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Notice of Meeting

Cabinet

Councillors Simon Werner (Chair), Lynne Jones (Vice-Chair), Richard Coe, Geoff Hill, Joshua Reynolds, Catherine Del Campo, Adam Bermange, Karen Davies and Amy Tisi

Wednesday 13 December 2023 7.00 pm Grey Room - York House - Windsor & on <u>RBWM YouTube</u>



Agenda

Part I

Item	Description	Page
	Apologies for Absence	
1	To receive any apologies for absence.	
	Declarations of Interest	
2	To receive any declarations of interest from Cabinet Members.	5 - 6
	Minutes	
3	To consider the minutes of the meeting held on Wednesday 29 November 2023.	7 - 14
4	Appointments	
	Forward Plan	
5	To consider the Forward Plan for the period January 2024 to April 2024.	15 - 20

Cabinet Member Reports

	Review of the Cabinet Decision to not dispose of the Open Space Land at Braywick Park, Maidenhead	
	Cabinet Member for Communities & Leisure	
6	 To note the report and: i) Reconsider the decision of Cabinet not to dispose of open space land at Braywick Park taken on 27th July 2023, taking into account representations made in two resident led petitions; ii) Reaffirm the original decision to stand; iii) Or, if Cabinet approve a change in decision, delegate responsibility to the Executive Director of Place in consultation with the Cabinet Member for Communities and Leisure to recommence the open space notice process in relation to a proposed disposal of the land at Braywick Park 	21 - 70

	Draft 2024/25 Budget	
	Deputy Leader of the Council & Cabinet Member for Finance	
	To review the council's approach to balancing the budget and:	
7	 i) note the draft revenue budget for 2024/25 included in this report, which shows a preliminary balanced position. ii) note the proposed capital budget for 2024/25 and revised Medium Term Financial Plan to 2028/29 set out respectively in Appendices A and B. iii) consider the proposed budget pressures and savings / transformation / income proposals set out in Appendices C and D; iv) note the Equality Impacts Assessments shared at Appendix E; and v) agree to commence public consultation on the draft 2024-25 budget, including proposals to increase Council Tax by the maximum allowed by Government. The consultation is expected to run from 14th December 2023 to 22nd January 2024. 	71 - 136
	Procurement of Stop Smoking Services	
8	Cabinet Member for Adults, Health & Housing Services To note the report and delegate authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Cllr del Campo (Lead Member for Adult Services, Health and Housing Services) to approve the outcome of the current Stop Smoking Procurement exercise.	137 - 156
	School Condition Allocation 2024/25	
	Cabinet Member for Children's Services, Education & Windsor	
9	 To note the report and: Approve the school condition capital schemes for 2023/24 set out in Appendix C, and their budgets as set out in Appendix D (Part II). Recommend the school condition capital schemes for 2024/25 as set out in Appendix C, and their budgets as set out in Appendix D (Part II), for inclusion 2024/25 capital programme, to Council. Delegate approval of further projects for inclusion in the 2023/24 and 2024/25 SCA capital programme to the Director of Children's Services and Education in consultation with the Cabinet Member for Children's Services, Education and Windsor. Note the indicative programme of capital schemes for 2025/26 and 2026/27. Delegate authority to the Director of Children's Services and the Procurement Manager to undertake procurement and enter into contracts for the delivery of the schemes set out at Appendix C, including where varied under recommendation (ii). Request that consideration be given to establishing a corporate revenue fund for survey and feasibility works relating to the maintenance and development of the council's assets. 	157 - 190
9	 i) Approve the school condition capital schemes for 2023/24 set out in Appendix C, and their budgets as set out in Appendix D (Part II). ii) Recommend the school condition capital schemes for 2024/25 as set out in Appendix C, and their budgets as set out in Appendix D (Part II), for inclusion 2024/25 capital programme, to Council. iii) Delegate approval of further projects for inclusion in the 2023/24 and 2024/25 SCA capital programme to the Director of Children's Services and Education in consultation with the Cabinet Member for Children's Services, Education and Windsor. iv) Note the indicative programme of capital schemes for 2025/26 and 2026/27. v) Delegate authority to the Director of Children's Services and the Procurement Manager to undertake procurement and enter into contracts for the delivery of the schemes set out at Appendix C, including where varied under recommendation (ii). vi) Request that consideration be given to establishing a corporate revenue fund for survey and feasibility works relating to the 	157 - 190

	 To note the report and: i) Approve the adoption of the Building Height and Tall Buildings Supplementary Planning Document, as set out in Appendix B. ii) Delegate authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management for minor changes to the Supplementary Planning Document to be made prior to publication. 	
	Mill Lane Conservation Area Appraisal	
	Cabinet Member for Planning, Legal & Asset Management To note the report and:	
11	 i) Agree the draft appraisal document. ii) Delegate authority to the Assistant Director of Planning in Consultation with the Cabinet Member for Planning, Legal and Asset Management to a) approve and publish any minor changes to the Mill Lane Conservation Area Appraisal document, prior to its publication for consultation, and b) commence a period of public consultation on the document, including a drop-in session at a local venue. iii) Agree that the appraisal document would come back to Cabinet after consultation, following a review of the responses received, for a decision on whether it can be adopted as a material planning consideration. 	425 - 502
	Article 4 Direction–removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential)	
12	 Cabinet Member for Planning, Legal & Asset Management To note the report and: i) Agree a non-immediate Article 4 direction be made to remove the permitted development rights (within Schedule 2 of the General Permitted Development Order 2015 (as amended)) to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites as shown in Appendix B and to prepare and undertake a public consultation. ii) Delegate authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management, to approve and publish any minor changes to the Article 4 direction and supporting documents, prior to its publication. iii) Agree that the Article 4 direction would be taken back to Cabinet after consultation following a review of the responses received, for a decision on whether it can be confirmed. 	503 - 570
	LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC	
13	Agenda item 9 is supported by an annex containing exempt information as defined in Schedule 12A of the Local Government Act 1972. If Cabinet wishes to discuss the content of these annexes in detail, it may choose to move the following resolution:	
	"That pursuant to Regulation 4 of the Local Authorities (Executive	

Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 9, which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:	-
(3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)."	

Part II

Cabinet Member Reports

14	School Condition Allocation 2024/25	
	To consider Appendix D in Part II if required.	
	(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)	571 - 574

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Oran Norris-Browne, Oran.Norris-Browne@rbwm.gov.uk, with any special requests that you may have when attending this meeting.



Published: Tuesday 5 December 2023

Agenda Item 2

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the council.
- Any licence to occupy land in the area of the council for a month or longer.
- Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.
- Any beneficial interest in securities of a body where:
 - a) that body has a place of business or land in the area of the council, and

b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which *directly relates* to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Revised October 2022

Other Registerable Interests:

a) any unpaid directorships
b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
c) any body
(i) exercising functions of a public nature
(ii) directed to charitable purposes or
(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, or a body included under Other Registerable Interests in Table 2 you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which affects -

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in the Members' code of Conduct)

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter (referred to in the paragraph above) *affects* the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Agenda Item 3

<u>CABINET</u>

WEDNESDAY 29 NOVEMBER 2023

PRESENT: Councillors Simon Werner (Chair), Lynne Jones (Vice-Chair), Richard Coe, Geoff Hill, Joshua Reynolds, Catherine Del Campo, Adam Bermange, Karen Davies and Amy Tisi

Also in attendance: Councillors Helen Price, David Buckley and Mark Wilson

Also in attendance virtually: Councillor Gurch Singh

Officers: Oran Norris-Browne, Stephen Evans, Lin Ferguson, Elizabeth Griffiths, Andrew Durrant, Elaine Browne, Kevin McDaniel, Alysse Strachan, Christopher Wheeler and Neil Walter

Officers in attendance virtually: Andrew Vallance, Tim Golabek, Becky Hatch and Emmanuel Ogedengbe

Apologies for Absence

No apologies for absence were received.

Declarations of Interest

No declarations of interest were made.

<u>Minutes</u>

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 25 October 2023 were approved.

Appointments

Cabinet noted the appointments.

Forward Plan

Cabinet noted the Forward Plan for the next four months including the following additional changes:

- The 'Maidenhead Parking Strategy' item scheduled for January Cabinet was to be removed from the Forward Plan as this would now be going to the Place Overview & Scrutiny Panel instead.
- The 'Pickins Piece' item would also be removed from the Forward Plan, following the comments at the Corporate Overview & Scrutiny meeting in November 2023. This would allow greater time for alternate options to be looked at.

Councillor Bermange, Cabinet Member for Planning, Legal & Asset Management, asked if the Affordable Housing Supplementary Planning Document could be added for the January Cabinet meeting. Specifics would be confirmed offline.

Councillor Price had contacted the Chair and the Cabinet clerk prior to the meeting requesting some additional wording and a link to the Forward Plan to be included within each Cabinet

agenda moving forward. This would allow residents greater access to the webpage, to be able to see what Key Decisions were to be coming forward. Councillor Bermange thanked Councillor Price for this suggestion and welcomed it. This change was implemented.

In-year Monthly Budget Update

Councillor Jones, Deputy Leader of the Council and Cabinet Member for Finance, introduced the monthly budget update to Cabinet. She stated that additional processes had been put in place, which had seen good progress in addressing the financial situation. Month 7 showed an increase in demand for Adult's services, which was a statutory service, due to additional complexed needs and additional audit fees of £400,000. She added that despite this amount being equivalent to the fees in 2019/20, this had not been included within February's budget. The total forecasted overspend for the end of the financial year was now £7.3 million, with the contingencies being applied, this would reduce to £3.7 million. Without the hard work from officers in implementing the new processes such as a Spending Control Panel, this could have seen an even greater increase of £1 million.

Councillor Jones then said in reference to the audit fees that the finance team had been under-resourced for some time and their focus has been on day-to-day tasks. She said that things were now being focussed upon and the recruitment of more staff would now occur. As part of the administration's transparency agenda, appendix B outlined some risks and assumptions, with an impact if known. This had been newly introduced. She then said that external borrowing was forecast to be £204 million, and that the Council needed to begin to repay the accumulated debt, which had not been addressed over the previous four years.

Councillor Jones then outlined the recommendations that were before Cabinet. She then proposed a minor amendment to the recommendation that was outlined within the report itself. These were to note that the steps in recommendation i) that referred to improving governance had moved from paragraph 5.1 to the summary section and that the capital figures were in paragraph 11 and not 10. The recommendations, however, did not change other than where the references were located within the report.

The Chair thanked Councillor Jones and the finance team for all of their hard work in addressing the Council's financial position. He labelled the current budget as a fake budget, with the inclusion of ridiculous savings targets and plans to deliver them. He made it one of the new administration's top priorities to fix the mess that had been inherited from the previous administration.

Councillor Coe, Cabinet Member for Environmental Services, said that legacy issues such as ignoring the audit, not allocating enough money towards social care, and not repaying any of the accumulated debt had caused the issues that faced the Council. He wished to pay thanks to the officers particularly within his Cabinet portfolio for the savings that they had been able to make.

Councillor Price said that the report stated that improvements had been made to the Prop Co governance at the Council and she wished to understand what specifically had occurred. Additionally, she said that what had been revealed over the past few months was that robust processes had not been in place, the Council was short of staff, IT had not been harnessed in a way that it should have been, capital receipt had been understated, expenses had been understated and income had been overstated. She asked how had this come to pass?

Councillor Bermange replied to the Prop Co question and said that the new administration and Chief Executive identified the governance of this as being something that needed to be addressed. The borough was the sole client and also the sole shareholder in Prop Co, which meant that the Council were the owner. Shareholder panels were now being held regularly, which allowed for the borough to easily hold Prop Co to account and look at the wider picture of it and challenge its processes robustly.

Councillor Jones then replied to the second question. She referred to the hollowing out of the core of officers and that when staffing numbers were cut as extensively as they had been, some things would ultimately slip due to under resourcing. She stated that a third of officer posts had been made vacant and that some poor decisions that had been made were not simply down to the officers, but down to the handling of the staffing situation by the previous administration.

In reference to the point on the auditors, she noted that everything had been kicked down the road. It was now up to the new administration to put new processes in place to move forward with the Council's finances.

AGREED: That Cabinet:

- i) noted the forecast revenue outturn for the year was an overspend on services of £7.396m which reduced to an overspend of £3.688m when including unallocated contingency budgets and changes to funding budgets (para 4);
- ii) noted that the Council's approach to in-year budget monitoring and management was being strengthened – as part of a wider approach to improving corporate governance at RBWM - as set out in within the report; and
- iii) noted the forecast capital outturn was expenditure of £46.332m against a budget of £87.784m (para 11).

EV ChargePoint Procurement

Councillor Hill, Cabinet Member for Highways and Transport, Customer Service Centre and Employment, outlined the report to Cabinet by saying that the forecast suggested that by 2035, there would be around 50,000 electric vehicles in the borough. There were currently 4,000. He then offered some factual information that was set out within Appendix B of the report. The Council had secured £327,000 of funding from the local EV infrastructure levy. As a result of this, the Council had also been invited to bid for a further £927,000 worth of funding from the Department of Transport. The second part of the plan was to invest around £200,000 per annum into the installation of EV Charge Points across the borough. It was estimated that 600 would be needed on the street, with additional ones being placed in car parks. The £200,000 annual cost would be coming from CIL and S106 payments. He then outlined the Oxford Dynamic Purchasing System and the recommendations that were before Cabinet.

Councillor K Davies, Cabinet Member for Climate Change, Biodiversity and Windsor Town Council, said that vehicles counted for around a third of all carbon emissions within the borough and she also said that electric vehicles were not the sole answer for climate change, but were of course a great step forward. She also added that it was a financially secure plan.

Councillor Reynolds, Cabinet Member for Communities & Leisure, said that it was important to highlight the difference in strategy between the current administration and the previous one. The original plan was for 30 Charge Points to be placed in car parks, whereas now it was 225.

The Chair agreed and said that it was also being financed by grant funding and therefore would not burden the Council taxpayer with further costs.

Councillor Buckley asked a question as a non-cabinet member. He asked that as the Council were considering a bid for the EV infrastructure, had the Cabinet or officers included the target and legal implications that all new boats were to be electric only, from 2030. He added that as we lived around the River Thames, had this been built into the strategy for the bid. With boat usage growing at the highest rate in recent times could consideration be given to this target timeline. Councillor Reynolds thanked him for his question and said that this was of course very important to consider, and he confirmed that the Cabinet had certainly considered it and were planning to utilise this in the future.

AGREED: That Cabinet noted the report and accepted an invitation to tender and tender evaluation documents for the delivery, operation and maintenance of EV charge points,

that were prepared for issue through the Oxford Dynamic Purchasing System, and included in a bid for government Local EV Infrastructure funding.

Annual update on demand for school places

Councillor A Tisi, Cabinet Member for Children's Services, Education and Windsor, introduced the report to Cabinet. She said that local authorities had a legal duty to ensure that they were able to provide an adequate number of school places for the borough's pupils, in order to meet demand. She then offered some factual information on the current scenarios within each area of the borough, being Ascot, Windsor and Maidenhead. Birth rates remained quite low. Ascot looked reasonably steady in the short to medium term, Datchet & Wraysbury required more junior school places, more places were required in the South East of Maidenhead, but there were spaces in other areas within Maidenhead. She ended her submission by outlining the recommendations that had been put forward to Cabinet, with some further background information also being provided.

Lin Ferguson, Executive Director of Children's Services, thanked Councillor A Tisi for her words and wished to add a few minor points. She said that there had been a lot of international migration within Maidenhead, potentially causing the minor issue in the South-East of the town. Secondly, Lin Ferguson said that discussions had occurred with the Headteachers of Windsor schools and to change the schooling system would be far too expensive.

Councillor Bermange said that it looked like from the report that there was currently no need for a school to be built on the Maidenhead Golf Course site and that school places could accommodate this potential influx of pupils. Councillor A Tisi confirmed this.

Councillor Del Campo, Cabinet Member for Adults, Health & Housing Services, wished to comment on the number of pupils who were coming to the borough to attend schools and praised the Ofsted ratings of these.

AGREED: That Cabinet noted the report and:

i) Supported discussions around a potential bulge class at Datchet St Mary's CE Primary School for September 2025.

ii) Delayed the opening of a new primary school at Chiltern Road, Maidenhead, until at least September 2026, and requested that this be reconsidered in Autumn 2024.
iii) Requested that further places for junior age children were provided in Maidenhead using existing spare physical capacity.

iv) Requested that proposals for temporary reductions in Published Admission Numbers were agreed with Windsor first and middle schools, to reduce the number of projected surplus places in the town.

v) Requested that public consultation was carried out for changes to the Royal Borough's school admissions arrangements for September 2025, as set out in paragraph 5.7.

vi) Requested that officers work with Alexander First School and the Ministry of Defence on plans to rethink education and community provision on the Broom Farm Estate in Windsor.

vii) Requested further investigation of the potential to expand Churchmead School, in consultation with neighbouring local authorities.

Highway Services Contracts – Award

Councillor Hill introduced the report and thanked the highways officers for all of their hard work when it came to the contract. He said that there were four lots that were being considered by Cabinet. These were:

• Lot 1 – Highways Maintenance and Capital Works

- Lot 2 Street Cleansing
- Lot 3 Highway, Transport and Bridge Professional Services
- Lot 4 Traffic Signal & ITS Maintenance

Councillor Hill then outlined the recommendations that was being asked of Cabinet to approve. He said that the recommendations allowed for the Council to hold the successful parties to account, greater accountability and that they would have more control over ongoings, unlike in previous years. There was also a small saving of £115,000 per annum over the course of 7 years, which was a positive.

The Chair thanked Councillor Hill for his presentation of the report and noted that there was an appendix in part II, which contained specific details of the preferred bidders. Unless required, Cabinet would consider the recommendations in part I of the report. He believed that it was ridiculous with the amount of outsourcing within the Council, especially with highways over the years.

Councillor Coe said that once the successful bidders had been informed, then the part II information would be released as part of the new administration's transparency agenda.

Councillor Jones said that when the highways contract was first outsources, she had major concerns. She welcomed the new contract and also the savings that would now be made too.

AGREED: That Cabinet noted the report and delegated authority to the Executive Director of Place Services in consultation with the Cabinet Member for Highways and Transport, Customer Service Centre and Employment to:

- i) Approve the appointment of the identified Preferred Bidders (PART II Appendix B) following a Tender process which had been undertaken by the Council for the following Highways Services Contracts:
- Lot 1 Highways Maintenance and Capital Works
- Lot 2 Street Cleansing
- Lot 3 Highway, Transport and Bridge Professional Service
- Lot 4 Traffic Signal & ITS Maintenance
- ii) Award the Lot 1 contract to the Preferred Bidder for an initial period of 7 years with options for two extension periods of 4 and 3 years. (7+4+3).
- iii) Award the Lot 2 contract to the Preferred Bidder for an initial period of 7 years with options for two extension periods of 4 and 3 years. (7+4+3).
- iv) Award the Lot 3 contract to the Preferred Bidder for an initial period of 7 years with options for two extension periods of 4 and 3 years. (7+4+3).
- v) Award the Lot 4 contract to the Preferred Bidder for an initial period of 7 years with options for two extension periods of 4 and 3 years. (7+4+3).

York Road Phase I, Maidenhead

Councillor Bermange outlined the report that was before Cabinet. He said that it had originally been scheduled to appear at October Cabinet, however some additional work had occurred since then, hence its appearance at the November Cabinet meeting.

Councillor Bermange said that Council had been in a development partnership with a company called 'Countrycide' for a number of years. One of the sites that had been developed, was the site in question at York Road, Maidenhead. Phase I had now been completed, but at this stage phases II and III were not to be pursued. He outlined some of the commercial units that now resided within this site, which had in turn brought further life to that area of Maidenhead. He then outlined the ways in which Countrycide could proceed, and explained the recommended approach to Cabinet which was outlined within the recommendations of the report.

One appendix was listed in part II however this was considered by the Cabinet in part I.

AGREED: That Cabinet noted the report and:

- i) Approved RBWM entering into a formal contract with Countryside outside of the Development Agreement to capture the capital value from Countryside's headlease sale as relates to the notional 4,000 sq. ft commercial floorspace.
- ii) Delegated authority to the Executive Director of Place in consultation with the Cabinet Member for Planning, Legal and Asset Management and Managing Director of the Property Company to complete the contract with Countryside.

Early Adoption of Fees & Charges

Councillor Jones said that an action plan to address the financial situation of the Council had been agreed by Cabinet and subsequently at Council. One of the actions was to maximise income through fees and charges. The report before Cabinet asked to approve the rise in fees & charges as of January 2024. This would generate an additional £411,000. The shortfall of around £7 million needed to be addressed.

Councillor Jones then compared the band D Council tax amount between the borough and Bracknell Forest as being £353. The difference with Reading was £652. The Cabinet did not wish to take this course of action, but they believed that it was of the upmost importance to address the growing debt and the overspend that had been discussed previously within the meeting.

Lastly, Councillor Jones then outlined the recommendations that had been put forward to Cabinet to decide upon.

Councillor Hill said that the current Cabinet were victims of the previous administration's handling of the Council's finances. He secondly noted that the policy of national government was also hampering the Cabinet's ability to manage their finances efficiently.

Councillor Reynolds said that it was very important to remember why the current administration had to take the action before them. He said that the previous administrations can kicking down the road approach was the reason for this.

Councillor Price asked for clarity on the process of the budget when it came to Councillors from the wider Council. Councillor Jones confirmed that the budget would be going to Overview & Scrutiny as usual and made a point to say that the paper before Cabinet was considered an urgent item due to the serious financial situation of the Council, hence why it had been brough forward from the main budget for consideration now.

Councillor Price then asked about community groups and charity groups when it came to the use of parks. Councillor Reynolds said that it was vital to ensure that nobody was discouraged from using the borough's parks. When groups filled in the form to apply to run an event in a park, there would be a discretionary section when if applied, it would suggest that persons were unable to apply to hold the event in the park, due to the cost of doing so. This was to be avoided at all costs, with the discretionary element being utilised by officers as and when forms came in, he added that officers were also getting in touch with regular known groups who make use of the parks.

Councillor Jones then requested two amendments to the recommendations that were before Cabinet. These were as followed:

 That the headings of 'Fixed Penalty Notice for fly tipping' and 'Fixed Penalty Notice for failing to produce documentation for the transfer of waste' be removed from Appendix A, with the further remaining headings under 'Environmental Protection' to be reviewed, with an updated version to be published within the consultation. ii) That the headings 'Fixed Penalty Notice for Littering', 'Fixed Penalty Notice for Graffiti (New Fee)' and 'Civil Penalty of Littering for Vehicle (New Fee)' under 'Community safety / anti-social behaviour' be removed from Appendix A and included elsewhere within the report.

Alysse Strachan, Assistant Director of Neighbourhood Services, said in relation to fixed penalty notices, that these were not necessarily used for financial gain, but rather to act as a deterrent for people to stop doing certain things such as littering. The maximum amount that could be used, was being pursued for this reason.

AGREED: That Cabinet noted the report and:

- i) To increase fees and charges detailed at Appendix A, from 1 January 2024. This included a wide range of fees and charges but excluded parking.
- ii) To go out to public consultation on the proposed parking fees and charges set out at Appendix B, for 21 days, ahead of proposed implementation of revised fees and charges from February 2024.
- iii) Agreed that the Executive Director of Place Services in consultation with the Leader of the Council, Cabinet Member for Finance and Cabinet Member for Highways and Transport, will approve revised parking fees and charges, following the end of the consultation period and analysis of the feedback; and implement these after the mandatory 28-day notice period.
- iv) That the headings of 'Fixed Penalty Notice for fly tipping' and 'Fixed Penalty Notice for failing to produce documentation for the transfer of waste' be removed from Appendix A, with the further remaining headings under 'Environmental Protection' to be reviewed, with an updated version to be published within the consultation.
- v) That the headings 'Fixed Penalty Notice for Littering', 'Fixed Penalty Notice for Graffiti (New Fee)' and 'Civil Penalty of Littering for Vehicle (New Fee)' under 'Community safety / anti-social behaviour' be removed from Appendix A and included elsewhere within the report.

Council Tax Base 2024/25

Councillor Jones introduced the report by saying that the objective of the report was to reset the Council's tax base to a more realistic level, which was because the borough predicted that they would be in receipt of less income. She said that this was a legacy issue and that action now needed to be taken. She ended her submission by outlining the recommendations that were before Cabinet.

AGREED: That Cabinet noted the report and:

- i) Approved the Council Tax base for the whole of the Borough area, for 2024/25 at 69,742.5 as detailed in the report and appendices. This was a decrease of 507.7 over the 2023/24 base, a 0.72% decrease.
- ii) Noted a Council Tax collection rate of 98.5% for 2024/25.
- iii) Noted an estimated deficit on the Council Tax Collection Fund in 2023/24 of £0.801m of which the Council's share was £0.633m

The meeting, which began at 7.00 pm, finished at 8.12 pm

CHAIR.....

DATE.....

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Changes made to the Cabinet Forward Plan since the Cabinet meeting on 29.11.23:

Item	Scheduled date	New date	Reason for change
Quarterly Assurance Report	24.01.24	-	New Item

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FORWARD PLAN OF CABINET DECISIONS

All enquiries, including representations, about any of the items listed below should be made in the first instance to Democratic Services, Town Hall, St Ives Road, Maidenhead. Email: <u>democratic.services@rbwm.gov.uk</u>

Residents can access the Cabinet Forward Plan via the following link - <u>Browse Forward Plans - Cabinet (moderngov.co.uk)</u>. The Forward Plan is published at least 14 days prior to the beginning of that month's business. All Key Decisions that are planned to be taken by the Cabinet, shall be listed here, covering the next four month period.

ITEM	Private Meeting - contains exempt/ confidential information ? See categories below.	Short Description	Key Decision , Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date and name of meeting	Date of Council decision (if required)
January In-Year Monthly Budget Update	Open -	A monthly report to provide an update on the Council's finances.	No	Deputy Leader of the Council and Cabinet Member for Finance (Councillor Lynne Jones)	Elizabeth Griffiths	Internal	Cabinet 24 Jan 2024	
Quarterly Assurance Report	Open -	The "Quarterly Assurance Report" (QAR) is focused on the latest available position in relation to performance indicators (Q2 2023/24 or where latest data is available until October 23) and the corporate risk	No	Leader of the Council and Cabinet Member for Community Partnerships, Public Protection & Maidenhead (Councillor Simon Werner)	Stephen Evans, Becky Hatch	Internal	Cabinet 24 Jan 2024	

FORWARD PLAN

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/ confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
		register. Audit and Workforce insights are also included.						
February In-Year Monthly Budget Update	Open -	A monthly report to provide an update on the Council's finances.	No	Deputy Leader of the Council and Cabinet Member for Finance (Councillor Lynne Jones)	Elizabeth Griffiths	Internal	Cabinet 28 Feb 2024	
Empty Property Strategy	Open -	Cabinet to agree RBWM's Empty Property Strategy. The Empty Property Strategy aims to work with empty homeowners to increase the supply of housing. The strategy will set out the approach RBWM will take to provide a clear direction for addressing empty homes which blight communities and adversely affect neighbourhoods.	Yes	Cabinet Member for Adults, Health & Housing Services (Councillor Catherine del Campo)	Andrew Durrant, Amanda Gregory	Consultation may be required with residents, landlords.	Cabinet 24 Apr 2024	

ITEM Private Short Descri Meeting - contains exempt/ confidential information? See categories below	ption Key REPORTING Decision, Council whom or other? representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	(please specify r	Date and name of meeting	Date of Council decision (if required)
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DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1 Information relating to any individual.

2 Information which is likely to reveal the identity of an individual.

3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter -arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

6 Information which reveals that the authority proposes:

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or

(b) to make an order or direction under any enactment.

7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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Agenda Item 6

Report Title:	Cabinet review of previous decision concerning the disposal of open space land at Braywick Park, Maidenhead and associated petitions.
Contains	No - Part I
Confidential or	
Exempt Information	
Cabinet Member:	Councillor Reynolds, Cabinet Member for
	Communities and Leisure
Meeting and Date:	13 Dec 2023
Responsible	Andrew Durrant, Executive Director of Place
Officer(s):	&
	Elaine Browne, Deputy Director of Law &
	Governance
Wards affected:	Oldfield



REPORT SUMMARY

On the 27th July, Cabinet considered the objections received to the proposed disposal of land (by grant of a lease) at Braywick Park, Maidenhead following the publication of an Open Space Notice. The full details can be found within the associated Cabinet Report in <u>appendix A</u> of this report, which included the specific recommendation as follows:

 That Cabinet consider the objections received in relation to the proposed disposal (by the grant of a lease) of land at Braywick Park, Maidenhead ("the Open Space") following the statutory notification of the Council's intention to dispose of the Open Space and having regard to the objections, confirm whether it agrees to the disposal of the Open Space.

Following public speakers and debate across the Cabinet, The Cabinet Member for Communities and Leisure proposed that they did not agree to the disposal of the open space, with the following agreed unanimously:

• That Cabinet considered the objections received in relation to the proposed disposal (by the grant of a lease) of land at Braywick Park, Maidenhead ("the Open Space") following the statutory notification of the Council's intention to dispose of the Open Space and having regard to the objections, confirmed that they did not agree to the disposal of the Open Space.

The purpose of this latest report provides Cabinet the opportunity to review the previous Cabinet decision taken on 27July 2023 following a closed two e-petitions placed on the Council's e-petition portal. Details of the two petitions can be found at Appendix B of this Report.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- Reconsiders the decision of Cabinet not to dispose of open space land at Braywick Park taken on 27th July 2023, taking into account representations made in two resident led petitions;
- ii) Reaffirms the original decision to stand;
- iii) Or, if Cabinet approves a change in decision, delegates responsibility to the Executive Director of Place in consultation with the Cabinet Member for Communities and Leisure to recommence the open space notice process in relation to a proposed disposal of the land at Braywick Park

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
A) To reconsider the previous decision not to dispose of open space land at Braywick Park, Maidenhead to provide for the relocation of Maidenhead Football Club and reaffirm the decision to stand	Cabinet will take full account of the previous report considered on 27th July but also representations made in a closed resident led petition.
B) Cabinet approves a change in decision and as a result delegates responsibility to the Executive Director of Place in consultation with the Cabinet Member for Communities and Leisure to recommence the open space notice process in relation to a proposed disposal of the land at Braywick Park	If Cabinet take forward this option, officers would act under delegated powers to recommence the open space notice process and the decision in relation to the disposal of the Land (having regard to any objections received during the Open Space Notice Process) would be brought back to Cabinet.

2.1 The recommendations to be considered will be set within the context of the previous Cabinet Paper (appendix a) and historical decision making process undertaken to date.

3. KEY IMPLICATIONS

3.1 Key implications are set out in the previous Cabinet report, depending on the decision take by Cabinet will determine next steps.

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 As previously outlined the council will receive in return for the sale of the land, subject to planning, a capital receipt of circa £460,000. This has currently not been identified in the 2023/24 Budget and 2024/25 MTFP. This will only be paid if planning permission is achieved.

5. LEGAL IMPLICATIONS

- 5.1 The "move us or lose us" petition which Cabinet are being asked to consider states that when making its original decision on 27 July 2023, Cabinet only considered the adverse consequences of the loss of open space and did not fulfil its obligation to also consider the advantages of leasing the land to the football club meaning that it did not take a balanced view in its decision making.
- 5.2 The Council has sought advice from the Council's Monitoring Officer which has confirmed that the Council's decision on 27 July 2023 was lawful. In accordance with the Council's Constitution, members of the public may address Cabinet or ask questions of Cabinet in respect of any Part I agenda item. Neither Maidenhead United Football Club nor a representative on behalf of the football club made a request to address Cabinet at the meeting.
- 5.3 Under section 123(2A) of the Local Government Act 1972, where a Local Authority intends to dispose of land held as public open space, they must first advertise their intention to do so in a newspaper circulating in the area where the land is situated
- 5.4 The Council's Petitions Protocol provides that "If a Petition is received relating to a matter which is subject to a statutory consultation process after the statutory process has concluded, then the Petition will not be accepted by the Council." Therefore, the petition has been accepted on the basis that the statutory consultation (open space notice procedure) will have to be carried out prior to any further decision making process on the substantive issue.

6. RISK MANAGEMENT

- 6.1 Throughout the wider process, officers have regularly taken key advice from the Legal Department to ensure any risk is mitigated. This includes valuation advice from external experts and legal advisors.
- 6.2 More specifically officers received advice in terms of the Open Spaces Notice to ensure compliance and due process was followed correctly, for which RBWM Legal Department have confirmed was executed correctly and in line with Legislation.

7. POTENTIAL IMPACTS

7.1 Equalities. An Equality Impact Assessment is available as part of the previous Cabinet Report in appendix a.

8. TIMETABLE FOR IMPLEMENTATION

8.1 Implementation date will be subject to the decision taken by Cabinet and subsequent actions required.

9. APPENDICES

- 9.1 This report is supported by two appendices:
 - Appendix A Cabinet Report 27th July titled: Disposal of Open Space Land at Braywick Park, Maidenhead
 - Appendix B details of the two petitions

10. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officer (or deputy)		
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	1/12/202 3	5/12/2023
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	1/12/202 3	1/12/2023
Deputies:			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer		
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer		
Mandatory:	Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract	-	
Lyn Hitchinson	Procurement Manager		
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer		
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer		

Other consultees:			
Directors (where			
relevant)			
Stephen Evans	Chief Executive	28/11/20	
		23	
Andrew Durrant	Executive Director of Place	28/11/20	28/11/202
		23	3
Kevin McDaniel	Executive Director of Adult		
	Social Care & Health		
Lin Ferguson	Executive Director of Children's		
	Services & Education		

Confirmation relevant Cabinet	Cabinet Member for Communities & Leisure	Yes	
Member(s) consulted			

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision	No	No

Report Author: Andrew Durrant, ED-Place

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Report Title:	Disposal of Open Space Land at Braywick
	Park, Maidenhead
Contains	No - Part I
Confidential or	
Exempt Information	
Cabinet Member:	Councillor Reynolds, Cabinet Member for
	Communities and Leisure
Meeting and Date:	27 July 2023
Responsible	Andrew Durrant, Executive Director of Place
Officer(s):	
Wards affected:	Oldfield



REPORT SUMMARY

The purpose of this report is to formally consider the objections received to the proposed disposal of land (by grant of a lease) at Braywick Park, Maidenhead following the publication of an Open Space Notice placed in the Maidenhead Advertiser on 28 April and 5 May 2022. A plan of the land in question is at Appendix B.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION:

 That Cabinet consider the objections received in relation to the proposed disposal (by the grant of a lease) of land at Braywick Park, Maidenhead ("the Open Space") following the statutory notification of the Council's intention to dispose of the Open Space and having regard to the objections, confirm whether it agrees to the disposal of the Open Space.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options	arising from t	his report
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Option	Comments
 A) To agree to the disposal of (by grant of a lease) land at Braywick Park, Maidenhead to provide for the relocation of Maidenhead Football Club (MUFC) 	Following the publication of the Open Space Notice, the disposal of land is conditional on the grant of planning permission to relocate MUFC facilities to Braywick Park, the next stage would be for the club to submit a full planning application to be determined. If planning permission is not granted, the proposal for relocation will not go forward.
 B) To not agree to the disposal of (by grant of a lease) of land at Braywick Park, Maidenhead 	This option presents a number of social- economic impacts that Cabinet would need

Option	Comments	
	to consider. The key issue for the Council is to balance any adverse consequences of the loss of open space, having regard to the objections received, against the advantages of leasing the to MUFC.	
	The Council received a total of 22 objections to the Open Space Notice and these concerns need to be carefully considered.	
	The officer decision was also called in by Place O&S and several representations and concerns were raised.	
	The land transfer has been valued at £460,000 financial benefit to RBWM and the Council would receive a capital receipt for this amount (subject to planning permission being granted) and Maidenhead United FC would have the opportunity to develop within a new facility and deliver the key objectives of their business plan.	

- 2.1 An Officer Decision Notice concluding the Open Space Notice process was published by Democratic Services in March 2023 (a copy of the Decision Notice is at Appendix C) and subsequently reviewed (following call in) by Place Overview and Scrutiny on 20 April 2023.
- 2.2 The Overview and Scrutiny Review went beyond the scope of the Open Space Notice Process that was the basis of the Officer Decision Notice, to question the valuation of the lease premium, the lease tenure period and status of the legal agreement. These matters are not pertinent to the Open Space Notice process.
- 2.3 The Place Overview & Scrutiny Panel referred the decision back to the Executive Director of Place to reconsider the decision (on the basis that the original Cabinet decision of December 2019 delegated authority to take forward the proposal regarding the lease and Open Space Notice to the Executive Director). The Council's constitution allows a decision which has been delegated to an officer to be passed back to the delegating body for decision. The Executive Director for Place has subsequently made the decision to pass the decision back to Cabinet following the referral of the decision (a copy of the Decision Notice is at Appendix D). Cabinet is therefore now being asked to consider the objections to the Open Space Notice and to consider whether it agrees to the disposal (by the grant of a lease) of the Open Space.

Background

2.4 Maidenhead United Football Club ("MUFC") approached the Council in October 2019 about the potential to relocate to the Northern part of Braywick Park.

- 2.5 The request was considered at Cabinet on 19th December 2019. Cabinet agreed the release of the land at Braywick Park and delegated authority to the Director of Place to draft the necessary legal agreements, Section 123 Report on valuation, so that a further decision could take place at Cabinet. This decision was then subject to an Overview & Scrutiny working party in early 2020; they concluded their work in October 2020.
- 2.6 Following the above negotiation and review process, Cabinet reconsidered the request to relocate the Football Club to Braywick Park at the meeting held on 26 November 2020. Cabinet agreed to the relocation of the club, subject to the grant of planning consent. A premium of £460,000.00 as recommended in the Section 123 report was agreed (this being the capital receipt the Council would receive for the land) and authority was delegated to the Director of Place to complete the lease negotiation and to undertake the statutory procedure required under s.123(2A) of the Local Government Act 1972 in relation to the disposal of above of any land consisting or forming part of an open space.

3. KEY IMPLICATIONS

3.1 As detailed the disposal of the Open Space at Braywick Park, Maidenhead has been subject to a long and detailed decision-making process. For ease the history (in chronological format) is below in table 2:

Key Date	Action / Outcome	Appendix Comments	/
October 2019	MUFC Approaches RBWM The Club initially approached RBWM about the potential to relocate to the Northern part of Braywick Park. This is part of the clubs longer term ambitions to grow the club and expand the range of services it provides throughout the borough.		
19 th December 2019	CABINET MEETING The request was considered at Cabinet on 19 th of December 2019. Cabinet agreed the release of the land at Braywick Park and delegated authority to the Director of Place to draft the necessary legal agreements, Section 123 Report on valuation, so that a further decision could take place at Cabinet.		
October 2020	O&S The decision was the subject to an Overview & Scrutiny working party and they concluded their work in October 2020.		
26 th November 2020	CABINET MEETING Cabinet reconsidered the request to relocate the Football Club to Braywick Park who agreed to the relocation of the Club, subject to		

Table 2 – key dates, actions and outcomes

PENDIX A – De	cember 2023 Meeting	
	the grant of Planning consent, a premium of £460,000.00 as recommend in the Section 123 report and delegated authority to the Director of Place to complete the lease negotiation and to undertake the statutory procedure required under Section 123(2A) of the Local Government Act 1972 (open space procedure)	
3 rd March 2022	The Agreement for Lease	
	The Agreement for Lease was completed on the 3 rd of March 2022, delayed by the impact of the Pandemic.	
	The lease of the site at Braywick Park <u>will</u> only occur should a planning consent be granted by the Local Planning Authority for the development of the Football Clubs new facilities and the approval to dispose of open space granted.	
28 April	Open Space Notice	Appendix E
2022 & 5 May 2022	Public Open Space notice published for two consecutive weeks in a local media outlet, the Maidenhead Advertiser and displayed in Maidenhead Library.	
5th May	Open Space Notice	Appendix F
2022	22 objections received in relation to the disposal of the Public Open Space	
4 th April	Officer Decision Notice	Appendix C
2023	Publication of Officer Decision Notice concluding the Open Space Notice process	
20 th April	Overview & Scrutiny	
2023	decision was reviewed by Place Overview Sight and Scrutiny Panel and passed back to the Executive Director of Place for reconsideration of the decision	
25 th May	Officer Decision Notice	Appendix D
2023	Publication of Officer Decision Notice passing the decision in relation to disposal of the Open Space back to Cabinet	
L	1	

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The council will receive in return for the sale of the land, subject to planning, a capital receipt of £460,000. This is currently not been identified in the 2023/24 Budget and 2024/25 MTFP. This will only be paid if planning permission is achieved.

5. LEGAL IMPLICATIONS

- 5.1 Under section 123(2A) of the Local Government Act 1972, where a Local Authority intends to dispose of land held as public open space, they must first advertise their intention to do so in a newspaper circulating in the area where the land is situated.
- 5.2 The Council must give full consideration to any objections received in response to its notice of disposal.
- 5.3 The key issue for the Council is to balance any adverse consequences of the loss of open space, having regard to the objections received, against the advantages of leasing the land.

6. RISK MANAGEMENT

- 6.1 Throughout the wider process, officers have regularly taken key advice from the Legal Department to ensure any risk is mitigated. This includes valuation advice from external experts and legal advisors.
- 6.2 More specifically officers received advice in terms of the Open Spaces Notice to ensure compliance and due process was followed correctly, for which RBWM Legal Department have confirmed was executed correctly and in line with Legislation.

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as Appendix A.
- 7.2 Climate change/sustainability. Any impact to climate and sustainability have been considered at the stage of reviewing the feedback following the Open Spaces Notice. Whilst some objectives do raise concern about the loss of open green space, there are existing sport facilities in situ and the full design and recommendations will be explored at length as part of a full planning application for which environmental impacts will be assessed.

