number of sites that were not being fully utilised that were for commercial purposes. The borough needed to attract new companies to provide jobs. It was therefore not possible to take valuable employment space, even if currently empty, to be used for residential development. If houses were unoccupied he agreed the council needed to understand why this was the case. However this would still not meet the housing need going forward. There was no choice but to use the site in the BLP.

The meeting adjourned for five minutes; it restarted at 8.17pm.

62. BOROUGH LOCAL PLAN - ADOPTION

Members considered adoption of the Borough Local Plan.

Tina Quadrino, lead petitioner, addressed the meeting in relation to the following petition:

We the undersigned petition the Royal Borough of Windsor & Maidenhead to stop all plans to build on Maidenhead Golf Course, by rejecting the Borough Local Plan when it comes to Full Council for adoption.

Tina Quadrino explained that the petition asked the elected representatives of the Royal Borough of Windsor and Maidenhead to reject the Borough Local Plan because, mainly, it included the biggest jewel in Maidenhead's crown, the golf course.

She wondered how many councillors had ever visited the golf course. If they had visited it, she did not know how they could possibly vote to destroy the wonderful space. The advantages of keeping the space green were outlined at the last petition. The rationale for not developing it had only become stronger in the intervening period and many voices had been telling the council about it time and time again.

A year ago all of the Conservative councillors present at the Extraordinary Council meeting voted against keeping it as green space. Therefore she asked Councillors Andrew Johnson, David Coppinger, Ross McWilliams, Phil Haseler, Donna Stimpson, Maureen Hunt, Greg Jones, Chris Targowski, Leo Walters, Gurpreet Bhangra, Stuart Carroll, Gerry Clark, Sayonara Luxton, Gary Muir, Julian Sharpe, Shamsul Shelim, John Story, Christine Bateson, John Bowden, David Cannon and David Hilton whether this would be a repeat performance. She could only assume that they had all been charged by their political leaders to vote to adopt the Borough Local Plan. Ms. Quadrino wanted to remind all councillors, no matter what their political persuasion, that they were the representatives of the residents of the borough. Maidenhead had said 'No' to the wanton destruction of the green lung, the execution of the wildlife that would become roadkill, further annihilation of biodiversity, the disruption, the noise

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and the horror that would be the situation for many years if the current plan was adopted, the planned flats and apartment blocks that were so dense that they would make the 'Prison Block' look like child's Lego, the increased pollution and the further deterioration of air quality and the additional traffic that adding this amount of development would inevitably bring.

The land was purchased by the council in 1953 to protect the open space for the people of Maidenhead. The council had no right or mandate from the residents to do anything else. Others had talked about all the many other areas of the plan that were simply not fit for purpose. The development was only sustainable to developers' wallets and not to the environment. They had pointed out all the flaws in the plan and how due process had not been followed by the administration.

Tina Quadrino stated that it was probably the most important decision the councillors would make for the community. It was about what would be left for future generations and it was much bigger than any other single issue. Looking at the budget papers for the Cabinet meeting it could be seen that the decision was going to impact the residents and the environment for the next 15 years.

Tina Quadrino appealed to councillors' integrity. She asked if they were less than Mayor Stutchbury who had saved the land for the community many years previously. She asked what would their legacy be to the town and how would they be remembered in 60 years' time, for yet another unimaginative barren housing estate or for the Maidenhead Great Park that allowed the environment and thus the community to survive and to thrive?

Ms. Quadrino concluded that she knew the plan had been a long time in the making but times had changed, and so must the plan. She asked Councillors to not vote to adopt the BLP.

Councillor Baldwin raised a Point of Order in relation to the Local Authority (Functions and Responsibilities) (England) Regulations 2000 and Part 3B2 in the council constitution which dealt with the development of the policy framework. Councillor Baldwin explained that a number of Members had been in correspondence with the Monitoring Officer on whether the item had been brought forward appropriately. He still contended that the correct procedure had not been followed. Any procedural impropriety could lead to reputational harm and an increased risk of legal challenge. To ensure that all Members were aware of the concerns he proposed a Motion without Notice under Part 2C13d of the constitution:

It is proposed that Council refer the report 'Borough Local Plan – Adoption' to Cabinet to seek formal recommendation as a pre-requisite to it being referred back to Council for final decision.

The Monitoring Officer explained that the Point of Order was raised in relation to the council's legal duties. The council was under a duty to adopt the BLP with Main Modifications in accordance with the Planning and Compulsory Purchase Act 2004. The legislation specified that where the council adopted a local plan it was a Council function, not a Cabinet function, therefore the proposed motion could not lawfully be made. It was only Council that could make the decision on the adoption of the local plan. This was the position of both the Monitoring Officer and the Counsel who had advised on the BLP.

Councillor W. Da Costa asked in relation to comments by Paul Strzelecki if it was valid to take a vote if something presented to Members was not legal. The Managing Director commented that all Members had been in a position to hear the public questions and answers. It was up to Members how they dealt with those issues in terms of the debate and how they voted, but it was not a reason to stop the debate.

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Councillor Coppinger explained that he had taken on responsibility for planning with the express brief to move the BLP forward as quickly as possible and even with that brief it had taken nearly four years, but this was the final stage. It was the most important paper he had ever brought to Council. It was not just the vision for development in the Royal Borough. It included many new and revised policies that complemented it. It defined how many dwellings were needed and where they should go. However it was not so much about buildings but about homes for families; it was about making sure within the mix there were enough family homes and most importantly, affordable ones.

It was not a detailed blueprint for every development and much work would still need to be done especially on the infrastructure that they would need, and this would of course be covered in the detailed planning applications. It introduced Stakeholder Master Plans where developers worked with local people to understand their needs and wishes before a planning application was made.

The old plan which was produced in 1999 was now very much out of date and should have been replaced many years ago. Councillor Coppinger felt it was important to understand the process and what work and consultation had gone into every stage. A highly-competent Inspector, Louise Phillips, had been appointed by the Planning Inspectorate to examine the plan and hear the representations that would be made by objectors, supporters, developers and their agents.

One of the first stages was to appoint a Programme Officer. This was a very special role in that, although paid by the council, they were independent and sat between the council, all other parties, and the Inspector. Other than at the hearings no one had spoken directly to the Inspector so no influence could be placed on the Inspector.

Consultation with residents and other interested parties had been key in the process. Every resident had had the opportunity to read all the proposals as well as of course the Parish and Town Councils. There had been two hearings in public, the first was before Covid which was held at the Town Hall and the second remotely. After the first hearing the Inspector asked the council to make several changes or 'Major Modifications'. These changes were then examined at the second hearing. To reach the final stage had taken some 9 years.

If the Plan was not passed, there were two possibilities. Firstly, given that there had not effectively been a plan for some years and housing performance although improving was below what it should be, it was likely that the council would be instructed to adopt, as had happened elsewhere in the country for example in South Oxfordshire.

The second option was far worse. Every developer that had had their proposals rejected would submit a planning application and even though the council would likely refuse, experience showed that on appeal an Inspector would agree to them because the housing need outweighed everything else. Every ward had a long list of sites that had been rejected, many in the Green Belt.

The Inspector had said that the 2018 based household projections were based on too short a period and were not representative and therefore there was no justification for lowering the housing numbers. Councillor Coppinger was also glad that she had also

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said that numbers should not be increased to meet the needs of Slough. However she clearly stated that if the plan was withdrawn then the council would have to use a figure of 754 houses per annum instead of the 712 in the plan.

The council was proposing most brownfield sites, but they had one big drawback. They were expensive to develop so only suitable for flats and apartments and what was needed was affordable family homes.