8. CONSULTATION

- 8.1 As required by the statutory process the intention to dispose of the Open Space was advertised for two consecutive weeks in the Maidenhead Advertiser on 28 April 2022 and 5 May 2022. A copy of the Open Space Notice is at Appendix E.
- 8.2 22 objections in relation to the disposal of the Open Space were received. A copy of the objections together with responses to the objections are at Appendix F.
- 8.3 Following the closure of the Open Space Notice period, officers of the council come together to review objections received that related to specific areas such as Property, Sport & Leisure, Parks & Countryside and Infrastructure. This was

used to provide initial comments on the objections so that the Director of Place could take an overarching view and consider the outcome of the notice.

- 8.4 Appendix F also includes a summary table of what themes the objections related to, the list of which alongside the number of responses are detailed below:
 - Damaging to the physical and economic health of our community and to wildlife (x2)
 - Environmental impact football pitches are not considered to enhance biodiversity (x3)
 - Goes against council's continued assurance that it will protect green space (x1)
 - Football ground development can only be tolerated if Maidenhead Golf Club is not developed (x1)
 - New developments in Maidenhead are apartments and flats with little/no private outdoor spaces (x5)
 - Impact on air quality, animal diversity (x3)
 - Net detrimental environmental impact through existing football ground being developed for housing (x3)
 - Adverse impact on infrastructure building additional flats at current football stadium (x1)
 - Land upheld as community use for all new stadium will not be available for all (x3)
 - Destruction of MUFC heritage (x4)
 - There are no outline plans for new football stadium, so it is not possible to make any informed judgement (x3)
 - More information is needed on public access to proposed football land (X1)
 - More information is needed on flooding impact (X2)
 - There is no evidence presented to explain need for a new ground (X1)
 - Wait for outcome of public inquiry at Ray Mill Road East before deciding on the loss of further open space (X1)
 - Plan contravenes inspector's evaluation of the BLP, which stated the site was to remain in the Green Belt (X1)
 - The disposal is in contravention of the NPPF (X1)
 - Disposal of this land could only be acceptable if a like-for-like site is provided within a similar distance (± 10%) of the town centre (X1)
 - What control will RBWM have on the design, use and accessibility of the site? (X1)
 - No public discussion of this proposal (X1)
 - Is there a need for the housing capacity justifying the release of the current football club land? Are we not entitled to a more transparent public debate on this? (X1)
 - Conflict with Corporate Plan (X1)
 - Conflict with BLP Quality of Place policies (X1)
 - Conflict with BLP Infrastructure policies (X1)

- 8.5 Subsequently, an Officer Decision Notice (ODN) was published which can be found in appendix C. The decision at the time was to approve the disposal of land. However, this was 'called-in' and members of the Place Overview and Scrutiny panel made clear concerns of the impact caused by disposing of land and that the decision should be reviewed.
- 8.6 Given that the decision has been referred back to Cabinet, it is now for Cabinet to determine whether the land transfer should go ahead and balance the objections from the consultation against the potential benefits of the transfer.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediate

10. APPENDICES

- 10.1 This report is supported by 6 appendices:
 - Appendix A Equality Impact Assessment
 - Appendix B Plan showing the land at Braywick Park, Maidenhead edged red
 - Appendix C Officer Decision Notice (published 4th April 2023) attached
 - Appendix D Officer Decision Notice (published 25th May 2023) attached
 - Appendix E Open Space Notice
 - Appendix F Objections received in relation to the proposed disposal of the Open Space together with responses to the objections

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by 3 background documents:
 - Cabinet Agenda and Minutes 19 December 2019
 - Cabinet Agenda and Minutes 26 November 2020
 - Place Overview & Scrutiny Panel Agenda and Minutes 20 April 2023

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officer (or deputy)		
Andrew Vallance	Deputy Director of Finance/ interim S151 Officer	11/07/23	18/07/2023
Elaine Browne	Deputy Director of Law & Governance and Monitoring Officer	11/07/23	17/7/23

Deputies:			
Mandatory:	Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract		
Lyn Hitchinson	Procurement Manager		
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer		
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer		
Other consultees:			
Directors (where relevant)			
Stephen Evans	Chief Executive	11/07/23	
Andrew Durrant	Executive Director of Place	11/07/23	12/07/23
Kevin McDaniel	Executive Director of Adult Social Care & Health		
Lin Ferguson	Executive Director of Children's Services & Education		

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Communities & Leisure	Yes	
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision	No	No

Report Author: Andrew Durrant, Executive Director of Place

Appendix A

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Disposal of Open Space Land at Braywick Park, Maidenhead
Service area:	Place
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

To formally consider the objections received to the proposed disposal of land at Braywick Park, Maidenhead following the publication of an Open Space Notice placed in the Maidenhead Advertiser on 28 April and 5 May 2022.

The full proposals of the relocation of Maidenhead United FC are subject to formal planning approval and therefore this level of detail is not considered as part of this report.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

No, this report seeks a decision by Cabinet on the disposal of land notice and associated representations submitted at that point in time. A further, more detailed EQIA would be required if the proposed football club relocation progresses to full planning application.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal? For example, users of a particular service, residents of a geographical area, staff
Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented?
For example, compared to the general population do a higher proportion have disabilities?
 What engagement/consultation has been undertaken or planned? How has/will equality considerations be taken into account?
Where known, what were the outcomes of this engagement?
What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

APPENDIX A – December 2023 Meeting

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age			
Disability			
Sex			
Race, ethnicity and religion			
Sexual orientation and gender reassignment			
Pregnancy and maternity			
Marriage and civil partnership			
Armed forces community			
Socio-economic considerations e.g. low income, poverty			
Children in care/Care leavers			

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?
For example, adjustments needed to accommodate the needs of a particular group
Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?
 For planned future actions, provide the name of the responsible individual and the target date for implementation.
How will the equality impacts identified here be monitored and reviewed in the future?
See guidance document for examples of appropriate stages to review an EQIA.

6. Sign Off

Completed by: Ian Brazier Dubber	Date: 11/07/2023
Approved by: Andrew Durrant	Date: 17/07/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:

APPENDIX A – December 2023 Meeting

APPENDIX A – December 2023 Meeting

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APPENDIX B

PETITION DETAILS

Petition 1

Petition Title: "MOVE US OR LOSE US"

Status: Closed

Number of verified signatories: 2119

Petition Wording: see below-

We the undersigned petition the Royal Borough of Windsor & Maidenhead to refer back to Cabinet, the decision of the 27th of July not to dispose the open space land at Braywick Park to Maidenhead United Football Club for the delivery of a new community stadium, AstroTurf pitches and athletics facility. When making this decision, the Cabinet only considered the adverse consequences of the loss of open space and did not fulfil its obligation to also consider the advantages of leasing the land to the football club, meaning it did not take a balanced view in its decision making.

For 150 years Maidenhead United FC has been a key part of the fabric of the town. The success of its men's and women's adults teams, along with the significant growth of its grassroots football and wider community activities means that its existing York Road ground is no longer fit for purpose.

The disposal of the land at Braywick to Maidenhead United FC will deliver significant community benefit and will be advantageous to a range of stakeholders including the club & its supporters, Maidenhead Athletic Club and the Council and the local community.

Key advantages of the disposal include that it would:

• Enable the football club to retain a location close to the town centre at a location which is already the established sports hub for Maidenhead and benefits from good transport links and infrastructure.

• Secure the future of Maidenhead United FC and extend the economic benefit of the club to the town and the local business community.

• Enable the trustees of Maidenhead United's existing York Road ground to invest all the proceeds from the sale of York Road into a new community sports stadium incorporating additional sports and wellbeing facilities.

Deliver a community ownership structure of the new stadium and associated facilities which secures its long-term benefit for the local community and creates ring fenced income streams to ensure the ongoing maintenance and upgrade of facilities.
Provide the Maidenhead United's successful men's and women's football teams with stadium facilities which are commensurate with the requirements of the

with stadium facilities which are commensurate with the requirements of the competitions they play in.

• Transform the safety, accessibility and overall quality of stadium facilities available

for all spectators/supporters of Maidenhead United FC from the local community. • Deliver much needed additional community sports facilities for the town at NO COST to the Council. This includes two astroturfs suitable for football and rugby and a covered sports court facility for futsal and wheelchair sports.

Deliver a new floodlit athletics track and associated facilities, supported by England Athletics and Maidenhead Athletic Club, again at NO COST to the Council or MAC
Enable the Council to demonstrate it is facilitating a tangible response to the known, and currently unmet, needs in Maidenhead for additional astroturf facilities (with all existing astroturfs in the town at capacity) as well as the need to replace the towns existing dilapidated athletics facilities.

• Enable the Council to realise external investment for the additional community sports facilities the town needs without the requirement for contributions from Council budgets. This is a key consideration given the Council's current financial position and the lack of available funding for investment in community sports facilities across the borough.

• Support the health and wellbeing of the local community by increasing the opportunities available for local people of all ages and abilities to engage with sports, wellbeing and recreational activities.

• Ensure that Maidenhead United Women and Maidenhead United Futsal have a dedicated home in the town which stops them from having to train and play competitive home matches at various venues outside the borough.

• Provide facilities which will enable Maidenhead United to address the needs it cannot currently be meet because of the lack of facilities in the borough. This includes facilities required to provide for the unmet demand for women and girls football, junior football and men's and women's walking football. The club has significant waiting lists in these areas because it cannot access facilities to meet this demand.

• Provide a dedicated home for the Maidenhead United FC Community Trust including a centralised wellbeing hub, incorporating more services and offerings and enabling the more of the most disadvantaged within our community to be supported to improve their health and wellbeing.

• Provide a capital receipt for the Council as a direct result of the land being leased to the Club, providing vital income which can be reinvested to provide Council services or facilities.

• Allows the existing York Road site to be a 'brownfield' development providing hundreds of residential units in the town centre.

Petition 2

Petition Title: "Protect Open Space and Maidenhead United"

Status: Closes on 12/12/23

Number of verified signatories: 1097 (at time of the drafting of this report)

Petition Wording: see below-

We the undersigned petition the Royal Borough of Windsor & Maidenhead to uphold the decision made on the 27th of July not to dispose of the open space land at Braywick Park to Maidenhead United Football Club for the delivery of a new community stadium, AstroTurf pitches, and athletics facility.

To protect and preserve the History of the oldest continuous club in the world and our open spaces in line with our climate and corporate strategy.

While we acknowledge the historical significance of Maidenhead United FC and its contribution to the town, we believe that preserving Braywick Park as open space is of utmost importance for the following reasons:

1. Protecting Open Space: Braywick Park is a valuable green space that provides recreational opportunities for the local community. It serves as a place for families, children, and individuals to enjoy nature, exercise, and relax. Disposing of this land would result in the loss of a vital community asset.

2. Environmental Impact: Braywick Park is home to diverse flora and fauna, contributing to the local ecology.

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	-
Report Title:	Disposal of Open Space Land at Braywick
	Park, Maidenhead
Contains	No - Part I
Confidential or	
Exempt Information	
Cabinet Member:	Councillor Reynolds, Cabinet Member for
	Communities and Leisure
Meeting and Date:	27 July 2023
Responsible	Andrew Durrant, Executive Director of Place
Officer(s):	
Wards affected:	Oldfield



REPORT SUMMARY

The purpose of this report is to formally consider the objections received to the proposed disposal of land (by grant of a lease) at Braywick Park, Maidenhead following the publication of an Open Space Notice placed in the Maidenhead Advertiser on 28 April and 5 May 2022. A plan of the land in question is at Appendix B.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION:

 That Cabinet consider the objections received in relation to the proposed disposal (by the grant of a lease) of land at Braywick Park, Maidenhead ("the Open Space") following the statutory notification of the Council's intention to dispose of the Open Space and having regard to the objections, confirm whether it agrees to the disposal of the Open Space.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
 A) To agree to the disposal of (by grant of a lease) land at Braywick Park, Maidenhead to provide for the relocation of Maidenhead Football Club (MUFC) 	Following the publication of the Open Space Notice, the disposal of land is conditional on the grant of planning permission to relocate MUFC facilities to Braywick Park, the next stage would be for the club to submit a full planning application to be determined. If planning permission is not granted, the proposal for relocation will not go forward.
 B) To not agree to the disposal of (by grant of a lease) of land at Braywick Park, Maidenhead 	This option presents a number of social- economic impacts that Cabinet would need to consider. The key issue for the Council is to balance any adverse consequences of the

Option	Comments
	loss of open space, having regard to the objections received, against the advantages of leasing the to MUFC.
	The Council received a total of 22 objections to the Open Space Notice and these concerns need to be carefully considered.
	The officer decision was also called in by Place O&S and several representations and concerns were raised.
	The land transfer has been valued at £460,000 financial benefit to RBWM and the Council would receive a capital receipt for this amount (subject to planning permission being granted) and Maidenhead United FC would have the opportunity to develop within a new facility and deliver the key objectives of their business plan.

- 2.1 An Officer Decision Notice concluding the Open Space Notice process was published by Democratic Services in March 2023 (a copy of the Decision Notice is at Appendix C) and subsequently reviewed (following call in) by Place Overview and Scrutiny on 20 April 2023.
- 2.2 The Overview and Scrutiny Review went beyond the scope of the Open Space Notice Process that was the basis of the Officer Decision Notice, to question the valuation of the lease premium, the lease tenure period and status of the legal agreement. These matters are not pertinent to the Open Space Notice process.
- 2.3 The Place Overview & Scrutiny Panel referred the decision back to the Executive Director of Place to reconsider the decision (on the basis that the original Cabinet decision of December 2019 delegated authority to take forward the proposal regarding the lease and Open Space Notice to the Executive Director). The Council's constitution allows a decision which has been delegated to an officer to be passed back to the delegating body for decision. The Executive Director for Place has subsequently made the decision to pass the decision back to Cabinet following the referral of the decision (a copy of the Decision Notice is at Appendix D). Cabinet is therefore now being asked to consider the objections to the Open Space Notice and to consider whether it agrees to the disposal (by the grant of a lease) of the Open Space.

Background

- 2.4 Maidenhead United Football Club ("MUFC") approached the Council in October 2019 about the potential to relocate to the Northern part of Braywick Park.
- 2.5 The request was considered at Cabinet on 19th December 2019. Cabinet agreed the release of the land at Braywick Park and delegated authority to the Director of Place to draft the necessary legal agreements, Section 123 Report

on valuation, so that a further decision could take place at Cabinet. This decision was then subject to an Overview & Scrutiny working party in early 2020; they concluded their work in October 2020.

2.6 Following the above negotiation and review process, Cabinet reconsidered the request to relocate the Football Club to Braywick Park at the meeting held on 26 November 2020. Cabinet agreed to the relocation of the club, subject to the grant of planning consent. A premium of £460,000.00 as recommended in the Section 123 report was agreed (this being the capital receipt the Council would receive for the land) and authority was delegated to the Director of Place to complete the lease negotiation and to undertake the statutory procedure required under s.123(2A) of the Local Government Act 1972 in relation to the disposal of above of any land consisting or forming part of an open space.

3. KEY IMPLICATIONS

3.1 As detailed the disposal of the Open Space at Braywick Park, Maidenhead has been subject to a long and detailed decision-making process. For ease the history (in chronological format) is below in table 2:

Key Date	Action / Outcome	Appendix Comments	/
October 2019	MUFC Approaches RBWM The Club initially approached RBWM about the potential to relocate to the Northern part of Braywick Park. This is part of the clubs longer term ambitions to grow the club and expand the range of services it provides throughout the borough.		
19 th December 2019	CABINET MEETING The request was considered at Cabinet on 19 th of December 2019. Cabinet agreed the release of the land at Braywick Park and delegated authority to the Director of Place to draft the necessary legal agreements, Section 123 Report on valuation, so that a further decision could take place at Cabinet.		
October 2020	O&S The decision was the subject to an Overview & Scrutiny working party and they concluded their work in October 2020.		
26 th November 2020	CABINET MEETING Cabinet reconsidered the request to relocate the Football Club to Braywick Park who agreed to the relocation of the Club, subject to the grant of Planning consent, a premium of £460,000.00 as recommend in the Section 123 report and delegated authority to the Director of Place to complete the lease negotiation and to undertake the statutory procedure required under Section 123(2A) of the Local Government Act 1972 (open space procedure)		

Table 2 – key dates, actions and outcomes

3 rd March 2022	The Agreement for LeaseThe Agreement for Lease was completed on the 3 rd of March 2022, delayed by the impact of the Pandemic.The lease of the site at Braywick Park will only occur should a planning consent be granted by the Local Planning Authority for the development of the Football Clubs new facilities and the approval to 	
28 April 2022 & 5 May 2022	Open Space Notice Public Open Space notice published for two consecutive weeks in a local media outlet, the Maidenhead Advertiser and displayed in Maidenhead Library.	Appendix E
5th May 2022	Open Space Notice22 objections received in relation to the disposal of the Public Open Space	Appendix F
4 th April 2023	Officer Decision Notice Publication of Officer Decision Notice concluding the Open Space Notice process	Appendix C
20 th April 2023	Overview & Scrutiny decision was reviewed by Place Overview Sight and Scrutiny Panel and passed back to the Executive Director of Place for reconsideration of the decision	
25 th May 2023	Officer Decision NoticePublication of Officer Decision Notice passing the decision in relationto disposal of the Open Space back to Cabinet	Appendix D

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The council will receive in return for the sale of the land, subject to planning, a capital receipt of £460,000. This is currently not been identified in the 2023/24 Budget and 2024/25 MTFP. This will only be paid if planning permission is achieved.

5. LEGAL IMPLICATIONS

- 5.1 Under section 123(2A) of the Local Government Act 1972, where a Local Authority intends to dispose of land held as public open space, they must first advertise their intention to do so in a newspaper circulating in the area where the land is situated.
- 5.2 The Council must give full consideration to any objections received in

response to its notice of disposal.

5.3 The key issue for the Council is to balance any adverse consequences of the loss of open space, having regard to the objections received, against the advantages of leasing the land.

6. RISK MANAGEMENT

- 6.1 Throughout the wider process, officers have regularly taken key advice from the Legal Department to ensure any risk is mitigated. This includes valuation advice from external experts and legal advisors.
- 6.2 More specifically officers received advice in terms of the Open Spaces Notice to ensure compliance and due process was followed correctly, for which RBWM Legal Department have confirmed was executed correctly and in line with Legislation.

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as Appendix A.
- 7.2 Climate change/sustainability. Any impact to climate and sustainability have been considered at the stage of reviewing the feedback following the Open Spaces Notice. Whilst some objectives do raise concern about the loss of open green space, there are existing sport facilities in situ and the full design and recommendations will be explored at length as part of a full planning application for which environmental impacts will be assessed.

8. CONSULTATION

- 8.1 As required by the statutory process the intention to dispose of the Open Space was advertised for two consecutive weeks in the Maidenhead Advertiser on 28 April 2022 and 5 May 2022. A copy of the Open Space Notice is at Appendix E.
- 8.2 22 objections in relation to the disposal of the Open Space were received. A copy of the objections together with responses to the objections are at Appendix F.
- 8.3 Following the closure of the Open Space Notice period, officers of the council come together to review objections received that related to specific areas such as Property, Sport & Leisure, Parks & Countryside and Infrastructure. This was used to provide initial comments on the objections so that the Director of Place could take an overarching view and consider the outcome of the notice.
- 8.4 Appendix F also includes a summary table of what themes the objections related to, the list of which alongside the number of responses are detailed below:

- Damaging to the physical and economic health of our community and to wildlife (x2)
- Environmental impact football pitches are not considered to enhance biodiversity (x3)
- Goes against council's continued assurance that it will protect green space (x1)
- Football ground development can only be tolerated if Maidenhead Golf Club is not developed (x1)
- New developments in Maidenhead are apartments and flats with little/no private outdoor spaces (x5)
- Impact on air quality, animal diversity (x3)
- Net detrimental environmental impact through existing football ground being developed for housing (x3)
- Adverse impact on infrastructure building additional flats at current football stadium (x1)
- Land upheld as community use for all new stadium will not be available for all (x3)
- Destruction of MUFC heritage (x4)
- There are no outline plans for new football stadium, so it is not possible to make any informed judgement (x3)
- More information is needed on public access to proposed football land (X1)
- More information is needed on flooding impact (X2)
- There is no evidence presented to explain need for a new ground (X1)
- Wait for outcome of public inquiry at Ray Mill Road East before deciding on the loss of further open space (X1)
- Plan contravenes inspector's evaluation of the BLP, which stated the site was to remain in the Green Belt (X1)
- The disposal is in contravention of the NPPF (X1)
- Disposal of this land could only be acceptable if a like-for-like site is provided within a similar distance (± 10%) of the town centre (X1)
- What control will RBWM have on the design, use and accessibility of the site? (X1)
- No public discussion of this proposal (X1)
- Is there a need for the housing capacity justifying the release of the current football club land? Are we not entitled to a more transparent public debate on this? (X1)
- Conflict with Corporate Plan (X1)
- Conflict with BLP Quality of Place policies (X1)
- Conflict with BLP Infrastructure policies (X1)
- 8.5 Subsequently, an Officer Decision Notice (ODN) was published which can be found in appendix C. The decision at the time was to approve the disposal of land. However, this was 'called-in' and members of the Place Overview and Scrutiny panel made clear concerns of the impact caused by disposing of land and that the decision should be reviewed.
- 8.6 Given that the decision has been referred back to Cabinet, it is now for Cabinet to determine whether the land transfer should go ahead and balance the objections from the consultation against the potential benefits of the transfer.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediate

10. APPENDICES

- 10.1 This report is supported by 6 appendices:
 - Appendix A Equality Impact Assessment
 - Appendix B Plan showing the land at Braywick Park, Maidenhead edged red
 - Appendix C Officer Decision Notice (published 4th April 2023) attached
 - Appendix D Officer Decision Notice (published 25th May 2023) attached
 - Appendix E Open Space Notice
 - Appendix F Objections received in relation to the proposed disposal of the Open Space together with responses to the objections

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by 3 background documents:
 - Cabinet Agenda and Minutes 19 December 2019
 - Cabinet Agenda and Minutes 26 November 2020
 - Place Overview & Scrutiny Panel Agenda and Minutes 20 April 2023

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officer (or deputy)		
Andrew Vallance	Deputy Director of Finance/ interim S151 Officer	11/07/23	18/07/2023
Elaine Browne	Deputy Director of Law & Governance and Monitoring Officer	11/07/23	17/7/23
Deputies:			
Mandatory:	Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract		
Lyn Hitchinson	Procurement Manager		
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		

12. CONSULTATION

Samantha Wootton	Data Protection Officer		
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus-	Equalities & Engagement		
Fry	Officer		
Other consultees:			
Directors (where			
relevant)			
Stephen Evans	Chief Executive	11/07/23	
Andrew Durrant	Executive Director of Place	11/07/23	12/07/23
Kevin McDaniel	Executive Director of Adult		
	Social Care & Health		
Lin Ferguson	Executive Director of		
_	Children's Services &		
	Education		

Confirmation relevant Cabinet	Cabinet Member for Communities & Leisure	Yes	
Member(s)			
consulted			

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision	No	No

Report Author: Andrew Durrant, Executive Director of Place

Appendix A

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk



1. Background Information

Title of policy/strategy/plan:	Disposal of Open Space Land at Braywick Park, Maidenhead
Service area:	Place
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

To formally consider the objections received to the proposed disposal of land at Braywick Park, Maidenhead following the publication of an Open Space Notice placed in the Maidenhead Advertiser on 28 April and 5 May 2022.

The full proposals of the relocation of Maidenhead United FC are subject to formal planning approval and therefore this level of detail is not considered as part of this report.

2. Relevance Check

Is this proposal likely to <u>directly</u> impact people, communities or **RBWM** employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

No, this report seeks a decision by Cabinet on the disposal of land notice and associated representations submitted at that point in time. A further, more detailed EQIA would be required if the proposed football club relocation progresses to full planning application.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?
For example, users of a particular service, residents of a geographical area, staff
Among those affected by the proposal, are protected characteristics (age, sex,
disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity,
marriage/civil partnership) disproportionately represented?
For example, compared to the general population do a higher proportion have disabilities?
What engagement/consultation has been undertaken or planned?
 How has/will equality considerations be taken into account?
 Where known, what were the outcomes of this engagement?
What sources of data and evidence have been used in this assessment?
Please consult the Equalities Evidence Grid for relevant data. Examples of other possible
sources of information are in the Guidance document.

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age			
Disability			
Sex			
Race, ethnicity and religion			
Sexual orientation and gender reassignment			
Pregnancy and maternity			
Marriage and civil partnership			
Armed forces community			
Socio-economic considerations e.g. low income, poverty			
Children in care/Care leavers			

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it? For example, adjustments needed to accommodate the needs of a particular group	
Where a potential possible impact connet be availed what measures have been put in	
Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?	
 For planned future actions, provide the name of the responsible individual and the target date for implementation. 	
How will the equality impacts identified here be monitored and reviewed in the future? See guidance document for examples of appropriate stages to review an EQIA.	

6. Sign Off

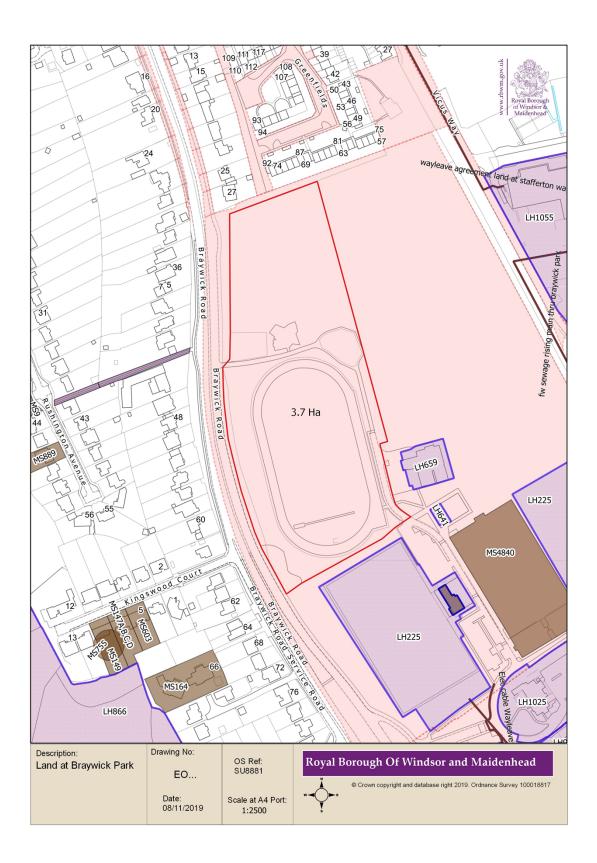
Completed by: Ian Brazier Dubber	Date: 11/07/2023
Approved by: Andrew Durrant	Date: 17/07/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:

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Appendix B Plan showing the land at Braywick Park, Maidenhead edged red



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Submitted on Tuesday, 4 April, 2023 - 13:09

Decision title: Lease of the site at Braywick Park to Maidenhead United FC

Date of decision: Tue, 04th April 2023

Decision maker name: Andrew Durrant

Decision maker job title: Executive Director of Place

Decision maker email: andrew.durrant@rbwm.gov.uk

Authority for delegated decision: Part V of RBWMs Constitution provides for a delegation to chief officers.

Reason(s) for officer decision notice: Any decision which is taken in exercise of an express delegation made to an officer by the Cabinet or a Cabinet Sub Committee

Key decision subject to call-in?: Yes

Part II (Confidential) decision?: No

Wards affected: Oldfield

:

Consultation undertaken (internal and external):

The Council approved at Cabinet on 26th November 2020 the release of the land at Braywick Park, subject to planning, for £460,000 as recommended in the s.123 report and delegated authority to Executive Director of Place to undertake the statutory procedure required under Section 123(2A) of the Local Government Act 1972 as required and to negotiate draft agreement for lease, for 999 years at a peppercorn rent.

An Open Space Notice was publicised for two weeks from 28th April 2022 in respect of the proposed disposal of the land at Braywick Park, with objections accepted until 19th May 2022. There is no statutory time constraint on considerations, but consideration should be given to the 22 objections received on balance of the disposal versus the loss of the open space.

Decision made:

That the Executive Director of Place Services having due regard to the objections



Royal Borough of Windsor and Maidenhead Form submission: Officer Decision Form

received in relation to the Public Open Space Disposal Notice and, subject to the granting of planning permission for a new stadium, agrees to proceed with the lease of the site.

Reasons for decision:

Objections to the disposal of land at Braywick Park, Maidenhead by way of lease for the principal use as a football stadium or community sports stadium together with other associated sports, wellbeing, hospitality and community facilities, have been considered by the Council on balance of disposal of the site versus loss of the open space at Braywick Park.

Taking into account comparative and competing local community needs, the Council has considered the representation received from the public and, on the balance of benefits to the community, confirms that, subject to grant of planning permission for a new stadium, is recommending that the lease of the site proceeds.

Details of any associated risks and mitigation:

The risks associated with this project are limited for the council, as it will only be releasing land to enable the future project to be delivered.

All project costs and project risk will sit with MUFC and the selected development partner for the project.

Should the scheme not get delivered, following terms being agreed, then the Council would not release the land.

The land is being released by way of a long leasehold (999 years) which is a virtual freehold, with the council retaining the ultimate freehold and a caveat that, should the site cease to be used as a football stadium, the land will revert back to the council for nil consideration.

Details of any associated finance considerations:

The council will receive in return for the sale of the land, subject to planning, a capital receipt of £460,000. This will only be paid if planning permission is achieved and is, therefore, a conditional contract.

Name of Finance officer who provided advice: Carter Jonas

Date advice given: Wed, 01st September 2021



Royal Borough of Windsor and Maidenhead Form submission: Officer Decision Form

Name of legal officer who provided advice: Katherine Lamprell

Date advice given: Wed, 06th April 2022

Details of any associated equality/ sustainability /data protection considerations: Equalities. Equalities. The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, an EQIA will be published on the council website for this project.

Climate change/sustainability. In light of the council motion to declare a climate change emergency, the development of the new stadium will need to meet BREAM standards and demonstrate that sustainable materials and construction methods are used where at all possible. The redevelopment of the existing stadium for residential purposes will also need to take account of social, environmental and economic sustainability.

Data Protection/GDPR. Due regard to the requirements of the Data Protection Act 2018 and the General Data Protection Regulation have been considered and taken into account before making a decision. In this instance, it has not been necessary to carry out a Date Protection Impact Assessment.

Details of any alternative options considered and reasons for rejection: Do Nothing: MUFC will struggle to continue with its existing facilities, which will not be suitable for future advancement in the football league or be able to bring forward much needed sports facilities to a wide range of groups in the location community.

Associated documents:

Details of any declarations of interest made: none

If you would like to receive an email receipt, then please enter your email address and confirm it below: oran.norris-browne@rbwm.gov.uk

Confirm email address: oran.norris-browne@rbwm.gov.uk

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Submitted on Thursday, 25 May, 2023 - 09:35

Decision title: Decision on 'Lease of the site at Braywick Park to Maidenhead United FC' following Place Overview & Scrutiny Panel Call-In

Date of decision: Mon, 22nd May 2023

Decision maker name: Andrew Durrant

Decision maker job title: Executive Director of Place

Decision maker email: andrew.durrant@rbwm.gov.uk

Authority for delegated decision: Part V of RBWMs Constitution provides for a delegation to chief officers.

Reason(s) for officer decision notice: Any decision which is taken in exercise of an express delegation made to an officer by the Cabinet or a Cabinet Sub Committee

Key decision subject to call-in?: No

Part II (Confidential) decision?: No

Wards affected: Oldfield

Consultation undertaken (internal and external): n/a

Decision made:

:

The Executive Director of Place has decided that this decision shall be brought back to Cabinet to review the approach and process conducted regarding the Open Spaces Notice and Disposal of Land following previous Cabinet approval.

Reasons for decision:

Following the Call-In of the Officer Decision Notice dated 4 April 2023 to the Place Overview & Scrutiny Panel, it was agreed by unanimously by the panel that the decision be referred back to the original decision maker, being the Executive Director of Place.

Details of any associated risks and mitigation: n/a





Details of any associated finance considerations: n/a

Name of Finance officer who provided advice: n/a

Date advice given: Mon, 22nd May 2023

Name of legal officer who provided advice: n/a

Date advice given: Mon, 22nd May 2023

Details of any associated equality/ sustainability /data protection considerations: n/a

Details of any alternative options considered and reasons for rejection: n/a

Associated documents:

Details of any declarations of interest made: n/a

If you would like to receive an email receipt, then please enter your email address and confirm it below:

Confirm email address:

THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD NOTICE OF INTENDED DISPOSAL OF OPEN SPACE LAND LOCAL GOVERNMENT ACT 1972 SECTION 123 (2A) LAND AT BRAYWICK PARK, MAIDENHEAD, BERKSHIRE

NOTICE IS HEREBY GIVEN that The Royal Borough of Windsor and Maidenhead intends to dispose of land by way of lease for the principal use as a football stadium or community sports stadium together with other associated sports, wellbeing, hospitality and community facilities at Braywick Park, Maidenhead, Berkshire which land forms part of an open space and is shown delineated edged red for identification purposes only on a plan.

The plan is available for inspection between the hours 09:30am – 17:30pm Monday and Tuesday, 12:30pm – 17:30pm Wednesday, 11:00am – 19:00pm Thursday, 09:30 – 17:30pm Friday, 10:00am – 16:00pm Saturday and 11:00am – 14:00pm Sunday at the Maidenhead Library, St Ives Road, Maidenhead, Berkshire SL6 1RF and on the Royal Borough of Windsor and Maidenhead's website www.rbwm.gov.uk

Objections to the intended disposal, details of which and those making them may be made public, must be made in writing and submitted to Property Services Team, The Royal Borough of Windsor and Maidenhead, Town Hall, St Ives Road, Maidenhead, Berkshire SL6 1RF or by email to property@rbwm.gov.uk by no later than **19 May 2022**.

Dated: 28 April 2022

Duncan Sharkey, Chief Executive, The Royal Borough of Windsor and Maidenhead

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Agenda Item 7

Report Title:	2024/25 Draft Budget
Contains	No - Part I
Confidential or	
Exempt Information	
Cabinet Member:	Councillor Lynne Jones, Deputy Leader and
	Cabinet Member for Finance
Meeting and Date:	Cabinet – 13 December 2023
Responsible	Elizabeth Griffiths, Executive Director of
Officer(s):	Resources and S151 Officer
Wards affected:	All



REPORT SUMMARY

This report sets out the council's proposed draft revenue and capital budgets for 2024/25 and the Medium-Term Financial Plan (MTFP) through to 2028/29.

In September, the council signalled that it was at risk of being financially unsustainable. This was driven both by a number of historic decisions and current wider financial pressures. Previous financial decisions have resulted in low levels of Council Tax funding relative to other councils; low levels of reserves ($\pm 10.2m$) relative to its budget and, compared to other unitary councils; high levels of debt as a proportion of its net expenditure. The whole of the UK economy has felt the impact of high inflation over the last 18 months and the effect of this on contract costs, coupled with an unanticipated increased demand has contributed to a significant and unexpected forecast overspend for 2023/24 of $\pm 7m$ and a projected budget gap for 2024/25 of $\pm 6m$.

The council's lack of funding, low levels of reserves and high exposure to interest rate fluctuations through its debt funding mean that it lacks financial resilience. The levels of forecast overspend and projected budget gap when added together exceeded the amount of reserves held by the council and this shortfall, if not addressed, would mean the council would be forced to declare itself unable to meet its liabilities and file a statutory Section 114 notice.

Like many councils across the country, RBWM has been hit by significantly higher than expected inflation which has driven up the cost of contracts. At the same time, interest rates have risen steeply which has increased the cost of servicing our debt. Added to this is an increase in the demand for services, particularly adult social care and children's care - where a relatively small rise in the number of clients or just one or two high-cost placements can add hundreds of thousands of pounds to council expenditure.

Where RBWM differs from other councils - and suffers an additional constraint - is that it has a historically low level of Council Tax income due to years of cuts and freezes from 2010 – 2017 (the council is not aware of any other local authority which cut Council Tax by 6 years in a row). This has resulted in a much lower level of funding than comparable councils and this limits its ability to benefit from subsequent increases as these are a percentage of a much lower base and therefore much less of an increase in actual pounds and pence. It also means that while local services operate well on the whole, they have historically been run with a very lean level of resource, making it even harder to find savings and reduce costs. The council took swift and decisive action in response to the emerging over spend and budget gap by instituting a spending control panel which challenges all avoidable spend over £500 and is working with each directorate to refine robust and deliverable plans to increase income, reduce costs and deliver transformation to close the gap. These plans were discussed and then rigorously challenged in a series of meetings involving Finance, Executive Directors, the Chief Executive and Cabinet members.

The more complex budget savings proposals will be delivered through detailed project plans, created by responsible senior officers and managed as an organisation wide transformation programme, giving the best possible chance of achieving the stated objectives and benefits.

As laid out in this report and its appendices, tough decisions have been made – and will need to continue to be made - in order to present a draft budget for 2024/25 which balances overall. The final local government funding settlement is not expected until just before Christmas and the expectation is that more work will be required in order to ensure the final budget is robust and to generate the additional revenue needed to reduce the current levels of debt which threaten the council's financial sustainability in the medium-term.

Where possible, mitigations, such as increases in fees and charges, are proposed to be implemented ahead of the next financial year in order to reduce the current year overspend and the corresponding damage to already very low level of reserves.

Despite the financial challenges, the council is spending over £100m next year on delivering services to the borough and remains ambitious for its communities. Significant additional investment is being made in our care of the most vulnerable residents.

The proposals in this paper will be consulted on in the period between this Cabinet and the February 2023 budget meetings of Cabinet and Full Council. They will also be reviewed by the Corporate Overview and Scrutiny Panel in December with the other Scrutiny Panels having the opportunity to feed their comments in for consideration.

The results of these consultations will be reported to Cabinet in February alongside analysis from engagement with other appropriate stakeholders including residents, businesses, and partner organisations.

The significant progress that has been achieved in a very short space of time and the tangible improvement in financial situation shows that RBWM has not only the opportunity to succeed and become financially viable, but the right leadership, officers and team to drive and deliver that outcome. Every service in the council has had involvement in creating this draft budget and it is only through the willing collaboration and support of the wider organisation that the current year overspend is being managed and the long-term financial projections outlined in this report will be delivered.

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet reviews the council's approach to balancing the budget and:

- i) notes the draft revenue budget for 2024/25 included in this report, which shows a preliminary balanced position.
- ii) notes the proposed capital budget for 2024/25 and revised Medium Term Financial Plan to 2028/29 set out respectively in Appendices A and B.
- iii) considers the proposed budget pressures and savings / transformation / income proposals set out in Appendices C and D;
- iv) notes the Equality Impacts Assessments shared at Appendix E; and
- v) agrees to commence public consultation on the draft 2024-25 budget, including proposals to increase Council Tax by the maximum allowed by Government. The consultation is expected to run from 14th December 2023 to 22nd January 2024.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Cabinet is requested to agree to share the draft 2024-25 budget for public consultation, prior to final budget setting	This is the recommended option
during February 2023. The council is legally required to set a balanced budget each year and consult on a	
number of elements including proposed increases to Council Tax.	

- 2.1 The Local Government Act 2000 states that it is the responsibility of the full council, on the recommendation of the executive, to approve the budget and related council tax demand. Failure to set a legal budget is likely to lead to intervention from the Secretary of State under section 15 of the Local Government Act 1999.
- 2.2 Notwithstanding the legislative requirement to set a budget, financial plans are important because they act as a financial expression of the council's policies and instruct officers on the areas they should attribute spend. The budget is effectively the resources that are required to deliver the council's stated objectives in its corporate plan (the council's new corporate plan will be presented to Cabinet in February alongside the final budget following public consultation).

3. KEY IMPLICATIONS

3.1 The council stated clearly that due to its low level of reserves, current overspend and projected budget gap for 2024/25 it was at significant risk of declaring itself unable to meet its liabilities. While significant work is underway to reduce the in year overspend, a crucial element in avoiding this is to deliver a balanced budget.

	Implication				
Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Budget Gap	>£0m	£0m	£1m surplus	>£1m surplus	31 March 2024

Table 2: Key Implications

4. FINANCIAL DETAILS

National context

- 4.1 For over a decade, local authorities have faced significant spending reductions as part of government efforts to reduce the national budget deficit. It has been a turbulent and challenging period, with the economic shocks and societal changes brought about by the pandemic, followed closely by economic turbulence, including the energy and cost of living crisis. The recent Autumn Statement made it clear that the outlook for public spending over the medium term is very challenging across the public sector with £19bn of further cuts expected after 2025.
- 4.2 Caps on the percentage increase permitted on Council Tax limits local authorities' ability to raise additional revenue to cover rising costs. Demand and costs have increased, particularly in children's services and adult social care, as well as housing and homeless services. Changes to asylum policy are putting additional pressure on local authorities in terms of housing and support for individuals who have received refugee status and are leaving Home Office accommodation at short notice.
- 4.3 High and unpredictable rates of inflation, coupled with sharp increases in interest rates over the past two years, have increased costs across the board. This has affected all areas of council spend, as well as the cost of living for residents and business operating costs.
- 4.4 More and more councils are publicly stating that they are at risk of having to issue a statutory section 114 notice in the near to medium-term, with the number of councils actually issuing the notices having risen to 7 since 2018.
- 4.5 RBWM cannot rely on support from outside, and must continue to find ways to balance its budget, in the context of this challenging financial climate.

Corporate Priorities

4.6 The council is currently developing a new Corporate Plan to set out a new set of priorities, following the change in administration and the need for a much stronger focus on addressing the serious financial challenges faced by the council. The Corporate Plan makes it clear that setting the council on to a strong financial footing to serve the borough effectively, must be the primary focus. The current financial position constrains the organisation's ability to pursue wider priorities until progress has been made.

- 4.7 Despite the financial constraints, the council remain ambitious for the borough. An overview of the Corporate Plan can be seen below, and shares the council's proposed strategic priorities. These reflect the priorities set out by the new administration, and have been informed by engagement with key stakeholder groups including young people, older people, people with disabilities and the voluntary and community sector. Further engagement with Members, parishes, staff and partners, will take place as the detail of the plan is developed.
- 4.8 The development of the new Corporate Plan and budget-setting processes are being taken forward in parallel, to ensure that the 2024/25 budget and refreshed Corporate Plan are fully aligned, and together form the framework for planning and decision-making going forward. The Corporate Plan will be shared with Cabinet in February for agreement, alongside the final budget and MTFP.

Aim 1: The council is on a strong financial footing to serve the borough effectively	 Emerging priorities: Budget & income maximisation Transforming service-delivery, including our digital offer Better use of our assets Securing investment into the borough
Aim 2: A clean, green, safe and prosperous borough	 Emerging priorities: Safe, attractive neighbourhoods Journey to net zero Local environment and biodiversity Housing and infrastructure
Aim 3: People live healthy and independent lives in inclusive and resilient neighbourhoods	 Emerging priorities: Healthy and independent living Prevention and early intervention Right support at right time Tackling inequalities
Aim 4: A high- performing council that delivers well for the borough now and in the future	 Emerging priorities: Community participation Partnership working Transparent governance Strong workforce

Figure 1: Corporate Plan Overview

The council's approach and Medium Term Financial Strategy

- 4.9 The council's approach to balancing the budget and achieving financial stability, focuses on the six themes summarised below.
 - **Service transformation:** Change the way in which we deliver priority services, including improving the council's digital offer.
 - **Prevention and demand reduction:** Provide the right support to residents at the right time, with a focus on prevention and early intervention, enabling independent living before more costly service intervention is needed.
 - **Contract management:** Manage contracts effectively and explore alternative ways to deliver to improve value for money.
 - **Income maximisation:** Maximise the income received by the council, through commercialisation, grants, fees and charges, and managing debt effectively.
 - **Asset management**: Make better use of council buildings and other assets to generate income and streamline our capital programme to reduce borrowing and make better use of CIL and S106 funding.
 - **Economic growth**: Secure investment and growth in the borough to support the local economy economy and improve the borough's infrastructure and public spaces.

5. DRAFT REVENUE BUDGET 2024-25

- 5.1 In the current financial year 2023/24, the council is forecasting a £7m overspend which is mainly driven by increased and unbudgeted costs of delivering adult social care, children's and housing services reflecting increased levels of need amongst the borough's most vulnerable residents for the council's statutory services.
- 5.2 In the same way as it affected borough residents, higher than expected inflationary increases have driven up the costs of goods, services and existing contracts. These increases are permanent and so are now part of the current cost base. In trying to balance next year's budget, there was no option to reverse them or choose not to incur them so other cost reductions and income increases had to be found to offset this additional expenditure.
- 5.3 For 2024/25, the draft budget shows an increase in funding of £7.9m (from £109m to £117m). There has however been a significant increase in the cost of delivering services with inflation driven increases (£6.4m), interest and MRP (£2.9m) and growth (£9.6m) totalling £19m. This £11m shortfall has been met by service efficiencies and transformation of £7.5m, increased income of £3.5m and a reduction in our contingency budget of £0.5m.
- 5.4 The proposed draft revenue budget and funding is set out in the table below. An accessible version of the table is included at the end of the report. Each small excerpt by directorate is a subsection of the same table.

BUDGET BY SERVICE	Base budget £'000	Pay inflation £'000	Contract inflation £'000	Income increases £'000	Efficiencies £'000	Growth £'000	Changes to grants and non- service budgets £'000	2024/25 £'000
CHIEF EXECUTIVE DEPARTMENT	1,012	28	3	0	(103)	000		941
ADULT SOCIAL CARE AND HEALTH								
Dir of Adults Social Care & Health	174	5	0	0	0	195	0	374
Adult Social Care	53,081	13	3,075	(25)	(1,690)	4,851	(407)	58,898
Adult Social Care income	(14,287)	0	0	(853)	0	140		(15,000)
Communities, transform & prtnrs Public Health	170 5,317	4 0	1 0	(1)	0	0 0	0 68	175 5,385
Public Health Grant	(5,317)	0	0	0	0	0	(68)	(5,385)
Total Adults Social Care & Health	39,137	23	3,076	(879)	(1,690)	5,186	(407)	44,447
CHILDREN'S SERVICES								
Children's Social Care	28,093	0	1,493	0	(2,758)	2,628	0	29,455
Dedicated Schools Grant Exp	78,556	0	0	0	0	0	0	78,556
Dedicated Schools Grant	(78,556)	0	0	0	0	0	0	(78,556)
Total Children's Services	28,093	0	1,493	0	(2,758)	2,628	0	29,455
PLACE								
Director of Place	20	0	0	0	0	0		21
Housing	2,019	89 40	95 72	(5) (25)	(94)	400	(14)	2,490 4,597
Infra, Sustainability & Transport Neighbourhood Services	5,128 6,665	49 75	73 724	(25) (1,980)	(628) (464)	0 912	0	4,597 5,931
Planning	1,330	94	10	(1,580)	(404)	130	0	689
Property services	(3,346)	11	24	(8)	(270)	165	0	(3,423)
Total Place	11,816	318	925	(2,155)	(2,193)	1,607	(14)	10,304
RESOURCES								
Director Resources	156	5	0	0	0	0	0	160
Finance	2,109	94	19	(14)	(115)	89	0	2,181
HR, Corporate Projects & ICT	3,182	101	47	(9)	(210)	102	0	3,214
Revs, Bens, Library & Res Services	4,239	143	62	(29)	(175)	0	0	4,239
Housing Benefit Law and Governance	(377) 3,183	0 82	0 36	(42) (30)	0 (215)	0 39	0 0	(419) 3,095
Total Resources	12,490	424		(124)	(213)	230	-	12,470
Total Service Budgets	92,549	794	5,661	(3,158)	(7,460)	9,651	(421)	97,616
				(-,,			,	
CORPORATE AND CONTINGENCY Contingency	2,337	0	0	0	0	0	(337)	2,000
Corporate budgets	700	0	0	0	0	0		525
Total Corporate and Contingency	3,037	0	0	0	0	0		2,525
OTHER NON-SERVICE BUDGETS								
Interest received	(1,152)	0	0	0	0	0	271	(881)
Interest paid	6,592	0	0	0	0	0	2,392	8,984
Minimum revenue provision	3,139	0	0	0	(25)	0	,	4,132
Pension deficit recovery contr'ns	4,400	0	0	0	(69)	0		4,501
Environment Agency Levy Total Other Non-Service Budgets	168 13,147	0 0	0 0	0	0 (94)	0 0		168 16,904
		794	E 661	(2 159)				
Net budget	108,732	/ 34	5,661	(3,158)	(7,554)	9,651	2,918	117,045
FUNDING	1	_	_				, ·	
Business rates	(14,226)	0	0	0	0	0	· · /	(15,095)
Govt grants & other funding Surplus / Deficit movements	(9,115) (165)	0 0	0 0	0	0 0	0 0	.,,,,	(10,708) (140)
Council tax	(85,622)	0	0	0	(214)	0		(140) (91,102)
Total Funding	(109,128)	0 -		0	(214)	0		(117,045)
Total	(396)	794	5,661	(3,158)	(7,768)	9,651	(4,784)	0

	Base	Pay	Contract	Income	Efficiencies	Growth	Changes to	2024/25
	budget	inflation	inflation	increases			grants and	
							non-	
							service	
							budgets	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
ADULT SOCIAL CARE AND HEALTH								
Dir of Adults Social Care & Health	174	5	0	0	0	195	0	374
Adult Social Care	53,081	13	3,075	(25)	(1,690)	4,851	(407)	58,898
Adult Social Care income	(14,287)	0	0	(853)	0	140	0	(15,000)
Communities, transform & prtnrs	170	4	1	(1)	0	0	0	175
Public Health	5,317	0	0	0	0	0	68	5 <i>,</i> 385
Public Health Grant	(5,317)	0	0	0	0	0	(68)	(5 <i>,</i> 385)
Total Adults Social Care & Health	39,137	23	3,076	(879)	(1,690)	5,186	(407)	44,447

6. ADULTS, HEALTH AND COMMUNITIES DIRECTORATE

- 6.1 Our local population is ageing and living longer, but also experiencing ill-health for longer. The cost of providing adult social care has risen for justifiable reasons, such as ensuring that those working in the sector are paid a living wage, but the bulk of the cost is controlled by private providers and with demand outstripping supply, these costs have risen sharply. This increase in costs also means that the number of people who either can't afford to pay for their own care or can no longer afford to pay for their own care is also rising. The council currently funds the care of roughly one in four people in the Borough who need it and there is a legal framework in place which requires local authorities to provide support.
- 6.2 The number of people who would require council support was significantly underestimated in the 2023/24 budget, so the 2024/25 budget proposals more accurately reflect the current demand -an increase of circa 50 additional adults.
- 6.3 While the expenditure for this service forms the bulk of council spending at 46% of the total revenue budget, cost reductions are difficult because individual placements are expensive and long term. It is noted, especially since Covid, the council can see people entering full time care much earlier than previously, meaning that the cost of their care lasts for a much longer period of time. The key measures planned to improve efficiency and deliver savings are as follows:
 - Insourcing of statutory services back to the council and practice and efficiency improvements in our commissioned services focused on helping people retain independence for longer.
 - Investigate opportunities to develop council-owned accommodation and facilities, reducing the reliance on high-cost private providers.
 - Increase the proportion of adults with learning disabilities and mental health issues, who are living independently in supported accommodation, or in a 'Shared Lives' home.

 Investment in more efficient data management systems to increase efficiency in service delivery and ensure income collection is timely and robust. An increased focus on aged debt to ensure that unpaid care provided for previous recipients does not impact our ability to care for those currently in need.

	Base	Рау	Contract	Income	Efficiencies	Growth	Changes to	2024/25
	budget	inflation	inflation	increases			grants and	
							non-	
							service	
							budgets	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CHILDREN'S SERVICES								
Children's Social Care	28,093	0	1,493	0	(2,758)	2,628	0	29,455
Dedicated Schools Grant Exp	78,556	0	0	0	0	0	0	78,556
Dedicated Schools Grant	(78,556)	0	0	0	0	0	0	(78,556)
Total Children's Services	28,093	0	1,493	0	(2,758)	2,628	0	29,455

7. CHILDREN'S SERVICES

- 7.1 As a "corporate parent" the council has a responsibility to ensure that children and young people in our care, and our care leavers, have the same opportunities as other children and young people. The provision of safe and appropriate placements (both fostering and residential) and support packages for children in care and care leavers is therefore a major area of spend. Similarly to adults services, virtually all aspects of cost within this area have increased.
- 7.2 Like most councils, RBWM does not have a sufficient number of in-house foster carers and has no internal residential provision, meaning that again, there currently is a higher level of reliance on more costly private sector placements and accommodation where costs are rising. There is also a national shortage of permanent social workers so statutory responsibilities are met by employing more expensive interim or agency staff.
- 7.3 All areas and aspects of this service have been reviewed to find ways to reduce the impact of increased demand on the council's budget. The key transformative proposals are as follows:
 - More investment in early intervention and prevention to reduce the number of children needing high levels of care.
 - Increasing the number of children living in supported family environments instead of expensive private residential placements including the recruitment of more foster care placements,
 - Achieving economies of scale through a cross-Berkshire approach to the commissioning of private residential placements.
 - Review of our commissioning of external legal services to minimise cost while remaining compliant.

- Undertaking a peer review with Hampshire County Council in relation to "Home to School" Transport for opportunities to reduce costs.
- Reviewing recruitment and retention policies to increase the appeal of working for the council and to reduce reliance on expensive agency staff.

	Base	Рау	Contract	Income	Efficiencies	Growth	Changes to	2024/25
	budget	inflation	inflation	increases			grants and	
							non-	
							service	
							budgets	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
PLACE								
Director of Place	20	0	0	0	0	0	0	21
Housing	2,019	89	95	(5)	(94)	400	(14)	2,490
Infra, Sustainability & Transport	5,128	49	73	(25)	(628)	0	0	4,597
Neighbourhood Services	6,665	75	724	(1,980)	(464)	912	0	5,931
Planning	1,330	94	10	(138)	(737)	130	0	689
Property services	(3,346)	11	24	(8)	(270)	165	0	(3,423)
Total Place	11,816	318	925	(2,155)	(2,193)	1,607	(14)	10,304

8. PLACE DIRECTORATE

- 8.1 Inflation has increased the costs of not only planned projects but ongoing contract costs and routine service delivery, which has had a particularly high impact on Place services. The expected spend on planned major regeneration and infrastructure schemes across the borough has also risen significantly.
- 8.2 The directorate's income has fallen, in the main due to changes in behaviour since the Covid pandemic. The fall in income from car parking is particularly notable as more people are working from home and fewer residents are travelling into the borough's towns by car.
- 8.3 The cost of housing in the borough is also high compared to neighbouring areas and there is a shortage of affordable housing and available temporary accommodation.
- 8.4 With a diverse range of services, both statutory and chargeable, the scope for reducing costs and increasing income in this area is higher but the individual impacts are less, meaning that more interventions are required. Proposals put forward as part of the budget include:
 - A renewed approach to contract procurement and quality assurance processes across the council's biggest contracts in areas such as waste, street care and highways in order to achieve savings and drive up standards.
 - Development of a new model for leisure services across the Royal Borough to maximise revenues to be reinvested in high quality facilities and active environments to support residents' wellbeing.

- Investment in the development of additional council-owned temporary accommodation, enabling us to meet future needs at lower cost.
- Refocusing the capital programme on projects funded by external grants and infrastructure funding from Community Infrastructure Levy and S106 to maximise the use of external funding for large scale essential maintenance such as tree inspections; ensuring public safety while reducing budget impact.
- The use of technological innovation and efficiency in the delivery of services including outdoor facilities and road repairs.
- Exploring opportunities to create efficiencies and improved service delivery with neighbouring authorities around transport, waste collection and regeneration.
- Securing external funding to deliver energy and decarbonisation projects and reducing utility costs through the centralisation of energy procurement and management.
- Preparation of a new Economic Growth Plan building stronger business partnerships with a focus on the growth industries of culture, film and health and life sciences.
- Exploring and developing new commercial opportunities for revenue from events, advertising and sponsorship.

	Base	Pay	Contract	Income	Efficiencies	Growth	Changes to	2024/25
	budget	inflation	inflation	increases			grants and	
							non-	
							service	
							budgets	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
RESOURCES								
Director Resources	156	5	0	0	0	0	0	160
Finance	2,109	94	19	(14)	(115)	89	0	2,181
HR, Corporate Projects & ICT	3,182	101	47	(9)	(210)	102	0	3,214
Revs, Bens, Library & Res Services	4,239	143	62	(29)	(175)	0	0	4,239
Housing Benefit	(377)	0	0	(42)	0	0	0	(419)
Law and Governance	3,183	82	36	(30)	(215)	39	0	3,095
Total Resources	12,490	424	164	(124)	(716)	230	0	12,470

9. **RESOURCES DIRECTORATE**

- 9.1 The Resources directorate is a mixture of resident facing and 'back office' services. It has customer facing services such as Libraries, Revenues and Benefits and indeed Customer Services but also internal support functions such as Finance, IT, HR, Legal, Democratic Services and Major Projects. As previously noted, a lack of capacity across the council generally make it difficult to generate savings in areas that mainly consist of staffing costs and these internal functions are crucial to the support and delivery of the transformation projects planned by the other service areas.
- 9.2 The council will seek to maximise its collection of Council Tax and Business Rates by increasing checks on fraudulent claims and reducing bad debts and

non-payment. Some amendments to the collection of Council Tax are planned but are unlikely to begin until 2025/26 to allow for the appropriate consultations to be carried out.

- 9.3 The proposals planned by this area are mostly relatively low in value but numerous and the expectation is that the key role of this service will be to support delivery and realisation of the transformation programmes planned across the wider organisation. Some of the more material proposals in this area include:
 - Additional investment in procurement and contract management to ensure value for money and better outcomes from contracted services.
 - Increased focus on the recruitment and retention of permanent staff to reduce the reliance on expensive agency support
 - Reduction in IT software contract costs

	Base	Рау	Contract	Income	Efficiencies	Growth	Changes to	2024/25
	budget	inflation	inflation	increases			grants and	
							non-	
							service	
							budgets	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
FUNDING								
Business rates	(14,226)	0	0	0	0	0	(869)	(15,095)
Govt grants & other funding	(9,115)	0	0	0	0	0	(1,593)	(10,708)
Surplus / Deficit movements	(165)	0	0	0	0	0	25	(140)
Council tax	(85,622)	0	0	0	(214)	0	(5,265)	(91,102)
Total Funding	(109,128)	0	0	0	(214)	0	(7,702)	(117,045)

10. FUNDING INCLUDING COUNCIL TAX

- 10.1 The council is proposing to raise Council Tax this year by 4.99%, which includes 2.99% permitted under the central government cap for 'general' Council Tax and the potential additional increase of 2% which can be used to fund adult social care (yet to be confirmed). Due to a sustained period of cuts and freezes to Council Tax from 2010, the RBWM Council Tax base is low relative to other authorities which means that, even at the maximum increase allowed, in pounds and pence this is still a lower increase than in other areas.
- 10.2 Analysis was carried out on the taxbase which showed that in previous years, the level of growth expected had been overestimated, resulting in actual billing being less than the forecast figures, and therefore payments, given to the parishes and major preceptors. Reductions to both the growth estimates and the expected collection rate have been made this year to bring them more in line with current actual billing and payment.
- 10.3 In line with Chapter 2 of the Levelling up and Regeneration Act 2023, which received Royal Assent on 26th October 2023, the Royal Borough intends to amend the Council Tax charged on properties which are either empty, or only occupied periodically, within the borough as follows.

- The time period for levying a 100% Long Term Empty Home Premium will be reduced from the current 2 years to 1 year. This will take effect from the 1st of April 2024 in line with paragraph 79 of Chapter 2 of the Act.
- For dwellings occupied periodically (i.e. second homes) a new premium will be introduced of 100%. This will take effect from the 1st of April 2025 in line with paragraph 80 of Chapter 2 of the Act.
- 10.4 The retained business rates currently included in the draft budget are an estimate and will be finalised with the submission of the NNDR1 in January.
- 10.5 Expected funding from other government grants in 2024/25 is based on the Pixel projections which are a recognised standard across Local Government as a best estimate in advance of the confirmation of government funding for the sector which is expected just before Christmas.

11. CAPITAL PROGRAMME AND BORROWING COSTS

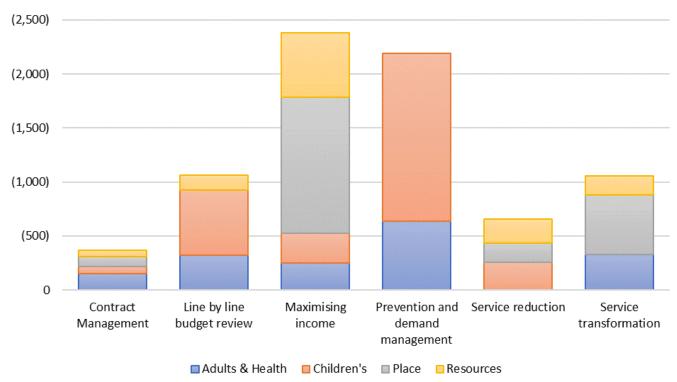
- 11.1 The council's proposed capital programme including the expected "slippage" of unspent project costs from the current year to next is shown in Appendix A
- 11.2 The proposed capital programme for 2024/25 has been reviewed and refined to promote the use of external funding to deliver the required outcomes and reduced overall in recognition that several large scale projects are still in progress from the current year and need to be carried through to completion. This is not seen as a reduction in ambition, but rather a prioritisation to a deliverable set of objectives and outcomes. Any projects not funded by external funding or grants will require borrowing to deliver, and this includes many of the projects currently in progress or, previously agreed but yet to be started.
- 11.3 There are also multiple large scale transformation projects required to deliver the necessary change to reduce the budget. Some of these are already in progress but many others are yet to start, and all will require focus and staff time to ensure successful delivery. Work is underway to identify the resource required to deliver them and to develop project plans to manage them. These will be in place by the time the final budget is taken to Full Council in February and the process and governance structure to manage them has already been developed and agreed.
- 11.4 The council has significant levels of debt which it is currently servicing but not reducing. The Treasury management strategy is under review but fundamentally, debt must be reduced by generating surpluses, generating capital receipts or a combination of both. With debt at its current levels, we are vulnerable to changes in interest rates. The cost of providing MRP on capital (minimum revenue provision) has risen by over a million pounds in this year's budget to £4.1m while our net interest costs, driven by a high proportion of short term borrowing, have risen by £2.6m to £8.1m. These combined at £12.2m amount to more than 10% of our net budget.

12. MEDIUM TERM FINANCIAL PLAN TO 2028/29

12.1 The council's Medium-Term Financial Plan (MTFP) is included at Appendix B and shows a projected balanced future. This is still under review as there is uncertainty around the changes in funding from the anticipated "Fairer Funding Review". The forecast also includes no growth other than inflation and anticipates a reduction in interest rates. Whilst it is subject to a high degree of uncertainty, it does indicate that if the planned transformation and savings are delivered, the council could be sustainable going forward. To achieve this, the planned transformation programme must be successful and achieve the budgeted outcomes.

13. BUDGET PROPOSALS – SERVICE EFFICIENCIES, TRANSFORMATION, INCOME AND GROWTH

- 13.1 Appendices C and D list the planned change to services to deliver the budgeted outcomes. These are a mixture of growth items, cost reductions, income improvements and larger scale transformation to the way in which services are delivered. The savings proposals have come from the services themselves as a response to the financial challenge that the council is facing.
- 13.2 The different categories of budget proposals consistent with the approach set out in paragraph 4.9 by service area are shown in the graph below.



2024/25 Efficiency savings by category (£'000)

13.3 Like most councils, there are a number of savings which are categorised as 'red' meaning that they face risks to delivery, some of which are outside of the council's control. However, these total a relatively low amount and further work is being taken forward to refine delivery plans for those savings along with the necessary governance and oversight to increase the likelihood of delivery – something that has not been in place in previous years. This increases the confidence they will be achievable, although some degree of risk will continue to remain.

14. PUBLIC CONSULTATION

- 14.1 Pending agreement by Cabinet, the draft budget will be shared for public consultation on 14th December 2023 until 22nd January 2024. This will include an online consultation hosted on ww.rbwmtogether.rbwm.gov.uk, with paper copies available with libraries for anyone who does not have online access. This will be complemented by wider engagement with other interested stakeholders including businesses, equality groups and partner organisations.
- 14.2 The consultation will be publicised through a press release, social media and through targeted emails to a wide range of stakeholders. Feedback from the consultation will inform the February 2023 budget meetings of Cabinet and Full Council. A summary of the consultation feedback will be shared as part of the Budget report.

15. NEXT STEPS

- 15.1 The proposals contained in this report will be subject to consultation that will inform final decisions at Cabinet and Council in February 2024. The council will consult with residents, businesses, partners, and its own staff.
- 15.2 Equality Impact Assessments have been completed for relevant savings and these will be updated throughout the remaining budget setting process.
- 15.3 This draft budget will be amended once the Local Government Finance Settlement is published.
- 15.4 The Corporate Overview and Scrutiny Panel will review the proposals on 19 December.
- 15.5 Final budget proposals will be considered by Cabinet on 7th February 2024, with recommendations to Full Council on 27th February 2024.

16. LEGAL IMPLICATIONS

16.1 None at this stage of the budget process.

17. RISK MANAGEMENT

17.1 Failure to identify sufficient savings as part of the budget process would risk the Council being unable to maintain minimum levels of reserves. Failure to deliver the planned savings would have the same effect.

18. POTENTIAL IMPACTS

- 18.1 Equalities. An EQIA will be undertaken on the budget submitted to Council in February 2023. Saving proposals will also have an EQIA undertaken where appropriate. Appendix E includes draft EQIAs. All EQIAs will be revised in the light of any relevant consultation responses.
- 18.2 Climate change/sustainability. The potential impact of budget recommendations will be considered once details of budget submissions are published.
- 18.3 Data Protection/GDPR. Not applicable.

19. TIMETABLE FOR IMPLEMENTATION

19.1 Implementation date if not called in: Immediate.

20. APPENDICES

- 20.1 This report is supported by four appendices:
 - Appendix A Capital programme
 - Appendix B Medium Term Financial Plan
 - Appendices C & D Growth and Efficiencies
 - Appendix E Equality Impact Assessments

Accessible version of the table showing the proposed draft revenue budget and funding.

BUDGET BY SERVICE	Base budget	Pay inflation	Contract inflation	Income increases	Efficiencies	Growth	Non-serv budgets	2024/25
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CHIEF EXECUTIVE DEPARTMENT	1,012	28	3	0	(103)	0	0	941
ADULT SOCIAL CARE AND HEALTH								
Dir of Adults Social Care & Health	174	5	0	0	0	195	0	374
Adult Social Care	53,081	13	3,075	(25)	(1,690)	4,851	(407)	58,898
Adult Social Care income	(14,287)	0	0	(853)	0	140	0	(15,000)
Communities, transform & prtnrs	170	4	1	(1)	0	0	0	175
Public Health	5,317	0	0	0	0	0	68	5,385
Public Health Grant	(5,317)	0	0	0	0	0	(68)	(5,385)
Total Adults Social Care & Health	39,137	23	3,076	(879)	(1,690)	5,186	(407)	44,447
CHILDREN'S SERVICES								
Children's Social Care	28,093	0	1,493	0	(2,758)	2,628	0	29,455
Dedicated Schools Grant Exp	78,556	0	0	0	0	0	0	78,556
Dedicated Schools Grant	(78,556)	0	0	0	0	0	0	(78,556)
Total Children's Services	28,093	0	1,493	0	(2,758)	2,628	0	29,455
PLACE		-						,
Director of Place	20	0	0	0	0	0	0	21
Housing	2,019	89	95	(5)	(94)	400	(14)	2,490
Infra, Sustainability & Transport	5,128	49	73	(25)	(628)	0	0	4,597
Neighbourhood Services	6,665	75	724	(1,980)	(464)	912	0	5,931
Planning	1,330	94	10	(138)	(737)	130	0	689
Property services	(3,346)	11	24	(8)	(270)	165	0	(3,423)
Total Place	11,816	318	925	(2,155)	(2,193)	1,607	(14)	10,304
RESOURCES			510	(=)=00)	(_)_55)	_,	()	
Director Resources	156	5	0	0	0	0	0	160
Finance	2,109	94	19	(14)	(115)	89	0	2,181
HR, Corporate Projects & ICT	3,182	101	47	(9)	(210)	102	0	3,214
Revs, Bens, Library & Res Services	4,239	143	62	(29)	(175)	0	0	4,239
Housing Benefit	(377)	0	02	(42)	(173)	0	0	(419)
Law and Governance	3,183	82	36	(30)	(215)	39	0	3,095
Total Resources	12,490	424	164	(124)	(716)	230	0	12,470
Total Service Budgets	92,549	794	5,661	(3,158)	(7,460)	9,651	(421)	97,616
CORPORATE AND CONTINGENCY	52,545	/ 54	5,001	(3,138)	(7,400)	9,031	(421)	57,010
Contingency	2,337	0	0	0	0	0	(337)	2,000
Corporate budgets	700	0	0	0	0	0	(175)	525
Total Corporate and Contingency	3,037	0	0	0	0	0	(512)	2,525
OTHER NON-SERVICE BUDGETS	3,037	0	0	0	0	0	(512)	2,525
Interest received	(1,152)	0	0	0	0	0	271	(881)
Interest paid	6,592	0	0	0	0	0	2,392	8,984
Minimum revenue provision	3,139	0	0	0	(25)	0	1,018	4,132
Pension deficit recovery contr'ns	4,400	0	0	0	(23)	0	1,018	4,132
Environment Agency Levy	4,400	0	0	0	(09)	0	0	4,301
Total Other Non-Service Budgets	13,147	0 0	0	0 0	(94)	0 0	3,851	168
		-	-	-		-		
Net budget	108,732	794	5,661	(3,158)	(7,554)	9,651	2,918	117,045
FUNDING	(14 220)						(000)	(15 005)
Business rates	(14,226)	0	0	0	0	0	(869)	(15,095)
Govt grants & other funding	(9,115)	0	0	0	0	0	(1,593)	(10,708)
Surplus / Deficit movements	(165)	0	0	0	0	0	25	(140)
Council tax	(85,622)	0	0	0	(214)	0	(5,265)	(91,102)
Total Funding	(109,128)	0	0	0	(214)	0	(7,702)	(117,045)
Total	(396)	794	5,661	(3,158)	(7,768)	9,651	(4,784)	0

21. BACKGROUND DOCUMENTS

21.1 None.

22. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officers (or deputies)		
Elizabeth Griffiths	Executive Director of Resources/S151 Officer		
Elaine Browne	Monitoring Officer	30/11/23	05/12/23
Deputies:			
Andrew Vallance	Head of Finance (Deputy S151 Officer)		
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)		
Mandatory:	Equalities Officer		
Ellen McManus-Fry	Equalities & Engagement Officer		
Other consultees:			
Directors			
Stephen Evans	Chief Executive	30/11/23	05/12/23
Andrew Durrant	Executive Director of Place	30/11/23	04/12/23
Lin Ferguson	Executive Director of Children's Services	30/11/23	04/12/23
Kevin McDaniel	Executive Director of People Services	30/11/23	04/12/23

Confirmation relevant	Cabinet Member for Finance	Yes
Cabinet Member(s)		
consulted		

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information	No	Not applicable

Report Author: Elizabeth Griffiths, S151 Officer

Expected slippage and Cap	ital Recei	pts from 2	2023/24			
Budget Reprofiling	23/24		25/26	26/27	27/28	Funding Source
	£000	£000	£000	£000	£000	, in the second s
Adult Services Case Management System		215	215	215	215	Borrowing
Homestead- Winston and Hub		40				CIL
Adult Social Care and Health	0	255	215	215	215	
Wraysbury Primary Resourced Provision		385				Grant
Provision Improvement for Special Education Needs		1,072				Grant
Hilltop First School Resourced Provision		599				Grant
Trevelyan Middle School Resourced Provision		398				Grant
AfC Case Management System		1,095				Borrowing
West of Windsor Special School		500				Gov Grant
Children's Directorate	0	4,049	0	0	0	
Wireless Access Point (WAP) Replacement		42				Borrowing
Network Broadband Deployment		80				Borrowing
Resources Directorate	0	122	0	0	0	
River Thames Scheme Infrastructure Project		630				Borrowing
Clyde House		50				Borrowing
Commercial Investment Property Portfolio-Repairs		724				Borrowing
Commercial Estates-Compliance		70				Borrowing
Traveller Local Plan		188				Borrowing
Broadway Car Park & Central House Scheme		(12,900)	24,060			Borrowing &
						Capital Receipts
MEES Compliance-Minimum Energy Efficiency Standard		100				CIL
Affordable Key Worker Hsing-Riverside Mokattam RM		640				Borrowing
Maidenhead Golf Course			15,548	(14,681)		Borrowing &
						Capital Receipts
Cookham Bridge Refurbishment & Structural Repair		500				Borrowing
Commercial Investment Property Portfolio-Repairs		1,000				Borrowing
Windsor Squash Courts		284				S106
Guildhall-Repairs & Heating		500				CIL & Borrowing
Town Centre Regeneration (York Road) Capital Receipt 23/24	(1,455)					Capital Receipts
Town Centre Regeneration (St Cloud Way Phase 1)		(235)	(1,407)	(2,814)	(2,673)	Capital Receipts
Town Centre Regeneration (St Cloud Way Phase 2)				(2,263)	(5,374)	Capital Receipts
St Edmunds Hse, Ray Mill Rd West		(1,400)				Capital Receipts
Nicholson's Shopping Centre		(1,000)				Capital Receipts
Land North of Rainsworth, Oakley Grn Capital Receipts 23/24	(1,000)					Capital Receipts
Place Directorate	(2,455)			(19,758)		
Total	(2,455)	(6,422)	38,416	(19,543)	(7,832)	

The expenditure shown in this table is unspent capital budget rolled forward ("slipped") from current year to next. Capital receipts (payments to the council) are shown as negative numbers

We are currently projecting capital receipts for town regeneration till 2028/29 and for Maidenhead Golf Course till 2035/36

Capital Bids 2024/25											
	Bid details	Total cost	F	unded fro	n	Unfunded					
Bid Title	Brief Description		S106	CIL	Grant						
Funded - projects		(£k)	(£k)	(£k)	(£k)	(£k)					
LEVI	Completion of Phase 1 EV chargepoint rollout	627	0	0	627	0					
Forlease Gateway	Junction redesign for improved walk, cycle and public realm	800	800	0		0					
St Cloud Crossing (Phase 3)	Ramp for accessible & cycling route to new crossing over St-Cloud Way	400	400	0		0					
Old Windsor Healthy Routes to School	Support safe routes to walk to Kings Court School in Old Windsor	120	0	0	120	0					
The Great Park Link	Crossings & junction improvements for walking & cycling - between Windsor Town & Great Park	350	0	0	350	0					
West Windsor Healthy Routes to School	Support safe routes to walk to selected schools in West Windsor area	170	0	0	170	0					
Road Safety Schemes	Junction redesign for improved walk, cycle and public realm	200	0	0	200	0					
Highways Drainage and Flood Mitigation	Annual programme of highway drainage improvement schemes	400	0	400	0	0					
Disabled Facilities Grants	Disabled Facilities Grant funding utlisation	32	0	0	32	0					
Footway Maintenance & Construction	Maintain the boroughs footways	350	0	100	250	0					
Highway Resurfacing Programme	Resurfacing of the boroughs roads to improve road safety & prevent further deterioration.	2,200	0	1,100	1,100	0					
Bridge Assessments/special Inspections & Scour	Works programme for essential capital works	200	0	0	200	0					
Assessment											
Bridge Strengthening Schemes	Minor strenthening works to mitigate and reduce any safety risks	300	0	150	150	0					
Pothole action fund DfT	Specicially to target potholes on our road network.	1,209	0	0	1,209	0					
Health Suite Windsor Leisure Centre	Replacement/imporovement of Windsor Leisure Centre Health Suite and Sauna area	200	0	200	0	0					
Braywick Leisure Centre defects	Repair of defects identified at Braywick Leisure Centre.	310	0	310	0	0					
General Leisure Facility Maintenance	Maintenance requirement of the Lesiure centres, Community Centre, LTA tennis sites at Goswells Park/Alexandra	200	0	200	0	0					
	Gardens, Kidwells Park and Desborough Park.										
Road Marking and sign safety programme	Beyond basic safety maintenance funding, required to maintain lining and signing	150	0	150	0	0					
Drift Road - Major carriageway works	Phase 3 of the Drift road project to strengthening sections of Drift Road which are beyond it serviceable life, needs	200	0	200	0	0					
	essential works										
Traffic Signals electrical supply resilience upgrade	The upgrading of DNO (distribution network operator) electrical connection of 20 RBWM Traffic Signal Sites. Health &	35	0	35	0	0					
	Safety										
Street Lighting Column Replacements	Column replacement of street lighting assets including High Amber structurally dangerous columns from structural	700	0	700	0	0					
	testing results, stumped columns, Concrete columns and RTV (restore to vertical).										
Street Lighting Private Network Cable & Feeder Pillar	Requires upgrade of cables and feederpillars of 68 streetlights with faults caused by damaged and ageing private	150	0	150	0	0					
Replacement	electrical cables.										
School Condition Allocation	Capital for repairs and maintenance to community and voluntary controlled schools	1,200	0	0	1,200	0					
Total Funded bids		10,503	1,200	3,695	5,608	0					
Un-funded projects											
Commercial and Corporate Property Improvements	Improvement Works to meet Health and Safety Obligations and prevent future dis-repair	1,500	0	0	0	1,500					
and Investment											
MEES regulation Property Improvements	Works to Improve the energy performance of leased property to meet legislation	600	0	0	0						
Novello Theatre Demolition	Demolition of building following recent expiration of lease and identification of asbestos	300	0	0	0	300					
Hardware replacement - Laptops	Replacement of one fifth laptop estate	220	0	0	0	220					
IT Services	Ad hoc IT purchases in line with delivery of IT strategy	75	0	0	0	75					
Hardware replacement - Mobile phones	Replacement of out of date operating system mobiles	100	0	0	0	100					
Wireless Access Points	Top up of capital approved to replace all wireless access points	80	0	0	0	80					
Rebuild and Update Content Management System	New website and improved customer-facing digital experience	60	0	0	0	60					
(CMS/ Website)											
Total Un-funded bids		2,935	0	0	0	2,935					
Total funded and un-funded bids		13,438	1,200	3,695	5,608	2,935					

	MEDIUM TERM FINANCIAL PLAN	2024/25	2025/26	2026/27	2027/28	2028/29	Ref
Inflation 7-Pay (acc) 1265 (mode, incline persion cont) 7-94 811 836 861 861 1 Direct utility costs (water, gas, electricity) 17 33 34 34 35 3 - Contract inflation (inc) AC and Optalis pay) 5.361 3.172 3.267 3.384 346 3.65 - Fees & charges (2.297) (663) (707) (721) (736) - Adult Social Care client charges (761) (251) (257) (266) (223) 130 Service Size Medget Before Sorvings 98,141 100,830 104,198 107,663 113,606 Budget surplix / (gsp) 0 570 314 1,923 532 Service Bace Budget Before Sorvings 98,141 100,803 104,198 107,663 113,606 NON-SERVICE BUDGETS 2.000 2.000 2.000 2.000 2.000 2.000 Interest received (831) (749) (631) (567) (564) Interest received 8.964 9,410							
- Pay (exc) DSG funded, incline pension cont) 794 811 836 861 886 1 - Direct utility cots (water, gs., electricity) 17 33 34 34 35 - Miscellaneous inflation 283 282 291 299 308 - Fees & Anarges (2,377) (150) (1251) (1257) (1264) (270) - Mult Social Care client charges (761) (251) (1257) (264) (270) Service Base Budget Before Savings (9,651) 0 0 0 0 0 Service Base Budget Before Savings 99,141 100,830 104,198 107,863 113,606 Budget simplicy (gsp) 38,141 101,400 104,512 109,786 114,137 NON-SERVICE BUDGETS - - - - - - Contingency Budget 1,200 2,000 2,000 2,000 2,000 2,000 1,41,137 Total Non-Service Budget 1,804 2,141 101,463 1,681		93,248	98,141	101,400	104,512	109,786	
Direct utility cost (water, ga, electricity) 17 33 34 34 35 - Ontract inflation (ind AlC and Opalis pay) 5,361 3,172 3,267 3,364 3,465 2 - Rest & charges (2,397) (663) (707) (721) (736) - Adult Social Care client charges (751) (251) (251) (251) (251) Growth 9,651 9 0 0 0 0 0 Swrings (ect savings in on-service budgets) (746) 0 0 0 0 0 0 Service Base pays grants in net cost of servings 98,141 100,830 104,198 107,663 113,606 Budget surplus / (gp) 0 570 334 1,923 552 Service Base pays frants 98,141 104,080 104,193 107,663 113,606 Interest received (831) (749) (691) 5631 523 524 Contingency Budgets 2,000 2,000 2,000 2,000 2		704	011	0.00	0.01	000	1
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• Niscellaneous inflation 283 282 291 299 308 • Fees & charges (2,397) (693) (707) (724) (736) • Adult Social Care client charges (761) (221) (227) (224) (270) Growth 9,651 - - 0 0 0 0 Savings (excl savings in non-service budgets) (17,60) 0 0 0 0 0 Impact of savings / growth agreed prior years (175) (6666) (6624) (123) 1300 Service Bace Budget Before Savings 98,141 100,303 104,512 109,786 114,137 Service BudGett SupDidFTS - - - 101,400 104,512 109,786 114,137 NON-SERVICE BUDGETS - - - - 2,000 2,000 2,000 2,000 2,000 2,000 1,01,433 1,923 3,232 - 2,020 1,01,433 1,925 1,2,020 1,01,433 1,202 1,834				-	-		2
- Fees & charges (2,397) (693) (707) (721) (736) - Adult Social Care (lent charges Growth (761) (251) (257) (264) (270) Savings (excl savings in non-service budgets) (7,460) 0 0 0 0 Charges in goty grants in net cost of services (421) 0 0 0 0 0 Service Base Budget Before Savings 98,141 100.830 109,198 107,863 113,606 Budget striptings (growth agreed prior years (175) (666) (664) (223) 130 Service Base Budget Before Savings 98,141 100.830 109,198 107,863 114,137 NON-SERVICE BUDGETS -				-	-	-	Z
- Adult Social Care client charges (761) (251) (257) (264) (270) Growth 9,651 0 0 0 0 0 0 Changes in govt grants in non-service budgets) (7,60) 0							
Growth 9,651 Savings (excl savings in non-service budgets) (7,460) 0 0 0 Changes in govt grants in net cost of services Impact of savings / growth agreed prior years (175) (666) (223) 130 Service Base Budget Surplus / (gap) 0 570 314 1,923 532 Service Net Expenditure 98,141 100,400 104,512 109,786 114,137 NON-SERVICE BUDGETS 0 570 314 1,923 532 Contingency Budget 2,000 2,000 2,000 2,000 2,000 Interest paid 8,984 9,410 9,183 7,923 7,876 Minimum revenue provision 4,132 4,681 4,681 4,681 4,681 Total Non-Service Budget 13,04 20,147 20,574 18,266 18,412 Total Non-Service Budget 163,04 115,093 (15,093) (15,094) (15,094) (15,094) Income from trading companies (260) (260) (260) (260) (260) </td <td>-</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	-						
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COUNCIL TAX (90,888) (94,947) (98,486) (102,153) (105,950) - Increased income from single person discount (214) (214) (214) (214) (214) (214) - Increased income Council Tax relief scheme 0 (48) (48) (48) (48) - Second homes 0 (1,274) (1,274) (1,274) (1,274) TOTAL FUNDING (117,045) (121,547) (125,086) (128,752) (132,549) COUNCIL TAX É E E E E E E		(25,943)	(25,064)	(25,064)	(25,064)	(25,064)	
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Second homes 0 (1,274) (1,274) (1,274) (1,274) TOTAL FUNDING (117,045) (121,547) (125,086) (128,752) (132,549) COUNCIL TAX É É É É É É É Adult Social Care Precept 186.84 186.84 186.84 186.84 186.84 186.84 186.84 Council Tax at Band D 1,097.30 1,135.70 1,175.24 1,215.97 1,257.91 Special Expenses 36.66 37.76 38.89 40.05 41.25 Total Council Tax No. Band D Properties 71,243 71,743 3	- Increased income Council Tax relief scheme	0	(48)	(48)	(48)	(48)	
E E	- Second homes	0	(1,274)	(1,274)	(1,274)		
E E							
Adult Social Care Precept 186.84 186.84 186.84 186.84 186.84 186.84 Council Tax at Band D 1,097.30 1,135.70 1,175.24 1,215.97 1,257.91 Special Expenses 36.66 37.76 38.89 40.05 41.25 Total Council Tax 1,320.80 1,360.30 1,400.97 1,442.86 1,486.00 No. Band D No. Band D No. Band D Properties Properties Properties Properties Properties 1,243 71,743 3	TOTAL FUNDING	(117,045)	(121,547)	(125,086)	(128,752)	(132,549)	
Adult Social Care Precept 186.84 186.84 186.84 186.84 186.84 186.84 Council Tax at Band D 1,097.30 1,135.70 1,175.24 1,215.97 1,257.91 Special Expenses 36.66 37.76 38.89 40.05 41.25 Total Council Tax 1,320.80 1,360.30 1,400.97 1,442.86 1,486.00 No. Band D No. Band D No. Band D Properties Properties Properties Properties Properties 1,243 71,743 3							
No. Band D No. Ban	COUNCIL TAX	£	—	£	£	£	
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Total Council Tax1,320.801,360.301,400.971,442.861,486.00No. Band D propertiesNo. Ba	Council Tax at Band D	1,097.30	1,135.70	1,175.24	1,215.97	1,257.91	
No. Band D propertiesNo. Band D propertiesNo. Band D propertiesNo. Band D propertiesNo. Band D propertiesCouncil Taxbase69,74370,24370,74371,24371,7433	Special Expenses						
propertiespropertiespropertiespropertiespropertiesCouncil Taxbase69,74370,24370,74371,24371,7433	Total Council Tax	1,320.80	1,360.30	1,400.97	1,442.86	1,486.00	
propertiespropertiespropertiespropertiespropertiesCouncil Taxbase69,74370,24370,74371,24371,7433							
Council Taxbase 69,743 70,243 70,743 71,243 71,743 3							
Unparished laxbase 36,246 36,746 37,246 37,746 38,246 3				-			
	Unparished laxbase	36,246	36,746	37,246	37,746	38,246	3