The borough was 83% green belt. The golf club was not currently available to the public except for one footpath. The Inspector had said: 'Set against the limited harm to the Green Belt, the analysis demonstrates that the site would make a substantial contribution to delivering the Borough's housing need in a location consistent with the spatial strategy without reducing public access to open space or significantly eroding the character of the locality.' Councillor Coppinger confirmed that the previous week, the council had exchanged contracts on a lease surrender agreement with the golf club.

Adoption of the Borough Local Plan had to be a significant milestone in helping to improve housing affordability across tenures and housing types which was really needed if the borough was to remain sustainable into the future.

Councillor Coppinger asked those that opposed the use of the golf club, given that the Inspector had agreed the housing requirement and given that all knew family homes were needed especially affordable ones, where were they going to be built? There were no brown field sites, so it had to be green belt. He asked where were there green belt sites that were within walking distance of a station and near a town, especially a town that was being reborn with many new exciting shops coming.

Councillor Johnson seconded the proposal. He stated that planning in England was based upon a plan-led system and had been since the Town and Country Planning Act of 1947. Of course, there had been numerous changes of national policy since then and every government had a penchant to change planning, however one central premise had remained. Namely that all Local Planning Authorities must have in place an up-to-date local plan. In fact, the Secretary of State Michael Gove had reaffirmed that commitment in the recent Levelling Up White Paper, including the clear expectation that every council should have a plan in place by late 2023. The Royal Borough did not have one. Therefore, it needed a plan in place as quickly as possible, not only to provide a structured approach to development, but also to prevent speculative development and a developers' free for all across the Royal Borough.

Thankfully such a plan was before Members. A plan, which may have taken a while to produce, but had been through a period of rigorous examination in public and found to be sound by an independent planning inspector. It was not only sound but, subject to the inclusion of the main modifications, had been assessed in strongly positive terms. The Inspector had endorsed the fundamental approach to sustainable growth, the housing numbers, strategic site locations, employment designations and the broad approach to shaping the borough over the next 11 years.

Much focus has been on housing and housing numbers, but it was also about creating jobs, promoting opportunity, creating homeownership routes, planning for infrastructure and so much more. It was a clear and purposeful statement of intent ready to be supported by the necessary SDPs and masterplans. It was the beginning, not the end of the process.

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However, he was aware that it had elicited a range of responses. The inclusion of the golf course as part of the wider AL13 allocation, along with other sites including the Harvest Hill Property Company site for 200 homes had proven to be the most emotive. There had been much information and misinformation in relation to this. However, he highlighted that the fundamentals of the deal were locked a long time ago. When he had become Leader, the BLP was subject to examination in public, there was a deal in place with the golf club and a CALA Joint Venture Board already established. He sat on that body in his role as Lead Member for Property under the public-private partnership concept championed by all political parties. The deal was already done, the process had now been concluded. The Inspector considered it to be a sound and sensible allocation given its proximity to the station that would deliver a new school and health facilities, affordable housing and public open space. The alternatives were not potentially palatable.

There was simply not enough brownfield land to accommodate all the housing growth without obliterating employment space. Economic growth was needed as well. To reject the plan outright would be foolish on the back of the positive Inspector's report. The logic would be that it would be imposed on the borough and all control of the planning process would be lost. Councillor Johnson concluded that no plan was ever perfect. However, it represented the best prospect for managed growth.

Councillor Baldwin stated that the previous Tuesday, the Head of Planning had provided Members with a final briefing on the BLP. He thanked officers for the briefing and the significant work undertaken to get to this point in the process. During the presentation at the briefing it had been made clear that while the plan was not perfect, and not to the taste of some individual Members, it deserved to be supported by all. The Head of Planning had commended it as the best possible borough-wide strategy that met the sometimes contradictory demands for house building, commercial development, biodiversity, recreation and the other myriad elements such a plan should encompass. The Head of Planning had stressed that the best balance between competing needs had been struck and, given the many rounds of consultation and modification and the imprimatur of the Inspector, no further amendments could be made. Members could only vote for or against the entire plan.

Councillor Baldwin explained that during the last seven days he had weighed the professional opinion with the opinions of his residents and his own often narrow and parochial views. It had been an uncomfortable and testing process however he had emerged from it firmly of the opinion that he could not support the motion. The document included the allocation of AL27 as a green infrastructure site providing a pocket park, a habitat area and flood attenuation. Nowhere was there mention of 1.3 hectares of the total being given over to the development of 80 residential units. Yet this was a very real and imminent danger following the decision of the Maidenhead Development Management Committee on 17 November 2021. The decision had been against the advice of the same officers, following a motion proposed by one member of the Executive and seconded by another, with a Chairman's casting vote. Councillor Baldwin commented that the Lead Member for Housing supporting building houses rather than developing parks might on the face of it may seem fair enough. However it begged the question what about the Lead Member for parks and countryside. In committee and private Cabinet Councillor Baldwin felt it was manifestly obvious that the Lead Member was neither seen nor heard. Some residents and members of the opposition had seen the situation coming. The fight to respect the BLP and its commitment to Dearswood Meadow would continue. Many had written to the

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Secretary of State and welcomed his recent intervention forbidding the council from issuing a decision notice and hoped he would call the matter in for his own determination.

Councillor Baldwin commented that Members were therefore being asked to approve a document that had already been tampered with and altered. Its delicate balance of competing needs had been shattered. In good conscience he could not do that.

Councillor Baldwin proposed the motion to which he had earlier referred:

It is proposed that Council refer the report 'Borough Local Plan – Adoption' to Cabinet to seek formal recommendation as a pre-requisite to it being referred back to Council for final decision.

The Monitoring Officer stated that the Council that would make the decision to adopt the BLP, not the Cabinet, therefore it was not a valid motion and was ultra vires. It was acknowledged that there were councils that took their plans straight to council and there were some that went via Cabinet.

Councillor Baldwin explained that the motion was not asking for the plan to be referred to Cabinet for their approval. However, implicit in accepting the plan was revoking the existing plans. Under Regulation 441a of the Local Authority (Functions and Responsibilities) (England) Regulations 2000 the revocation of existing plans the responsibility of the Executive. It was not possible to have an unrevoked plan running alongside a newly adopted one.

The Monitoring Officer responded that this had been the subject of ongoing correspondence and was not a correct understanding of the position.

Councillor Baldwin moved under Part 2C 13r to ask the council to vote on the Mayor's ruling under Part 2C27. The motion was seconded by Councillor Werner.

Members voted on whether to challenge the Mayor's ruling not to accept Councillor Baldwin's motion to refer the item to Cabinet.

14 Councillors voted for the motion; 22 Councillors voted against the motion; 3 Councillors abstained. The motion fell and Members returned to debating the original motion.

Motion without notice - Ruling of the Mayor (Motion)	
Councillor John Story	Against
Councillor Gary Muir	Against
Councillor John Baldwin	For
Councillor Clive Baskerville	For
Councillor Christine Bateson	Against
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Against
Councillor Mandy Brar	For
Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	Against

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Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Jon Davey	Abstain
Councillor Karen Davies	For
Councillor Phil Haseler	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Lynne Jones	Abstain
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor Chris Targowski	Against
Councillor Helen Taylor	Abstain
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

Councillor Davey stated that the Willows were weeping over the BLP 2022. The Borough Local Plan was a document that looked to address the fictitious needs of a government who had shown time and time again that they could not be trusted to have the best interests of the public at heart. They were more interested in the needs of pension companies, bankers and housing developers.

The BLP said over 14,000 new homes were needed in 2012. Councillor Davey questioned whether this was still the case in 2022. COVID had changed the landscape. Home buyers wanted gardens and plenty of fresh air. It was not possible to expect people to wear masks for two years and still want to breathe the same air as hundreds of others in tower blocks.

Councillor Davey thanked Bray Parish Council for commissioning their Air Quality Appraisal detailing readings near the proposed AL21 development, which were already over three times the WHO guideline levels before hundreds of extra cars were factored in. He questioned what weight the AQA would carry at planning.