ASSUMPTIONS

CTAX increase (%)	2.99%	2.99%	2.99%	2.99%	2.99%
Adult Social Care precept (%)	2.00%	0.00%	0.00%	0.00%	0.00%
Pay inflation (%)	3.00%	3.00%	3.00%	3.00%	3.00%
Utility inflation (%)	1% - 3%	2.00%	2.00%	2.00%	2.00%
Contract inflation (%)	Actual	4.00%	4.00%	4.00%	4.00%
Miscellaneous inflation (%)	3.00%	3.00%	3.00%	3.00%	3.00%
Fees & charges inflation (%)	Actual	2.00%	2.00%	2.00%	2.00%
Adult Social Care Income (usually related to state pe	Actual	2.50%	2.50%	2.50%	2.50%
Growth in tax base (Band D properties)	Actual	500	500	500	500

NOTES

1. Pay inflation excludes staff in Optalis and AfC.

2. Contract inflation includes pay inflation related to Optalis and AfC staff.

3. Assumes growth in taxbase Band D properties - see assumptions above.

Ref	Directorate	ite Description	Full year	Part-year impact						
			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000		
PLA01E	Place	Centralising consultancy and utility budgets to allow better management and cost effectiveness.	(230)	(330)	100	0	0	(
PLA02E	Place	Options to reduce temporary accommodation spend being considered to either purchase units or (in the absence of capital funding), obtain lower cost stock from the private rented sector.	(118)	(59)	(59)	0	0	(
PLA03E	Place	The Out of Service provides a limited response for residents in relation to witnessing alleged statutory (usually noise) nuisances outside of office hours. The service does not provide enforcement on the spot, although there is an advisory element. The current contract will not be extended.	(35)	(35)	0	0	0	C		
PLA04E	Place	Transition Braywick nature centre towards a more commercial model.	(10)	(10)	0	0	0	(
PLA05E	Place	Removal of free parking offers for selected events in the Borough.	(15)	(15)	0	0	0	(
PLA06E	Place	Additional opportunities for promoting food and concession stands in high footfall areas or at peak seasonal times.	(10)	0	(10)	0	0	(
PLA07E	Place	Additional income generating opportunities in under-utilised car park in Maidenhead.	(20)	(20)	0	0	0			
PLA08E	Place	Successfully secured funding towards monitoring CCTV on behalf of a business improvement district.	(45)	(45)	0	0	0	(
PLA09E	Place	Successfully securing funding towards bus service improvements supporting new contracted services being tendered in Summer 2024.	0	(350)	350	0	0	(
PLA10E	Place	Using one-off external grant funding to support staff costs and bring climate partnership secretariat and administration back in house.	0	(100)	100	0	0	(
PLA11E	Place	Review operational resource within community warden service and retain the strategic function to maintain acutely vital policing and community safety responsibility, community safety partnership and violence reduction work.	(125)	(125)						

			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000
PLA12E	Place	Procurement of a new Highways Services to achieve a contractual saving and give RBWM more control over quality.	(120)	(86)	(33)	0	0	0
PLA13E	Place	Opportunities for charging for parking to cover the cost of operating the service, including charging for electric vehicle permits in line with other resident permits and car park charges.	(115)	(115)	0	0	0	C
PLA14E	Place	Restructure the economic growth team to maximise cost recovery and income generation.	(140)	(115)	(25)	0	0	C
PLA15E	Place	Opportunities for advertisement, including roundabout sponsorship and advertising on street furniture.	(15)	(15)	0	0	0	(
PLA16E	Place	Review of council assets and seek to enhance commercial income from the existing property portfolio.	(168)	(20)	(148)	0	0	(
PLA17E	Place	Community infrastructure levy will be used to fund essential tree maintenance to reduce health and safety risk.	0	(703)	703	0	0	C
PLA18E	Place	The lease at Minster Court ends in November 2024 and will not be renewed, with Pension Fund staff accommodated within the Town Hall.	(100)	(50)	(50)	0	0	C
			(1,266)	(2,193)	928	0	0	_ (

Ref	Directorate	Description	Full year		Part	t-year imp	act	
			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000
CHI01E	Children's	Impact of work of the Families Together Team to support children and young people on the edge of care to avoid new social care placements when this is safe and appropriate. Work with young people in social care to step down, where safe and appropriate, from costly residential provisions into foster care / family based arrangements.	(581)	(200)	(127)	(127)	(127)	0
CHI02E	Children's	Remove non statutory travel support to individuals aged over 16. Review offer to excluded pupils, fare payer transport offer, and consider recommendations of peer review.	(371)	(258)	(113)	0	0	0
CHI03E	Children's	Think Family transformation project will look at how closer working with Adults and Housing can reduce duplication and achieve savings.	(75)	(75)	0	0	0	0
CHI04E	Children's	Ensure appropriate health funding is accessed from health for young people in care.	(75)	(75)	0	0	0	0
CHI05E	Children's	The commissioning team will review all placements and work with young people in care to step down placement type and support in line with the child / young person's care plan, when this is safe and appropriate.	(1,111)	(1,111)	0	0	0	0
CHI06E	Children's	The fostering team will work to increase capacity and placement of children and young people into in-house provision, including connected care.	(501)	(167)	(167)	(167)	0	0
CHI07E	Children's	Increase income targets for traded services by increasing the amount of sales or increasing the amount charged.	(142)	(142)	0	0	0	0
CHI08E	Children's	Review of Youth Counselling contract to determine best way to provide this support to children who live in-borough, and not those out of borough.	(50)	(50)	0	0	0	0
CHI09E	Children's	Review all Children's services contracts to renegotiate terms or cease activity where impact can be managed.	(20)	(20)	0	0	0	0
CHI10E	Children's	Recoup direct payments where families have not fully utilised funds that have been paid to them and have excessive amounts in bank accounts.	(50)	(50)	0	0	0	0
CHI11E	Children's	Targeted project work to apply for grant funding from government or other agencies.	(40)	(10)	(10)	(10)	(10)	0
CHI12E	Children's	Increase in government funding in relation to unaccompanied asylum seekers.	(600)	(600)	0	0	0	0
			(3,616)	(2,758)	(417)	(304)	(137)	0

Ref	Directorate	Description	Full year		Par	t-year imp	pact	
			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000
RES01E	Resources	Where appropriate, external organisations to be recharged for support service costs currently being borne by the council, including Propco and Berkshire Pension Fund.	(154)	(154)	0	0	0	0
RES02E	Resources	Undertake a review of council tax single person discounts to ensure data is up to date. It is recognised nationally that many single person discounts (25%) on Council Tax should be relinquished as residents forget to advise of changes in circumstances.	(321)	(214)	(107)	0	0	0
RES05E	Resources	Increase of council tax court costs to £147.42 to take into account inflation. Costs last increased in 2019/20.	(109)	(109)	0	0	0	0
RESO6E	Resources	Re-occupation Business Rates relief currently available to businesses occupying previously empty retail units at up to 100% for up to 18 months. Proposal to reduce this.	(65)	0	(65)	0	0	0
RESO7E	Resources	Rather than providing additional relief to all charitable businesses, the proposal is to review these. Relief may be targeted at those with a low turnover who are local rather than national.	(548)	0	(548)	0	0	0
RES08E	Resources	Release of miscellaneous budgets no longer required following a line by line budget review.	(141)	(141)	0	0	0	0
RESO9E	Resources	Savings in the service supporting the mayor's office, including the release of the mayor's dedicated car.	(21)	(19)	(2)	0	0	0
RES10E	Resources	Simplify the Annual General Meeting process and restrict refreshments for the mayor making ceremony.	(3)	(3)	0	0	0	0
RES11E	Resources	Various posts across the Directorate that are already vacant will not be filled. This includes a support post in Democratic Services and a case worker in Law and Governance, one library post, a post in Performance, and no new participation in the Local Government Association graduate scheme. Work will be re-distributed and reorganised. There will also be a voluntary reduction in hours for an existing post in Law and Governance.	(263)	(173)	(74)	(16)	0	0
RES12E	Resources	Saving in respect of data storage and migration, including an one off grant for data migration as well as reduced costs for data storage, training and Disclosure Barring Service checks.	(4)	(54)	50	0	0	0

			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000
RES13E	Resources	Restricting corporate training to online only and pausing the leadership development programme. Training to be sought from the LGA and other sources at zero cost.	(50)	(64)	14	0	0	0
RES14E	Resources	Fees for use of support services will be increased, including increase fees to maintained schools and Academies as well as corporate project teams involvement in capital schemes.	(78)	(69)	(9)	0	0	0
RES15E	Resources	Culmination of changes in contracts required in IT following review of all contracts and implications of current IT projects being delivered.	(61)	(61)	0	0	0	0
RES16E	Resources	Deletion of the unique non-statutory library inclusion post.	(20)	(20)	0	0	0	0
CEX01E	Chief Executive department	Corporate subscriptions will be ended, including South East Strategic Leaders policy forum and other miscellaneous subscriptions.	(12)	(12)	0	0	0	0
CEX02E	Chief Executive department	The InPhase performance management software contract will be phased out with a view to moving to MS Power BI.	(25)	(5)	0	0	(20)	0
CEX04E	Chief Executive department	Withdrawal of the Around the Royal Borough publication.	(17)	(17)	0	0		0
CEX05E	Chief Executive department	Public Health funding to cover part year funding for a policy officer.	(13)	(13)	0	0	0	0
			(1,904)	(1,127)	(741)	(16)	(20)	0

Ref	Directorate	Description	Full year		Part	t-year imp	act	
			£000	24/25	25/26	26/27	27/28	28/29
				£000	£000	£000	£000	£000
AHH01E	Adults & Health	Adult Social Care long-term practice development to promote self-directed care.	(190)	(40)	(75)	(75)	0	
AHH02E	Adults & Health	Implement stricter operational policy for engaging with external legal services for Adult Social Care.	(60)	(30)	(30)	0	0	
AHH03E	Adults & Health	Consolidation of day care services at the Boyn Grove location.	(65)	(55)	(10)	0	0	
AHH04E	Adults & Health	Targeted Adult Social Care reviews to ensure clients are getting the most appropriate support at the right cost to the council.	(180)	(120)	(60)	0	0	
AHH05E	Adults & Health	Undertake a systematic review of the Better Care Fund and person-led planning with the NHS.	(250)	(250)	0	0	0	
AHH06E	Adults & Health	Promotion of Shared Lives scheme where approved and matched individuals or families invite older or disabled people to live within their homes.	(579)	(236)	(265)	(78)	0	
AHH07E	Adults & Health	Limit non-contractual Adult Social Care provider uplifts to a maximum of 4%.	(120)	(120)	0	0	0	
AHH08E	Adults & Health	Engage community sector partners and signpost residents to non-statutory help and support which increases wellbeing and independence.	(50)	(50)	0	0	0	
AHH09E	Adults & Health	Capitalise equipment expenditure where appropriate to do so, allowing it to be funded from government grant.	(323)	(323)	0	0	0	
AHH10E	Adults & Health	With a range of practice and community improvements, seek to increase the number of people whose needs can be met with support while still remaining at home rather than in costly residential settings.	(466)	(466)	0	0	0	
			(2,283)	(1,690)	(440)	(153)	0	

Ref	Directorate	Description	Full year		Part-year impact				
			£000	24/25 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000	
PLA01G	Place	Management fee income is lower than anticipated following the award of an interim leisure services contract to Leisure Focus Trust.	312	312	0	0	0	0	
PLA02G	Place	Due to a change in parking behaviour, parking season tickets are not likely to recover to pre covid levels within 2024/25.	0	100	(100)	0	0	0	
PLA03G	Place	Inflation on large contracts in 2023/24 has exceeded what was assumed when setting the budget, meaning growth is required over and above the 2024/25 inflation calculation.	400	400	0	0	0	0	
PLA04G	Place	Funding required for unplanned maintenance of trees owned by the borough as well as for inspections including the necessary maintenance works.	130	130	0	0	0	0	
PLACE	Place	Increase in service charges for Hines Meadow car park.	100	100	0	0	0	0	
PLA06G	Place	Increase in cost of temporary accommodation due to demand and availability.	400	400	0	0	0	0	
PLA07G	Place	Historic shortfall on existing income budget for York House.	23	165	(142)	0	0	0	
			1,365	1,607	(242)	0	0	0	

Ref	Directorate	Description	Full year	Part-year impact				
			£000	24/25	25/26	26/27	27/28	28/29
				£000	£000	£000	£000	£000
AHH01G	Adults & Health	Adults social care costs based on current number of people in residential and nursing placements.	3,223	3,223	0	0	0	0
AHH02G	Adults & Health	Adults social care costs based on current number of people requiring mental health support.	735	735	0	0	0	0
AHH03G	Adults & Health	Adults social care inflationary pressures whereby provider uplifts negotiated in 2023/24 exceeded budget.	869	869	0	0	0	0
AHH04G	Adults & Health	Realign statutory adult social care and reverse the continuing challenges with recruitment and retention. It will be necessary to align the pension of staff with local government pension scheme.	260	195	65	0	0	0
анно5g 100	Adults & Health	Three areas have be identified where grant funding will cease but the service is required to continue (Spencer Denny Day Centre, Supported Employment and Independent Advice Support Service).	164	164	0	0	0	0
			5,251	5,186	65	0	0	0

Ref	Directorate	Description	Full year	Part-year impact				
			£000	24/25	25/26	26/27	27/28	28/29
				£000	£000	£000	£000	£000
CHI01G	Children's	Correct some historic budget anomalies for staff posts that are currently creating an budget pressure.	240	240	0	0	0	0
CHI02G	Children's	Post to identify funding bids and assist with service transformation.	50	50	0	0	0	0
CHI03G	Children's	Additional capacity to meet the statutory duty in respect of children missing from education.	79	79	0	0	0	0
CHI04G	Children's	Fostering Panel members payment increase as an uplift has not been done for four years.	10	10	0	0	0	0
CHI05G	Children's	Funding to support current cohort of Children's social care placements.	138	138	0	0	0	0
СНІО	Children's	Funding to support future anticipated Children's social care placements, representing and estimated growth of 15 placements.	1,171	1,171	0	0	0	0
CHI07G	Children's	Increased volume and complexity of legal cases.	379	379	0	0	0	0
CHI08G	Children's	Increased demand for home to school transport, reflecting current and forecast demand levels.	561	561	0	0	0	0
			2,628	2,628	0	0	0	0

Ref	Directorate	Description	Full year	Part-year impact				
			£000	24/25	25/26	26/27	27/28	28/29
				£000	£000	£000	£000	£000
RES01G	Resources	Two new posts will enhance capacity within the procurement team to drive efficiencies from	89	89	0	0	0	0
		large contracts. Current capacity not sufficient to deliver required level of service.						
RES02G	Resources	Additional IT licence costs for firewalls, Microsoft products and customer relationship management software.	102	102	0	0	0	0
RES03G	Resources	Ongoing funding for use of modern polling electronic tablets in polling stations. This is required for effective delivery of voter ID.	7	39	(32)	0	0	0
			198	230	(32)	0	0	0

REPORT TOTALS	Efficiencies	(7,768)	Growth	9,651

02

Background Information

Service area:	Adult Social Care
Directorate:	Adults & Health
Budget proposal reference number/s:	<u>AHH02E, AHH03E, AHH04E, AHH08E, AHH13E, AHH15E</u>
Completed by:	Approved by: Kevin McDaniel
Date:	Date: 15/11/2023

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

The budget proposals contained within this EQIA are derived from the options to continue to provide the right service at the right time to residents with the aim of enabling them to live independent lives for as long as possible while being safe. By definition these services are used by vulnerable people so are already used by a small number of residents whose individual situation, wishes and choices are taken into account.

- AHH02E OP Nursing home development. It is proposed to explore developing a Council owned and Optalis run nursing home which gives an increased proportion of beds available for state-funding nursing care. The facility will focus on good quality nursing care, supporting the higher levels of need with a transparent cost which represent good value for the public purse.
- AHH03E Home First / Reablement advancement. It is proposed to take the elements of Home First which have supported good hospital discharge and apply them to the existing reablement service with the intended outcome that more people are active and mobile within 6 weeks of referral, increasing their chances of remaining independent.
- AHH04E Personalised support using Direct Payments and Individual Support Plans. It is proposed to invest in the resources to support a third of residents receiving nonresidential services to plan and arrange their own care rather than being reliant on a more-rigid prescription of domiciliary care support. Evidence from other areas suggests this approach can improve independence and extend confidence for residents. The proportion of people using this method is expected to grow over the next three years.
- AHH08E Timely Domiciliary Care and 1:1 Reviews. National evidence indicates that good quality care delivered at home (domiciliary) can help people regain skill and confidence in the first few weeks. By investing capacity to review domiciliry care work after the first six weeks and after 1:1 work for all types of care we expect to be able to shape the longer-term care to the ongoing needs, allowing people to maintain their often hard-earned independence.

AHH13E Use of community intervention at front door. We recognise that care comes at a cost and for many people, keeping out of that service is important so we will engage more community groups with the social care teams so that people can choose to be supported by local groups rather than statutory carers where that is safe to do so.
 AHH15E Practice development to keep more Older People living in their own home before moving to residential accommodation. The Borough has a good quality array of residential and nursing homes, however many residents tell us that they want to remain in their home, within their community and with their friends for as long as possible. We will look at alternatives to residential accommodation where it is safe and practical to do so, in order that (on average) people spend less time living in care home accommodation over time.

All of these proposals align with the Council's duty to assess and provide access to services which meet individual needs when those people cannot afford to pay for the entirety of their care.

How do the protected characteristics	Potential	Potential
influence the needs of individuals	positive	negative
within this proposal?	impact	impact
How might these characteristics affect the impact of the proposal?	(Tick where	(Tick where
(If no influence on impact, state 'N/A')	relevant)	relevant)
The services described above are typically accessed by older residents, with 80% of the residents being 65+.	x	
With the exception of AHH02E, all of the proposals above are planned to ensure that all plans are tailored to individual needs, supporting the increased opportunity for people to stay in their home and within their community for longer. The focus of reviews and Individual Support Plans will be to enable more timely changes in plans to respond to the inevitable changes people undergo over time.		
The focus of reablement will work to reduce the impact of extended periods of immobility, reducing the likelyhood of physical deteriotation and the resultant lack of independence.		
	 influence the needs of individuals within this proposal? How might these characteristics affect the impact of the proposal? (If no influence on impact, state 'N/A') The services described above are typically accessed by older residents, with 80% of the residents being 65+. With the exception of AHH02E, all of the proposals above are planned to ensure that all plans are tailored to individual needs, supporting the increased opportunity for people to stay in their home and within their community for longer. The focus of reviews and Individual Support Plans will be to enable more timely changes in plans to respond to the inevitable changes people undergo over time. The focus of reablement will work to reduce the impact of extended periods of immobility, reducing the likelyhood of physical deteriotation and the resultant lack of 	influence the needs of individuals within this proposal?positive impactHow might these characteristics affect the impact of the proposal?(Tick where relevant)(If no influence on impact, state 'N/A')XThe services described above are typically accessed by older residents, with 80% of the residents being 65+.XWith the exception of AHH02E, all of the proposals above are planned to ensure that all plans are tailored to individual needs, supporting the increased opportunity for people to stay in their home and within their community for longer. The focus of reviews and Individual Support Plans will be to enable more timely changes in plans to respond to the inevitable changes people undergo over time.The focus of reablement will work to reduce the impact of extended periods of immobility, reducing the likelyhood of physical deteriotation and the resultant lack of

Equality Impact Analysis

		1	·
Disability	For a number of clients, their disability increases the challenge of retaining an appropriate level of independence. The focus of these services will give them more control of which services are offered. AHH02E will enable the local authority to carefully plan the level of services offered, especially for Nursing services which can be responsive to emerging trends.	X	
Sex	Not applicable		
Race, Ethnicity and Religion/Belief	Not applicable		
Sexual Orientation and Gender Reassignment	Not applicable		
Pregnancy and Maternity	Not applicable		
Care experience (children in care and care leavers)	Not applicable		
Socio-economic disadvantage (e.g. low income, poverty)	Most of these services are provided following a means test, naturally focusing the resources on those with lower income levels. The options AHH04E, AHH08Eand AHH13E will enable support to be fine tuned, including access to some community services which can offer support beyond the statutory service offer.	X	
Marriage and Civil Partnership (in respect of employment discrimination only)	Not applicable		
Armed Forces Community (in respect of access to public services)	Not applicable		

Where a potential negative impact has been identified, what measures would be put in place to mitigate or minimise it?

Background Information

Service area:	Adult Social Care
Directorate:	Adults & Health
Budget proposal reference number/s:	AHH06E, AHH07E, AHH10E, AHH11E
Completed by:	Approved by: Kevin McDaniel
Date:	Date: 24/11/2023

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

The budget proposals contained within this EQIA are derived from the options to continue to provide the right service at the right time to residents with the aim of enabling them to live independent lives for as long as possible while being safe. By definition these services are used by vulnerable people so are already used by a small number of residents whose individual situation, wishes and choices are taken into account.

- AHH06E Supported Living Accommodation. It is proposed to create up to 22 units of supported accommodation in Windsor which will allow residents with learning disabilities the chance to live independently within the community. It is proposed that half of this accommodation is targeted at young adult residents, offering them the chance to live and work within the Borough.
- AHH07E Community Day Support. It is proposed to build on the strength of the Boyn Hill Day centre to provide all of the council's building based day services with an increased timetable of activities. We will also consult on reducing the support provided to non-statutory services which offer location based day services.
- AHH10E Independent Living using "Shared Lives". We are working with an experienced Council to recruit "Shared Lives" carers who will offer a long term 'home' to a resident with Learning Disabilities. These options will support the residents to live 'more ordinary' lives within the Borough, compared to remote or residential options which reduce independence and cost more.
- AHH11E Learning Disability and Mental Health reviews of independence. We propose to review the opportunities for independence for all of those residents we support because of their learning disabilities or mental health care needs so see what changes could be made to support them with the skills and resources to have more say over their daily lives, including changes in accommodation where that is positive and safe for the individual.

All of these proposals align with the Council's duty to assess and provide access to services which meet individual needs when those people cannot afford to pay for the entirety of their care.

Equality Impact Analysis

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		/
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	These services apply to residents of all ages who have learning disabilities or mental health care needs. It is expected that these proposals will be a particular benefit to younger adults where there is limited local provison for supported, independent living which results in a number of service users currently being offered accommodation a significant distance from their family home.	X	
Disability	These proposals are specifically designed to improve the options for independent living for those with learning disabilities. It is recognised that for some people the changes may be hard to understand and accept so there will be dialogue with residents and their carers to carefully plan any changes that result from the proposals.	X	
	Proposal AHH07E plans to maximise the use of the existing Day Centre at Boyn Hill in Maidenhead and reduce the building based facilities in Windsor. The service will provide a number of transport options to facilitiate access, however there will be a change in service timetabling and access which will be harder for some users. The service will continue to offer community based alternatives which can meet many needs.		X
Sex	Not applicable		
Race, Ethnicity and Religion/Belief	Not applicable		
Sexual Orientation and Gender Reassignment	Not applicable		
Pregnancy and Maternity	Not applicable		

Care experience (children in care and care leavers)	Not applicable		
Socio-economic disadvantage (e.g. low income, poverty)	Most of these services are provided following a means test, naturally focusing the resources on those with lower income levels. The increased independence of some of the residential options will enable some people to access a wider range of national benefits to further support their costs.	x	
Marriage and Civil Partnership (in respect of employment discrimination only)	Not applicable		
Armed Forces Community (in respect of access to public services)	Not applicable		

Where a potential negative impact has been identified, what measures would be put in place to mitigate or minimise it?

The Community Day support service has a range of transport options to support those who will have to travel further to access a different centre. These users may also benefit from the use of a personal budget to enable them more choice on transport and/or service options.

Service area:	Trading Standards & Licensing
Directorate:	Place Services
Budget proposal reference number/s:	Fees and charges (Street Trading Consents)
Completed by: Greg Nelson	Approved by:
Date: 30/11/2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?
- What are the intended outcomes?

To increase the income target for street trading consents by £10 000 in 2024/2025

• Who will be affected by the proposal?

No existing holder of a street trading consent will be affected

• Does this conflict with any statutory responsibilities or requirements?

No

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	How do the protected characteristics	Potential	Potential
	influence the needs of individuals	positive	negative
	within this proposal?	impact	impact
	How might these characteristics affect		
	the impact of the proposal?		
		(Tick where	(Tick where
	(If no influence on impact, state 'N/A')	relevant)	relevant)
Age	N/A		
Disability	N/A		
Sex	N/A		
Race, Ethnicity and	N/A		
Religion/Belief			
Sexual Orientation and	N/A		
Gender Reassignment			
		1	

Pregnancy and Maternity	N/A	
Care experience (children in care and care leavers)	N/A	
Socio-economic disadvantage (e.g. low income, poverty)	N/A	
Marriage and Civil Partnership (in respect of employment discrimination only)	N/A	
Armed Forces Community (in respect of access to public services)	N/A	

Service area:	Housing
Directorate:	Place Services
Budget proposal reference number/s:	Projects relating to temporary accommodation – John West House.
Completed by: Amanda Gregory	Approved by:
Date: 04/12/2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?
- What are the intended outcomes?

To ensure:

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Availability of temporary accommodation in the borough for those who are homeless, including those rough sleeping.

• Who will be affected by the proposal?

Any person who qualifies for temporary accommodation.

• Does this conflict with any statutory responsibilities or requirements?

No

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	Homelessness can affect anyone at any age. Provision in the borough will enable children to maintain their school place and access to current services.	x	
Disability	There is a limited amount of adapted accommondation at the moment. A proportion of the accommodation sourced will be adapted.	x	
Sex	Homeslessness can affect anyone irrespectivie of sex. Provision of the John West facility will ensure that there are male/female designated areas if required.	X	

	Safe accommodation (from those suffering domestic abuse) will also be considered.	
Race, Ethnicity and Religion/Belief	Homeslessness can affect anyone irrespectivie of religion/belief. 2023 has seen an increaswe of asylum seekers who are now presenting as homeless/roughsleeping. Provision of more accommodation within the borough will benefit this protected characteristic.	x
Sexual Orientation and Gender Reassignment	Homeslessness can affect anyone irrespectivie of sexual orientation or gender reassignment.	x
Pregnancy and Maternity	Provision of accommodation within the borough will enable this protected characteristic to continue healthcare in the borough.	x
Care experience (children in care and care leavers)	Provision of accommodation within the borough will enable this protected characteristic to continue with their support in the borough.	x
Socio-economic disadvantage (e.g. low income, poverty)	Homlessness is more likley to affect those with low income. This proposal will increase availability in the borough and esnure that those individuals still have access to their current jobs/schools etc without additional travel costs.	x
Marriage and Civil Partnership (in respect of employment discrimination only)	N/A	
Armed Forces Community (in respect of access to public services)	Homelessness can affect anyone.	x

Service area:	Trading Standards & Licensing
Directorate:	Place Services
Budget proposal reference number/s:	Withdrawal of the Hackney Carriage/PH non statutory appeals
Completed by: Greg Nelson	Approved by:
Date: 30/11/2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?
- What are the intended outcomes?

To cease providing a non-statutory and non- constitutional appeals process currently provided to RBWM licenced hackney carriage and private hire drivers, and applicants for such licences, should an application be refused, or an existing licence be suspended or revoked. This internal appeals process is in addition to the statutory right of appeal that will remain in place for those affected

This will not provide a direct cost saving but will free up officers from Licensing, Democratic Services and Legal, providing efficiencies and extra staffing resources for higher priority areas of work

• Who will be affected by the proposal?

RBWM licenced hackney carriage and private hire drivers, and applicants for such licences

- Does this conflict with any statutory responsibilities or requirements?
- No there is a statutory right of appeal that will not be affected by this proposal

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	N/A		
Disability	N/A		

Sex	N/A	
Race, Ethnicity and Religion/Belief	Ceasing the internal appeals process is likely to have a disproportionate impact on drivers who are from ethnic and religious minorities because a very high proportion of licenced drivers are from ethnic and religious minorities. Nearly 100% of people using the internal appeals process in the last five years have been from an ethnic or religious minority	•
Sexual Orientation and Gender Reassignment	N/A	
Pregnancy and Maternity	N/A	
Care experience (children in care and care leavers)	N/A	
Socio-economic disadvantage (e.g. low income, poverty)	N/A	
Marriage and Civil Partnership (in respect of employment discrimination only)	N/A	
Armed Forces Community (in respect of access to public services)	N/A	

All those affected will have a statutory right to appeal to a magistrate's court should their application for a licence be refused, or an existing licence be suspended or revoked

Service area:	Environmental Health
Directorate:	Place
Budget proposal reference number/s:	
Completed by: Obi Oranu	Approved by:
Date: 30 November 2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Due to budgetary pressures and a review of service delivery, the accompanying briefing paper outlines the proposal to terminate the Out of Hours Noise Service currently provided by Inside Housing Solutions (IHS).

Historically, RBWM have provided a contracted Out of Hours (OOH) Noise Service through Inside Housing Solutions (IHS). IHS provides a telephone and occasional inperson response to noise complaints made outside of the normal office hours of 8:45 to 17:15/16:45 on Fridays and weekends. This service is accessed through RBWM's general OOH service contact number.

The proposal is for the OOH service provided by IHS to be discontinued and replaced with a hybrid approach using the Noise App, an additional Sound Level Meter that doubles as a recording device to assist with following up genuine statutory nuisance noise cases and an exceptional service provided by existing Environmental Protection staff.

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	There is no demographical data for residents that currently use the OOH service. Generally, the proposal will affect all residents within RBWM although the proposal is likely to affect older residents unfamiliar with smart phone use/technology. From the 2021 Census,		/

There is some evidence to suggest older		
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	people are more sensitive to noise. It is assumed residents in this age demographic would be more likely to use the OOH service, although there is no current data to support this. The proposals seeks to remove the OOH Noise Service, which is currently accessed by phone. Telephone contact would typically be the preferred method of contact from older residents. The proposal seeks to move towards the use of an app using an iOS or Android device in conjunction with the current online form, use of physical diary sheets. Older residents are typically unlikely to have a smartphone or be technologically comfortable using an app to record noise evidence. The move to an app-based service in place of a telephone/in-person service may impact disabled individuals depending upon the accessibility of the app and their ability to use smart phone technology. n/a n/a	There is some evidence to suggest older people are more sensitive to noise. It is assumed residents in this age demographic would be more likely to use the OOH service, although there is no current data to support this. The proposals seeks to remove the OOH Noise Service, which is currently accessed by phone. Telephone contact would typically be the preferred method of contact from older residents. The proposal seeks to move towards the use of an app using an iOS or Android device in conjunction with the current online form, use of physical diary sheets. Older residents are typically unlikely to have a smartphone or be technologically comfortable using an app to record noise evidence. The move to an app-based service in place of a telephone/in-person service may impact disabled individuals depending upon the accessibility of the app and their ability to use smart phone technology. n/a n/a

There will be an improvement to the RBWM website outlining the approach to statutory nuisances, including explaining the process for residents to take their own action under section 82 of the Environmental Protection Act 1990; this provision highlights parliament accept local authorities are unable to investigate every alleged statutory nuisance. There will be a case review mechanism to speedily identify cases that require an out of hours visit to witness the alleged nuisance.

The discontinuation of the OOH service will mean residents will no longer be able report or request a response out of hours. There will be a mechanism by which exceptional noise cases, cases where there is a genuine suggestion a statutory nuisance exists outside of normal office hours, will be subject to proactive visits and noise monitoring equipment installed by Environmental Protection Officers. Visits to witness a statutory noise nuisance outside of office hours will be on an exceptional case-by-case basis.

Information on the RBWM website will be re-configured to clearly explain the process for investigating noise nuisance complaints that take place outside office hours. Any complaints relating to difficulties accessing the service will be picked up as part of the annual service review and forward service planning, as well as corporate complaints data/referrals.

Service area:	Environmental Health
Directorate:	Place
Budget proposal reference number/s:	
Completed by: Obi Oranu	Approved by:
Date: 30 November 2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Due to budgetary pressures Environmental Health have increased the fees for HMO Licences for 2024/25. Whilst an increase in fees may bring in additional modest income, the fees are borne by the landlord, who may in turn, pass on the cost through increased rent to their tenants.

The private rented sector, of which (HMOs) form part, has undergone significant growth. It is now the second largest tenure in the UK and houses around 4.5 million households in England. HMOs offer accommodation that is typically cheaper than other private rental options and often house vulnerable tenants. There were an estimated 497,000 HMOs in England and Wales at the end of March 2018.

People who live in HMOs are at more risk than those who occupy a property as a family unit. This is because an HMO is often occupied by more people than a single-family home. HMOs that are poorly managed and badly maintained can put an extra burden on local services and have a negative impact on the area. Local authorities have a statutory duty to regulate HMOs and charge fees to process and administer the licensing process.

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		
		(Tick where	(Tick where
	(If no influence on impact, state 'N/A')	relevant)	relevant)
Age	Younger people (including university students), although not exclusively, are likely to reside in HMOs. Given the fee increases will apply equally to all HMO		/

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Disability	licence applications we do not consider there will be any direct discrimination of age as a result. There is a potential negative impact in relation to licence fees being passed onto tenants through rental charges. Tenants unable to pay may be forced to seek other accommodation or may become homeless. Applying a charging approach that does not differentiate indiviuals based on protected characteristics is fair. It would be disproportionate to pursue a differentiation fee policy. n/a		
Sex	n/a		
Race, Ethnicity and Religion/Belief Sexual Orientation and Gender Reassignment	Minority ethnic groups are more likely to rent privately, including in HMOs. The licence fee applies equally to all applicants, so there is a no direct discrimination of tenants based on race. Circumstances of tenants across ethnicity are likely to be materially different. There is a potential negative impact in relation to licence fees being passed onto tenants through rental charges. Tenants unable to pay may be forced to seek other accommodation or may become homeless. Applying a charging approach that does not differentiate indiviuals based on protected characteristics is fair. It would be disproportionate to pursue a differentiation fee policy. n/a		/
Pregnancy and Maternity	n/a		
Care experience (children in care and care leavers)	n/a		
Socio-economic disadvantage (e.g. low income, poverty)	The licence fee applies equally to all applicants, so there is a no direct discrimination of tenants based on socio- ecomomic considerations. Circumstances of tenants are likely to be materially different. There is a potential negative impact in relation to licence fees being passed onto tenants through rental charges. Tenants unable to pay may be forced to seek other accommodation or may become homeless. Applying a charging approach that does not		/

	differentiate indiviuals based on protected characteristics is fair. It would be disproportionate to pursue a differentiation fee policy.	
Marriage and Civil	n/a	
Partnership (in respect		
of employment		
discrimination only)		
Armed Forces	n/a	
Community (in respect		
of access to public		
services)		

The fee applies to all applicants – tenants with protected characteristics will not be specifically disadvantaged.

Local authorities must not use surplus fee income from one licensing scheme to fund other council activities. A separate narrative explains how the fees have been determined in line with guidance published by the Local Government Association.



HMO Fees and Charges narrative .d

Fees are required to be kept under constant review and should the scheme be operating at a deficit at the end of its five-year duration the expenditure of the scheme will be reduced accordingly. Conversely if, at review, the scheme is operating in surplus consideration will need to be made in respect of refunding landlords a proportion of their fees.

Service area:	Communications
Directorate:	Chief Executive
Budget proposal reference number/s:	
Completed by:	Approved by:
Date: Rebecca Hatch	Date: 1 st December 2023

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Around the Royal Borough is the council's magazine distributed once a year (November) to every household across the borough to help update residents on council work and seasonal information. Due to the council's tight financial position in 2023/24, the Communications Service was asked to stop producing the November 2023 magazine in order to deliver in-year savings. Ceasing publication of Around the Royal Borough is also included as a proposed saving in the 2024-25 budget proposals.

The magazine is a non-statutory, discretionary service. In the last decade many councils have discontinued routine printed communications to all households, as print costs have increased significantly, awareness has grown around environmental impacts and new digital communications channels have become available and better used among communities for regular updates. The Royal Borough's digital channels – resident e-newsletter, website and social media – are a popular, cost-effective and environmentally-sustainable way of communicating regular, timely updates with residents. The required lead-in times and significant costs of producing, printing and distributing a printed magazine to every household has meant it has never been a channel that can practically be used for regular and/or responsive updates. In addition, over the years, Around the Royal Borough has reduced in frequency from quarterly to annually in order to make savings, making it even less suitable for timely communications.

How do the protected characteristics	Potential	Potential
influence the needs of individuals	positive	negative
within this proposal?	impact	impact
How might these characteristics affect the impact of the proposal?		

	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	There is no data indicating how well read the magazine is, or who reads it. However, the Resident Survey, undertaken in 2022, indicates that residents' top choices for receiving information about council services or local issues are the council's e- newsletter, printed information and the council website. Printed information was a higher priority for residents over 55, those with a disability and those finding it hard financially. Older people may therefore be more impacted by not receiving the magazine.		X
Disability	There is no data indicating how well read the magazine is, or who reads it. However, the Resident Survey, undertaken in 2022, indicates that residents' top choices for receiving information about council services or local issues are the council's e- newsletter, printed information and the council website. Printed information was a higher priority for residents over 55, those with a disability and those finding it hard financially. Disabled people may therefore be more impacted by not receiving the magazine.		X
Sex	N/A		
Race, Ethnicity and Religion/Belief	N/A		
Sexual Orientation and Gender Reassignment	N/A		
Pregnancy and Maternity	N/A		
Care experience (children in care and care leavers)	N/A		
Socio-economic disadvantage (e.g. low income, poverty)	There is no data indicating how well read the magazine is, or who reads it. However, the Resident Survey,		X

	undertaken in 2022, indicates that residents' top choices for receiving information about council services or local issues are the council's e- newsletter, printed information and the council website. Printed information was a higher priority for residents over 55, those with a disability and those finding it hard financially. People on lower incomes and at socio-economic disadvantage may therefore be more impacted by not receiving the magazine.	
Marriage and Civil Partnership (in respect of employment	N/A	
discrimination only) Armed Forces	N/A	
Community (in respect		
of access to public		
services)		

The council fully recognises that not everyone has easy access to the internet, and this audience is considered in planning communications. Already, some content that had been originally planned for the November 2023 edition of Around the Royal Borough has been printed in smaller quantities and made available in libraries for the benefit of these audiences.

Where budget is available, and where required to best reach a specific audience, the council take a proportionate approach to producing printed materials for individual projects – posters, letters, flyers, leaflets and pull-up banners are all still used to help reach certain audiences. Often these printed materials, produced in smaller volumes, are distributed via community partners to better reach target groups. For example, information about cost of living support or skills courses.

The key council news stories that appear in the resident e-newsletter are also shared with the local media as a matter of routine, for them to cover in their printed newspapers and via local radio. Printed copies of consultation materials are made available from libraries upon request, or there are public-access computers available at all local libraries, where staff are happy to help people get online if needed. Key information such as concerning bin collection changes over the holiday period is also communicated through libraries, parishes and wider channels.

Service area:	Library and Resident Contact
Directorate:	Resources
Budget proposal reference number/s:	
Completed by: Angel	Approved by:
Date: 24/11/2023	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Remove the Inclusions Post

Currently the Inclusions Post has an income target against it of £15Kpa The overall cost for this Grade 5 post is £35Kpa. With the £15K income the savings are £20Kpa.

The post aims to ensure that all residents are able to benefit from a comprehensive and efficient library service that meets their needs, drives aspiration and remains accessible to all including the most vulnerable. The income target against the post was applied to ensure value for money for the council taxpayer. Partners contribute to this post to ensure their priorities are met.

The post works with targeted groups to encourage uptake of library services in order to increase the opportunities for less advantaged children and their families as well as for adults with mental, physical or emotional challenges in the Royal Borough of Windsor and Maidenhead.

The post works with colleagues in Adult Social Care, Children's Services and Health to identify targeted groups and in particular with Education and schools to ensure that activity targets the most vulnerable young people.

• It aims to ensure stock is provided sufficient in number, range, and quality to meet any special requirements of adults and children who meet identified deprivation indices, encouraging those adults and children to make full use of library services.

• It manages a programme of activity both digital and physical that includes identified targets individuals and groups to reflect the four national universal offers: Reading, Information & Digital, Culture & Creativity and Health & Wellbeing

• It ensures all Royal Borough children have access to library services including reading for enjoyment.

• It develops positive relationships with stakeholders, partners and potential customers to increase opportunities to promote the Service to disadvantaged groups.

• It also manages the Bookstart and BookAhead initiatives

Some examples of the activities that may stop as a result of the removal of this post:

- The Army Covenant work (fully funded £10K from the Army Covenant Fund)
- Good Grub Club in Dedworth (fully funded)
- Accessibility library services

- Partnerships with Stand Up for Autism and Learning Disability partners
- Bookstart offer funded by AfC (£5000pa)
- Blood Pressure Monitoring in Libraries
- Parallel events (we expect this to be funded next year, £1000)
- Men's Health event
- IAS partnership (AfC)
- Dyslexia partnerships
- Vision and Print Impaired library services
- Participation in Dementia Friendly Borough
- Participation in Aging Well

	How do the protected characteristics	Potential	Potential
	influence the needs of individuals	positive	negative
	within this proposal?	impact	impact
	How might these characteristics affect		
	the impact of the proposal?		
		(Tick where	(Tick where
	(If no influence on impact, state 'N/A')	relevant)	relevant)
Age	This post focuses on babies (Bookstart), children who meet the criteria in terms of multiple indices of disadvantage, and those with Dementia which predominantly impacts older people.		V
Disability	This post prioritises the library's accessibliity offer which may be greatly reduced as a result of the deletion of the role. <u>https://www.rbwm.gov.uk/home/leisure-</u> <u>and-culture/libraries/accessible-services-</u> <u>royal-borough-libraries</u>		V
Sex	This role ensures activities such as Men's Health are covered by the Library Service		V
Race, Ethnicity and Religion/Belief			
Sexual Orientation and Gender Reassignment			
Pregnancy and Maternity			
Care experience (children in care and care leavers)			

Socio-economic disadvantage (e.g. low income, poverty)	The main focus of this role is to ensure everyone, regardless of disability or means, is able to benefit from a comprehensive and efficient library service	V
Marriage and Civil Partnership (in respect of employment discrimination only)		
Armed Forces Community (in respect of access to public services)	This role has delivered many initiatives (fully funded) to support the Armed Forces.	V

This is a savings proposal. To remove the post would remove the opportunity to bid for the funding associated with it and will bring to a halt the work undertaken by the post holder. Due to year on year reductions to the library staff cohort it will not be possible to minimise the impact as services are already stretched and volunteers are already used extensively.

Service area:	Infrastructure, Sustainability and Economic Growth
Directorate:	<u>Place</u>
Budget proposal reference number/s:	PLA29S
Completed by: Chris Joyce	Approved by: Chris Joyce
Date:28/11/23	Date: 28/11/23

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

The proposals seek to maximise the cost recovery and income generation of our Economic Growth team to reduce the overall cost to the Council. This will include restructuring the team to focus on areas with highest cost recovery and income generation. This will include a change in service delivery model for some services to reduce the cost to the council.

	How do the protected characteristics influence the needs of individuals	Potential positive	Potential negative
	within this proposal?	impact	impact
	How might these characteristics affect		
	the impact of the proposal? (If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	Some users may prefer a face to face service and there is a risk that this will be reduced with changes to the team.		X
Disability	Some users may prefer a face to face service and there is a risk that this will be reduced with changes to the team.		X
Sex	N/A		
Race, Ethnicity and Religion/Belief	N/A		
Sexual Orientation and Gender Reassignment	N/A		

Pregnancy and Maternity	N/A	
Care experience (children in care and care leavers)	N/A	
Socio-economic disadvantage (e.g. low income, poverty)	N/A	
Marriage and Civil Partnership (in respect of employment discrimination only)	N/A	
Armed Forces Community (in respect of access to public services)	N/A	

The proposals will seek to maintain the services in some form with the ability to provide face to face services where possible.

Service area:	Various
Directorate:	Various
Budget proposal reference number/s:	
Completed by: Nikki Craig	Approved by:
Date: 30/11/23	Date

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

The potential service redesign or restructure of a service within the council leading to a reduction in headcount. In this event, any formal process would need to consider the protected characteristics of the individual or individuals affect by the redesign/restructure within the context of the wider workforce profile to assess if there are any disproportionate impacts to certain groups. For the purposes of the redesign/restructure, all employees will be treated equally regardless of protected characteristics.

	How do the protected characteristics influence the needs of individuals within this proposal?	Potential positive impact	Potential negative impact
	How might these characteristics affect the impact of the proposal?		
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	All staff will be treated equally regardless of Age		
Disability	'If any affected colleagues have a disability, reasonable adjustments will be available to enable them to participate fully in the process		
Sex	All staff will be treated equally regardless of sex		

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race, ethnicity and religion or belief.		
All staff will be treated equally regardless of		
sexual orientation and gender reassignment.		
All staff will be treated equally regardless of		
pregnancy or maternity. If any affected		
colleagues were on maternity leave, efforts		
would be taken to ensure they were		
appropriately engaged and informed about		
the process		
All staff will be treated equally regardless of		
care experience.		
All staff will be treated equally regardless of		
socio-economic disadvantage.		
All staff will be treated equally regardless of		
marriage or civil partnership.		
All staff will be treated equally regardless of		
any connection with armed forces community.		
	sexual orientation and gender reassignment. All staff will be treated equally regardless of pregnancy or maternity. If any affected colleagues were on maternity leave, efforts would be taken to ensure they were appropriately engaged and informed about the process All staff will be treated equally regardless of care experience. All staff will be treated equally regardless of socio-economic disadvantage. All staff will be treated equally regardless of marriage or civil partnership.	race, ethnicity and religion or belief. All staff will be treated equally regardless of sexual orientation and gender reassignment. All staff will be treated equally regardless of pregnancy or maternity. If any affected colleagues were on maternity leave, efforts would be taken to ensure they were appropriately engaged and informed about the process All staff will be treated equally regardless of care experience. All staff will be treated equally regardless of socio-economic disadvantage. All staff will be treated equally regardless of marriage or civil partnership. All staff will be treated equally regardless of

Service area:	Social Care & Early Help
Directorate:	Achieving for Children - Children's Services
Budget proposal reference number/s:	<u>CHI01E / CHI05E / CHI06E</u>
Completed by: Louise Dutton	Approved by: Lin Ferguson
Date: 16/11/2023	Date 05/12/2023

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Containment of the Children in Care

Work will focus on the right children and young people coming into the care of the local authority and at the right time. This will mean a greater focus on 'Family First' support, working with extended family and friends as alternative carers (when appropriate) and greater challenge in respect of children in care placements. The proposal will impact on children not in care. This will not conflict with any statutory responsibilities or requirements.

Children in Care Placement Review

Implementation of a 'Child by Child' Savings Plan identifying planned moves and/or rate reductions – enhanced scrutiny and challenge of this overseen by the Resource Panel. This should result in the right children and young people being in the right placements to meet their needs. The proposal will impact on Children in Care. This will not conflict with any statutory responsibilities or requirements.

	How do the protected characteristics influence the needs of individuals within this proposal? How might these characteristics affect the impact of the proposal?	Potential positive impact	Potential negative impact
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	The placements and savings does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	
Disability	N/A		
Sex	N/A		
Race, Ethnicity and Religion/Belief	The placements and savings does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	
Sexual Orientation and Gender Reassignment	N/A		
Pregnancy and Maternity	N/A		
Care experience (children in care and care leavers)	The placements and savings does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	
Socio-economic disadvantage (e.g. low income, poverty)	N/A		

Marriage and Civil Partnership (in respect of employment discrimination only)	N/A	
Armed Forces Community (in respect of access to public services)	N/A	

The placements and placements savings will be met through child by child reviewing and assessment of Children in Care packages, identifying any changes needs.

Service area:	Special Education Needs and Disabilities Service
Directorate:	Achieving for Children - Children's Services
Budget proposal reference number/s:	<u>CHI02E</u>
Completed by: Louise Dutton	Approved by: Lin Ferguson
Date: 16/11/2023	Date 05/12/2023

Provide a brief explanation of the budget proposal/s:

- What are the intended outcomes?
- Who will be affected by the proposal?
- Does this conflict with any statutory responsibilities or requirements?

Review of School Transport to provide an offer of statutory requirement only

Statutory offer includes removing non statutory travel support to over 16s, review offer to excluded pupils, and review fare payer transport offer.

The proposal does conflict with statutory requirements with risk that policy is overruled at tribunal due to general duty to support young people in education / training. This would potentially leave some high need 16+ young people at risk.

	How do the protected characteristics influence the needs of individuals within this proposal? How might these characteristics affect the impact of the proposal?	Potential positive impact	Potential negative impact
	(If no influence on impact, state 'N/A')	(Tick where relevant)	(Tick where relevant)
Age	The Special Educational Needs & Disabilities saving does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	
Disability	The Special Educational Needs & Disabilities saving does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	
Sex	N/A		
Race, Ethnicity and Religion/Belief	N/A		
Sexual Orientation and Gender Reassignment	N/A		
Pregnancy and Maternity	N/A		
Care experience (children in care and care leavers)	N/A		
Socio-economic disadvantage (e.g. low income, poverty)	The Special Educational Needs & Disabilities saving does impact on this protected characteristic, however, children will be supported as set out in accordance with statutory responsibilities.	~	

Marriage and Civil	N/A	
Partnership (in respect		
of employment		
discrimination only)		
Armed Forces	N/A	
Community (in respect		
of access to public		
services)		

The Special Educational Needs & Disabilities Services savings will be driven through process savings and efficiencies whilst ensuring statutory responsibilities are met, however, inevitably there may be some reduction in service response rate.

Agenda Item 8

Report Title:	Procurement of the Stop Smoking Service
Contains	No - Part I
Confidential or	
Exempt Information	
Cobinat Marshar	Councillar del Compo. Cabinat Mambar for
Cabinet Member:	Councillor del Campo, Cabinet Member for
	Adults, Health, and Housing Services
Meeting and Date:	Cabinet – 13 th December 2023
Responsible	Tessa Lindfield, Director of Public Health for
Officer(s):	Berkshire East
	Kevin McDaniel, Executive Director of Adult
	Services and Health (DASS)
	Dr Jonas Thompson-McCormick, Deputy
	Director of Public Health
	Charlotte Littlemore, Service Lead – Public
	Health Programmes
Wards affected:	All



REPORT SUMMARY

The contract for the Royal Borough of Windsor and Maidenhead's (RBWM) current Stop Smoking Service ends on 31st March 2024. This report aims to:

- Brief Cabinet of the work undertaken so far to secure a new provider to deliver the Stop Smoking Service from the 1st April 2024
- Seek approval from Cabinet to grant delegated decision-making authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) and Cllr del Campo (Lead member for Adults Services, Health and Housing Services), to approve the outcome of the current Stop Smoking Procurement exercise.

This is important to the RBWM's vision "Creating a sustainable borough of opportunity and innovation" and objective 1 of the <u>Corporate Plan (2021-26)</u> to create thriving communities. The statutory RBWM <u>Health and Wellbeing Strategy (2021-2025)</u> includes four key priorities, including targeting prevention and early intervention to improve wellbeing, and investing in the borough as a place to live in order to reduce inequalities.

The RBWM Stop Smoking service provides intensive evidence-based specialist stop smoking support for all smokers aged 12+ who want to stop smoking, these services play a key role in supporting resident's mental and physical wellbeing as well as life opportunities.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

i) Delegates authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Cllr del Campo (Lead Member for Adult Services, Health and Housing Services) to approve the outcome of the current Stop Smoking Procurement exercise.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report.

Option	Comments
Grant delegated authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Cllr del Campo (Lead Member for Adult Services, Health, and Housing Services) to approve the outcome of the current Stop Smoking Procurement exercise. This is the recommended option.	It is important to grant delegated authority to Kevin McDaniel in consultation with ClIr del Campo to ensure that a new Stop Smoking Service can be in place by 1 st April 2024.
Do not grant delegated authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Cllr del Campo (Lead Member for Adult Services, Health, and Housing Services) to approve the outcome of the current Stop Smoking Procurement exercise. This is not recommended.	Not granting delegated authority to Kevin McDaniel in consultation with Cllr del Campo will delay the new Stop Smoking Service being in place by 1 st April 2024.

Background

- 2.1 Smoking is the leading cause of preventable illness and premature death in England. In 2022, approximately 8.6% of the adult population were estimated to be smoking in the RBWM (Local Tobacco Control Profiles Data OHID (phe.org.uk)). To meet the Government's ambition for England to be 'smokefree' by 2030 (smoking prevalence ≤5%), this means reducing smoking prevalence in adults in the RBWM from 8.6% to 5% in the next 7 years.
- 2.2 Stop smoking services and interventions are non-mandated functions but are conditions of the public health grant.
- 2.3 The decision was made to recommission the RBWM's current Stop Smoking Service, provided by Solutions4Health, as the contract expires on 31st March 2024, there are no viable extension options available.
- 2.4 Approval to go out to tender was sought via Head of Service Consultation in May 2023. Procurement was consulted throughout the commissioning process to ensure compliance with the Council's Contract and Tendering Rules. Cllr del

Campo (Lead Member for Adult Services, Health, and Housing Services) was also briefed at this time.

- 2.5 The original proposal was to award a contract for an initial two-year term, with an option to extend by two separate one-year terms, with an annual contract value of £0.120m, with the contract starting 1st April 2024.
- 2.6 Following procurement advice, and because the requirement was above the Services Threshold, a full tender process was required. A Contracts Finder Notice was published on 15/09/23 inviting interested parties to access the tender documents on RBWMs e-Procurement Portal.
- 2.7 On the 4^{th of} October 2023, the Government announced that it is investing an additional £70 million per year to support local authority-led stop smoking services. Due to the additional indicative funding that is likely to become available, it is likely that the financial envelope for the RBWM Stop Smoking Service will exceed £0.120m per annum between 2024/25 2028/29. At the time of writing this report, the exact amount of funding that RBWM may receive has not been confirmed, but it could substantively increase our annual spend.
- 2.8 The potential increase and the relative confidence of receiving additional funds (Local stop smoking services: methodology for allocating indicative funding to local authorities) means that the overall Contracts Value will now exceed £0.500m, therefore Cabinet approval is required.
- 2.9 Delegated Approval is sought as prior to the Government announcement of additional funding the contract value was below £0.500m and did not require Cabinet approval, a procurement project timeline was agreed and was progressing on this basis.
- 2.10 The increased value and the need for Cabinet approval means that to maintain the procurement project timeline and have sufficient time to mobilise a new contract we do not have sufficient time to seek Cabinet approval once the submissions have been submitted and evaluated.
- 2.11 The increased funding will be in place for an additional year past the term that we had indicated in our tender documentation. Therefore, it has been decided to extend the duration of the contract by a further year to be in line with the proposed additional indicative funding. The confirmed contract term will now be two years plus three optional one-year terms, a maximum contract length of five years.
- 2.12 Bidders were notified of the changes in potential value and duration, and an amended notice published to alert the market. Bidders have been made aware that any additional funding is not contracted and will be subject to the values that RBWM is awarded.
- 2.13 Bidders were also made aware that outcomes and KPIs would be amended pro rata to the increase in value.

2.14 A full report with the outcome of the procurement exercise will be produced for the delegated approvers and an Officer Decision Notice published confirming the outcome.

3. KEY IMPLICATIONS

- 3.1 The successful outcome of the procurement is to appoint a provider to deliver the Stop Smoking Service starting 1st April 2024.
- 3.2 To appoint a provider to deliver this service, delegated authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Cllr del Campo (Lead Member for Adult Services, Health, and Housing) is sought. This will prevent any delay in appointing a new provider to deliver this service from 1st April 2024.
- 3.3 Any delay at this stage of the procurement process caused by not granting delegated authority to Kevin McDaniel in consultation with Cllr del Campo, will likely result in:
 - 1. Delay in appointing a provider to deliver the Stop Smoking Service from 1st April 2024.
 - 2. Shorten the mobilisation period for a new provider to establish the service, putting the beginning of the contract at risk.
 - 3. Potential gap in service provision between the current service, which will end on 31st March 2024, and the new service.

A gap in provision of stop smoking services would be expected to have a detrimental impact on the health of the local population, increase health inequalities and slow progress towards a smoke free borough. In addition, non-provision of the existing service would make the council ineligible for the additional DHSC grant smoking cessation funds.

Outcome	Unmet	Met	Exceede d	Significantl y Exceeded	Date of deliver y
Residents have access to local stop smoking support, including behavioural support and pharmacotherapi es	New Stop Smoking Service is not in place and not deliverin g by 1 st April 2024	New Stop Smoking Service is in place and deliverin g by 1 st April 2024	N/A	N/A	1 st April 2024

Table 2: Key Implications

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The RBWM's Stop Smoking Service will be funded through RBWM's ringfenced Public Health Grant, and any additional indicative funding received from government. There are no financial implications associated with this recommendation.
- 4.2 The minimum contract value per annum will be £0.120m for the duration of this contract, which is within the allocation set aside in the Public Health grant. This is an appropriate and necessary use of the Public Health Grant, as Stop Smoking Services and interventions are one of the non-prescribed functions for local authority public health spend (Public health ring-fenced grant 2023 to 2024: local authority circular GOV.UK).
- 4.3 Any additional indicative funding that is received from the Government to support local authority stop smoking services will be delivered through the new Section 31 grant. This funding will be ring-fenced for the purposes of local authority-led stop smoking services. At the time of drafting this report, Public Health are still awaiting confirmation of the exact funding allocation for RBWM
- 4.4 To receive this funding each year, RBWM must maintain its existing spend on Stop Smoking Services throughout the entire grant period. There is sufficient allocation set aside in the Public Health Grant to maintain its existing spend to ensure RBWM can meet the grant funding criteria.

5. LEGAL IMPLICATIONS

5.1 The procurement of RBWM's Stop Smoking Service meets the requirements of a local authority's duty to improve public health under the Health and Social Care Act 2012, section 12, subject to complying with the Council's Contract and Financial Procedure Rules as set out in the Council's Constitution.

6. RISK MANAGEMENT

6.1 There are no potential risks identified with granting delegated authority to Kevin McDaniel in consultation with Cllr del Campo.

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment for the Stop Smoking Service is available in Appendix A.
- 7.2 Climate change/sustainability. There are no direct climate change / sustainability implications related to this recommended option.
- 7.3 Data Protection/GDPR. The provider of the Stop Smoking Service will process personal data for service delivery.

8. CONSULTATION

- 8.1 Approval to go out to tender was sought via Head of Service Consultation in May 2023, when the initial contract value (£0.480m) was below the Procurement threshold and was not considered a key decision. Cllr del Campo (Lead Member for Adult Services, Health, and Housing Services) was also briefed at this time.
- 8.2 Procurement was consulted throughout the commissioning process to ensure compliance with the Council's Contract and Tendering Rules.
- 8.3 Following the announcement of additional funding for local authority led stop smoking services on the 4th October, Public Health and Procurement agreed that it would be useful to align the contract term to the duration of grant funding period. Therefore, the contract term is 2+1+1+1 with a minimum contract value of £0.600m, meeting the threshold to now be considered as a key decision.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in table 3.

Date	Details		
13 th December	Delegated Authority granted to Kevin McDaniel in		
2023	consultation with Cllr del Campo by Cabinet to		
	determine the outcome of the Stop Smoking		
	procurement.		
27 th December	Award Contract.		
2023			
8 th January 2024	New service mobilisation commences.		
31 st March 2024	Service mobilisation complete.		
1 st April 2024	New contracts start date.		

Table 3: Implementation timetable

10. APPENDICES

- 10.1 This report is supported by 1 appendix:
 - Appendix A Equality Impact Assessment

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by 2 background documents:
 - RBWM Smoking Cessation Health Needs Assessment 2022
 - Local Stop smoking service: methodology for allocating indicative funding to local authorities

12. CONSULTATION

Name of	Post held	Date	Date
consultee		sent	returned
Mandatory:	Statutory Officer (or deputy)		
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	7 th Novemb er 2023	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	7th Novemb er 2023	7/11/2023
Deputies:			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	7th Novemb er 2023	01/12/202 3
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	7th Novemb er 2023	
Mandatory:	Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract		
Lyn Hitchinson	Procurement Manager	7th Novemb er 2023	7/11/2023
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer	7th Novemb er 2023	7/11/2023
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer	7th Novemb er 2023	7/11/2023
Other consultees:			
Directors (where relevant)			
Assistant Directors (where relevant)			
External (where relevant)			

Confirmation	Cabinet Member for Adults,	Yes
relevant Cabinet	Health and Housing Services	

Member(s)	
consulted	

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision First entered into the Cabinet Forward Plan: Monday 16 th October	No	No

Report Author: Charlotte Littlemore, Service Lead – Public Health	
Programmes. Telephone number: 07850779740	

Appendix A - Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Stop Smoking Service
Service area:	Public Health
Directorate:	Adult Social Care, Health and Communities

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

Smoking is the leading cause of preventable illness and premature death in England, as well as one of the main causes of health inequalities, with the harm concentrated in disadvantaged communities and groups (Public Health England (PHE), 2019).

RBWM's current stop smoking service is contracted until 31st March 2024 and is provided by Solutions 4 Health. Therefore, the service is being recommissioned, with a new service starting on 1st April 2024. The tender process will determine who the successful bidder is who will provide the new service.

The service aim:

• To provide a comprehensive RBWM Stop Smoking Service that reduces inequalities in the prevalence of tobacco use, particularly among identified priority groups, and its associated health impact.

The service objectives:

- To provide an accessible, innovative, and cost-effective stop smoking service for the RBWM residents, ensuring all smokers aged 12 years and older who want to stop smoking are offered stop smoking support.
- To target intensive evidence-based specialist stop smoking support to residents where there is greatest need to address inequalities in smoking rates and/or health impacts.
- To provide universal stop smoking support, offering residents informed choice so that they can decide the intensity of support most appropriate and sufficient to address their needs.
- To deliver a reliable, efficient, and responsive Service to residents, referrers, and other stakeholders.

2. Relevance Check

Is this proposal likely to <u>directly</u> impact people, communities or **RBWM** employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

Yes

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff

RBWM residents aged 12+ who smoke will be able to access the service.

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented?

For example, compared to the general population do a higher proportion have disabilities?

No.

The service is universal and accessible to all residents aged 12+ who smoke. The service has priority groups which define people prioritised for support as they are at high risk of tobacco-related harm, or from groups with a higher prevalence of smoking compared to the general population. As outlined in Action on Smoking and Health's (ASH) briefing on Health Inequalities and Smoking (<u>ASH, 2019</u>) higher smoking prevalence is associated with indicators of deprivation and marginalisation.

The service priority groups are.

Sociodemographic groups:

- People living in a Lower Super Output Area (LSOA) that falls within the lowest deciles of deprivation in the borough (decile 3-5 inclusive), as defined by the Index of Multiple Deprivation, 2019.
- Adults in routine and manual occupations.
- Adults never worked or long-term unemployed (over one year).
- Social housing tenant.
- Individuals who are experiencing homelessness (as defined by the Housing Act 1996 Part VII).

Clinical groups:

- Pregnant women who smoke.
- Individuals diagnosed with a mental health condition.
- Individuals receiving treatment from drug and alcohol services (or have received within the previous 12 months).
- Individuals living with long-term health conditions caused or made worse by smoking. This includes, but is not limited to, diagnosis with a respiratory condition (asthma or COPD), a circulatory disease, a metabolic disease (e.g., diabetes), or cancer.

Other groups:

- Individuals who identify as LGBTQ+ (national data shows particularly high smoking prevalence in LGBTQ+ community).
- Individuals from ethnic minority backgrounds.
- Individuals with a learning disability (or disabilities).

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

No engagement has been undertaken with residents/community groups.

Service user feedback from the current service has been very positive.

- 126 gave consent for feedback (99%)
- 84 feedback forms received (66%)
- 80 clients returned a feedback score of good or excellent.
- 95% of a client returning a feedback form gave a score of good or excellent.

Discussion with current service provider:

- Very pleased with how the service has been going and supporting priority groups.
- Highlighted that perhaps more work could be done to target pregnant women and those with mental health conditions.

Discussion with other local authority leads:

• Routine and manual workers, pregnant women, and those with a mental health condition are key priority groups for a stop smoking service. All of these cohorts are listed as priority service users in the new service specification.

The service specification's equalities and social value section, outlines the following:

The Contractor will:

- Work in line with RBWM's Equality Policy.
- Be expected to pay due and positive consideration to the employment needs within the local community when recruiting, selecting, and training staff.
- Comply with the Equality Act 2010, delivering stop smoking support in a nondiscriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non-discriminatory, and promotes social inclusion, dignity, and respect.

The Contractor will work in line with the RBWM's approach and values, as stated in the <u>Corporate Plan 2021-2026</u>:

- Empower and enable residents, communities, and businesses to maximise their potential.
- Invest in prevention and intervene early to address problems before they escalate.
- Shape our service-delivery around our communities' diverse needs and put customers at the heart of what we do.
- Make the most of effective use of resources delivering the best value for money.
- Promoting awareness of a sustainable and biodiverse environment across all our decision-making.
- Promote health and wellbeing, and focus on reducing inequalities, across all ages.

What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

- RBWM population demographic data (census data) <u>Berkshire Observatory The</u> <u>Royal Borough of Windsor and Maidenhead – Welcome to the Royal Borough of</u> Windsor and Maidenhead Observatory
- Public Health Outcomes Framework data local tobacco control profile for RBWM Local Tobacco Control Profiles - Data - OHID (phe.org.uk)
- Current service performance data
- National ambitions and guidance

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'.

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	Individuals of different ages might have different needs in order to access the service, in terms of marketing and venue location.	N/A	N/A
	One of the service objectives is: To provide an accessible, innovative, and cost-effective stop smoking service for the RBWM residents, ensuring all smokers aged 12 years and older who want to stop smoking are offered stop smoking support.		
	 The service will be marketed and accessed through a variety of routes to meet the needs of residents who might have different digital skills: 		
	Develop, implement, and manage a digital central access point that is easily accessible to all residents and professionals (clinical and non-clinical). Whilst also ensuring that other non- digital forms of access are available (text messages, call- back facilities, dedicated helpline, and hard copies of information).		
	 Publicise contact details for the service (SMS, telephone number, and email address) widely using a range of methods (online/digital, distributed printed marketing material local publications and communications channels). 		
	The service will be offered in accessible community venues and remotely:		
	The service should provide face- to-face appointments at a range of venues, times and days including evenings and weekends to offer a flexible approach to residents accessing the service.		
	The service should also provide		

	 remote support through a range of methods. The service will be available and easily accessible in a variety of settings and venues across the RBWM (ensuring that services are available in Windsor, Ascot, and Maidenhead), particularly venues that target priority groups. 		
Disability	The service will ensure individuals with a disability (physical, mental, learning disabilities, illness that impact on daily life, and cancer) can access and use the service.	Positive	
	Meet all setting costs of using venues and facilities required for delivery ensuring they are fit for purpose and have inadequate insurance, liability cover and are compliant with the Disability Discrimination Act.		
	To target intensive evidence-based specialist stop smoking support to residents where there is greatest need to address inequalities in smoking rates and/or health impacts. Priority groups for the service include:		
	 Individuals diagnosed with a mental health condition. Individuals living with long-term health conditions caused or made worse by smoking. This includes, but is not limited to, diagnosis with a respiratory condition (asthma or COPD), a circulatory disease, a metabolic disease (e.g., diabetes), or cancer. Individuals with a learning disability (or disabilities). 		
	The service will make information available in various formats and languages and must consider those with additional or specific needs.		
	The service specification also states: • As per RBWM's Equality Policy, the Contractor must ensure that the service itself, and all digital communications and hard-copy information is suitable and complies with the Accessible Information Standard, (NHS, 2016) for those with additional needs, such as but not limited to those with:		

	 Impaired vision. Motor difficulties. Cognitive impairments or learning disabilities. Deafness or impaired hearing. English as a second language. 		
Sex	The service specification does not make specific reference to the sex of individuals accessing the service. The service will work in line with RBWM's Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.	N/A	N/A
Race, ethnicity, and religion	The service dpecification does make specific reference to the race, ethnicity, or religion of service users. The service will make information available in various formats and languages and must consider those with additional or specific needs. The service will work in line with RBWM's Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.	N/A	N/A
Sexual orientation and gender reassignment	An objective of the service is to target intensive evidence-based specialist stop smoking support to residents where there is greatest need to address inequalities in smoking rates and/or health impacts. Individuals who identify as LGBTQ+ are a priority group for the service as national data shows higher smoking prevalence in this cohort. The service will work in line with RBWM's Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the	Positive	

	Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.		
Pregnancy and maternity	An objective of the service is to target intensive evidence-based specialist stop smoking support to residents where there is greatest need to address inequalities in smoking rates and/or health impacts.	Positive	
	Pregnant women who smoke are a priorty group for the service.		
Marriage and civil partnership	The service specification does not make reference to marital status of individuals accessing the service.	N/A	N/A
	The service will work in line with RBWM's Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.		
Armed forces community	The service specification does not make specific reference to the armed forces community. The service will work in line with RBWM's	N/A	N/A
	Equality Policy and will comply the Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.		
Socio-economic considerations e.g. low income, poverty	An objective of the service is to target intensive evidence-based specialist stop smoking support to residents where there is greatest need to address inequalities in smoking rates and/or health impacts.	Positive	
	 Amongst the service priority groups are: People living in a Lower Super Output Area (LSOA) that falls within the lowest deciles of deprivation in the borough (decile 3-5 inclusive), as defined by the Index of Multiple Deprivation, 2019. 		
	 Adults in routine and manual occupations. Adults never worked or long-term unemployed (over one year). 		

	 Social housing tenant. Individuals who are experiencing homelessness (as defined by the Housing Act 1996 Part VII). 		
Children in care/Care leavers	The service specification does not make specific reference to children in care / care leavers. The service will work in line with RBWM's Equality Policy and will comply the Equality Act 2010, delivering stop smoking support in a non-discriminatory way that advances equality of opportunity for people with protected characteristics. This applies to both staff and Service Users. The Contractor will ensure that the Service is culturally sensitive, non- discriminatory, and promotes social inclusion, dignity, and respect.	N/A	N/A

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it? For example, adjustments needed to accommodate the needs of a particular group

The service provider in conjunction with the council will undertake targeted comms with priority groups. The service will be marketed and accessed through a variety of routes to meet the needs of residents who might have different digital skills:

- Develop, implement, and manage a digital central access point that is easily accessible to all residents and professionals (clinical and non-clinical). Whilst also ensuring that other non-digital forms of access are available (text messages, callback facilities, dedicated helpline, and hard copies of information).
- Publicise contact details for the service (SMS, telephone number, and email address) widely using a range of methods (online/digital, distributed printed marketing material local publications and communications channels).
- The service will make information available in various formats and languages and must consider those with additional or specific needs.

• The service provider will ensure accessible community venues are used for service provision:

- The service should provide face-to-face appointments at a range of venues, times and days including evenings and weekends to offer a flexible approach to residents accessing the service. The service should also provide remote support through a range of methods.
- The service will be available and easily accessible in a variety of settings and venues across the RBWM (ensuring that services are available in Windsor, Ascot, and Maidenhead), particularly venues that target priority groups.

Where a potential negative impact cannot be avoided, what measures have been put in
place to mitigate or minimise this?
 For planned future actions, provide the name of the responsible individual and the target date for implementation.
N/A
How will the equality impacts identified here be monitored and reviewed in the future?
See guidance document for examples of appropriate stages to review an EQIA.
The service provider will be monitored against KPIs on an annual basis and reviewed
guarterly at contract management meetings.
The service provider is also required to submit the following on an annual basis:
Health equity audit
 Service improvement plan
Marketing and communications plan
Staff training plan

6. Sign Off

Completed by: Charlotte Fox, Public Health Programme Officer	Date: 04/08/2023
Approved by: Jonas Thompson-McCormick, Deputy Director of Public Health	Date: 23/08/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by: Charlotte Littlemore, Service Lead - Public	Date: 18/10/2023
Health Programmes	

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Agenda Item 9

Report Title:	School Condition Allocation 2024-25
Contains	Report and appendices A, B, C and E are Part
Confidential or	1.
Exempt Information	Appendix D is Part II, and not for
	publication by virtue of paragraph 3 of Part
	1 of Schedule 12A of the Local
	Government Act 1972.
Cabinet Member:	Councillor Amy Tisi, Cabinet Member for
	Children's Services, Education and Windsor
Meeting and Date:	Cabinet, 13 th December 2023
Responsible	Lin Ferguson, Executive Director Children's
Officer(s):	Services and Education
Wards affected:	All wards



REPORT SUMMARY

The Royal Borough of Windsor and Maidenhead receives School Condition Allocation (SCA) from the government to help maintain and improve the condition school buildings and grounds. This funding is for community and voluntary controlled schools only. Voluntary aided and academy schools receive funding for this through a different route.

This report seeks approval of a number of new projects to be carried out in the 2023/24 and 2024/25 financial years using the SCA, and also provides an indicative programme for 2025/26 and 2026/27.

The proposed projects set out in this report will help provide quality infrastructure for children and young people, meeting the corporate objective of 'Inspiring Places'.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Approves the school condition capital schemes for 2023/24 set out in Appendix C, and their budgets as set out in Appendix D (Part II).
- ii) Recommends the school condition capital schemes for 2024/25 as set out in Appendix C, and their budgets as set out in Appendix D (Part II), for inclusion 2024/25 capital programme, to Council.
- Delegates approval of further projects for inclusion in the 2023/24 and 2024/25 SCA capital programme to the Director of Children's Services and Education in consultation with the Cabinet Member for Children's Services, Education and Windsor.
- iv) Notes the indicative programme of capital schemes for 2025/26 and 2026/27.
- v) Delegates authority to the Director of Children's Services and the Procurement Manager to undertake procurement and enter into

contracts for the delivery of the schemes set out at Appendix C, including where varied under recommendation (ii).

vi) Requests that consideration be given to establishing a corporate revenue fund for survey and feasibility works relating to the maintenance and development of the council's assets.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Background

- 2.1 The Department for Education (DfE) allocates funding Responsible Bodies (RBs) to help maintain and improve the condition of school buildings and grounds. This funding consists of:
 - **Devolved Formula Capital (DFC),** which goes to individual schools of all types, including academy, community, free, voluntary aided and voluntary controlled schools. The DFC is intended to allow schools to maintain their buildings and carry out small capital works.
 - School Condition Allocations (SCA), given to RBs managing an estate of school buildings. RBs include local authorities and large Multi-Academy Trusts (MATs). The SCA is intended to allow eligible bodies to fund larger schemes, which individual schools could not generally fund through their DFC and that are identified as a priority for improvement.
 - **Condition Improvement Fund (CIF)**, held by the Education, Skills and Funding Agency, and to which single academies and smaller multi-academy trusts can bid (as they do not have access to funding via the SCA).
- 2.2 Appendix A provides a more detailed summary of the grants relating to school places and buildings.
- 2.3 This report is focused on projects funded using the School Condition Allocation. The report provides an update on progress with projects already in the SCA capital programme and requests approval of:
 - new projects for inclusion in the 2023/24 SCA capital programme.
 - the proposed 2024/25 SCA capital programme, for recommendation to Council.
- 2.4 The report also provides indicative SCA capital programmes for 2025/26 and 2026/27, and two likely projects for 2027/28.

Purpose of the School Condition Allocation

- 2.5 The Royal Borough of Windsor and Maidenhead is the Responsible Body for community and Voluntary Controlled (VC) schools, and the SCA is intended to cover any works related to improvements at these schools. This includes major replacements and improvements to the fabric of the buildings and grounds. The scheme includes compliance works to meet health and safety and building regulations. Schemes may, therefore, include works to:
 - boilers, radiators and pipework
 - doors and windows
 - external areas such as playgrounds, paths and roads
 - floors

- internal and external walls
- kitchens
- roofs, gutters and soffits
- utilities
- 2.6 The SCA is not intended for use on new school places, as this is covered by the Basic Need grant, as set out in the *Demand for school places* report considered by Cabinet in November 2023.
- 2.7 Appendix A includes a list of the current community and VC schools in the borough.

The 2023/24 School Condition Allocation programme

- 2.8 Cabinet approved the list of schemes for the 2023/24 SCA capital programme on 27th April 2023.
- 2.9 Appendix B sets out the progress on these schemes. 13 projects have been completed, with £516k of savings on the initial budgets for the schemes in the programme. 13 are underway or starting and most of these will complete before March 2024. One project has been paused and put into the longer term programme.
- 2.10 At present, therefore, the borough currently has £1.14m School Condition Allocation unspent and not assigned to any projects. This can be used for new projects in 2023/24 and 2024/25.
- 2.11 The high level of unspent grant is partly a result of the savings referred to in paragraph 2.9, but is mainly due to funding being held back whilst surveys are carried out to prioritise future work (see paragraphs 2.17 to 2.19 for more details). In addition, a contribution from the borough's Carbon Offsetting Fund (see paragraphs 2.29 and 2.30) has released School Condition Allocation funding for use on other projects.

School Condition Allocation grant for 2024/25

- 2.12 The Royal Borough's SCA for 2023/24 was £1,170,524. The level of grant is based on the number of pupils attending the borough's community and VC schools, with different weightings according to the age of those pupils. As no schools have converted to academy status since April 2023, the amount of SCA is expected to remain about the same for the 2024/25 financial year.
- 2.13 This figure is an estimate as the DfE does not release the SCA figures until late March each year. A figure of £1,170,000 has, therefore, been included in the council's capital programme for 2024/25. If the actual figure is higher or lower, there will need to be a subsequent amendment to the council budget.
- 2.14 The borough expects to have £1.14m of current SCA available to redistribute to new projects in 2023/24, and a further £1.17m of new grant in 2024/25 (a total of £2.31m).

 2.15 Department for Education Condition Data Collection 2 (CDC2) programme
 2.15 The DfE is currently partway through a programme to visit every governmentfunded school to collect data about the condition of school buildings. Running from 2021 to 2026, CDC2 will provide the DfE with an up-to-date evidence base to inform national discussions around funding for school building improvements. CDC2 replaces the earlier Condition Data Collection programme, CDC1.

2.16 Data from both programmes is useful for high level analysis but is less suitable for local asset management purposes. It is a visual survey only; does not identify structural issues, report on hazardous materials (e.g. asbestos) or address health and safety issues.

Consideration of new School Condition Allocation schemes

- 2.17 The Royal Borough carries out its own surveys of its school buildings to assess need and this year has completed a roofing survey and a Mechanical and Electrical (M&E) survey. In addition, schools were directly consulted in Autumn 2022 on what they felt their school condition needs were. The consultation has been updated and recirculated to schools this Autumn with an opportunity to add additional projects.
- 2.18 The roofing survey, covering just over half of our community and voluntary controlled schools, has identified a significant number of urgent roofing repair and replacement works. Roofing surveys on the remaining schools will be carried out once revenue funding becomes available.
- 2.19 The Mechanical and Electrical (M&E) survey, replacing the previous 2018 version, has identified a smaller number of minor works, most of which are not urgent.
- 2.20 As a result of these surveys and consultations with schools there are currently a large number of projects on the list of potential schemes. The total cost of delivering these is well in excess of the unallocated SCA funding available and next year's expected grant. Projects have, therefore, been prioritised, taking into account their assessed Condition and Priority gradings, as summarised in Tables 1 and 2.

Grade	Details
D – Bad.	Life expired and/or serious risk of imminent failure.
C – Poor.	Exhibiting major defects and/or not operating as intended.
B – Satisfactory	Performing as intended but exhibiting minor deterioration.
A – Good.	Performing as intended and operating efficiently

Table 1 – summary of Condition Gradings

Table 2 – summary of Priority Gradings

Grade	Details
1	Urgent work that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation.
2	Essential work required within two years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health and safety of occupants and/or remedy a less serious breach of legislation.
3	Desirable work required within three to five years that will prevent deterioration of the fabric or services and/or address a low risk to the health and safety of occupants and/or remedy a minor breach of legislation.
4	Long term work required outside the five-year planning period that will prevent deterioration of the fabric or services.

- 2.21 Projects with a D1 grading are much more serious and urgent than those with an A4 grading. Projects prioritised for 2023/24 and 2024/25 tend to have D1 and D2 gradings, whilst those flagged for inclusion in the 2025/26 and 2026/27 SCA capital programmes tend to have lower severity and urgency.
- 2.22 Prioritisation has been carried out in partnership with the Royal Borough's Property Services team, and the resulting projects are listed in Appendices C and D (Appendix D includes the proposed budgets and is therefore Part II). The total estimated cost of these new projects is £2.31m across 2023/24 and 2024/25. This includes £103,000 to be retained as contingency, to address any unforeseen cost increases and to allow for the funding of any additional urgent projects that come forward.
- 2.23 Cabinet are asked, therefore, to approve the list of schemes and their budgets in Appendices C and D (Part II, with budgets).
- 2.24 This report recommends that authority is delegated to the Director of Childrens' Services and Education, in consultation with the Cabinet Member for Children's Services, Education and Windsor, to vary the agreed list of schemes. Approvals for the virement (movement) of funding between budgets will continue to be carried out in line with the requirements of the Royal Borough's constitution¹.
- 2.25 The report also recommends that authority to carry out the procurement of projects in the SCA programme is delegated where necessary from Cabinet to

¹ Paragraph 5, Part 3 A, <u>Council Constitution</u>, The Royal Borough of Windsor and Maidenhead April 2023.

the Director of Children's Services and Education. This will streamline the procurement process so that projects can be delivered as quickly as possible.