Councillor Davey had heard stories of young people who had bought shared ownership flats having to drop 10% off the current list price in order to sell because new flats were still available. This told him there was something very wrong with the property market in 2022. He recalled seeing new home figures during the BLP process quoting half the 2012 estimates. The game had changed, life had changed, and so should the BLP.

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Councillor Davey reminded Members that West Windsor used to have two garden centres which the residents loved to frequent. A flyer posted by ex-Conservative Councillors misled residents saying 'They (the garden centres) will remain untouched by the BLP'. The garden centres were sadly long gone. AL21 in the BLP was over 68 acres of land around what used to be Wyeveales and was earmarked for 450 homes and a SEND School. Local councillors were in regular contact with Wates, the developer, to optimise any CIL or Section 106 monies should it be approved.

Much had been made of Maidenhead Golf Course being under threat as a result of the BLP. What many would not know was that The Willows Estate, on the edge of Windsor, was a valuable heritage asset dating back to the 1800s, was also under threat. The problem was that some of its heritage walls bordered AL21 and it was likely Wates' application would swallow up these heritage walls as part of the development. The Willows Estate was listed as a Non-designated Heritage Asset (NDHA), and therefore legally entitled to protection from developers. Councillor Davey felt it should be showcased as part of the borough's heritage, not hidden or destroyed. There was an easy solution to the problem as there were orchards and allotments planned as part of the AL21 development, and some of these could easily be located alongside the heritage walls. The walls would consequently be left undisturbed with their heritage value remaining visible for all to see and celebrate. Councillors could help to facilitate this. Councillor Davey believed, following pressure from local residents that Adam Afriyie, Windsor MP, had written to the council sharing his concerns.

It was important to ensure boundaries were respected where the council had influence. Respecting local heritage assets, green belt and environmental protection needed enforcement teeth backed up by RBWM's legal team. Councillor Davey asked the Conservatives to stop playing the government's out of date property game. Developers argued green fields were much easier to build on than brown fields. He would argue virtual fields did not need anyone to get their hands dirty. If all people wanted to do was make money, then Councillor Davey suggested they should go and play crypto finance, the new stock market, as it had little or no impact on the lives of real people unlike the inflated house building numbers the government demanded of RBWM. Councillor Davey concluded that he looked forward to a fresh and more positive approach for the next BLP which would put the residents first.

Councillor Del Campo commented that she was sorry that she was not able to be present to vote on an issue that had such impact on residents. She thanked Furze Platt residents for attending and showing their strength of feeling. Over the last few years she had heard a number of issues that deserved further scrutiny. The first was the notion that RBWM had fully engaged with residents in the consultation process, allowing them to shape the plan. She had asked officers for specific examples. She had been told that some themes had been introduced around placemaking, sustainability and climate change as well as accessibility. These were all things that should have been there by default in her opinion. Biodiversity policy NR2 had been strengthened; again she felt this should have been done already. Other than things that should have been done already, one site was removed because it conflicted with a Neighbourhood Plan and the Ascot proforma was amended to reference a village square. Councillor Del Campo questioned how different the BLP would have been without the many thousands of hours residents had put in. Nobody really knew however she was certain the plan would have been in better shape if the council had really listened to residents. Instead, consultation seemed to be telling them that the housing numbers could not be changed, the flooding issues would sort themselves out

somehow, the council must build on the green belt and best of all, the plan was not great but the council had to implement it or something worse would happen.

Councillor Del Campo highlighted the term 'affordable housing' that was often used. She hoped all shared her loathing of the viability clause which allowed developers to shirk their responsibilities. Its very existence helped to put up land prices. It was this clause that allowed the amount of affordable housing on the Magnet site to be reduced from 40% to 20%. This was the reason building in the green belt was promoted, except for when it was also in a flood zone of course. She had found out the day before that if the EA revised flood maps had been available earlier, Spencer's Farm would likely have been removed from the site allocations. This was a bitter pill for residents to swallow and surely raised concerns that the necessary mitigations would have an impact on viability and therefore the deliverability of affordable housing there as well.

The most fundamental issue was that even with a subsidy, housing for sale in the borough was very expensive. She doubted that the subsidy got new people onto the ladder. Those wishing to buy for the first time would generally pay as much as they could afford. Therefore Shared Ownership was just pushing up house prices by the value of the subsidy and then putting money into the pockets of developers. It was time to stop using the catch all of 'affordable housing' and make a much bigger commitment to affordable and social rent. This would deliver homes people could afford to live in but would also help to cool the housing market. Councillor Del Campo feared the administration would continue to consult by telling residents what was happening and tear up the green belt to deliver affordable housing that was too expensive for people to buy.

Councillor Reynolds stated that he wanted to touch on some aspects of the BLP that his residents in Furze Platt felt particularly strongly about. If there was any doubt on the strength of feelings about the Spencer's Farm site then the public questions at the meeting had answered that. Many people could recall their minds back to 2009, when a proposal was first unveiled to the public for new housing on the Spencer's Farm site. This was dropped after residents campaigned and the council said it would not support the development. On 16 March 2012, there was an announcement that Furze Platt Senior School would move onto the Spencer's Farm site, with 320 new homes at Spencer's Farm, and 380 on the school site. Councillor Reynolds remembered it well as he was a student at Furze Platt at the time the proposals were announced.

This plan was then also abandoned in July that year, having received a 2342 name strong petition, the council made clear it did not support the proposals yet again. Residents were relieved, but many knew this wouldn't be the last time that developers tried to get their hands on Spencer's Farm. Almost 517 weeks later the BLP included 300 new homes and a school on Spencer's Farm. Residents' arguments against the development of the site now were largely the same as they were the previous two times they had fought against the development.

Councillor Reynold listed the arguments:

- The site was in the greenbelt.
- The flooding all knew happened up and down the site
- The traffic 300 new homes would bring to a blind turn off a railway bridge

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There was one other green belt site that had cornered much attention in recent months. Councillor Reynolds commented that the best chance of stopping the complete devastation of the green lung that was the golf course was the vote that evening. Green belt development was one of the most important topics that was being discussed both locally and nationally. The Prime Minister had said recently 'We're not going to build on greenbelt sites.' However the administration had decided not to build on greenbelt sites; instead they would take the sites out of the green belt. Councillor Reynolds felt this was not in the spirit of what was meant.

Members had been told that no development would be allowed to make flooding problems that existing homes faced any worse. This was fantastic to hear, but when one resident asked at a public consultation, 'what happens if it does?' the developers looked confused and had shrugged. This was not the most comforting of acknowledgements for residents. Councillor Reynolds was not very convinced that the answers given at the meeting had done much to settle those concerns.

Members had been told that traffic surveys had concluded that the addition of 300 new homes, leading to around 500 new cars, and a new primary school, was not going to cause any more traffic problems, because there was not an issue with traffic in the area. Councillor Reynolds suggested telling that to anybody who did the school run to one of the local schools, the residents who lived nearby, the highways officer he had met many times in Furze Platt talking about the problems, or the bin men who could not get around the Aldebury Estate due to cars on the school run. Councillor Reynolds concluded that the people of Furze Platt, and Aldebury Road in particular, had fought off the development twice before. On both occasions they had had their concerns backed up by the council saying it would not support building on this site. It now seemed the council no longer had their backs on the issue. Councillor Reynolds concluded that development on the site was as inappropriate in 2022 as it had been in 2012 and 2009 and should not go ahead.

Councillor Brar commented that this was the biggest council decision in 23 years. The borough had failed residents on the requirements of competency, transparency, respect, and responsibility for the environment with citizens first as the plan was already out of date and 9 years overdue. The latest objectively assessed need showed growth of only 1800 more residents per year for the next 20 years. The excuse that the council was told what to build was not good enough. Members should not be puppets, they were there to represent residents and the environment. The plan's only commitment to climate change was to take material consideration in planning yet the council had declared a climate emergency. Councillor Brar questioned why the relevant SPD had been avoided.

Councillor Brar commended the public and organisations such as parish councils for their dedication to support but critique the plan process. At Council in May 2020 she had asked Councillor Coppinger to meet with Cookham residents to explain the detailed traffic analysis. Councillor Coppinger had refused saying the plan was done and in the hands of the Inspector. Councillor Brar commented that was not true as evidence could be submitted at any time. It was not the Inspector's plan but the borough's.

Councillor Brar explained that she represented the residents of Cookham. The plan would increase the number of residents in Cookham Rise where she lived by 17%. This would have the same relative impact as the golf course site would have on

Maidenhead. The Spencer's Farm site would impact on Cookham as it would affect one of the most strategic routes in the borough and there were no infrastructure or traffic mitigation proposals. Building on green belt would initiate creeping development which had already been witnessed. The green belt should be protected, not consumed. Ensuing traffic gridlock was not sustainable in anyone's eyes. Councillor Brar also highlighted a development of 650 homes just over the bridge at Hollands Farm; from what was heard earlier there had not been the required co-operation with Wycombe Council. In relation to traffic modelling, she highlighted that this showed a 200% slowing of traffic adjacent to the golf course when built. It appeared that the Inspector had been lulled into thinking that the impacts would not be severe or frustrating for the residents of Cookham. If the plan was adopted, the residents of Cookham would rise on any development that affected sustainability.

Councillor Knowles commented that a number of the Executive members had announced they were on Joint Venture Boards but these did not seem to be listed on their register of interests or under any other council appointment. Councillor Knowles referred to the Equality Impact Assessment (EQIA) included in the report. An EQIA was meant to assess the impact of plans on residents with protected characteristics. The EQIA as drafted did not do that. The BLP was wider than just housing and the EQIA only considered the impact on housing issues. Councillor Knowles felt that without the information it would not be possible to approve the BLP. In relation to the monitoring and implementation section, no SMART measures were included. The Leader of the Council had said it was a flawed plan. People had been asked to accept something that was not perfect. He was not happy to settle for second best.

Councillor Knowles commented that there was sometimes an incorrect perception of members of the Executive. For example, he was aware that Councillor McWilliams really did care about the provision affordable housing; Councillor Hilton cared about heritage and planning regulation; Councillor Haseler cared about the green belt; Councillor Walters had a long history of fighting to preserve the green belt; and Councillor Stimson had a concern for the environment. All understood that some sort of plan was needed but he did not feel that a flawed plan could be supported.

Councillor Johnson requested a Personal Explanation. He stated that the phrase he had used was 'Is this plan perfect, no of course it is not, no plan ever is'. He had not explicitly said it was flawed; he had said there was room for improvement. This reflected the question Sarah Bowden had asked about comments he had made in 2019. The plan had been submitted in 2017 in a very different context. The Climate Emergency had not yet been declared and national policy was not as advanced on the issue. He had acknowledged there was work to do to bring the plan up to what would now be expected in relation to climate change. It was not flawed but it needed to be modified going forward.

Councillor Bond highlighted that the largest portion of development in the plan was in Maidenhead, particularly in the town centre and about 2,500 homes on and around the golf course. The town centre mostly had planning permission already therefore he would focus on the golf course site. The question for him was whether Maidenhead needed so many new homes. It was not simply black and white, there were some positives including provision of affordable housing and balancing flats elsewhere with houses with gardens on the golf course. The whole plan was based on the Objectively Assessed Housing Need which was covered in a document called the Strategic

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Housing Market Assessment (SHMA) and a letter from the council to the government inspector of August 2020.

The SHMA had come up with the need for 712 dwellings per annum from a 2012 housing projection. There had been a lot of change in the country's population demographics since then. In 2012 what was called the fertility rate was just below the replacement rate (1.9 children per woman against 2.1), it had subsequently declined and had now settled around 1.75 so fewer births. Up to 2012, in every five year period average life expectancy improved by a year. 2012 was a tipping point and improving life expectancy started to tail off, indeed before 2020 in some parts of the country it was actually declining. Looking ahead, the latest projection was that population growth was expected to slow dramatically in the rest of the decade.

The 2020 letter previously mentioned gave various arguments as to why the plan should stick with the ten year old demographic data, arguments which Councillor Bond granted the Inspector had accepted. However in the light of significantly changing population demographics, he did not find them sufficiently convincing to justify building on the whole of the golf course site. To Councillor Bond it was a simple equation: lower population growth equalled less need for quite so many new houses. This appeared to have struck a chord with public opinion. There was a growing consensus that building on the whole of the golf course was going too far.

In relation to St Marks Hospital in Belmont ward which he represented, Councillor Bond was glad to see the Inspector had recognised the lower capacity for housing as there was a place of worship in the middle. He acknowledged that St Marks was not a greenfield site. He would have very much liked to have seen the plan for medical services on the site before or at the same time as the land was made available for development. There was already a concern about services among the public. He appreciated some of the challenges facing the NHS; from direct experience he knew the frustration of waiting for a non-urgent operation or procedure that could be life-changing, waiting for months that turned into years. There were so many pressures on the NHS including waiting lists and in Maidenhead improving St Marks Hospital. No plan had been published for future services to enable him to read and make his own judgement, all that was known was that some of the land was available for development.

Councillor L. Jones commented that it had taken a long time to get to this point. Whilst recognising the efforts of the many planning officers involved in the process, Councillor Jones also thanked all those residents, individually and as members of Parish Councils, and other community groups, who had tried to contribute so much throughout the consultation process and enabled the BLP Submission Version dated 2017, which the Inspector said had deficiencies in respect of soundness, to be developed and improved into the adoption version before Members, which was sound and legally compliant. However just because the BLP was technically sound did not mean that it was a good plan for the borough.

The Covid pandemic had changed working patterns with multinational companies moving towards home working and a reduction in office space, resulting in a requirement for extra facilities and space in housing. Some residents were questioning the housing numbers and, after seeing the multitude of flats built over the last two years and the proposed developments in the BLP, were asking whether the plan was really building for the future need and whether they would ever be affordable for the

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average younger person. Some residents were disappointed that the plan did not seem to echo the vision in the council's Climate Strategy. They were worried about pollution, the removal of large areas of trees and wildlife and the lack of acknowledgement that the borough did not have the public transport infrastructure to support a move away from motor vehicles.

Councillor Jones' concern was that the Borough Plan as a working document was not yet complete. There were number of Supplementary Planning Documents that were referenced throughout the plan. These were the 'nuts and bolts' that determined the criteria for development but they were not yet in existence:

- Building Height and Tall buildings
- South West Maidenhead masterplan
- Parking
- Sustainability and Climate change
- The placemaking SPD's for Ascot and Maidenhead Town Centres.

These documents could take months to go through the adoption process and would only start to be given weight at consultation stage. Councillor Jones suggested harnessing the input from the parish councils and neighbourhood plan groups from the first draft of the SPDs as they had knowledge on the ground.

Councillor Jones questioned what document Members would be referring to while the SPDs were produced, how would the council control parking provision in the borough, how would it control the height of buildings, how could it ensure infrastructure delivery, controlling traffic movements at pollution hotspots, and what impact would not having the SPDs have on the developments coming forward.

Councillor Jones was aware that the Environment Agency's September 2021 response to the consultation on the most main modifications indicated they still had reservations regarding the flood risk of some sites and questioned the ability to deliver without a 'Green and Blue infrastructure' SPD and that this was a real priority in their eyes. The EA had even said it was not sound because of this.