School funded schemes

2.26 Some of the projects put forward by schools are of low enough cost for them to procure and fund directly, using their Devolved Formula Capital. The borough actively encourages schools to consider this route, which can help reduce the demands on the School Condition Allocation. See Appendix A for a fuller explanation of Devolved Formula Capital.

Energy efficiency, Carbon Offsetting Fund and the Public Sector Decarbonisation Scheme

- 2.27 Energy efficiency needs tend to sit outside the normal condition and priority grading outlined in Tables 1 and 2 unless the equipment itself is failing. Nevertheless, this is an area of work that needs to be prioritised, in response to the climate emergency and rising energy costs.
- 2.28 Schools were asked in Autumn 2022 whether some of the School Condition Allocation funding should be specifically set aside for energy efficiency, and all but one school supported this (the other was a "don't know").
- 2.29 The borough is already carrying out a programme of replacing older light fittings with LEDs in its community and voluntary controlled schools. To date, four schools have been completed, and a further four are expected to complete before the end of the 2023/24 financial year. The remaining fourteen will be complete by the end of the 2024 summer holiday.
- 2.30 The estimated carbon saving from the scheme is 88 tonnes per year, which is a substantial contribution towards the borough's target of net zero carbon emissions in the borough by 2050. The high level of carbon savings means that this project has qualified for £400,000 of capital funding from the borough's Carbon Offsetting Fund. This has also released School Condition Allocation funding to be put towards the projects outlined in Appendices C and D.
- 2.31 Separately, the borough has previously been successful with bids to the Public Sector Decarbonisation Scheme (PSDS). This scheme, run by the new Department for Energy Security and Net Zero, is providing capital for projects that reduce carbon emissions and energy bills. This scheme has gone through successive waves, and the borough was successful in waves '3a' and '3b'. This provided additional capital for the replacement of oil-fired boilers and other energy efficiency improvements at five schools (Alexander First School, Boyne Hill CE Infant School, Braywood First School, Courthouse Junior School, The Lawns Nursery School) and the Chiltern Road site.
- 2.32 Two further boilers have been replaced at Oakfield First School and Waltham St Lawrence Primary School with no PSDS funding.
- 2.33 All eight sites now have, or will shortly have², Air Source Heat Pumps, with an estimated total carbon saving of 344 tonnes per year.

² The projects at Oakfield First School and The Lawns Nursery School are currently underway onsite.

2.34 The borough has applied for two further schools in the latest '3b' wave and is currently awaiting the outcome of the bids for Holy Trinity CE Primary School, Cookham and King's Court First School. Under the requirements of the grant, a contribution is required from the borough, which will be funded from the School Condition Allocation. The full schemes are included in the programme recommended for approval in Appendices C and D (Part II). If the bids are not successful, the borough will proceed with upgrading the boilers to Air Source Heat Pumps but will not carry out the wider efficiency improvements at this stage due to budgetary constraints. If the bids are successful adjustments will need to be made to the budgets in due course to add the PSDS grant.

Reinforced Autoclaved Aerated Concrete

- 2.35 Reinforced Autoclaved Aerated Concrete (RAAC) is a lightweight form of concrete that was often used in public buildings built between the 1950s and mid-1990s. It is usually found in roofs and, less often, in walls and floors. Unfortunately, it is much weaker than traditional concrete and now poses a risk of collapse.
- 2.36 The government has been in communication with Responsible Bodies about RAAC since late 2018, with a series of surveys and guidance notes. The Royal Borough of Windsor and Maidenhead has complied fully with these, as far as they relate to Community and VC schools. Academies (including free schools) and VA schools are responsible for their own compliance.
- 2.37 A survey was carried out in mid-2022 by professional surveyors on the 19 Community and VC schools thought to be at risk of having RAAC, based on the age of their buildings. Academies and VA schools were offered the opportunity to join the survey (at their cost) and three schools did.
- 2.38 No RAAC was found at any school in the survey. Six schools have had followup surveys in difficult to access areas and have also been found to be clear of RAAC.
- 2.39 In mid-July 2023 St Francis Catholic Primary School (Ascot) was closed on the advice of the DfE after their surveyors confirmed the presence of RAAC in four out of seven classrooms, as well as in the hall, kitchen and other ancillary areas.
- 2.40 The school, their academy trust (Frassati Catholic Academy Trust) and the DfE worked hard over the summer holiday to ensure that the school could reopen onsite in September 2023. This was initially in marquees, but the school is now using modern temporary classrooms and the three RAAC free classrooms in the main school building. The DfE is working with the school and academy trust in the long-term plan to provide safe, RAAC free, buildings for children and staff. Further details about this project will be released as it develops.
- 2.41 The Royal Borough will continue to engage with the school, their MAT and the DfE to provide support as this project moves forward.

Options

Table 3: 0	Options	arisina	from	this report	
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Table 3. Options ansing from this report	
Option	Comments
Approves the school condition capital	This will allow the borough to
schemes for 2023/24 set out in	proceed with urgent projects at
Appendix C, and their budgets as set	community and voluntary
out in Appendix D (Part II).	controlled schools, to help ensure
This is the recommended option	that they remain safe, warm and
	dry.
Recommends the school condition	This will allow the borough to
capital schemes for 2024/25 as set out	proceed with projects at
in Appendix C, and their budgets as set	community and voluntary
out in Appendix D (Part II), for inclusion	controlled schools in 2024/25, to
2024/25 capital programme, to Council.	help ensure that they remain
This is the recommended option	safe, warm and dry.
Delegates approval of further projects	This will allow the borough to
for inclusion in the $2023/24$ and $2024/25$	adjust the programme if savings
SCA capital programme to the Director	are made and projects from
of Children's Services and Education in	future years can be brought
consultation with the Cabinet Member	forward, or if new urgent
for Children's Services, Education and	schemes are identified.
Windsor.	
This is the recommended option	
Notes the indicative programme of	The indicative programme
capital schemes for 2025/26 and	indicates the likely works in future
2026/27.	years
This is the recommended option	years
Delegates authority to the Director of	This will allow the borough to
Children's Services and the	proceed quickly with the
Procurement Manager to undertake	procurement of projects identified
procurement and enter into contracts for	in the SCA capital programme.
the delivery of the schemes set out at	
Appendix C, including where varied	
under recommendation (ii).	
This is the recommended option	
Requests that consideration be given to	This will allow the borough to
establishing a corporate revenue fund	continue to properly assess the
for survey and feasibility works relating	condition of its assets, whilst
to the maintenance and development of	complying with financial and
the council's assets.	
	auditing regulations.
This is the recommended option	Doing nothing means that no new
Do nothing. This is not the recommended option.	projects can be funded using the
	School Condition Allocation, and
	that none of the benefits from
	early approvals will be realised.
	School buildings will not be kept
	safe, warm and dry.

3. KEY IMPLICATIONS

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Agreed schemes delivered by:	>31/03/25	31/03/25	<31/03/25	n/a	31/03/25
Programme spend compared to budget:	>+0.5%	+0.5% to -2%	-2% to - 6%	n/a	31/03/25

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 £2.63m of School Condition Allocation funding was carried forward from 2022/23 into 2023/24. Council approved a further £1,170,524 of School Condition Allocation budget for 2023/24. Of that £3.8m, £1.14m is currently unassigned. Projects recommended for approval into the 2023/24 programme will be funded from this unassigned sum and, in doing so, Cabinet will be agreeing to the necessary virements, in line with the requirements of the council constitution.
- 4.2 The expected 2024/25 School Condition Allocation (DfE grant) is £1,170,000, and this will fund the new projects for 2024/25.
- 4.3 A number of schemes in the 2023/24 programme are still underway or have not yet started. If these are not complete by the end of the financial year their budgets will be slipped into the 2024/25 financial year.
- 4.4 Any underspends/savings in the School Condition Allocation are carried forward into the following financial year to fund that year's programme.

REVENUE COSTS	2024/25	2025/26	2026/27		
Additional total	£0	£0	£0		
Reduction	£0	£0	£0		
Net Impact	£0	£0	£0		

 Table 4: Financial impact of report's recommendations

CAPITAL COSTS	2024/25	2025/26	2026/27
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

4.5 As the School Condition Allocation is all grant, there is no impact on the borough's revenue or capital costs. The programme will be managed so that spend does not exceed the available grant, and slippages are made as early as possible.

Investigations to support delivery of the capital programme

4.6 Survey works, such as the roofing and M&E surveys referred to in paragraphs 2.172.18 to 2.19 are essential for professional assessment of the condition of the different elements of school buildings. This then allows schemes to be

prioritised against each other, so that the most urgent and important works are funded first.

- 4.7 Financial and auditing rules mean that survey works can only be paid for from capital budgets capitalised if the work leads to a new or improved asset. This is often not the case, however, as (to be comprehensive) surveys will necessarily investigate assets that do not yet need to be replaced. Surveys are, therefore, usually a revenue cost, but there is no revenue budget available for survey works.
- 4.8 Some capital grants allow a portion of the allocation to be converted to revenue, but that is not the case with the School Condition Allocation. Officers have asked the DfE if the terms of the grant can be amended in future to allow this.
- 4.9 In the past, survey costs have been capitalised, but in 2022/23 the RAAC, M&E and roofing surveys were funded through revenue, leading to an overspend on the relevant revenue code. Part of these costs will be capitalised in future, in proportion to identified schemes that are then taken forward.
- 4.10 This report recommends that further work is undertaken on establishing a corporate revenue fund for survey and feasibility works relating to the maintenance and development of the council's assets. It is recognised that, even if approved, this may not become available until the 2024/25 financial year.

5. LEGAL IMPLICATIONS

5.1 The Royal Borough of Windsor and Maidenhead is, as the local authority, the 'Responsible Body' in relation to community and Voluntary Controlled schools in the borough. As such, the Royal Borough is responsible for prioritising, distributing and assuring the use of School Condition Allocations³.

³ Page 3, <u>Condition grants spend guidance</u>, DfE, March 2022.

6. RISK MANAGEMENT

Table 5: Impact of risk and mitigation

Table 5: Impact of risk and mit Threat or risk.	Impact with no mitigations in place or if all mitigations fail.	Likelihood of risk occurring with no mitigations in place.	Mitigations currently in place.	Mitigations proposed.	Impact of risk once all mitigations in place and working.	Likelihood of risk occurring with all mitigations in place.
Higher than expected costs and/or emergency works result in overspend on the programme.	Major	Likely	Monthly budget monitoring meetings are held to ensure that spending is tracked and within budget. Major changes to the programme are considered by the Capital Review Board. Some funding is always held in reserve as a contingency.	The borough will continue to carry out tendering exercises in accordance with Contract Rules to achieve best value for money.	Low	Very unlikely
No further survey or investigations work is carried out, due to financial rules and lack of revenue budget. Issues with school buildings and sites are not identified in time and schools cannot be kept safe, warm and dry.	Major	Very likely	Schools are invited to identify issues as they arise. Property Services regularly visits schools.	A corporate revenue budget is established to fund survey and feasibility works.	Low	Unlikely

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as Appendix E.
- 7.2 Climate change/sustainability. Many school improvement projects, including new boilers, windows and doors, and roofs can have a positive environmental impact and reduce energy costs. A number of projects referred to in this report have already contributed directly to this, including the LED lighting upgrade and the boiler replacement projects.
- 7.3 Data Protection/GDPR. There are no data protection or GDPR implications arising from the recommendations in this report.

8. CONSULTATION

8.1 Community and VC schools were consulted in Autumn 2022 on what their priorities were for improvements to their buildings and are being reconsulted this winter. The results of these consultation are being used to help continue to prioritise which schemes should go ahead and when.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: It is proposed that the schemes approved for 2023/24 will move to procurement as soon as possible. Design and planning works on the schemes proposed for 2024/25 will also start, although contracts will not be signed until at least 1st April 2024 and until the DfE confirms the School Condition Allocation for next year.

10. APPENDICES

- 10.1 This report is supported by four appendices:
 - Appendix A Summary of education capital.
 - Appendix B Summary of progress on 2023/24 SCA capital programme.
 - Appendix C Proposed new schemes for SCA capital programme.
 - Appendix D Proposed new schemes for SCA capital programme, including estimated costs. Part II. Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
 - Appendix E Equality Impact Assessment

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by two background documents:
 - <u>Reinforced Autoclaved Aerated Concrete (RAAC) Estates Guidance</u>, DfE, August 2023.
 - <u>Condition grants spend guidance</u>, DfE, March 2023.

12. CONSULTATION

Name of	Post held	Date	Date
consultee		sent	returned
Mandatory:	Statutory Officers (or deputy)		
Elizabeth Griffiths	Executive Director of Resources/S151 Officer	13/11/23	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	13/11/23	23/11/23
Deputies:			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	13/11/23	01/12/23
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	13/11/23	
Mandatory:	Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract	_	
Lyn Hitchinson	Procurement Manager	13/11/23	
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer	13/11/23	15/11/23
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer	13/11/23	01/12/23
Other consultees:			
Directors (where relevant)			
Stephen Evans	Chief Executive	13/11/23	
Andrew Durrant	Executive Director of Place	13/11/23	
Kevin McDaniel	Executive Director of Adult Social Care & Health	13/11/23	01/12/23
Lin Ferguson	Executive Director of Children's Services & Education	13/11/23	27/11/23
Assistant Directors (where relevant)			
External (where relevant)			
N/A			

Confirmation relevant Cabinet Member(s)	Cabinet member for Children's Services, Education and Windsor	Yes
consulted		

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision: First entered into the Cabinet Forward Plan: 10/10/2023	No	No

Report Author: Ben Wright, School Place Planning and Capital Programme Manager

Appendix A - Summary of education capital

1.1 This document provides a summary of the main education capital funding streams for local authorities and state schools in the local authority area. It currently excludes the funding for new school established in the free school waves.

2. Capital grants for new school places

Basic Need

- 2.1 Basic need funding is the money given by the DfE to local authorities each year to help them fulfil their duty to make sure there are enough school places for children in their local area.
- 2.2 Basic Need can be spent at any state school (e.g. academy (including free schools), community, voluntary controlled and voluntary aided). Allocations are reduced proportionally, however, if projected need for new school places is partially or wholly met by a centrally funded free school.
- 2.3 The figures allocated are based on the pupil projections and school capacity information submitted by local authorities each July in in the annual School Capacity (SCAP) survey. The DfE also collect information about how the Basic Need grant is spent as part of the annual Capital Spend Survey.
- 2.4 The DfE have used the pupil projections data from the 2021 SCAP to calculate 2023-24 and 2024-25 grant allocations.
- 2.5 Recent Basic Need allocations for the Royal Borough are set out below:
 - 2016-17: £2,763,424
 - 2017-18: £2,435,239
 - 2018-19: £1,164,054
 - 2019-20: £1,226,537
 - 2020-21: £0
 - 2021-22: £790,954
 - 2022-23: £1,440,199 (increased from £1,349,079)
 - 2023-24: £0
 - 2024-25: £0
 - 2025-26: £0
- 2.6 In the Royal Borough, decisions about spending Basic Need are usually taken by Cabinet, following public consultation on proposals for new school places. Budgets are agreed by Council in February and spend monitored by monthly budget monitoring meetings.

Targeted Basic Need

2.7 On occasion, the DfE announces one-off grants to either top up existing grants or support specific policy objectives. In the past, where these relate to new school places, these have been called Targeted Basic Need grants. There have been no recent grants to the local authority in this category.

<u>S106/CIL</u>

- 2.8 Between 2001/02 and 2020/21, the Royal Borough collected £13,139,761.90 of S106 developer contributions to be used towards the creation of extra capacity in local schools. The majority of the funding (£9,147,052.52) was collected between 2012/13 and 2016/17 as the number of housing completions accelerated, and before the scheme was wound down.
- 2.9 As part of the preparation of the Borough Local Plan, Children's Services has contributed to the development of the Infrastructure Delivery Plan. This sets out the potential new education infrastructure required to meet the demand from the planned new housing. This would be partly funded by the Community Infrastructure Levy.

3. Capital grants for rebuilding schools

School Rebuilding Programme

- 3.1 This government programme is intended to carry out major rebuilding and refurbishment projects at school and sixth form college buildings across England, with buildings prioritised according to their condition.
- 3.2 There are currently 400 projects in the programme, prioritised by the DfE on the basis of school condition needs identified in their Condition Data Collection programme. The DfE has previously consulted with local authorities on the prioritisation methodology; it is not thought likely that any schools in the borough are in poor enough condition to be included in future rounds.

4. Capital grants for school condition

Devolved Formula Capital (DFC)

- 4.1 All schools receive Devolved Formula Capital (DFC) as part of their annual school funding allocations from the DfE. This is to assist schools with the day to day upkeep of their premises. The local authority remains responsible for monitoring the spend of DFC in community and voluntary controlled schools.
- 4.2 The following schools are community or voluntary controlled:
 - Alexander First School
 - Alwyn Infant School
 - Boyne Hill C of E Infant and Nursery School
 - Braywood C of E First School
 - Cookham Nursery School
 - Cookham Rise Primary School
 - Courthouse Junior School
 - Eton Wick C of E First School
 - Furze Platt Infant School
 - Furze Platt Junior School
 - Hilltop First School
 - Homer First School and Nursery
 - Holy Trinity C of E Primary School, Cookham
 - King's Court First School
 - Larchfield Primary School and Nursery

- Maidenhead Nursery School
- Manor Green School
- Oldfield Primary School
- Riverside Primary and Nursery School
- South Ascot Village Primary School
- The Lawns Nursery School
- The Queen Anne Royal Free CE First School
- The RISE Alternative Learning Provision
- Waltham St Lawrence Primary School
- Wessex Primary School
- Wraysbury Primary School
- 4.3 The most recent guidance has clarified that any DFC not spent within three years of payment being made is at risk of clawback by the DfE. This may result in issues where schools are saving relatively small DFC allocations towards larger projects.
- 4.4 Recent DFC allocations for the community and voluntary controlled schools in the Royal Borough are set out below:
 - 2016-17: £222,772
 - 2017-18: £197,355
 - 2018-19: £194,875
 - 2019-20: £196,252
 - 2020-21: £195,979
 - 2021-22: £201,204
 - 2022-23: £192,357 + £423,286 (see paragraph 4.5)
 - 2023-24: £178,599
- 4.5 In late 2022 the government announced an additional investment in DFC to help schools improve energy efficiency. The DfE wanted schools to invest this in improving school energy efficiency, but also gave schools discretion to spend it on other capital projects.

School Condition Allocation (SCA)

4.6 This grant is given to 'responsible bodies'; that is local authorities and Multi-Academy Trusts and Voluntary Aided school bodies with more than five schools as at 1st September 2022 and 3,000+ pupils as at the Spring 2022 census¹. It is intended to address more serious condition works that cannot be funded by an individual's DFC. For 2023/24, only four bodies responsible for schools in the borough quality for SCA; the local authority, the Oxford Diocese (which covers the Church of England VA schools); the Oxford Diocesan Schools Trust (ODST) (a MAT that covers most, but not all, of the Church of England academies), and the Portsmouth Diocese (which covers the one Catholic school in the borough that is not in the Frassati Catholic Academy Trust). None of the other MATs covering schools in the borough are large enough to qualify for SCA, including the Ashley Hill MAT, Frassati Catholic

¹ Additionally, pupil numbers in special and alternative provisions are multiplied by 4.5 when assessing the pupil number threshold. The only academy special school in the borough, Forest Bridge School, is in a standalone MAT, and so this does not apply.

Academy Trust; Pioneer Educational Trust, Slough & East Berkshire C of E MAT or Windsor Learning Partnership.

- 4.7 The local authority's SCA is for spend at community and voluntary controlled schools only, and may fund projects such as:
 - New roofs and roof repairs.
 - Boiler and pipework replacement.
 - Electrical and re-wiring works.
 - Resurfacing, paths and access improvements.
 - Window and door replacements.
 - Structural works.
- 4.8 Recent SCA allocations for the Royal Borough are set out below:
 - 2016-17: £940,753
 - 2017-18: £778,251
 - 2018-19: £763,898
 - 2019-20: £765,392
 - 2020-21: £764,240 + £354,927.31 = £1,119,167.31 (see para 4.13).
 - 2021-22: £1,404,558
 - 2022-23: £1,268,466
 - 2023-24: £1,170,524
- 4.9 The amount of SCA awarded to the Royal Borough has, in general, fallen as more schools have become academies.
- 4.10 The increased allocation from 2021-22 grant followed revisions to the DfE's methodology for calculating the allocation. In particular, the 2021/22 guidance² noted an increase in the per pupil 'base' rate from £115.15 to £146, as well as additional factors based on school condition, location, Voluntary Aided status and PFI status. The assessment of the school condition factor is based on the DfE's Condition Data Collection programme.
- 4.11 There is currently no indication that this methodology will change for 2024/25 and beyond.
- 4.12 The announcement of the grant amount usually happens each spring, in the year in which the grant is allocated. In other words, the 2023-24 grant allocation was announced in late March 2023. Representations about the late confirmation of allocations have been made by many local authorities to the DfE about the challenges this presents in managing the grant.
- 4.13 In summer 2020, the government increased the amount of SCA available to local authorities in the 2020-21 financial year. This was worth an additional £354,927.31 to the Royal Borough, taking the allocation for that year to £1,119,167.31.
- 4.14 In the Royal Borough, decisions about spending SCA are based on a prioritisation of schemes carried out by officers, taking into account requests from schools and surveys carried out by specialists. The prioritised list is usually approved in principle by Cabinet in December, before being approved

² Condition funding: methodology for the financial year 2021-2022, April 2021, DfE.

by Council in February (this process was delayed until April for the 2023/24 programme). The approval in principle allows initial work to be carried out ahead of confirmation of the capital grant in April. This makes it more likely that the projects can then be delivered over the subsequent summer holiday period. Further prioritisation takes place over the year as new urgent projects are identified.

4.15 Spending of the SCA is now being reported to the DfE, combined with the Basic Need spending, as part of the Capital Spend Survey.

Public Sector Decarbonisation Scheme (PSDS)

- 4.16 The Public Sector Decarbonisation Scheme is a government programme of grants to public sector bodies to fund heat decarbonisation and energy efficiency measures. There have been a number of phases and waves, with complicated bidding and compliance arrangements. To date, the borough has been successful with three bids involving schools:
 - PSDS Phase 1 (2020-21): £205,905
 - PSDS Phase 3a (2022-23): £1,566,590
 - PSDS Phase 3b (2023-24): £1,024,835
- 4.17 PSDS Phase 1 funding was for LED lighting upgrades at a small number of schools. PSDS Phase 3a funding was for the installation of Air Source Heat Pumps (ASHPs), replacing oil-fired boilers, at five schools. PSDS Phase 3b is for two further ASHP installations at school sites. The ASHP projects also include wider energy efficiency improvements to windows, insulation and so on, where appropriate.
- 4.18 Bids have been prepared by the Sustainability and Climate Change Team, Property Services and AfC. For phases 2 and 3, public bodies have been required to make contributions towards successful schemes. For the Royal Borough this funding has come from the School Condition Allocation.
- 4.19 A further phase opened to applications in Autumn 2023, and successful bids are expected to be announced in the new year.

Condition Improvement Fund (CIF)

- 4.20 Academies (including free schools) and Voluntary Aided schools that are not part of a larger MAT or Voluntary Aided body can apply to the DfE for funding for significant condition projects via the Condition Improvement Fund. In a small number of cases this funding can also be used to support school expansions at good or outstanding schools in the CIF category who have a need to expand.
- 4.21 In RBWM, the criteria mean that academies and VA schools (other than those in the Oxford Diocese or part of the ODST) can apply for CIF funding.
- 4.22 The successful bids for the 2023 to 2024 CIF round were published in May, with the following schools having funding approved:
 - Altwood CE Secondary School: Legionella and water safety.
 - Furze Platt Senior School: urgent fire safety and compliance works.
 - St Francis Catholic Primary School: drainage improvements, phase 2.
 - Trevelyan Middle School: urgent fire safety and electrical improvements.

- 4.23 Schools eligible for CIF can also apply to the Urgent Capital Support grant for emergency funding to address issues that put the safety of pupils and staff at risk or threaten the closure of a school.
- 4.24 The 2024/25 round is has now open for applications, and the DfE aims to announce the outcome in May 2024.

5. Capital funding for special educational needs

5.1 There is currently no specific annual capital funding available for new special educational needs places.

Special Provision Capital Fund

- 5.2 This is a one off capital fund, paid over three years, to create new school places and improve existing facilities for children and young people with SEN and disabilities. This focuses on facilities for children with Education, Health and Care Plans (EHCPs).
- 5.3 The full amount allocated to the Royal Borough of Windsor and Maidenhead was £1.227m.
- 5.4 The Royal Borough's Cabinet has approved, in principle, the opening of four new Resource Bases, providing additional support for primary age children with communication difficulties and related behaviours (largely Autistic Spectrum Disorder). The opening of these bases will be phased. The projects are:
 - Dedworth Campus. Resourced Provision opened in September 2021.
 - Furze Platt Primary Federation. Resourced Provision opened in September 2021.
 - South Ascot Village Primary School. SEN Unit opened in September 2023.
 - Wraysbury Primary School. Approved in principle by Cabinet. No opening date currently set.

High Needs Provision Capital Allocation (HNPCA)

- 5.5 This grant was first announced in April 2021 and is intended to support the provision of places and to improve existing provision for pupils with special educational needs and disabilities and pupils requiring alternative provision.
- 5.6 The allocations made to the Royal Borough total £3,721,221:
 - 2021-22: £500,000
 - 2022-23: £1,299,900
 - 2023-24: £1,921,232
- 5.7 There are currently no indications if there will be further allocations in 2024-25 and beyond.
- 5.8 The DfE is encouraging local authorities to invest in projects that help manage pressures on high needs revenue budgets. In particular, the DfE wants local authorities to consider prioritising projects that increase the number of suitable places for children with EHCPs in mainstream settings, i.e. Resourced Provision and/or SEN Units.

5.9 Cabinet has, in March 2023, approved a Special Educational Needs (SEND) and Alternative Provision (AP) Capital Strategy funding the projects set out in Table 1.

School	Proposal	Timing
Charters School	Improvements to the Resourced Provision for Cognition and Learning	Completed
Chiltern Road site	New SEND Careers Hub	September 2023
Manor Green School	Access improvements	Summer 2023.
The Lawns Nursery School	New Early Years School Readiness Hub	September 2023
Hilltop First School	New Resourced Provision for Communication and Interaction	September 2024
Trevelyan Middle School	New Resourced Provision for Cognition and Learning	September 2024
West of Windsor	New special school, funding of abnormal costs	September 2026
All schools	Fund for minor adaptations at schools and colleges to support local placement of children and young people with EHCPs.	Ongoing

Table 1	Schemes	in the	SEND &	AP Canif	al Strategy
	Ochemes				aloualegy

5.10 Capital funding is still available from this grant, and a new round of projects will be considered in early 2024.

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Appendix B: Progress on the 2023/24 SCA projects.

Table B1 – Summar	v of progress on	the 2023/24 SCA	projects
	J of progrood of		

Rank	Project name	Project description	Cost centre	Status	Total cost ¹ (£,000k)	Budget (compared to approved 2023/24 capital budget)	Comment	Actual/ expected completion
1	Climate strategy schools programme 1 ² Alexander First School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Complete	360	Saving of £65k on SCA	This scheme was part funded by: PSDS ³ : £293k SCA: £67k	March 2023
2	Climate strategy schools programme 1 Boyne Hill CE Infant School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Complete	391	Saving of £85k on SCA	This scheme was part funded by: PSDS: £268k SCA: £123k	March 2023
3	Climate strategy schools programme 1 Braywood CE First School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Complete	233	Saving of £25k on SCA	This scheme was part funded by: PSDS: £196k SCA: £37k	March 2023
4 179	Climate strategy schools programme 1 Courthouse Junior School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Complete	161	Saving of £74k on SCA	This scheme was part funded by: PSDS: £136k SCA: £25k	March 2023
5	Kitchen duct installation & hatch works	Installation of compliant ductwork with access hatches where access is currently difficult. Vital to prevent build- up of flammable deposits and safe, efficient operation.	CSKR	Complete	69	Saving of £56k on SCA		October 2023
6	School kitchen oven upgrades	Replacement of deep fat fryers, and some old school ovens, with new combi-ovens.	CSLA	Complete	95	Budget increased by £15k to allow four cooker replacements	The scope of the project was expanded to include four cooker replacements, with a corresponding budget increase.	August 2023
7	Larchfield Primary heating pump and emitter upgrade	Works to replace the pump and upgrade radiators and pipes.	CSLH	Complete	102	Saving of £40k on SCA	At 'final accounts' for this scheme, so final saving may change slightly.	September 2023

 ¹ Costs given relate to total project cost, which may mean costs incurred more than one financial year.
 ² The four climate strategy boiler replacements projects are at final accounts, and the exact sums may still change slightly.
 ³ PSDS – Public Sector Decarbonisation Scheme

Appendix B – Progress on the 2022/23									
Rank	Project name	Project description	Cost centre	Status	Total cost ¹ (£,000k)	Budget (compared to approved 2023/24 capital budget)	Comment	Actual/ expected completion	
8	Chiltern Road site remodelling	Works to remodel and refurbish school buildings to allow temporary occupation by SEND careers hub and future use as a primary school.	CSLN	Complete	1,699	Within the agreed budget.	This scheme was part funded by: PSDS: £717k SCA: £337k HNPCA ⁴ : £125k Council funding: £520k This scheme is currently at final accounts, so the figures	October 2023	
							may change slightly.		
9	Eton Wick First incoming power and electrical upgrade	Works to upgrade the electrical supply to the school	CSLR	Complete	26	Saving of £3k on SCA	Final accounts completed in the current financial year, although the project completed onsite last year.	August 2022	
10	Furze Platt Infants heating upgrade	Upgrade of water/gas pipework and emitters in the school's old heating system.	CSMA	Complete	52	Saving of £35k on SCA		August 2023	
11	Furze Platt Junior heating upgrade	Upgrade of water/gas pipework and emitters in the school's old heating system.	CSMB	Complete	151	Saving of £33k on SCA		August 2023	
12	Alwyn Infants heating upgrade	Works to maintain and upgrade the school's heating pumps, control pane, emitters and pipework.	CSMC	Complete	112	Budget increased by £6k to ensure sufficient funding		August 2023	
13 180	Waltham St Lawrence Primary boiler replacement	Replacement of an oil-fired boiler with Air Source Heat Pump.	CSNE	Complete	108	Saving of £141k on SCA	At 'final accounts' for this scheme, so final saving may change slightly.	September 2023	
14	Climate strategy schools programme 1 Oakfield First School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Underway	N/A	Currently within budget.	This scheme is currently underway and is combined with a similar project at The Lawns Nursery School. The two schools are located on the same site and share a boiler room.	March 2024	
15	Climate strategy schools programme 1 The Lawns Nursery School	Replacement of oil boiler with Air Source Heat Pump (ASHP) and other improvements to the buildings to improve energy efficiency.	CSKC	Underway	N/A	Currently within budget.	This scheme is currently underway and is combined with a similar project at The Lawns Nursery School. The two schools are located on the same site and share a boiler room. The works at The Lawns are also part funded through the Public Sector Decarbonisation Scheme.	March 2024	
16	School LED lighting upgrade programme	Upgrade of older light fittings with more energy efficient LEDs at schools across the borough.	CSNC	Underway	N/A	Additional budget sought in this report.	Four schools have been completed, and a further four are expected to be complete by March 2024. The remaining fourteen will be completed by August 2024.	August 2024	
17	Kings' Court First boiler replacement and associated works	Replacement of an oil-fired boiler with Air Source Heat Pump. Possible upgrades of pipework and heating emitters.	CSNB	Underway	N/A	Additional budget sought in this report.	Design works on this have started. Project is part of a bid to the Public Sector Decarbonisation Scheme for additional funding (decision due in the new year).	August 2024	
18	Holy Trinity Primary (Cookham) boiler replacement and associated works	Replacement of an oil-fired boiler with Air Source Heat Pump. Possible upgrades of pipework and heating emitters.	CSNK	Underway	N/A	Currently within budget.	Design works on this have started. Project is part of a bid to the Public Sector Decarbonisation Scheme for additional funding (decision due in the new year).	August 2024	

⁴ HNPCA - High Needs Provision Capital Allocation

							Appendix B – Progress on the 2	
ž			Orat		T. 4-1 41	Budget (compared to approved		Actual/
Rank	Project name	Project description	Cost centre	Status	Total cost ¹ (£,000k)	2023/24 capital budget)	Comment	expected completion
19	South Ascot Village Primary roof repairs and replacement	Roof replacement to address recent deterioration in several parts of the school.	CSND	Underway	N/A	Additional budget sought in this report.	Initial works on currently leaking roof have started. Procurement of main works will start if budget is approved.	To be confirmed as project develops
20	Alwyn Infants rainwater equipment	Repairs to school fascia, soffits and rainwater equipment.	CSMK	Starting	N/A	Currently within budget.	Design works on this project are due to start shortly.	As above
21	Wessex Primary toilets	Toilets in the infant school block are in unpleasant condition, requiring full refurbishment.	CSMN	Starting	N/A	Currently within budget.	Design works on this project are due to start shortly.	As above
22	Courthouse Junior skylight replacements	Replacement of failing skylights	CSNA	Starting	N/A	Currently within budget.	Design works on this project are due to start shortly.	As above
23	Furze Platt Infant roof repairs and replacement Phase 1	Roof replacement to address recent deterioration in several parts of the school.	CSNM	Starting	N/A	Additional budget sought in this report.	Design works on this project are due to start shortly.	As above
24	King's Court First roof repairs and replacement	Roof replacement to address recent deterioration in several parts of the school.	CSNN	Starting	N/A	Additional budget sought in this report.	Design works on this project are due to start shortly.	As above
25 18	Riverside Primary roof repairs and replacement	Roof replacement to address recent deterioration in several parts of the school.	CSNO	Starting	N/A	Additional budget sought in this report.	Design works on this project are due to start shortly.	As above
82 6	Wraysbury Primary roof repairs and replacement Phase 1	Roof replacement to address recent deterioration in several parts of the school.	CSNP	Starting	N/A	Additional budget sought in this report.	Design works on this project are due to start shortly.	As above
27	Queen Anne First boiler replacement and associated works.	Replacement of an oil-fired boiler with Air Source Heat Pump. Possible upgrades of pipework and heating emitters.	CSNL	Paused	N/A	Currently within budget.	The boiler has been assessed as not requiring replacement yet, so this project is currently paused, possibly for several years.	N/A
28	Riverside Primary LED lights	Replacement of older light fittings with more energy efficient LEDs.	CSMO	Moved	N/A	N/A	This project is now being carried out as part of the LED lighting replacement programme.	N/A
29	Design and survey works	This is funding to support the delivery of the Children's Services capital programme.	CSEX	Ongoing	N/A	Within budget.	Remaining budget slipped into 2023/24 to continue funding this work.	Ongoing
30	SCA contingency	This is funding held in reserve in case of unforeseen projects and cost increases.	-	Ongoing	N/A	Budget redistributed as required		N/A
31	Urgent safety works various schools	This is funding set aside to carry out minor emergency repairs and urgent works as they arise during the financial year.	CSDQ	Ongoing	N/A	Budget increased by £20k to ensure sufficient funding	In 2023/24 this has been spent on (i) access hatches at Wessex Primary School; (ii) Hall ceiling and roof repairs at Homer First School; (iii) additional heating repair works at Alwyn Infant School; (iv) water heater replacement at Riverside Primary School;	March 2024

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Appendix C: additional schemes for School Condition Allocation spending in 2023/24, including requested budgets.

The proposed budgets are omitted from this Part I appendix by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. They can be found in Appendix D (Part II).

R a n k	Project name	Cost Centre (if available)	/24 programme, to be funded using the remaining £1.14m Scl	Existing budget for these projects (£,000k)	Requested additional budget for these projects in 2023/24 (£,000k)	Proposed total budget for these projects in 2023/24, including existing budget (£,000k)	Requested existing and additional budget for these projects that is grant funded (£,000k)	Additional budget to be requested for these projects in the 2024/25 capital programme (£,000k)
1	South Ascot Village Primary roof repairs and replacement	CSND	Roof replacement to address recent deterioration in several parts of the school.					
2	Furze Platt Infants roof repairs and replacement Phase 1	CSMN	Roof replacement to address recent deterioration in several parts of the school.					
3	Wraysbury Primary roof repairs and replacement	CSNP	Roof replacement to address recent deterioration in several parts of the school.					
4	King's Court First roof repairs and replacement	CSNN	Roof replacement to address recent deterioration in several parts of the school.					
5 18 @	Riverside Primary roof repairs and replacement	CSNO	Roof replacement to address recent deterioration in several parts of the school.					
õ	Hilltop First roof repairs and replacement Phase 1	-	Roof replacement to address recent deterioration in several parts of the school.					
7	Kings' Court First boiler replacement and associated works	CSNB	Replacement of an oil-fired boiler with Air Source Heat Pump. Possible upgrades of pipework and heating emitters.					
	SUBTOTAL			125	787	922	922	1,196
8	Retain as programme contingency/slip into 2024/25 to fund new projects where unspent	-	Contingency funding for the financial year and any remaining funding to be re-assigned to new projects in 2024/25	0	353	353	353	0
	TOTAL			125	1,140	1,275	1,285	1,196

The schemes in this table will be funded through virements from savings on other school condition schemes and now uncommitted funding already in the budget for the 2023/24 capital programme.

R a n			nme, to be funded using the £353k SCA unassigned from 202	Existing budget for	Requested	Proposed total budget for these	Requested existing and additional	Additional budget to be requested for
k	Project name	Cost Centre (if available)	Project description	these projects (including funding requested in Table C1) (£,000k)	additional budget for these projects in 2024/25 (£,000k)	projects in 2024/25, including existing budget (£,000k)	budget for these projects that is grant funded (£,000k)	these projects in the 2025/26 capital programme (£,000k)
1	Urgent safety works various schools	CSDQ	This is funding set aside to carry out minor emergency repairs and urgent works as they arise during the financial year.					
2	LED lighting upgrades	CSNC	Existing budget includes £400k contribution from Carbon Offsetting Fund. Additional School Condition Allocation funding is required to complete the programme.					
3	Wraysbury Primary roof repairs and replacement	CSNP	Roof replacement to address recent deterioration in several parts of the school.					
4	King's Court First roof repairs and replacement	CSNN	Roof replacement to address recent deterioration in several parts of the school.					
5	Riverside Primary roof repairs and replacement	CSNO	Roof replacement to address recent deterioration in several parts of the school.					
6	Kings' Court First boiler replacement and associated works	CSNB	Replacement of an oil-fired boiler with Air Source Heat Pump. Possible upgrades of pipework and heating emitters.					
	SUBTOTAL			1,225	1,440	2,665	2,665	60
7 	Retain as programme contingency	-	Contingency funding for the financial year	0	103	103	103	0
	TOTAL			1,225	1,543	2,768	2,768	60

Appendix C – Provisional schemes for School Condition Allocation spending in 2023/24, and subsequent years.

Table C3 – Summary of schemes likely to be proposed for the future years of the capital programme, to be funded using School Condition Allocation (grant funding) from those years

R					
a					
n k	Project name	Cost Centre	Project description	Year proposed for works	Estimated cost (£,000k)
1	Urgent safety works various schools	(if available) CSDQ	Project description This is funding set aside to carry out minor emergency repairs	2025/26	
1			and urgent works as they arise during the financial year.	2020/20	
2	Furze Platt Infants roof repairs and replacement Phase 2	-	Roof replacement to address recent deterioration in several parts of the school.	2025/26	
3	Hilltop First roof repairs and replacement Phase 2	-	Roof replacement to address recent deterioration in several parts of the school.	2025/26	
4	Alwyn Infants window repairs and replacement	-	Repair and replacement of single-glazed windows.	2025/26	
5	Maidenhead Nursery gutter and rainwater equipment	-	Repair of guttering and other rainwater equipment, and external redecorations.	2025/26	
6	School resurfacing programme Phase	-	A number of schools have resurfacing requirements, which it is proposed to manage as one programme.	2025/26	
7	Homer First roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2026/27	
8	The Lawns Nursery roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2026/27	
9	Larchfield Primary roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2026/27	
19 85 11	Alwyn Infant roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2026/27	
11	School resurfacing programme Phase 2	-	Continuation of the resurfacing programme.	2026/27	
12	Wessex Primary roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2027/28	
13	Furze Platt Junior roof repairs and replacement	-	Roof replacement to address recent deterioration in several parts of the school.	2027/28	

Appendix C – Provisional schemes for School Condition Allocation spending in 2023/24, and subsequent years.

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Appendix E: Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Schools Condition Allocation 2024-25
Service area:	Operations
Directorate:	Children's Services

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

This report proposes works to be carried out in 2023/24 and 2024/25 to maintain and improve the condition of community and voluntary controlled school buildings and sites. These works are funded by the government's School Condition Allocation, an annual grant awarded to local authorities to keep schools safe, warm and dry. Projects are prioritised according to need.

2. Relevance Check

Is this proposal likely to <u>directly</u> impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage (for example, for a forthcoming action plan)?

Yes.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff.

Children, young people and staff receiving their education or working in community or voluntary controlled school buildings.

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) **disproportionately represented?** For example, compared to the general population do a higher proportion have disabilities?

No.

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

Consultation has taken place with schools in terms of projects they would like to be carried out at their schools to keep them safe, warm and dry.

What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

N/A

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	The new provision will benefit children and young people of school age.	Yes	
Disability			No

Sex	No
Race, ethnicity and religion	No
Sexual orientation and gender reassignment	No
Pregnancy and maternity	No
Marriage and civil partnership	No
Armed forces community	No
Socio-economic considerations e.g. low income, poverty	No
Children in care/Care leavers	No

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group N/A

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

For planned future actions, provide the name of the responsible individual and the target date for implementation.