Councillor Jones concluded by asking if Members were being asked to vote for an incomplete plan. She had already raised the question of what impact the lack of SPDs would have. She questioned if Members should be voting for a plan where the EQIA only assessed the impact of the housing on residents and not the changes to the infrastructure, the environment, the economy or the town centres.

Councillor Werner commented that if Members did not listen to residents, they were failing in their role. Biodiversity and sustainability were the elephants in the room, barely mentioned in the BLP. Instead there was destruction of chunks of the green belt. Councillor Werner asked what the point was of declaring a Climate Emergency if it was then to be ignored. The BLP would not provide truly affordable housing which showed how out of touch some Members were. Even if affordable housing was to be built, the viability argument meant it was not delivered in the end. Members had heard that if the new flood maps had been produced, some sites would not be included in the allocations. Some councillors and residents had been warning of this for years but had been ignored. Building in town centres and villages would simply increase the levels of air pollution.

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Councillor Werner commented that he felt the BLP was about money. Council debt had rocketed up to £215m which was coincidentally similar to the amount that would be raised by the sale of the golf course. If residents had been listened to, the council would not now have a flawed plan.

Councillor Davies commented that in relation to the BLP the promises were always 'jam tomorrow': affordable family homes tomorrow, sustainable developments tomorrow, net biodiversity gain tomorrow, active travel infrastructure tomorrow. The message was 'don't look at the developments we've already approved, the golf course and the greenbelt to the west of Windsor are going to be different'.

Meanwhile, development after development had been approved for overly-tall buildings full of small flats that had no meaningful sustainability features and still were not affordable. Councillor Davies felt immensely sad that the borough had missed a once in a generation opportunity to create an amazing Maidenhead civic quarter, with human-scale spaces, sustainable homes and dedicated and joined up cycle lanes. fellow Windsor councillors had already spoken about the concerns they had for the development still to come to the town.

Councillor Davies had heard the arguments that were made for approving the BLP, so many years in the making and so much time and money spent. However so much had changed in the intervening period, notably the understanding of the urgency of the climate emergency, and there were still no guarantees as to what flavour of jam would be given 'tomorrow'. Nine Supplementary Planning Documents were referred to in the BLP that had not yet been adopted and there were no timetables for their adoption. There were particular concerns about how the green and blue infrastructure policy (QP2) could work without the Supplementary Planning Document in place. In the meantime, there was a policy vacuum and there were still no guarantees for the future.

Councillor Tisi explained that she would focus her comments on the AL21 site to the west of Windsor as they reflected the concerns of residents in her ward of Clewer East and the neighbouring west Windsor wards and the correspondence she had received from residents. Local resident groups had long questioned the suitability of AL21 for a housing development due to the impact on traffic on the A308 and surrounding roads and whether the site was in a sustainable location.

The previous day the *Guardian* newspaper reported that the group Transport for New Homes had visited new housing developments and found that greenfield sites were often too far from shops and amenities, without public transport, cycling links or sometimes even pavements. They found that although developers, local policy and even the NPPF spoke favourably about promoting cycling and walking, in reality there was an absence of infrastructure provided and developments were often built to rely on the car. Councillor Tisi questioned whether AL21 would suffer the same fate. She worried that despite best intentions, safe walking and cycling routes would be slow to emerge, leaving residents dependent on their cars. Given that the council still did not have a local cycling and walking infrastructure plan in place and was spectacularly unsuccessful when bidding for active travel funding, she feared that the car would remain king in West Windsor for years to come with devastating consequences.

Furthermore, Bray Parish Council's recent Interim Air Quality Report made for alarming reading. They had expanded the area of air quality monitoring far beyond the limited Bray Air quality management area that RBWM measured. The Bray 2 monitoring site on Dedworth Road at Oakley Green was of particular importance as it

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was situated so close to the proposed AL21 site. The mean annual nitrogen dioxide levels measured here already exceeded the WHO's air quality guidelines for health by three times. Adding more cars to the roads in this area, on top of all the other recent development along the A308 was not just going to be an inconvenience, it was a health hazard. Councillor Tisi urged the council to expand their air quality monitoring areas and measure for particulates to truly understand the impact of this green belt development.

A final plea on behalf of residents of the Willows was to ask that consideration be given to preserving the distinctive estate walls of the historic Willows estate that could be lost in the development of AL21. Listening to residents' concerns on these kinds of local issues did not negate the loss of green belt and the associated issues, but it might go some way to regain the trust that had been lost. From what she had heard, it was clear that the Conservatives were determined to approve the BLP. There was a sense of inevitability that the green belt land West of Windsor would be developed. Councillor Tisi commented that how many of these houses would truly be affordable for the people of West Windsor, remained to be seen but she would continue to advocate for residents on this and would not be supporting the out-dated and destructive plan.

Councillor Hilton explained that the earliest agenda he had found for the cross-party Local Plan Working Group set up to consider the BLP dated back to January 2012; the Plan before Members had been 10 years in the making. Members would either adopt the Borough Local Plan or discard the valuable work done over that extended period. It was instructive to consider the previously submitted plan that went to Public Examination in 2007. At that time housing numbers were a relatively modest 356 dwellings a year but, housing land supply had always been an issue and that plan was found unsound because it failed to release green belt. The Inspector said that green belt should be released, preferably adjacent to Maidenhead so that future development would be close to the greatest concentration of community facilities in the borough. It was no great surprise that the 2013-2033 BLP followed that Inspector's logic.

The Local Plan Working Group that met regularly from 2012 also considered green belt release and discussed the borough's aging population and the decline in working age residents. The Group accepted the council's responsibility to ensure the economic vibrancy of the borough. It recognised the need for more homes to allow younger people to live and work in the borough in order to maintain economic viability. To create certainty that these homes would be built, the Working Group took the view that a modest release of green belt was essential.

For more than a decade there had been pressure on the green belt and the council should be pleased that the proposed BLP met in full the objectively assessed need for Housing and Employment by giving up just 1% of green belt. Although Councillors were required to consider the impact of the BLP on the whole of the borough, there was a tendency to be a little parochial and consider the area one represented. As Councillor for Ascot and Sunninghill, Councillor Hilton highlighted that Ascot would do its share of heavy lifting with 1200 homes; 750 of them with new retail and a community building in the centre of Ascot, much of that on green belt land. The remaining 450 homes would be in other Ascot, Sunninghill and Sunningdale locations.

For the Ascot rejuvenation project to come forward in a way that was acceptable to local residents and reflected the impressiveness of Ascot Racecourse, robust planning

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policies were needed. As in the case of the South West Maidenhead Strategic Placemaking Area, a Supplementary Planning Document was proposed for Ascot which, together with policies on character and design, climate change, trees and many more, would make that goal achievable.

The Plan was based upon evidence that interested parties and local residents had been able to comment upon and that had also been challenged by the Inspector to a level of detail Councillor Hilton found quite surprising. Reading through the main modifications he had found most to be positive, for example stakeholder masterplans drafted with input from local residents would be required for developments of more than 100 new dwellings. There would be a presumption in favour of retaining industrial and warehousing premises, including premises, suitable for medium, smaller and start-up businesses. The Inspector proposed greater protection of places where people worked, supporting jobs over housing.

Offices within the town centres of Maidenhead, Windsor and Ascot would be safeguarded against being converted to flats, again protecting places where people worked and the viability of these centres.

The Inspector understood the fact that the minimum net density of 30 dwellings per hectare on all housing developments was not always appropriate and it was deleted from housing policy. To reject the plan would be rejecting all the safeguards the Plan offered and become hostage to fortune to developers and the Planning Appeals system. Councillor Hilton concluded that this was a risk no Councillor should consider taking.