N/A

How will the equality impacts identified here be monitored and reviewed in the future?

See guidance document for examples of appropriate stages to review an EQIA. N/A

6. Sign Off

Completed by:	Date:
Ben Wright	
School Place Planning & Capital Programme Manager	16/11/2023
Approved by:	Date:
Approved by:	Dale.
Lynne Penn	
Associate Director Operations	16/11/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:

Agenda Item 10

Report Title:	Building Height and Tall Buildings		
	Supplementary Planning Document Adoption		
Contains	No – Part I		
Confidential or			
Exempt Information			
Cabinet Member:	Councillor Bermange, Cabinet Member for		
	Planning, Legal and Asset Management		
Meeting and Date:	Cabinet – 13 th December 2023		
Responsible	Andrew Durrant – Executive Director of Place		
Officer(s):	and Adrien Waite - Assistant Director of		
	Planning		
Wards affected:	All		



REPORT SUMMARY

This report seeks approval for the adoption of the Building Height and Tall Buildings Supplementary Planning Document (SPD).

Borough Local Plan Policy QP3a commits the Council to preparing a Building Height and Tall Buildings SPD. The SPD provides that guidance and sets out in detail what the Council considers to be appropriate in terms of location, height, and design for tall building developments throughout the borough. The adoption of the SPD will help the Council to ensure that any proposed tall development that comes forward is appropriate and of the highest quality.

Once adopted, the SPD will be an important material consideration in the determination of planning applications.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Approves the adoption of the Building Height and Tall Buildings Supplementary Planning Document, as set out in Appendix B.
- Delegates authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management for minor changes to the Supplementary Planning Document to be made prior to publication.

REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Option	Comments
Adopt the Building Height and Tall Buildings Supplementary Planning Document (SPD) with the recommended changes, and delegate authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management for minor changes to the Supplementary Planning Document to be made prior to publication. This is the recommended option	 Policy QP3a of the Borough Local Plan states that an SPD on Building Heights and Tall Buildings will be produced. The SPD is based on a robust methodology and sets design principles to ensure appropriate and high-quality development. It outlines other key requirements and principles for proposed building heights and tall building developments across the Borough. Consultation comments have been considered and the document has been amended as far as is possible within the constraints set out below.
Not adopt the Building Height and Tall Buildings (SPD) with the recommended changes and not delegate authority for further minor changes to be made prior to publication to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management and to start again on a new SPD. This is not a recommended option.	This is not a recommended option. There would be significant time and cost implications with this option. It would require the Council to go out to tender and to appoint a new consultant to undertake the work using a different methodology (assuming that a consultant could be found). The SPD has cost about £65,000 to produce and this would effectively be wasted. A similar amount of money would be required to start again, and it is unlikely that this would be available given the current financial climate. In addition, it would take about 18 months to develop the new methodology and produce another SPD, during which time there would be no detailed guidance for tall buildings. It is also unlikely that any resultant SPD would be significantly different from the current version.

Table 1: Options arising from this report.

Option	Comments
Do nothing. Not adopt the Building Height and Tall Buildings (SPD) with the recommended changes and not delegate authority for further minor changes to be made prior to publication to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management and to not start again on a new SPD	This would leave the Council in its current position of having a high level policy without the detailed guidance and recommendations of an SPD. This approach would result in a policy vacuum and an uncoordinated approach in assessing tall building development that would come forward across the Borough.
This is not a recommended option.	It would also make it more difficult for the Council to resist inappropriate tall building proposals.

- 1.1 The National Planning Policy Framework (NPPF) identifies the creation of highquality buildings and places as being fundamental to what the planning and development process should achieve. It also expects councils to provide maximum clarity at an early stage about their design expectations using visual tools such as design guides.
- 1.2 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as, Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan. They are therefore important documents in helping to deliver the policies and proposals set out in the Borough Local Plan. But it is important to emphasise that SPDs do not create new policy, do not replace existing policy in the Borough Local Plan.
- 1.3 There is increasing pressure in the borough for increased density and taller buildings, particularly in central Maidenhead. A tall building is defined in the SPD as an exceptional development that is significantly higher than the buildings in its surrounding context and that notably breaks the skyline. Taller buildings can have an impact, both negative and positive on their immediate and wider surroundings.
- 1.4 The general approach and design principles for building heights and tall buildings within the borough is set out in Policy QP3a of the adopted Borough Local Plan (2013-2033) (BLP). Policy QP3a addresses the height of all new development, with specific urban design criteria for any proposed tall buildings. Policy QP3a is clear in its purpose of ensuring that the unique character of the Royal Borough's towns and villages is protected from inappropriately tall development by directing taller buildings to areas where they can play a positive role in placemaking, and by providing a criteria-based approach to establishing the appropriateness of tall buildings across the borough. Clause 10 of Policy QP3a specifically states that further details and guidance on the application of this policy will be set out in a Building Height and Tall Buildings SPD. Paragraph 6.14.11 of the BLP explains that the SPD will, "identify locations that present opportunities for tall buildings in the Borough, together with site-specific recommendations on building height. It

will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings."

- 1.5 The draft SPD has the following main purposes:
 - To identify what parts of the Royal Borough are inappropriate for tall buildings in principle;
 - To guide the appropriate location and height of tall buildings;
 - To provide clear objectives and design guidance for tall buildings;
 - To highlight the heritage and townscape elements that should be considered in relation to tall building proposals; and
 - To identify areas that can accommodate a general increase in context heights thereby intensifying the urban fabric.
- 1.6 The draft SPD:
 - Identifies and maps the principal height characteristics across the borough, identifying the general approach to building height for new development;
 - Provides a definition for tall buildings in the borough, identifying height ranges that allow the classification of tall buildings in respect of the surrounding context height;
 - Provides 10 tall building principles that guide the purpose, function and design of any and all proposed tall buildings in the borough;
 - Provides detailed borough-wide recommendations on where development of increased height and tall buildings should be located. It also defines areas in the borough that are inappropriate for tall buildings, and areas that are sensitive to tall buildings;
 - Presents a proactive strategy for tall buildings and intensification in Maidenhead town centre; and
 - Sets out in detail the specific requirements for developers intending to submit a planning application for a tall building.
- 1.7 The draft Building Height and Tall Buildings Supplementary Planning Document was published (under Regulation 13 of The Town and Country Planning (Local Planning) (England) Regulations 2012, as amended) for six weeks' consultation from 30 August until 11 October 2022. More details on the consultation and the responses made can be found in Section 7 below.
- 1.8 Following the consultation, Officers amended the draft SPD to take account of the representations received. The changes made to the SPD following consultation on the draft SPD are summarised below:

General changes

- Wording reviewed to ensure consistency with the role of SPDs, and consistency with other documents in the Council's Development Plan and the other SPDs adopted by the Council.
- The addition of text throughout the document to make it clear that this SPD does not allocate sites for development or grant planning permission, but rather that it identifies locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It provides additional detailed guidance on location, height and design of tall buildings and sets application requirements for tall buildings as required by paragraph 6.14.11 of the BLP.
- A review of the Borough's context heights using a GIS based methodology to compute context heights directly from the available data in order to create a metric-based context height to underpin the methodology. In general context heights remained the same but were also reduced in several areas.
- To complement the above desk-based context heights exercise, and in response to concerns raised in the consultation, consultants Urban Initiative Studies also undertook an on-site view testing analysis on two specific sites in Maidenhead town centre, the Nicholson Centre/Town Centre Core (LM2 in the SPD) and Maidenhead Station Quarter (LM1 in the SPD). Height testing was undertaken to understand in more detail the townscape and visual impact of theoretical building heights when viewed from a range of sensitive locations in and around the town centre. A summary of the findings is included below in the 'Key changes to specific sections of the SPD' section. The full findings are contained within Appendix C to this report.
- Guidance reviewed for all sites included in Table 5.1 of the SPD, including the addition of text to make it clear whether there is an opportunity for a tall building on each site within the table.
- The SPD has also been amended in various places (for example, para 5.1.9) to now include text which clearly states the requirement for any tall building proposal to test the landscape and visual impact, skyline impact and impact on long-distance views.
- Height recommendations for non-residential sites are now given in metres rather than storeys.
- All maps and imagery within the SPD have been updated and improved to make them more legible, including the addition of better labelling and the inclusion of roads and other landmarks..
- Storey heights have also been reviewed and amended as the standard for floor-to-floor height for residential multi-storey buildings (due to minimum floor to ceiling heights, construction, insulation, and servicing needs) is now 3.2m. This has had the material result of increasing maximum

building heights slightly when building heights are displayed in metres. This slight increase in building height has no impact on the identified maximum number of storeys.

- A number of other updates, clarifications and additions to the Application Requirements section, including the removal of the statement that outline planning applications for tall buildings are unacceptable.
- A number of other updates and clarifications in the key principles section, including reducing the risk of bird strikes.
- Updates to the text to ensure consistency with local and national policy, including national green belt policy.

Key changes to specific sections of the SPD

<u>Maidenhead</u>

LM1 – Station Quarter

• The SPD has been revised to reflect a more modest landmark of up to 8-10 residential storeys rather than 13 in the consultation draft version. The suggested indicative location for a proposed tall building on this site has also been moved closer to the Station and further away from the surrounding residential areas which have lower context heights. The reference to a 'cluster of tall buildings' has also been removed.

LM2 – Town Centre Core (Landings and Nicholsons Centre)

- The consultation version of the SPD took account of previously granted planning permissions, including the Nicholson's Centre at 25-storeys.
- To provide clarity, the final version of the SPD has been revised to make it clear that the permitted 25 storey Nicholson Centre Building (if built) will assume the single district landmark role in this area.
- If this scheme is not built out, the draft SPD would not place any obligation on the Council to permit another 25-storey building on this site. Instead, following the additional view testing and context height analysis, the SPD has been amended to identify the LM2 site as having the opportunity for a district landmark of up to a maximum of 16 storeys.

<u>LM7 – Southern Maidenhead Northern Neighbourhood (page 78) / M9</u> (Table 5.1)

- Context heights have been updated and verified. The context heights to the north of the Southwest Maidenhead site are now a mix of 4, 3 and 2 storeys, rather than previously being predominantly 4 storeys.
- The requirement for the visual impact, skyline impact and impact on longdistance views due to the elevated nature of the site has also been added to M9 in Table 5.1.

Triangle Site (M22 in Table 5.1)

• As this is an employment site, height recommendations have been amended to "Maximum of 24m" (rather than "Maximum 6 storeys") subject to appropriate visual and landscape impact and future context height to 13m.

Windsor Town Centre

• Table 5.1 has been amended to make clear that any large building on the W7 site would only be acceptable where it integrates well with context and has a negligible impact on heritage assets, townscape character, views, and the skyline.

<u>Cookham</u>

• Table 5.1 has been amended to make clear that there is no opportunity for a tall building at the train station site. The opportunity for increased context height of 3 storeys around the station has also been removed from Table 5.1

<u>Sunningdale</u>

- Table 5.1 has been amended to state that there is no opportunity for a tall building.
- 1.9 The final SPD is accompanied by a Consultation Statement (Appendix D) that summarises all engagement and consultation undertaken in the preparation of the SPD and includes responses to the comments made on the draft SPD.

2. KEY IMPLICATIONS

- 2.1 It is almost certain that speculative tall building proposals will continue to come forward within the borough. The main positive implication of adopting the draft SPD would be to ensure that the Council has a greater level of control when assessing and determining any proposed tall building planning applications. The draft SPD supports Policy QP3a of the BLP by identifying 10 key principles that will guide the approach and design of any proposed tall buildings in the borough. If the SPD is adopted, developers and designers will need to use the principles and guidelines contained in the SPD to inform their approach to the location, layout and design of any tall buildings.
- 2.2 However, if the SPD is not adopted, and is consequently withdrawn, developers would not have to meet the requirements within the document, making it more difficult for the Council to resist inappropriate tall building proposals. Not having an adopted SPD could also result in an uncoordinated approach in assessing proposed building heights and tall building development in the Borough.
- 2.3 Whilst SPDs are not part of the statutory development plan (such as the Borough Local Plan) with its associated planning status and weight in decision making, they are an important material consideration when determining

planning applications. As noted above the preparation of this SPD is specifically referred to in the policy for Building Height and Tall Buildings, policy QP3a.

 Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Adoption of the Building Height and Tall Buildings SPD	SPD not adopted or adopted in December 2023	SPD adopted on 13 December 2023	n/a	n/a	When SPD is adopted

3. FINANCIAL DETAILS / VALUE FOR MONEY

- 3.1 The production of the SPD has cost approximately £60,000, and has funded: Urban Initiatives Studio, an internationally recognised urban design and planning consultancy, to produce the SPD. This included preparation, writing, formatting and post-consultation revisions to the document.
- 3.2 The preparation of the SPD is within existing budgets.

4. LEGAL IMPLICATIONS

- 4.1 The SPD does not form part of the statutory development plan but will be an important material consideration in making planning decisions.
- 4.2 There is a statutory process for preparing an SPD. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out these requirements.
- 4.3 The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. Following consultation with the Environment Agency, Historic England and Natural England it was agreed that SEA was not required for this SPD.
- 4.4 There are no direct legal implications as a result of this report.

5. RISK MANAGEMENT

5.1 The headline risks are set out in Table 3 below:

Threat or risk	Impact with no mitigations in place or if all mitigations fail	Likelihood of risk occurring with no mitigations in place.	Mitigations currently in place	Mitigations proposed	Impact of risk once all mitigations in place and working	Likelihood of risk occurring with all mitigations in place.
There is a risk that poor quality development may come forward in inappropriate areas as there is no relevant guidance in the form of a Building Height and Tall Buildings SPD.	Major	High	Policy QP3a of the Borough Local Plan is being applied.	Adopt the Building Height and Tall Buildings SPD	Minor	Low

Table 3: Impact of risk and mitigation

6. POTENTIAL IMPACTS

- 6.1 Equalities. The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. An EQIA (Equalities Impact Assessment) Screening has been completed and is available in Appendix A.
- 6.2 Climate change/sustainability. The preparation of this SPD was also subject to a strategic environmental assessment (SEA) scoping report. Following consultation with the Environment Agency, Historic England and Natural England it was agreed that SEA was not required for this SPD.
- 6.3 Data Protection/GDPR. The consultation on the Building Height and Tall Buildings SPD was undertaken by the council in accordance with the Data Protection Act 2018 and the General Data Protection Regulation.

7. CONSULTATION

- 7.1 Formal Regulation 13 consultation on the draft version of the SPD ran for six weeks from 30 August 2022 until 11 October 2022, two weeks longer than required by the Regulations to reflect the fact that the consultation is being held over the summer holiday period, consistent with the Council's Statement of Community Involvement.
- 7.2 At the Regulation 13 consultation stage, the Council wrote to nearly 4,000 local residents and a wide range of consultees on the consultee database. Residents

were able to respond in several different ways, including via the consultation portal or by completing the Word version of the consultation form and returning it by email or by post.

- 7.3 During the consultation period, there were further opportunities for engagement, including at one in-person event and at one online consultation event. A staffed 'drop in' event was held between 2pm and 6.30pm on 8 September 2022 at Maidenhead Library, and a 2 hour long online webinar event was held in the evening of the 28th September 2022. Copies of all consultation documents were available to view at Maidenhead Library, Windsor Library and Ascot Library during the consultation period as well as on the Council's website.
- 7.4 Around 120 written representations were received from residents and other stakeholders. These made a wide range of comments, ranging from opposition to the principle of tall buildings in the Borough, through to more technical comments on the SPD.
- 7.5 A Consultation Statement (see Appendix D) has been produced summarising all engagement and consultation undertaken in the preparation of the SPD. It also summarises the responses received and provides a response to the issues raised. Some of the key issues raised included:
 - Concerns relating to density and building heights, especially in Maidenhead and Windsor Town Centres, Cookham Train Station and the northern end of Maidenhead golf course (South West Maidenhead).
 - Concerns relating to assessment of context heights in the borough.
 - Questions about the analysis of Above Ordnance Datum (AOD) information used to inform the analysis included in the SPD.
 - Questions about the methodology employed to identify the sites that were assessed as being the most appropriate for tall buildings.
 - Some comments suggested that the SPD introduces new policy.
 - Some general concern that the scale of development would result in overdevelopment of parts of the Borough.

8. TIMETABLE FOR IMPLEMENTATION

8.1 Implementation date if not called in: 22nd December 2023. The full implementation stages are set out in Table 4.

Table 4: Im	plementation timetable
-------------	------------------------

Date	Details
13 December	Cabinet decides whether to approve Building Height and
2023	Tall Buildings SPD.
22 December	Building Height and Tall Buildings SPD comes into
2023	force, following the end of call-in period.

9. APPENDICES

9.1 This report is supported by four appendices:

- Appendix A Equality Impact Assessment
- Appendix B Final Version Building Height and Tall Buildings SPD.

- Appendix C "Appendix A, Height Testing on key sites in Maidenhead Town Centre"
- Appendix D Consultation Statement

10.BACKGROUND DOCUMENTS

- 10.1 This report is supported by one background documents:
 - Royal Borough of Windsor and Maidenhead Borough Local Plan 2013-2033. <u>https://www.rbwm.gov.uk/home/planning-and-building-control/planningpolicy/development-plan/adopted-local-plan</u>
 - National Planning Policy Framework (NPPF)
 <u>National Planning Policy Framework GOV.UK (www.gov.uk)</u>

11.CONSULTATION

Name of	Post held	Date	Date
consultee		sent	returned
Mandatory:	Statutory Officer (or deputy)		
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	07/11/23	28/11/23
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	07/11/23	14/11/23
Deputies:			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	07/11/23	
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	07/11/23	
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer	07/11/23	14/11/202 3
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer	07/11/23	08/11/23
Other consultees:			
Directors (where relevant)			
Stephen Evans	Chief Executive	07/11/23	22/11/23
Andrew Durrant	Executive Director of Place	07/11/23	14/11/23
Assistant Directors (where relevant)			
Adrien Waite	Assistant Director of Planning	07/11/23	
Chris Joyce	Assistant Director of Assistant Director of Infrastructure,	07/11/23	

	Sustainability and Economic Growth	
External (where		
relevant)		
N/A		

Confirmation relevant Cabinet	Cllr Bermange	Yes
Member(s) consulted	Cabinet Member for Planning, Legal and Asset Management	

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key Decision	No	No
Added to Forward Plan on INSERT DATE		

Report Authors: Garry Thornton, Principal Planning Policy Officer

Appendix A

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Building Height and Tall Buildings SPD
Service area:	Planning
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The Supplementary Planning Document (SPD) has been prepared to guide future development within the Royal Borough of Windsor & Maidenhead.

The SPD aims to:

- Inform the Development Management process;
- Guide appropriate location and height of tall buildings;
- Provide clear objectives and design guidance for tall buildings;
- Support policy QP3a of the Borough Local Plan.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If no, please explain why not, including how you've considered equality issues.
 - Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

Yes, the SPD will directly impact people and the local community throughout the Borough. The principal purpose of the SPD is to provide details and guidance on the application of policy QP3a in the Borough Local Plan. If approved by Cabinet, the document would become a material consideration when determining planning applications on the site.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff

The SPD is borough wide, therefore, all residents of the borough could be affected.

Council Planning Officers will also be affected as they would have to take the Document into account during their decision-making process in relation to any planning applications received in relation to the site.

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented? For example, compared to the general population do a higher proportion have disabilities?

The adopted Borough Local Plan was subject to an Equality Impact Assessment in 2017, which did not identify any negative impacts for any group with protected characteristics.

The SPD provides further details and guidance on the application of policy QP3a of the Borough Local Plan. It does not create new policy. Policy QP3a states that in order to be acceptable, tall building proposals will need to be part of a comprehensive approach to development and placemaking and have a clear purpose.

The SPD recognises the need for any tall buildings to contribute towards a mix of uses, and the intensification of accessible, central areas. Proposals must deliver high quality places to live and be sustainable and innovative developments.

In addition, Borough Local Plan Policy 'HO2 Housing Mix and Type' recognises that new homes should support the changing needs of individuals and families at different stages of life, and the expectation is that a proportion of new housing should meet the higher accessibility standards of Requirement M4(2) (Building Regulations).

Future planning applications will need to comply with Borough Local Plan policy. There is nothing in the SPD which is considered to disproportionately impact on any particular individual or group.

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

Yes, engagement has taken place throughout the various previous stages of the production of the SPD. A 6 week consultation including engagement events have been held with Local Stakeholders and the members of the community in the local area. The results of this consultation and engagement have been incorporated into the final version of the SPD where appropriate.

What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

The Council's parish profiles and the Council's Equalities Evidence Grid. The Building Height and Tall Buildings Supplementary Planning Document.

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	The SPD develops the policies and requirements set out in the Borough Local Plan. It does not create new policy. There is nothing in the Stakeholder Masterplan Document which is considered to disproportionately impact on any particular individual or group.	Not applicable.	
Disability	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person with a disability.	Not applicable.	
Sex	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person on the basis of their sex.	Not applicable.	
Race, ethnicity and religion	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person on the basis of their race, ethnicity or religion.	Not applicable.	
Sexual orientation and gender reassignment	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person on the basis of their sexual orientation or gender.	Not applicable.	
Pregnancy and maternity	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person who is pregnant or a mother.	Not applicable.	
Marriage and civil partnership	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person on the basis of their marital status.	Not applicable.	
Armed forces community	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person who is in the armed forces community.	Not applicable.	
Socio-economic considerations e.g. low income, poverty	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person on the basis of their socio-economic situation.	Not applicable.	
Children in care/Care leavers	There is no policy within the SPD which is considered to disproportionately impact or discriminate against a person who is in care or a care leaver.	Not applicable.	

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group The SPD has been subject to public consultation. The consultation ensured that the groups less likely to particate in developing the normal planning process had more opportunity to express their views. Where persons with protected characteristics are adversely affected, this would increase the likelihood of the consultation not picking up all issues within the local area. However, several engagement events were held on various platforms, so it is considered that this potential problem was mitigated.

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

• For planned future actions, provide the name of the responsible individual and the target date for implementation.

Where persons with protected characteristics are adversely affected, this would increase the likelihood of the consultation not picking up all issues within the local area. However, several engagement events were held on various platforms, so it is considered that this potential problem has been mitigated.

How will the equality impacts identified here be monitored and reviewed in the future? See guidance document for examples of appropriate stages to review an EQIA.

If the SPD is adopted, residents will have further opportunity to comment on future planning applications as part of the normal planning application determination process.

6. Sign Off

Completed by: Garry Thornton	Date: 20/02/2023
Approved by: Adrien Waite	Date: 20/02/2023

Appendix B – Building Height and Tall Buildings Supplementary Planning Document – Final Version

ATTACHED AS A SEPARATE DOCUMENT

Appendix C - Appendix A, Height Testing on key sites in Maidenhead Town Centre

ATTACHED AS A SEPARATE DOCUMENT

Appendix D – Building Height and Tall Buildings Supplementary Planning Document -Consultation Statement

ATTACHED AS A SEPARATE DOCUMENT

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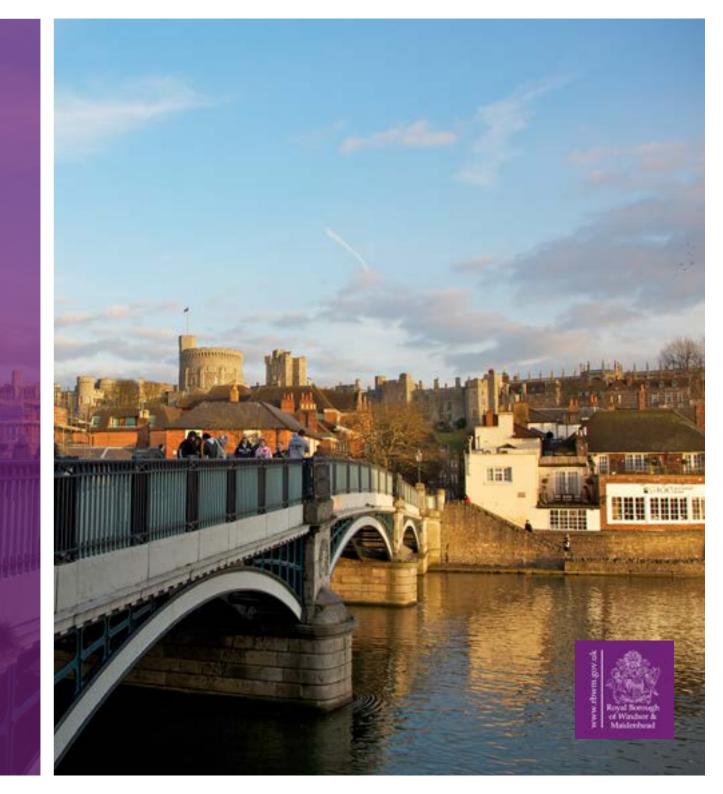
ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

BUILDING HEIGHT AND TALL BUILDINGS

SUPPLEMENTARY PLANNING DOCUMENT

NOVEMBER 2023 FINAL

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NOTE TO READER:

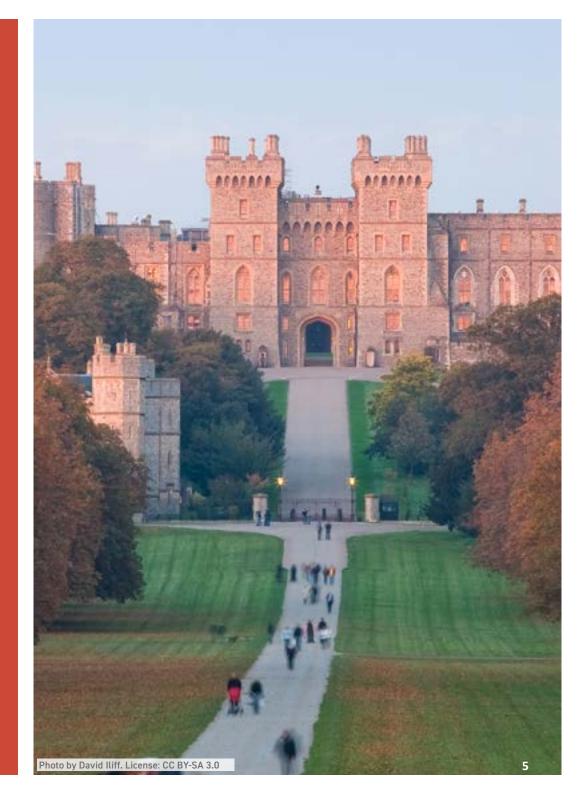
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CHAPTER 1 INTRODUCTION

Chapter 1 provides an introduction to the Supplementary Planning Document, explaining why it is needed, how it can be used, as well as its purpose, scope and status. This chapter also provides a summary of the relevant policy context.



1 INTRODUCTION

1.1 INTRODUCTION

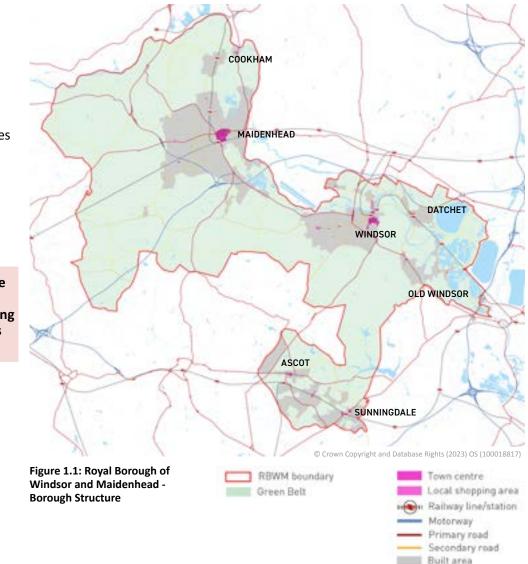
1.1.1 The Royal Borough of Windsor and Maidenhead ("Royal Borough" or "RBWM") is committed to ensuring that the development of tall buildings is beneficial to the Royal Borough's towns and villages, that they are located in appropriate locations, and achieve design excellence. Tall buildings, if properly sited and designed can have a role in regenerating central locations, concentrating activity and making efficient use of land. They can also be beautiful landmarks that enhance the Royal Borough's image.

A local pride.

1.1.3 The preparation of the Tall Buildings Supplementary Planning Document (SPD) has been undertaken to secure the Council's vision of 'creating a sustainable borough of opportunity and innovation' and its priorities of supporting:

- Thriving communities where families and individuals are empowered to achieve their ambitions and fulfil their potential; and
- Inspiring places, supporting the borough's future prosperity and sustainability.¹

This SPD is not designed to encourage tall buildings, but rather to allow the Council more control over any planning applications for large or tall buildings that come forward in the future.



1.2 PURPOSE

1.3 SCOPE

1.4 STATUS

1.2.1 The Building Heights and Tall Buildings SPD supports Local Plan Policy QP3a by setting out in detail what the Council considers to be appropriate in terms of building height in the Royal Borough. The SPD has the following main purposes:

- To identify what parts of the Royal Borough are inappropriate for tall buildings in principle;
- To guide the appropriate location and height of tall buildings;
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- To provide clear objectives and design guidance for tall buildings;
 - To highlight the heritage and townscape elements that should be considered in relation to tall building proposals; and
 - To identify areas that can accommodate a general increase in context heights thereby intensifying the urban fabric.

1.3.1 The Building Heights and Tall Buildings SPD is relevant to the entire Royal Borough and tall buildings of any use. It does not cover other tall structures such as wind turbines.

1.3.2 This SPD only covers aspects of tall buildings that are specific to RBWM. It does not provide guidance on matters already addressed by national Building Regulation requirements (e.g. access and fire safety, energy and water efficiency and disabled access).

1.3.3 Sitting alongside this SPD is a range of detailed topic and locally specific design documents including the adopted Borough Wide Design Guide SPD, which sets out the overarching design principles. Also included are the design policies in 'made' neighbourhood plans, detailed design related supplementary planning documents and guidance, and conservation area appraisals. This SPD should be read in conjunction with them. 1.4.1 This document is the final version of the Building Height and Tall Building SPD prepared for adoption by the Council. It includes revisions that have been made in response to public representations received during the public consultation on the draft SPD.

1.4.2 The consultation on the draft document was held from 8 September 2022 to 11 October 2022. 104 responses have been received and have informed the revision of the document. A full account of the comments and responses can be found in the Consultation Statement.

1.4.3 Developers will be expected to take the SPD into account, along with the requirements of any locally specific design policies in adopted, made, or emerging plans and in other SPD's when designing any form of new development in the Royal Borough.

1.4.4 Once adopted, the Building Heights and Tall Buildings SPD will be a material consideration to be taken into account by the Council when considering determining planning applications.

1.5 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

1.5.1 The National Planning Policy Framework (NPPF) sets out the government's objectives for new development. The NPPF does not have any specific policies on tall buildings, however, it sets out a number of more general design and planning principles which are relevant to the development of tall buildings.

1.5.2 The NPPF states that planning should be genuinely plan-led and local authorities should provide clear addance on the quality of development expected within their area. There is a presumption in favour of sustainable development - a concept that promotes healthy urban environments that facilitate social cohesion, and urban design, character-based approach to development and the efficient use of land through developing at optimal densities, which support sustainable travel.

1.5.3 Furthermore, new development should respect existing character and contribute to improving their local area, particularly where change is desirable. New development should respect and avoid harm to heritage assets. 1.5.4 The Building Heights and Tall Buildings SPD follows the principles of the NPPF, steering tall development towards the most suitable locations and safeguarding the important character and heritage of the Royal Borough.

HISTORIC ENGLAND ADVICE NOTE 4 - TALL BUILDINGS

1.5.5 Advice Note 4, 2nd edition promotes a plan led and positive approach to the location and design of tall buildings. It states that this should be specific to areas and include a local definition for tall buildings that is appropriate to its specific context.

1.5.6 Local authorities are expected to provide clear guidance and policies on where tall buildings should be located, their role in place making and the local community, and how to minimise potential impacts on local character and heritage.

1.5.7 Advice Note 4, 2nd edition states that the scale and form of development should be assessed as part of the formulation of the local plan. It suggests the use of characterisation/building height studies as well as heritage and urban design assessments to designate appropriate locations and polices for tall buildings.

1.5.8 The RBWM Building Heights and Tall Buildings SPD aligns closely to the Historic England advice note to ensure it is based on best practice guidance.

BOROUGH LOCAL PLAN 2013-2033

1.5.9 The Local Plan for the Royal Borough of Windsor and Maidenhead was adopted in February 2022.

1.5.10 The plan includes **Policy QP3a** 'Building Height and Tall Buildings' which *"addresses the height of all new development, with specific urban design criteria for tall buildings. The purpose of the policy is to respond to increasing pressure for higher density and taller* **N** *development in the Royal Borough."* It **ysets out:**

- General approach to heights in the Borough
 - 1 Within established settlements (outside of Maidenhead Town Centre where Clause 2 applies), new development will be generally expected to maintain the existing context heights, to reinforce and reflect the character of the local area. In large developments that can establish their own sense of place the general height of buildings may be increased to support placemaking and an efficient use of land. Proposed general building heights on such sites should not normally constitute an increase to the

typical building height in the surrounding area by more than one storey, subject to responding appropriately to the existing characteristics of the site and wider context in respect of the built form, landscape, landform, heritage and views.

- 2 Maidenhead town centre has the capacity to accommodate buildings of greater height. An *increase of the general height* by up to 2 storeys above the surrounding context height (up to a maximum of 5 storeys in total) may be acceptable, where it can be demonstrated that this approach is necessary to deliver sustainable development and facilitate intensification, and any adverse impacts on existing townscape, heritage assets and views are avoided or appropriately mitigated.
- 3 Where development is proposed on large greenfield sites that lack a relevant development context, the appropriate future height of buildings should be established through the Placemaking SPD or

Stakeholder Masterplan process (as relevant).

- Tall Building Definition
 - 4 A building of more than 1.5 times the context height of the surrounding area or a minimum of 4 storeys in a 2 storey area, will be considered a tall building.
- Tall Buildings Urban Design Principles
 - 5 Tall buildings (as defined in Clause 4 above) are exceptional forms of development and will only be appropriate in a limited number of locations and circumstances as exceptions to Clauses 1 or 2 above. Large parts of the Royal Borough are unsuitable for tall buildings due to heritage, landscape and townscape character sensitivities. Other than in Maidenhead Town Centre, building heights of above 2.5 times the context height will not generally be appropriate.
 - 6 On the Nicholsons Centre site (AL1) within Maidenhead Town Centre, a single tall building above 2.5 times the contextual height may be acceptable to mark the centre of the town.

- 7 In general, tall buildings will only be considered appropriate in areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development.
- 8 To be acceptable tall building proposals will need to be part of a comprehensive approach to development and placemaking and have a clear purpose.
 Proposals should demonstrate how as a landmark building (or cumulatively as part of a cluster of buildings) they will significantly enhance legibility and deliver significant regeneration benefits for the locality.
- 9 Proposals for tall buildings must be of the highest quality of design and demonstrate how they will:
 - a be of a height, scale, mass and volume that are proportionate to the role, function and importance of the location in the wider context of the locality and the Royal Borough.

- b enhance the character and distinctiveness of the area and respond appropriately to the local townscape character.
- c not adversely affect sensitive townscapes and landscapes, detract from important landmarks, strategic and locally important views or key characteristics of the skyline.
- d mitigate against and avoid harm to the significance of heritage assets and their settings.
- e not prejudice future development potential of adjacent/neighbouring buildings or plots.
- f avoid an overbearing impact or canyon effect on the street space and present a human scale of development at street level with active uses at ground floor level.
- g maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook).

- h provide high quality private
 and communal open space,
 play areas and public realm for
 occupants of the building.
- i ensure the development does not adversely impact on the microclimate of the application site and the surrounding area.
- j achieve innovative and sustainable building design, including maximising opportunities for biodiversity gain.
- 10 the requirement to consult this SPD document for additional guidance

1.5.11 Policy QP3a was informed by the Tall Buildings Study and Strategy, which were originally prepared in 2019 and updated in 2021 and 2022.

- 1.5.12 Other relevant policies in the Local Plan include, but are not limited to:
- Policy SP1 'Spatial Strategy for the Royal Borough of Windsor and Maidenhead'
- Policy SP2 'Climate Change'
- Policy QP1 Sustainability and Placemaking'
- Policy QP1a 'Maidenhead Town
 Centre Strategic Placemaking Area'
 (4b, 4c, 4d)
- **Policy QP1b** 'South West Maidenhead Strategic Placemaking Area' (5a, 5b, 5d)
- Policy QP1c 'Ascot Strategic
 Placemaking Area'
- **Policy QP3** 'Character and Design of New Development'
- Policy HO1 'Housing Development Sites'
- **Policy HO2** 'Housing Mix and Type
- Policy HO3 'Affordable Housing'
- Policy ED2 'Protected Employment Sites'
- Policy TR1 'Hierarchy of Centres'
- Policy TR2 'Windsor Town Centre'
- Policy TR3 'Maidenhead Town Centre'
- Policy TR4 'District Centres'

- Policy TR5 'Local Centres'
- **Policy TR6** 'Strengthening the Role of Centres'
- **Policy EP1** 'Environmental Protection'
- Policy EP2 'Air Pollution'
- Policy EP3 'Artificial Light Pollution'
- Policy EP4 'Noise'
- Policy EP1 'Environmental Protection'
- Policy IF2 'Sustainable Transport'

1.6 HOW TO USE THE SPD

1.6.1 The Building Heights and Tall Buildings SPD provides guidance on the location, height and design of tall building developments in Royal Borough of Windsor and Maidenhead. Developers and designers of tall buildings should use the Building Heights and Tall Buildings SPD as a guide for selecting the optimal locations for tall buildings in the borough and achieving excellence in design.

N1.6.2 The SPD should also be used by planning officers and local councillors to assist in determining planning applications.

1.6.3 The SPD is structured as follows:

Chapter 1: Introduction

Chapter 2: Existing Building and Context Heights

1.6.4 This chapter provides a brief overview of the general height characteristics of the Royal Borough and presents the "context height areas", which are used for defining tall buildings in Chapter 3.

Chapter 3: Tall Buildings Definition

1.6.5 This chapter provides a definition for tall buildings relative to local height characteristics (context heights) and a classification of tall buildings, specific to RBWM.

Chapter 4: Tall Buildings Objectives

1.6.6 The ten objectives presented in this chapter guide the purpose, function and design of tall buildings in the borough. Proposals for tall buildings must meet the relevant objectives to be considered acceptable. The tall building objectives must be read in conjunction with the recommendations in Chapters 5 and 6.

Chapter 5: Locations for Increased Height and Tall Buildings

1.6.7 Chapter 5 is the main element of RBWM's Tall Buildings Strategy. It shows what locations are more appropriate for tall buildings and/or for a general increase in context height. Each location is accompanied by height and design guidance, as well as heritage and townscape considerations, where relevant.

Chapter 6: Maidenhead Town Centre Strategy

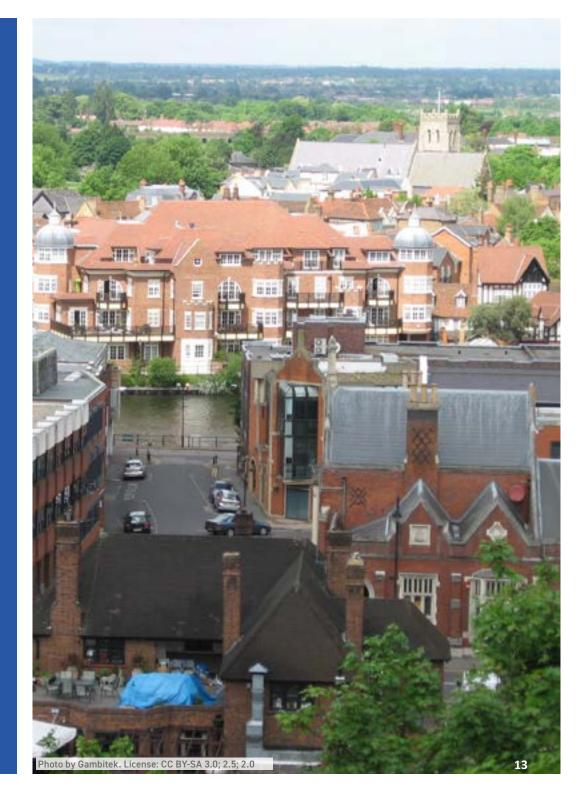
1.6.8 Because of the complexity of Maidenhead Town Centre, it is given its own strategy rather than being included in Chapter 5. Chapter 6 shows what height and location of tall buildings could be appropriate in Maidenhead. The strategy also considers what parts of the town centre could be generally intensified with a higher context height.

Chapter 7: Application Requirements 1.6.9 The final chapter explains what supporting information tall building applications must include in their submission.

CHAPTER 2 GENERAL APPROACH TO BUILDING HEIGHT

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Chapter 2 identifies and maps the principal height characteristics of the Royal Borough. It identifies the general approach to building height for new development.



2.1 BUILDING HEIGHTS IN THE ROYAL BOROUGH

2.1.1 The Royal Borough of Windsor and Maidenhead is a largely low rise borough of villages and sub-urban settlements nested in the landscape. The towns of Maidenhead, Windsor and Ascot are the only places in Royal Borough where building heights increase.

2.1.2 The majority of residential areas across the Royal Borough are 1 or 2 storeys in height. Greater building heights can only be found in the town centres of Windsor and Maidenhead and in a few other locations. Apart from thoric buildings such as churches with their spires, tall buildings are rare in the Royal Borough. Notable exceptions are Berkshire House in Maidenhead, Windsor Castle and the Ascot Racecourse Grandstand building.

2.1.3 The rural context and landscape setting is an important characteristic of the Borough and should be preserved and enhanced. Within established settlements new development will be expected to maintain contextual heights to reinforce and reflect the character of an area. 2.1.4 This SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6.¹

2.1.5 The context height (CH) is the height that an observer would read as the typical or defining height of a particular area. In places that are consistent in height, the context height may be the most commonly occurring building height. In more varied height environments, the context height may be the average height that buildings fluctuate around.