Councillor Stimson explained that her reasons for supporting the adoption of the BLP were numerous. Her cabinet role was for the entire borough in relation to Climate Change, Sustainability, Parks and Countryside. As a result of consultation a dedicated policy of SP1 was added to address the impact of climate change. She thanked all the officers and residents who had strengthened this aspect of the plan. The policies included measures such as shading, insulation and ventilation, surface water runoff, storage, green and brown roofs, green walls, provision of shading of amenity areas, buildings and streets and to help to connect habitat, designed with native plants, and adaptable to meet the predicted changed climatic conditions.

Policy QP1 'Sustainability and Placemaking', would ensure that developers provided human scale, walkable environments, and contributed to the green character of the borough through the delivery of generous green infrastructure. To secure multiple biodiversity, recreational, health and well-being and environmental benefits, development proposals would be required under QP2 'Green and Blue infrastructure' to contribute to the maintenance, enhancement, and, where possible, enlargement, of the borough's existing green and blue infrastructure both in terms of quantity and quality.

Development proposals would be expected to pay particular attention to the provision of blue infrastructure in their proposals. This could include, but was not limited to, improving and restoring the quality and quantity of existing natural water features, as well as man-made features and Sustainable Drainage Systems (SuDS).

In relation to NR1 'Managing Flood Risk and Waterways' Councillor Stimson highlighted that significant parts of the borough were in Flood Zones 2 and 3 and therefore could not be built on. The BLP sought to minimise the impact of climate

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change and one of the key ways to achieve this was by adapting to climate change through the careful management of flood risk. Conversely, the area may well be faced with water shortages, so planning policy would help in terms of Policy NR2 'Nature Conservation and Biodiversity'.

These policies were complex and different depending on where the development was. Planners needed to have a BLP that had been carefully examined to act as the lens through which to examine each application. There were another 14 policies in the BLP that included nature conservation, biodiversity, renewable energy, and air pollution. Taken as a whole, this is why the council needed to adopt the BLP without delay. The borough would be a more sustainable borough with the BLP than without. Once agreed, the BLP would give the planning department teeth to protect the environment and would free the planning policy team to start working on the much needed SPDs that sat alongside the BLP.

Councillor Bhangra commented that the BLP had been many years in the making and had been found to be sound by the Inspector. As Boyn Hill ward councillors he and Councillor Carroll had made representations on a piece of land that was initially proposed for inclusion as an industrial and business use as its allocation would have been damaging to the local economy. The ward councillors had met with residents both for and against the plan. Most understood the need for the plan was rational. The plan may not be perfect for some Members or residents but if it were not adopted, it would allow for speculative development and a free for all on the green belt which would be damaging in itself.

The meeting adjourned for 15 minutes; restarting at 10.05pm.

Councillor Hill stated that he was supportive of a Borough Local Plan based on rational housing projections that sought to utilise brownfield sites and kept the green belt green. From what he had heard, sadly he could not support the proposed plan. The backdrop was one of hopelessly inflated housing need. The Plan allowed for 15,940 dwellings, 250% of housing need as detailed by the Office of National Statistics in July 2019, that being only 6,382 dwellings. The figure for built or committed to date was 6,955 dwellings.

The Office of National Statistics had published data that showed births at their lowest for 40 years and had said this position would only become exacerbated. On this basis alone Councillor Hill felt the plan was fatally flawed and showed that a dramatic slow-down in the pace of construction was required.

RBWM had declared a Climate Emergency. It made no sense to build on green belt land, particularly 2600 homes on Maidenhead Golf Club and Harvest Hill, destroying two stunning natural habitats. The result would be massive carbon dioxide emissions and chaos on borough roads, during and after construction. The borough would lose the last green lung in Maidenhead, the last major carbon sink, a major water retention zone, pollutant adsorption system and major oxygen factory. This would be replaced with the persistent release of greenhouse gases and pollutants from thousands of car journeys and homes each day.

Bray Parish was an area of poor air quality as detailed in a recent report. Air quality was also poor in Maidenhead on Braywick Road and around the station. Maidenhead Golf Club and Harvest Hill lay between the two. The council was at risk

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of creating a massive area of poor air quality running all the way from Maidenhead into Bray, which would be foolhardy in the extreme. Nitrogen dioxide levels recorded in these areas already exceed World Health Organisation guidelines for health. Elevated levels of nitrogen dioxide could cause damage to the human respiratory tract and increase a person's vulnerability to, and the severity of, respiratory infections and asthma. High levels of nitrogen dioxide were also harmful to vegetation, damaging foliage, decreasing growth or reducing crop yields.

Councillor Hill felt the proposal was about money, rather than housing or affordable housing. The Vision Document for the development showed a build density of 80 – 145 dwellings per hectare for up to 80% of the site with building heights of 4 to 7 flats. Councillor Hill therefore felt it was a high-density development optimised for profit. Councillor Hill highlighted the petition signed by 4448 residents and the three protests held outside the Town Hall with hundreds of residents, their children and numerous public speakers. He believed there would be another abuse of power in the chamber with a complete disregard for resident's views, their health, and their children's health. He asked if the Conservative councillors would have the moral courage to vote against the Borough Local Plan or abstain.

Councillor W. Da Costa stated that times had changed and so therefore must the plan. The world was facing global warming, a climate emergency, and biodiversity heading for mass extinctions greater than those experienced since the loss of the dinosaurs. By 2040 the weight of plastics in ocean would be greater than the weight of fish and marine life. This would result in dead oceans, polluted seas, toxins, and microplastics accumulating in the food chain. The council had repeatedly failed to take this seriously including its responsibility to care for the environment. Rather than conservation or enhancement, what was needed was wholesale creation or recreation of habitat including planting hundreds of thousands of trees.

Councillor McWilliams had said the council had declared a climate emergency and he would be bringing forward a housing SPD. However, the SPD would only add granular detail and not create something new. The Corporate Plan would shape the future of the borough but it did not place carbon reduction, climate resilience, biodiversity restoration, plastic pollution at the heart of its agenda. 50% of residents said they wanted this but they had been ignored.

Councillor Johnson had said he wanted to prevent speculative development and a developers' free-for-all. Councillor Stimson had said the BLP would stop irresponsible development. Councillor W. Da Costa suggested that the BLP was a developers' charter as it specified environmentally disastrous development, higher levels of pollution and stipulated irresponsible development. Councillor Coppinger had highlighted the need to build affordable housing including family homes. However Countryside were struggling to sell the flats in Maidenhead due to 2001 parking policy and the change of the Crossrail routing.

The BLP did not specify housing that met the borough's needs. The BLP did not meet the needs of residents. Councillor W. Da Costa suggested perhaps the council could invest some of the millions it spent in emergency housing in social housing, to keep housing stock available for the borough's children and true affordable and sustainable housing.

Councillor Johnson had talked of the need for economic growth. Councillor W. Da Costa agreed, with a focus on developing a green economy that would generate many millions of pounds of revenue each year to the council and new companies in RBWM.

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Councillor Johnson had highlighted that the Inspector had endorsed the fundamental approach. Councillor W. Da Costa highlighted the comments of Professor Strzelecki, who had noted clear legal concerns. The Inspector had been misled so the conclusion the Inspector reached was erroneous, which would result in a legal challenge and appeal. Members had not heard from RBWM legal officer, Mr. Beard, on these concerns.

Councillor W. da Costa concluded by highlighting the number of concerns and questions about the BLP, the process RBWM had followed and the Conservative Administration.

Councillor Larcombe stated that he had lived in the same place in the borough for 70 years. He knew the place, the people and the problems, and he had tried to bring them to Members' attention. He had earlier submitted a proposed amendment to the motion which would add additional wording to the recommendation to adopt the BLP:

'accompanied by a declaration that the proposed developments (individually or collectively) will not exacerbate flooding'.

The Monitoring Officer referred Members to paragraph 2.13 and 2.17 in that the council could not adopt the plan unless it did so in accordance with the Inspector's recommendation. This was taking into account the main modifications. It was not permissible to make amendments to the plan; Council did not have the power to make such amendments under legislation. The amendment was therefore not valid.

Councillor Larcombe therefore asked for an assurance that the proposed developments (individually or collectively) would not exacerbate flooding.

Councillor Larcombe commented that in 1992 he had appeared at a planning enquiry into the Jubilee River. He had been beaten into the deck by the barristers questioning his qualifications. In 1995 the minister had approved the scheme. The borough did not put a penny in as the scheme was funded by the then Regional Flood Defence Committee. The scheme was built and opened in 2002. In January 2003 the EA opened the gates at the top end and flooded everything downstream from Datchet to Sunbury and the entire structure fell apart costing £5m, followed by an out of court settlement for substandard design and construction. Flooding had occurred in Datchet in 2003 and 2014. The council had never put any money into the River Thames Scheme despite knowing how much would be needed and they knew in June 2017 that they were not willing or able to contribute. The residents of Datchet, Horton and Wraysbury were not told until July 2020.

Councillor Haseler commented that he understood residents' concerns. He himself had run a campaign between 2016-2020 against a green belt development in Cox Green including representing residents as a Rule 6 party enabling cross-examination. The council was now in the position of making the BLP so inappropriate developments could be rejected. He was concerned that some speakers had dismissed the statutory process the plan had gone through over many years. Due process had been followed including public hearings and consultation. Residents and other parties had been listened to through the process. He was hearing that some people did not want to see development anywhere on green belt, which was an impossible task. The council had a statutory requirement as a Local Planning Authority to have a plan in place. There had been comments that things had changed, which was correct, but amendments had been made to the plan. The Inspector, appointed by the Secretary of State, was

fully qualified. He could guarantee that any plan before Council would never be perfect, nobody would agree with it in its entirety. Councillor Haseler felt that the arguments about a lack of due process and that residents were not listened to were ludicrous. He highlighted that there was no planning application yet for the golf course. The proposals included retaining Rushington Copse, building a school and a doctor's surgery and creating open spaces. There were lots of benefits. With every single planning application there were pros and cons and they would come out in the planning process.

Councillor Taylor commented that all knew the BLP had been in the pipeline for a long time. Things had changed dramatically since work was started on the plan in more ways than one. Covid had changed the way people lived, worked and travelled. It had changed how businesses operated with many not surviving. People had lost their jobs and banks were bringing in stricter rules on mortgages and the pandemic was not yet over. The world had changed, and the council's actions should reflect this.

The council had also declared a climate emergency and this was not overtly reflected in the plan before Members. Councillor Taylor felt it could not when the council was looking at building over hundreds of acres of green land, displacing wildlife such as deer and foxes, cutting down mature trees which provided oxygen and ground stability through their roots, along with increasing the number of cars on borough roads, therefore increasing the pollution for residents. Affordable housing had no true definition which means that it is more often than not, not actually affordable. Until there was a set definition then the council was pandering to a policy which did not mean that much. Residents were seeing more and more housing being built that they simply could not afford, leaving many trapped in private rent or forced to move out of the borough.

Councillor Taylor had looked online to see what kind of prices Cala Homes sold their properties for. The cheapest price for a three-bedroom family home was a staggering £520,000 in Warfield and £599,000 in Tilehurst. These were hardly affordable for residents by any stretch of the imagination. The proforma for the golf course site also had no mention of social housing and the only mention of affordable housing was a quote of the planning policy already in existence for a development of this size. It was known from years of experience that many developers simply opted out of the affordable housing policy by offering a S106 payment instead. She therefore asked what guarantee was there that any truly affordable housing would be built within the BLP.

Whilst planning was clear that if a development was in a sustainable location, parking on the site could be much lower, this did not always work in reality. The borough was large and suffered from an inadequate and unreliable bus service, trains with expensive ticket costs and basic disjointed cycle and active travel infrastructure. Whilst the measures that Cala proposing to put in place on the golf club site were admirable, most people realised that this rarely worked. People would still drive. They may work in places that were not easily accessible by train or bus service. They may not wish to take their lives into their own hands with very little safe cycle infrastructure in place between towns. Therefore fears for increased road traffic, increased pollution levels and the further deterioration of infrastructure are well founded.

The proforma for the golf course also had high density properties along the Shoppenhangers Road edge towards the town centre. High rise flats or 5-7 storeys at

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least were hardly in keeping with the area, which had detached houses bordering most of the site and even the flats in Shoppenhangers Road were built to emanate this with the third floor often being in the roof space. The only way to achieve the levels of density mentioned on this site was with high rise properties. The local MP Theresa May had recently come out publicly to state she did not wish for high rise flats to be built on the site.

The BLP mentioned SPDs throughout its many pages and yet many of these had not yet been completed and there was no definitive timescale for these to be done. Councillor Taylor questioned how Members could be asked to support a plan that was seemingly incomplete. She also asked where would housing be put at the end of the period of the plan, when large sites had been taken out of the green belt for development and the government stated yet more housing needed to be built. Releasing land from green belt should be a last resort and she feared that it had left the borough with its back up against a very large wall and in a corner with nowhere to go.

Councillor Walters commented that he had represented Bray ward for many years. He had also been a member of the parish council, the council's representative on the CPRE and a staunch supporter of the Holyport Residents' Association. Many in his ward would be aware of his commitment to protect the green belt and his efforts over the last few years to question and critique the BLP draft submission.

Councillor Walters explained that, in his opinion, thousands of dwellings had been submitted to the Inspector that were neither required nor needed. In these circumstances most people would consider it incongruous and possibly dishonourable for him to fully endorse the plan. The roads in the borough were already congested. Whilst he did not support the plan without revisions, the position before Members was non-negotiable. If the plan was not adopted the council would not have a plan leaving an open season which would be the worst of all worlds. It would be a grave dilemma if the plan was not approved. In these circumstances he would follow the democratic process and support the motion. If the plan was adopted, he would do all he could to mitigate future damage particularly in his ward which he felt had been unnecessarily targeted.

Councillor Bowden referred to a recent decision on appeal for a five storey block of flats in the centre of Windsor on a brownfield site and the granting of permission to build four houses on a car park. There was no space left in Windsor other than on the outer areas. In relation to air quality Councillor Bowden highlighted the contrails of carbon dioxide emissions that could be seen over Windsor. That evening he had tracked a flight from Chicago to Addis Ababa flying directly overhead. He felt he had not received much support from the Maidenhead area in his opposition to the third runway.

Councillor Bowden referred to an email he had received from a resident in relation to heritage under threat in the Willows. He had acknowledged the email and received a further reply that stated:

'Thank you very much for your reply Councillor Bowden. To clarify for the purposes of this evening's meeting, I hope it is clear that Willows residents are not challenging the adoption of the BLP, just that we are asking Councillors to acknowledge and formally note at the meeting that there had been a serious omission that the non-designated

heritage asset status of the Willows estate had been overlooked and this should be taken into account by RBWM Councillors and officers when the planning applications start to arrive.'

Councillor McWilliams commented that delivering new homes was about much more than hitting housing targets and a home was much more than an investment of bricks and mortar. A home was somewhere to keep warm; somewhere to seek shelter; somewhere to go to rest; somewhere to feel secure; somewhere to raise and protect children as well as to enjoy life with friends and family. As policy makers, Members could not see homes simply as financial assets but as the building blocks of a happy society.

RBWM was one of the best places to live in the country and the huge success of the borough had seen an influx of talented individuals and young families, entrepreneurs, and people seeking a part of the good life. This had added to the borough's economic strength, wealth of ideas, talent, and community spirit. However, this success had not been without some losers and no doubt some younger residents, vulnerable residents, and even some life-long residents, who had fallen on hard times, may feel that they had not benefited from the economic growth and success of the borough. These were not people who had moved to an area they could not afford, but local people, who felt they were shut out from taking a stake in their own community.

The borough did not want to be one where children of life-long residents felt they needed to leave to get a place of their own or a borough that did not have sufficient social housing to give rough sleepers a second chance or a borough where life-long residents were forced to move away because they could no longer afford to live here. Instead, RBWM should be a borough that delivered new homes not only for those coming into the Borough, but for those who were already there.

At present, housing costs in RBWM saw too many local residents unable to afford to buy their own home and start a family, let alone rent, and others were in overcrowded accommodation. All were struggling to live and thrive in their home area. Shelter defined housing affordability to be 35% of total income spent on rent. RBWM's Housing Strategy demonstrated that a resident would need to earn more than £50,000 to achieve that against the average market rent in RBWM, over £40,000 at affordable rent (80%), and over £25,000 at social rent (50%). Whilst average RBWM house prices had risen 35% in 13 years, UK real wages had only risen by 5.6% in the last 12 years.

This had resulted in over 1,000 local residents being on RBWM's housing register and RBWM helping over 80 residents over the last few years previously sleeping rough into homes and there were dozens more on the rough sleeper pathway. It was important that they and all other residents facing unsustainable housing costs were represented; the housing market had simply failed them for too long. Councillor McWilliams commented that he received hundreds of emails about the unsustainable situation so many residents are in on a weekly basis.

More genuinely affordable housing which meant a variety of price points, sizes, affordable tenures, including crucially social rent was needed. What was affordable to one person would vary but certainly creating sufficient choice to bring down the average salary required to meet Shelter's definition of affordability was a good place to start. There was a grotesquely unfair land market in the UK that focussed land value

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returns in the hands of small numbers and forced costs for physical and social infrastructure on taxpayers. If only government could buy land at cost value to capture land value uplift to deliver higher levels of genuinely affordable housing. Unfortunately there was a planning system that seemed at times almost specifically designed to prevent affordable housing, particularly social housing. This was of course beyond the scope of the meeting, but that did not mean that the council should not try to do what it could.

It was within the council's power to utilise publicly-owned sites to deliver higher levels of affordable housing than could be delivered on privately-owned sites, because a council did not have shareholders, but had residents to answer to. Land value receipts that would otherwise become developer profits could then be used to deliver higher levels of affordable housing. This could be secured through the relevant SPDs.

Adopting the BLP would enable the council to reverse the historic mistakes that had created such hideous social injustice where so many residents of all ages most acutely younger people and families, key workers, and others in need were squeezed out of their home area. The council should give local residents hope they could thrive in their home area, not feel like they were being told 'sorry you do not earn enough to live here, please leave'.

The council should recognise the basic humanity that an affordable home brought to individuals and families. Councillor McWilliams saw the BLP as an opportunity to do just that.

Councillor Carroll commented that he had read all the documentation and had talked to residents. From his own employment he understood the critical importance of having a plan or a strategy in place. Relativity demanded content, perspective and facts. There was a legal requirement to have an up to date plan and a statutory process to follow to achieve that. The process had been expertly scrutinised including by the Inspector at public meetings. He thanked the planning officers who had used professional due consideration throughout the process.

Councillor Carroll highlighted the situation in South Oxfordshire where the lack of an approved plan had lead to paralysis and legal issues.

Councillor Carroll also referred to the opportunities around health and education. He had recently brought a report to Cabinet outlining future school place requirements. In addition, the NHS was working on future plans. In relation to St Marks it had been made clear that they had had to suspend services due to covid-19. A Joint Strategic Needs Assessment would be coming forward and other plans to respond to the consequences of the pandemic. He had great faith in the Frimley Integrated Care System. Councillor Carroll echoed the comments by Councillor McWilliams in relation to affordability. In relation to Boyn Hill he echoed the comments of his fellow ward councillor. Simply seeking to gobble up commercial industrial land would be the wrong decision.

Councillor Singh stated that he loved his ward, his town and his borough and he would not be voting to approve the plan.

Councillor Clark acknowledged that the process had been long and protracted. The plan had been examined in public and the Inspector had found it to be sound based

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on the assessed housing need; the council had a binary choice. If the plan was rejected there would be damage, danger and uncertainty.

Councillor Clark highlighted that there had been dramatic progress in relation to infrastructure including road improvements, active travel and electric vehicles. The BLP was not the end but the building of the borough's future.

Councillor Rayner stated that she believed the BLP was the best way protect and preserve the borough and set a strategic planning framework to protect communities from speculative applications. Councillor Rayner explained that she was passionate about culture and heritage and believed the BLP was the best way to protect it for residents, visitors and future generations.

The borough was rich in culture and heritage with 956 listed buildings, 12 registered parks and gardens, and 17 scheduled ancient monuments including Windsor Castle and Windsor Great Park. Many of the Neighbourhood Plans mentioned views of the castle and how important they were. It was crucial that these assets were safeguarded, protected and enhanced. The BLP also supported tourism as an industry crucial for the local economy. The balance of protecting whilst allowing for growth was in the plan. Both must be respected and encouraged to meet the residents, business and visitors.

Councillor Cannon highlighted that the BLP protected the borough moving forward. Councillors in the east were very much aware of this as areas had been taken out that would have been open to speculative development. This included sites in Old Windsor, the Alma Road Police station site and in his ward the Tithe Barn site and the St Augustine's church site. Councillors who voted against the plan would be voting to allow development in these areas that were currently protected. Each ward had its own issues around development sites but the plan was a borough-wide plan.

Councillor Coppinger concluded the debate. He applauded Councillor Walters' honesty and his statement about the free for all that would occur if the plan was not accepted. In relation to the Willows, Councillor Coppinger confirmed that he had spoken to a number of residents. A masterplan for the area had been put together. He understood the point about heritage and would ensure the issue was raised at the planning application stage. At the request of Councillor Stimson the Sustainability SPD would be brought forward and would sit under the national legislation.

Councillor Coppinger reiterated that the housing numbers were correct. He set out the choices for Members when voting. Choice one was to vote no and pass the borough into uncertainty with the Secretary of state forcing the plan in or even worse a free for all that the council could not control, with the green belt being decimated. Choice two would secure the future of the borough including more employment space, retaining 82% of green belt, homes for the next generations, affordable homes, a new school provision, green spaces open to all and new policies covering every aspect of life in the borough. He understood it was a difficult decision but he felt the value of the plan was greater than the negatives.

It was proposed by Councillor Coppinger, seconded by Councillor Johnson and:

RESOLVED: That Council notes the report and resolves to:

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- i) **Adopt the Borough Local Plan 2013-2033 (as set out in Appendix A), which incorporates the Main Modifications recommended by the Inspector (Appendix C) and Additional Modifications (Appendix D).**
- ii) **Agree to make the alterations to the adopted Policies Map (as shown in Appendix E) that are necessary to give effect to the policies of the adopted Borough Local Plan as modified.**
- iii) **Delegates authority to the Head of Planning, in consultation with the Cabinet Member for Planning, Environmental Services and Maidenhead to make any minor non-material corrections as additional modifications to the adopted Borough Local Plan as considered necessary ahead of publication and publicity in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).**

A named vote was taken. 22 Councillors voted for the motion; 17 councillors voted against the motion.

Borough Local Plan - Adoption (Motion)	
Councillor John Story	For
Councillor Gary Muir	For
Councillor John Baldwin	Against
Councillor Clive Baskerville	Against
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Against
Councillor John Bowden	For
Councillor Mandy Brar	Against
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	Against
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	Against
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Lynne Jones	Against
Councillor Neil Knowles	Against
Councillor Ewan Larcombe	Against
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	Against
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Against
Councillor Donna Stimson	For
Councillor Chris Targowski	For

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Councillor Helen Taylor	Against
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

The meeting, which began at 7.00pm, finished at 11.08pm

Chairman.....

Date.....