1 Note, that the methodology for height mapping has been updated in this version of the document to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. For this reason, results of mapping and height recommendations in this SPD may differ in some parts from previously released documents, including the tall building strategy and technical baseline study.

2.1.6 The analysis of heights in the Royal Borough has identified five common area types in respect to their prevailing context height:

- Area Type A: CH=5m (a mix of 1-2 storey buildings) - Low domestic scale housing and villages;
- Area Type B: CH=7m (predominantly 2 storey buildings) - Domestic scale housing, village centres, low industrial areas;
- Area Type C: CH=10m (3 storeys) -Modest scale high streets, housing estates, commercial areas;
- Area Type D: CH=13m (4 storeys) -Urban scale development; and
- Area Type E: CH=16m (5 storeys) Intense urban scale development.

2.1.7 In addition to the area types defined above there are a few areas that have been identified which have a context height that is slightly greater due to a prevalence of large and tall buildings. These are exceptions and do not present common area types. 2.1.8 Note that when the term "storeys" is used, it is referring to a generic residential storey of 3.2m in height. The term is used for the benefit of the reader to put metre values in perspective. For instance a 10m building would typically contain 3 residential storeys. In reality, the exact height of a storey will vary from building to building and will typically be higher than 3.2m in commercial buildings.

2.2 HEIGHT OF NEW DEVELOPMENT

2.2.1 Most new development in the Royal Borough will be within established settlements and should be of contextual height. This means proposed heights should mirror or relate closely to the height of existing buildings (and roof forms in areas with a highly coherent townscape) to protect the borough's scale and character.

2.2.2 However, on large redevelopment sites and appropriate greenfield Nites there may be an opportunity to increase the general height beyond the existing context height to deliver sustainable settlements and make efficient use of land. This increase to the existing context height should not normally exceed one storey in suburban areas, or two storeys in Maidenhead towncentre locations, if appropriate.

2.2.3 In many locations even a small increase in height by one storey can have a significant impact on the character and feel of an area or result in unintended visual impacts on landscape characteristics or heritage assets.

2.2.4 Establishing the new context height for a large development area should involve a masterplanning approach and testing undertaken in consultation with the local authority. Developers proposing to increase the context height on their lands will need to demonstrate how the new height approach will deliver successful place making, responds to the existing townscape character, and transitions appropriately with the existing build fabric. Townscape, Landscape, Heritage and Visual Impact appraisals may be required to support proposals for increased heights.

2.2.5 This SPD identifies a number of development sites where the opportunity for an increased height approach can be explored, subject to comprehensive testing. Details of these opportunities are provided in Chapter 5 (borough-wide) and Chapter 6 (Maidenhead town centre and environs).

PRINCIPLE 2.1 CONTEXTUAL APPROACH TO HEIGHT

Development within established settlements will be generally expected to mirror or relate closely to the local height context, unless otherwise indicated by this SPD.

For reference, broad context height across the Royal Borough can be found in Figures 2.1 to 2.6.

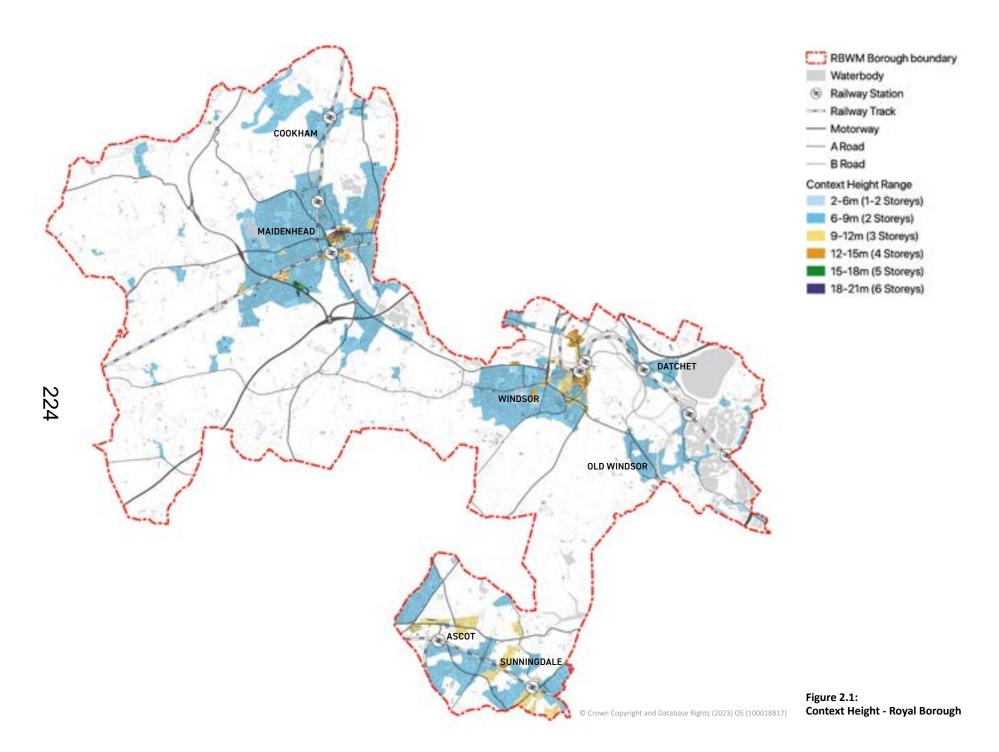
PRINCIPLE 2.2 INCREASED HEIGHT ON LARGE SITES

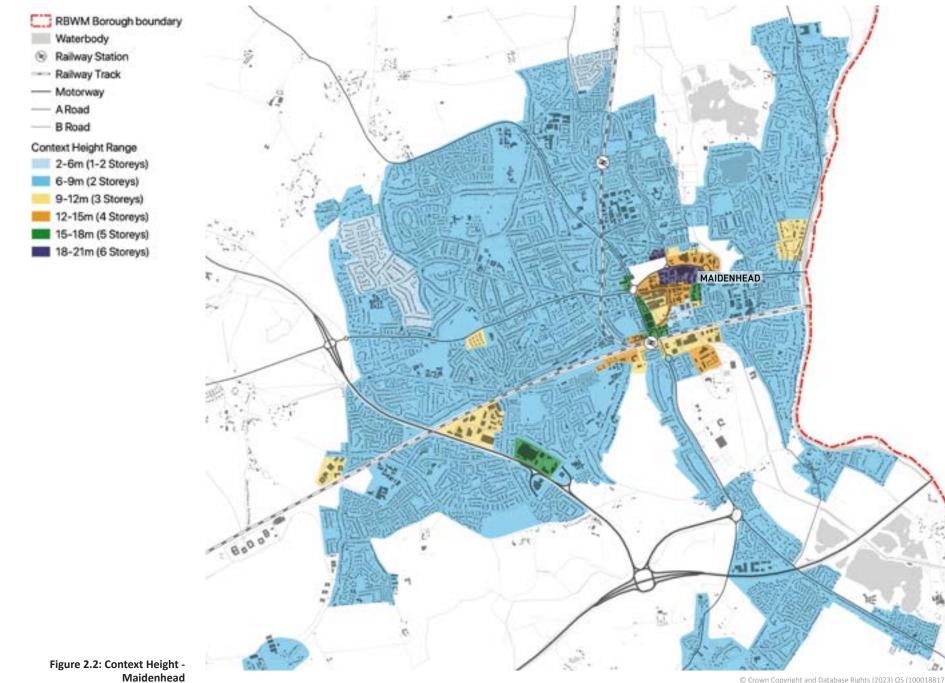
On large greenfield or regeneration sites, it may be appropriate to increase the general height beyond the existing context height by one storey or up to two storeys in highly urban town centre locations.

Uppermost storeys of buildings should generally be set back from the elevation line below, or form part of a inhabited roof space to create an articulated subservient roofscape.

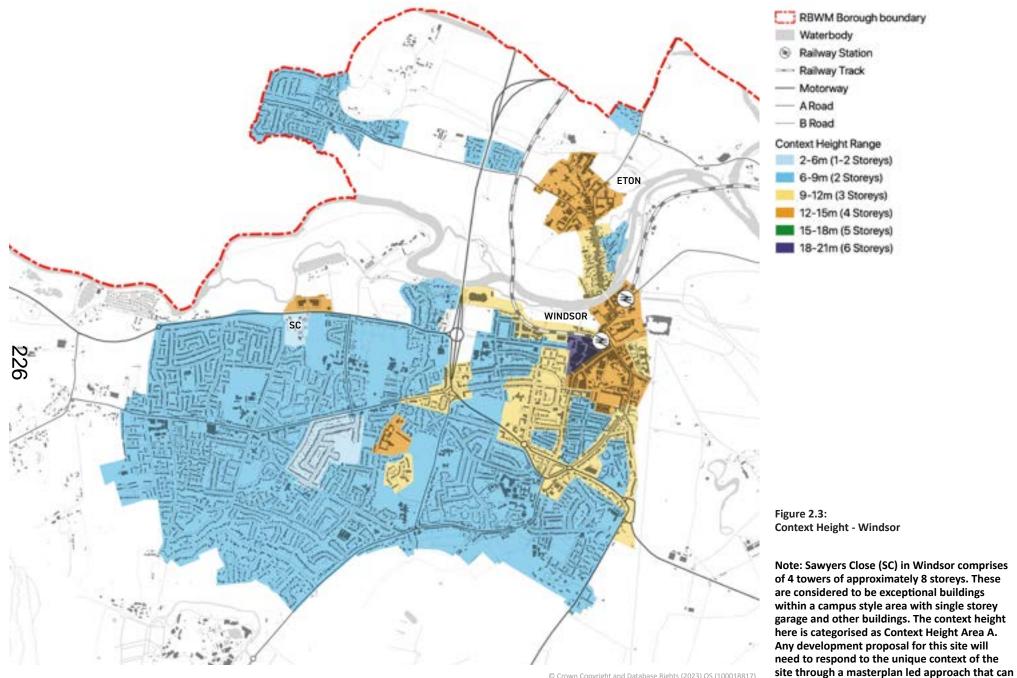
Proposals for an increased context height require a masterplan approach developed in consultation with the Local Authority and should be supported by a clear place making rationale and demonstrate that it avoids significant adverse impact on the local townscape, heritage and landscape context.

Sites with opportunities for increased context height or tall buildings in the Royal Borough are identified in Chapter 5 (borough-wide) and Chapter 6 (Maidenhead).





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establish its own context height.

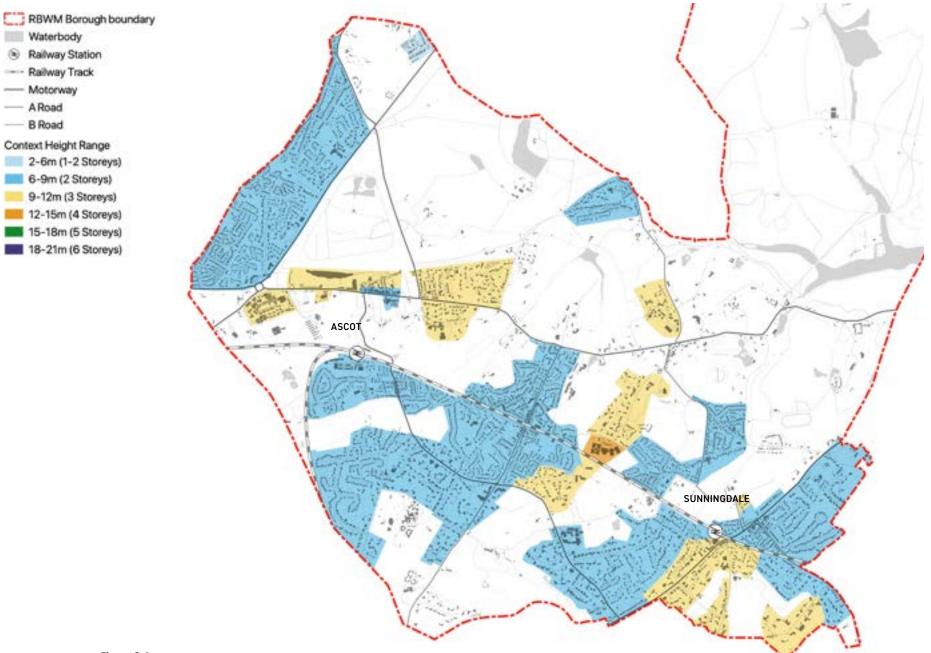
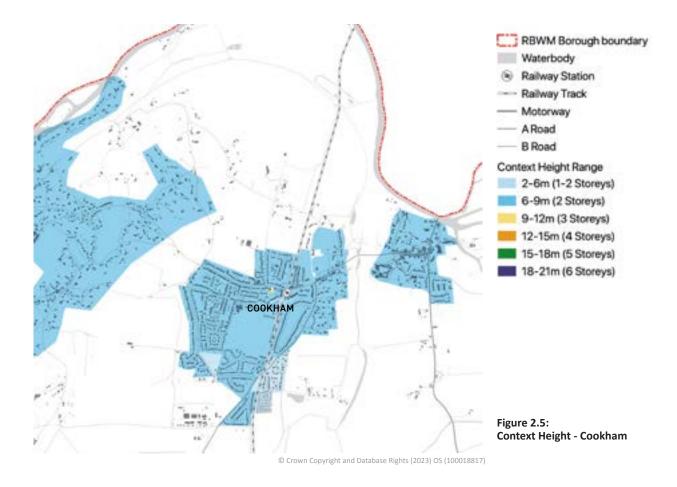
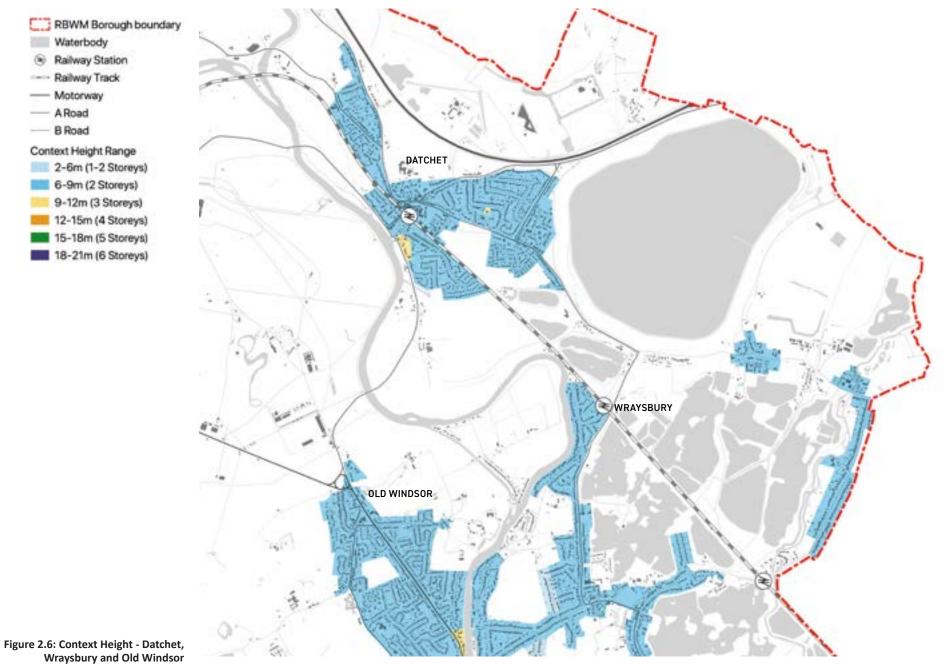


Figure 2.4: Context Height - Ascot

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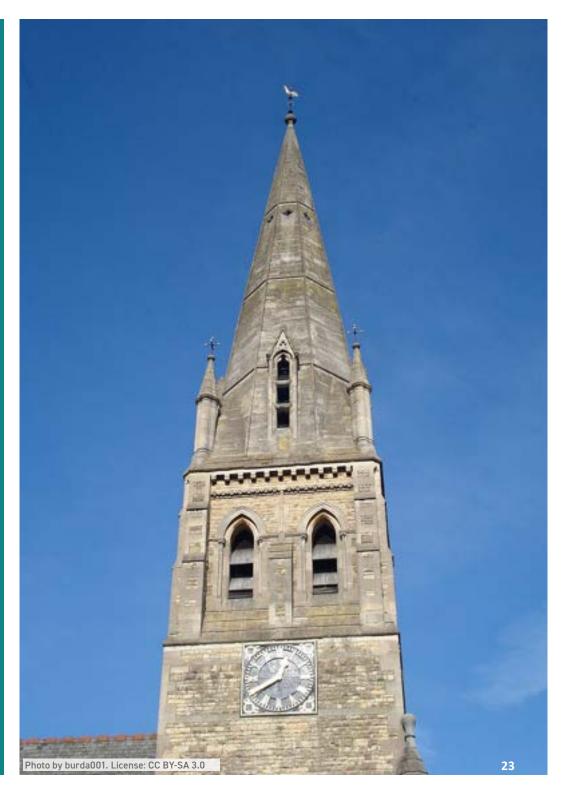


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CHAPTER 3 DEFINING TALL BUILDINGS

Chapter 3 provides a definition for tall buildings in the Royal Borough of Windsor and Maidenhead. It identifies height ranges that allow the classification of tall buildings in respect of the context height of the place where they are situated in.



3.1 TALL BUILDING DEFINITION

3.1.1 A tall building is defined as an exceptional development that is significantly higher than the buildings in its surrounding context and that notably breaks the skyline.

3.1.2 In many of the one and two storey low rise housing areas of the Royal Borough a four storey building would be considered a tall building. Instead, in the centre of Maidenhead where building heights are generally greater only a building above six or eight stories is considered tall. As such a tall building is a Native and contextual concept.

▶ 3 Tall buildings are defined relative to the context height in which they are situated (see Chapter 2). The height relationship of a tall building with its context can be expressed as a factor of the prevailing context height. This is called the Context Height Ratio (CHR). The CHR expresses the degree of 'tallness' of a building in relation to its context.

3.1.4 A building of more than 1.5 times the contextual height or a minimum of 2 additional storeys above the contextual height (whichever is the greater) will be considered a tall building in the Royal Borough.

*The lower threshold for a Local Landmark is 1.5x Context Height or a minimum of two additional storeys (6m)

3.2 TALL BUILDINGS CLASSIFICATION

3.2.1 As the height of a tall building increases so will its visibility and its impact onto the surrounding area. Based on the Context Height Ratio (CHR) tall buildings can be classified into local, district and metropolitan landmarks.

LOCAL LANDMARKS

3.2.2 Tall buildings with a CHR of 1.5 to 2.5 are classified as Local Landmarks*. Tall buildings in this class will be prominent and outstanding exceptions in an area but usually retain a proportional relationship with their context and are perceived as constituent parts of the local townscape. Their visual impact and reach is considered as of local significance.

3.2.3 Figure 3.1 illustrates the relationship of a Local Landmark with its context, depicting the minimum and maximum case of a Local Landmark in different height contexts. Table 3.1 identifies Local Landmark heights with reference to the Context Height Area Types in the Royal Borough (see Chapter 2 for Context Height Mapping).

3.2.4 Given their greater prominence local landmarks will be expected to signify points of townscape interest or functional importance. Successful Local Landmark buildings can support way finding and orientation, help attract people into

LOWER THRESHOLD FOR TALL BUILDING (1.5X CONTEXT HEIGHT OR LOCAL CH PLUS 6M)



Figure 3.1: Diagram illustrating local landmarks relative to their context height (1.5x and 2.5x context height)

UPPER THRESHOLD FOR LOCAL

LANDMARK (2.5X CONTEXT HEIGHT)

Table 3.1: Context height area types and corresponding threshold heights for tall buildings

	Code	Area Type	Height Characteristics	Context Height	Local landmark (lower and upper threshold heights*)
Modest Height Context	A	Low domestic scale and villages	Prevailing 1 and 2 storeys (2-6m)	5m (1-2 storeys)	11m - 12.5m (3 - 4 storeys)
	В	Domestic scale, village centres, low industrial areas	Predominantly 2 storeys (6-9m) Range 1 - 3 storeys (2-12m)	7m (2 storeys)	13m - 17.5m (4 - 5 storeys)
	С	Modest scale high streets / housing estates / commercial areas	Predominantly 3 storeys (9-12m) Range 2 - 4 storeys (6-15m)	10m (3 storeys)	15m - 27m (5 - 8 storeys)
Urban Height Context	D	Urban scale	Predominantly 4 storeys (12-15m) Range 3 - 5 storeys (9 - 18m)	13m (4 storeys)	19.5m - 33m (6 - 10 storeys)
	E	Intense urban scale	Predominantly 5 storeys (15-18m) Range 3 - 7 storeys (9-24m)	16m (5 storeys)	24m - 43m (8 - 13 storeys)

* The lower height threshold for a Local Landmark is 1.5x Context Height or a minimum of two additional storeys (6m), the upper threshold is 2.5x Context Height

Scentral locations and contribute to local didentity and place making.

3.2.5 A well-designed local landmark can be a positive feature within a place if it enhances legibility and distinctiveness, integrates well with its townscape character and responds appropriately to the setting of heritage assets and landscape character.

3.2.6 Tall Buildings in the Royal Borough outside of Maidenhead should generally be no higher than Local Landmarks. Potential locations for Local Landmarks are identified in Chapter 5 (borough-wide) and Chapter 6 (Maidenhead town centre).

3.2.7 Tall buildings in the Royal Borough must be of the highest quality and should comply with the tall building principles set out in Chapter 4 of this SPD.

DISTRICT AND METROPOLITAN LANDMARKS

3.2.8 District landmarks are between 2.5
and 5 times the context height (CHR: 2.5 5) and Metropolitan Landmarks are above
5 times the context height (CHR>5).

3.2.9 District landmarks are markedly outstanding and typically result in a conspicuous contrast with their surrounding fabric. Due to their height they will have a district wide visibility and impact. As such they should only be considered in places that are of district wide significance and with a townscape character that can assimilate a building of this scale.

3.2.10 Given the townscape characteristics and heritage and landscape sensitivities, the only place in the Royal Borough where a tall building of district landmark scale can be considered is in the town centre of Maidenhead. Chapter 6 provides further detail on the appropriateness for District Landmarks in Maidenhead.

3.2.11 There is no scope for buildings of Metropolitan scale (CHR>5) in the Royal Borough.

LARGE BUILDINGS

3.2.12 Buildings up to 1.5x context height (or below the minimum threshold of two additional storeys) are not tall buildings but are considered to be "large buildings". A large building is a contextual building that provides a local height accent, for example with a slightly taller corner element, and by this contributes to a varied urban fabric.

3.2.13 Large buildings usually require less stringent testing compared to tall buildings but should still be carefully located and designed.

PRINCIPLE 3.1 TALL BUILDINGS DEFINITION AND CLASSIFICATION

A building of more than 1.5 times the contextual height or a 4-storey building in a 2-storey area will be considered a tall building in the Royal Borough.

Only local landmarks may be considered appropriate in the Royal Borough. The scale of local landmarks should follow the height ranges set out in Table 3.1.

As an exception to the above, one District Landmark may be appropriate in Maidenhead town centre, subject to guidance contained in Chapter 6. The Royal Borough is not appropriate for buildings above 5x the Context Height (Metropolitan Scale Buildings).

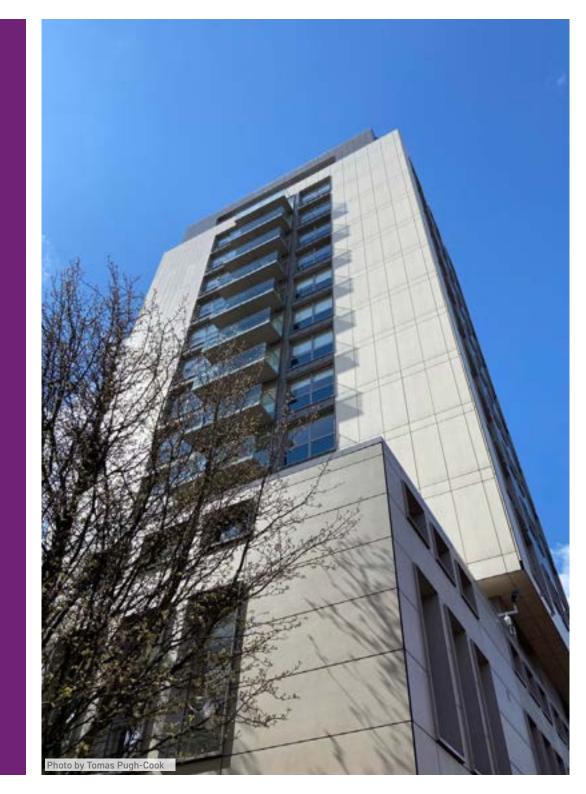
Tall buildings should only be considered in locations identified in Chapters 5 (borough wide) and 6 (Maidenhead) of this SPD.

All tall buildings will need to be of the highest quality and should fully comply with the tall buildings principles set out in Chapter 4.

Buildings up to 1.5x context height are considered Large Buildings. While they usually require less stringent testing compared to tall buildings they should still be carefully located and designed.

CHAPTER 4 TALL BUILDING PRINCIPLES

Chapter 4 provides tall building principles that all tall buildings in the Royal Borough should follow.



4 TALL BUILDINGS PRINCIPLES

4.1 INTRODUCTION

4.1.1 Ten key principles have been identified to guide the approach and design of tall buildings in the Royal Borough.

4.1.2 Developers and designers should use the principles and contained guidelines to inform their approach to the location, layout and design of a tall building.

4.1.3 Tall Buildings in the Royal Borough should meet all relevant key principles to be considered appropriate. Local authority planners will use these synciples when assessing the suitability a tall building proposal in a planning application.

4.1.4 The key principles are explained in more detail on the following pages.

KEY PRINCIPLES:

BE PART OF A PLAN-LED, PLACE MAKING APPROACH

Tall buildings should be part of a comprehensive, plan-led place making approach, be integrated into larger developments and street blocks.

SUPPORT INTENSIFICATION AND A MIX OF USES

Tall buildings should contribute to a mix of uses and the intensification of accessible, central areas.

PRESERVE AND INTEGRATE WITH THE LOCAL TOWNSCAPE

Tall buildings should respond sensitively to local townscape and character.

DELIVER HIGH QUALITY PLACES TO LIVE

Tall buildings must create an appropriate microclimate, and good indoor and outdoor amenity levels.

X

BE OF THE HIGHEST QUALITY ARCHITECTURAL DESIGN AND APPEARANCE

Tall buildings must be attractive and clearly articulate the base, shaft and top of the building.



HAVE A CLEAR PURPOSE

Tall buildings should have a clear role and purpose to act as a landmark, as part of a cluster or deliver vital infrastructure.

PROTECT AND ENHANCE HERITAGE ASSETS, PROTECTED LANDSCAPES AND THEIR SETTINGS

Tall buildings must demonstrate that they minimise or avoid harm to heritage assets and landscapes.

PROTECT AND ENHANCE KEY VIEWS AND THE SKYLINE

Tall buildings should generally minimise their impact on the skyline and views, and tall building clusters should be limited and confined.

A POSITIVE RESPONSE TO THE STREET SPACE

Tall buildings should enhance permeability, provide appropriate enclosure, active frontage and quality public realm.



BE SUSTAINABLE AND INNOVATIVE DEVELOPMENTS

Tall buildings should be designed to minimise emissions, adapt to climate change and incorporate blue and green infrastructure.

4.2 BE PART OF A COMPREHENSIVE, PLAN-LED AND PLACE MAKING APPROACH

4.2.1 Tall buildings should only be considered where they are part of a plan-led strategy for change and regeneration led by a comprehensive and widely supported vision, and where the proposed tall building has a clear purpose in delivering this vision. A place making approach should always be followed; a tall building must relate and contribute to the wider area and improve the sense of place, or have a clear role in the creation of a new place.

4.2.2 Speculative proposals for tall buildings on smaller sites that do not fit in with an agreed wider vision for a place can lead to a fragmented townscape, an illegible skyline, weaken the distinctiveness and image of place, and undermine regeneration. Therefore, tall buildings should only be promoted in identified tall building areas (see Chapters 5 and 6).

4.2.3 Generally a tall building proposal should form part of the comprehensive development of a large site where it can contribute to the regeneration and enhancement of a wider urban area. By delivering a tall building as part of a comprehensive development that includes mid-rise elements such as courtyard blocks, many problems associated with standalone tall buildings can be mitigated through design (Figure 4.1). 4.2.4 A comprehensive, masterplanned scheme should provide active frontages and good street enclosure with a mix of uses, including a wide range of housing types. Development of a large site can provide opportunities for public open space and an appropriate setting for the tall building, which can also be set back from the street or integrated within an urban block. Tall building developments should appropriately address the connectivity of the site and the permeability of the wider area, and seek opportunities to create new connections, thereby improving the wider area.

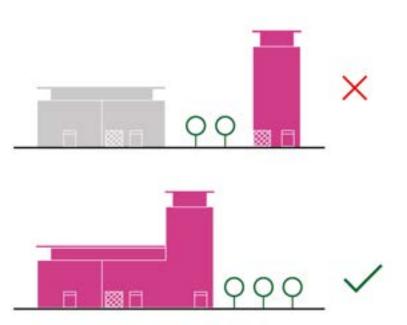


Figure 4.1: Integrating a tall building within a street block or larger development

PRINCIPLE 4.1 -COMPREHENSIVELY PLANNED

Tall buildings should be part of a comprehensive, plan-led place making approach, rather than being singular, speculative developments.

Tall buildings should be integrated into larger developments as part of a wider vision and masterplan for an area. Tall buildings should be well justified and perform a clear place making role.

A tall building should generally not be a stand-alone building but be part of a larger street block and integrate effectively with the built form, streets space and the public realm.



4.3.1 Tall buildings should have a clearly defined and justified purpose. From a positive planning and place making perspective there are three principle purposes for tall buildings in Royal Borough:

- 1 Landmarks to enhance legibility:
- Individual tall buildings can be landmarks that help to bring distinctiveness and legibility to the urban fabric by being exceptional markers.
- The height and design of landmark
- Solution by the respective role or function of a location in the hierarchy of places.
- Landmarks should be located in highly prominent and visible locations, provide a high quality and distinctive design and should be 'singular' in having an aspect that is unique and memorable in the context.
- Tall buildings with a landmark role should be prominently located in the urban environment such as at a street corner or overlooking a public space and be visible from approaching routes in short and medium range views (Figure 4.2).

- 2 Clustering to increase densities and support vitality of town centres:
- In exceptional circumstances a cluster of tall buildings could be part of a new urban character that delivers significant town centre intensification and regeneration benefits.
- This applies principally to Maidenhead town centre where higher concentrations of apartments especially for young urban professionals are desirable to support the vitality of the centre.
- 3 Functional necessity
- A tall building could be a functional necessity to deliver vital social, cultural or civic infrastructure (such as a hospital or a stadium) or another critical planning objective in a certain location; and it can be demonstrated that reasonable alternatives have been tested and this is the only feasible or viable solution.

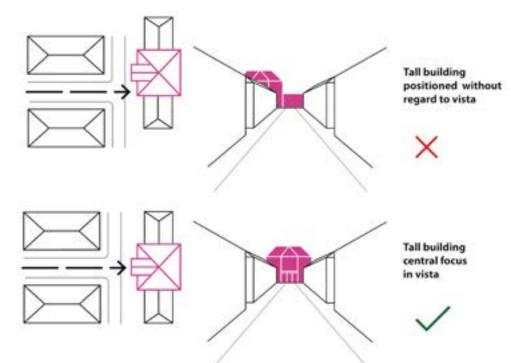


Figure 4.2: Landmark tall buildings should be located in vistas from approaching routes

PRINCIPLE 4.2 - JUSTIFIED ROLE

Tall buildings in RBWM should have a clear role and purpose to:

- Act as a landmark, which marks a prominent place in the urban fabric, enhances the skyline and aides legibility; or
- Be part of a cluster to increase density and support the vitality of Maidenhead town centre; or
- Deliver vital social, cultural or civic infrastructure or another critical planning objective and it can be demonstrated that this is the only feasible and viable solution to achieve this end.

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4.4 SUPPORT INTENSIFICATION AND MIX OF USES

4.4.1 Where tall buildings are promoted they should deliver a mix of uses to help animate areas and support the vitality of town, district and local centres.

4.4.2 Tall buildings should only be proposed in areas that benefit from good public transport accessibility and are well connected with a network of walking and cycling routes.

4.4.3 Tall buildings can contribute to the intensification of urban areas more Widely. However, they are not the only means to increase density and in many areas will not be an appropriate development form for this purpose. In the majority of areas in the Royal Borough, intensification will better be achieved through the delivery of compact development on larger development sites and perhaps by locally increasing heights on infill developments by one (or in urban town centres up to two) storeys, rather than by promoting tall buildings.

4.4.4 Tall building should generally be mixed use buildings with active ground floors and offer a meaningful facility for the wider public, unless it can be demonstrated that active ground floor uses such as retail, leisure, cultural, community, health, employment are not viable in a location and the landmark is purely justified from a legibility point of view.

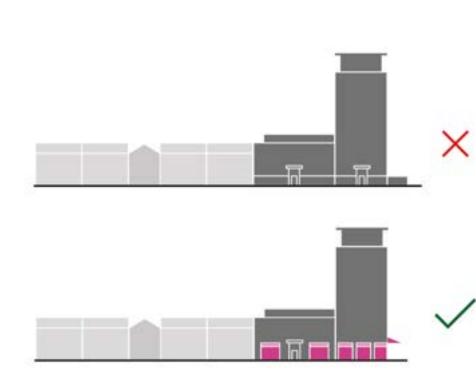


Figure 4.3: Landmark buildings should be mixed use

PRINCIPLE 4.3 -INTENSIFICATION AND MIX OF USE

Tall buildings generally should provide a mix of uses and support the intensification of central areas that are well served by public transport and offer good connections for walking and cycling.

They should help to animate areas and support the vitality of town, district and local centres.

Whilst tall buildings can help to intensify urban areas more widely, in many places it will be more appropriate to achieve this with compact mid-rise development rather than tall buildings.

Tall buildings should be mixed use in nature and support a diverse range of uses in the local area, offering a meaningful benefit to the local community.



4.5 PROTECT AND ENHANCE HERITAGE ASSETS, PROTECTED LANDSCAPES AND THEIR SETTING

4.5.1 A tall building in the wrong place can cause significant and irrevocable damage to the significance of heritage assets, for example by intruding into their setting, being overbearing and detracting from the appreciation of a heritage asset and its values.

4.5.2 Harm to the significance of heritage assets should generally be minimised or avoided. Potential harm may be obvious when a tall building is located in close proximity to a heritage asset. However, even when located one distance away, tall buildings by adversely impact the setting of heritage assets by appearing in views of the asset or in its backdrop. Great care in testing and mitigating the impact of tall buildings is required, especially related to assets whose setting contributes importantly to their significance.

4.5.3 Harm to protected landscape areas must also be mitigated against, especially where the significance of the landscape is related to its visual and scenic value, such as Areas of Special Landscape and the River Thames Corridor. The intrusion of a tall building or structure could lead to a significant impact on protected landscape characteristics.



Figure 4.4: The Gherkin in the City of London negatively impacts the setting of surrounding historic buildings



Figure 4.5: Tall building in Eastbourne visually impacting on the South Downs National Park

PRINCIPLE 4.4 - HERITAGE AND LANDSCAPE IMPACT

Tall buildings must demonstrate that they will minimise or avoid harm to designated heritage assets and their settings. Proposals must comprehensively review and test their impact on heritage assets, even where they area located further away.

Similarly, proposals for a tall building will need to demonstrate that it minimises or avoids adverse impacts to protected and valued landscapes and their characteristics.



4.6 PRESERVE AND INTEGRATE WITH THE LOCAL TOWNSCAPE

4.6.1 A tall building can have a negative impact on the townscape of an area, if it breaks or detracts from prevailing characteristics especially in term of the grain, scale and height. Townscapes will be particular sensitive to tall buildings if they are very coherent and intricate, or comprise of heritage significance such as a Conservation Area, or have a strong domestic character.

4.6.2 In some of these areas a tall building would be totally out of place and inappropriate, whilst in others, the impact of a tall building on the prevailing characteristic can effectively be mitigated through design or is offset by significant and positive planning gain that outweighs the harm.

4.6.3 Tall buildings proposals should always aim to respond sensitively to the local townscape, and integrate well with its prevailing characteristics.

4.6.4 Within an area of a coherent townscape, a tall building should take cues from the existing built form and emphasise the elements that make the area successful. 4.6.5 In areas that are incoherent or in need of improvement, a tall building development may offer an opportunity to reinstate an urban block structure, open up new routes and stitch together the urban fabric.

4.6.6 Tall buildings must, through careful design, integrate with the pattern of development rather than appearing as separate. This can be achieved by integrating tall buildings within urban blocks and responding to the grain and scale of the surrounding area.

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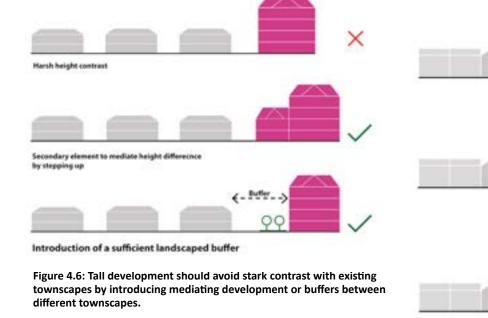
4.6.7 Tall buildings should not create a stark contrast with the lower height context. This can be done by locating the tallest point away from lower neighbours, stepping development down to visually mediate the height difference or establishing buffers between radically different townscapes. (Figure 4.6)

PRINCIPLE 4.5 - TOWNSCAPE IMPACT

Tall buildings should avoid breaking or detracting from particular sensitive townscapes, such as those with a very coherent and intricate character, a heritage significance or a strong domestic character.

Tall building proposals should always aim to respond sensitively to the local townscape, and integrate well with its prevailing characteristics. This could include:

- Integrating tall buildings within urban blocks;
- Responding to the grain and scale of the existing built form;
- Making use of a stepping form to mediate height from the surrounding context to the highest element; or introducing a buffer with existing townscapes.





4.7 PROTECT AND ENHANCE KEY VIEWS AND THE SKYLINE

VIEWS

4.7.1 Townscape views and views of the skyline are important aspects of the Royal Borough's villages and towns, forming an integral part of its image and aiding the understanding of its defining characteristics.

4.7.2 Tall buildings can have an irrevocable and damaging impact on townscape and skyline views. The taller the building, the greater its potential impact.

• 3.3 Panoramic and prospect views t allow the appreciation of distinctive and valued characteristics of the skyline and townscape are particularly sensitive, especially where they are popular and from frequented viewing points.

4.7.4 Tall buildings should avoid any harmful impact onto townscape or skyline views, and avoid detracting from valued townscape ensembles, landmarks or distinctive skyline features.

4.7.5 The impact of a tall building proposal on relevant views should be considered early on during the design phase, and photo-realistic and accurate visual impact work should demonstrate at application stage how harmful impact on views has been avoided.

INTEGRATING WITH THE SKYLINE

4.7.6 Integrating a tall building in the skyline can include measures such as limiting their height or altering their form so as to avoid detracting from the prominence of existing landmarks on the skyline. Tall buildings could also be required to aesthetically complement or reinforce specific existing or proposed new skyline characteristics, for example by limiting taller buildings to confined cluster locations.

4.7.7 Where appropriate a tall building could establish a distinct new skyline feature. A new accent on the skyline is meaningful and enhances legibility where it can be clearly associated with an important central location or civic function, and where its height is proportional in respect of the height of other landmarks and the role of places they amplify.

4.7.8 The siting of tall buildings on higher land should generally be avoided unless the intention is to create a highly visible landmark and the negative effects of this on the skyline and wider area have been fully considered and are acceptable (Figure 4.7). Tall building proposals should be understood both in terms of their height above ground and their height above ordnance datum (AOD).

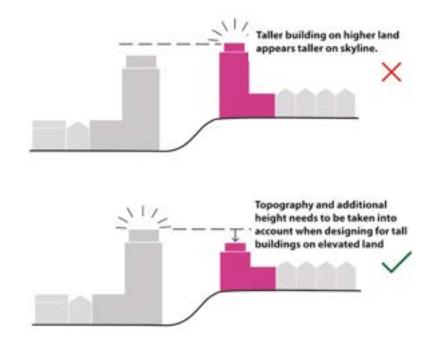


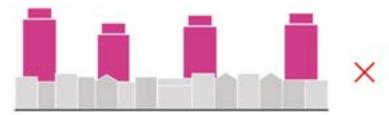
Figure 4.7: Topography affects the prominence of tall buildings

TALL BUILDING CLUSTERS

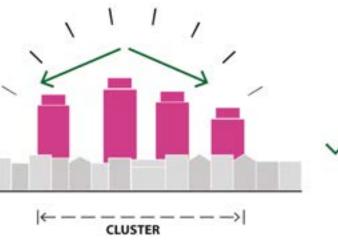
4.7.9 A defining characteristic of a landmark is its singularity and uniqueness in context. The role of an individual tall building in contributing to local legibility will be greatly diminished if it must compete with other tall buildings on the skyline. In places where more than one tall building is appropriate the cumulative impact and resultant skyline characteristics of a proposal should be Ngiven particular attention.

4.7.10 Generally groups of taller buildings should be clustered in confined locations to prevent a scattering of taller buildings over a larger area and to ensure a distinctive, legible and coherent skyline. The only place where the clustering of tall buildings is found appropriate in the Royal Borough is the town centre of Maidenhead.

4.7.11 Clustering of tall buildings should follow a coordinated and planned approach to the height and location of buildings. This should aim to deliver distinct skyline groupings that are recognisable from all sides and express the function and character of a place on the skyline. The tallest building in a cluster will usually be located in the centre of a cluster with other buildings stepping down in height towards the edges (Figure 4.8).









4.7.12 A cluster should be confined to a limited area to prevent a spread of tall buildings, therefore harming legibility. Within clusters the height of taller buildings will need to vary to achieve a varied skyline and to avoid a monotonous mass of buildings at the maximum height.

PRINCIPLE 4.6 - VIEWS AND CLUSTERING

Tall buildings must protect and enhance the existing skyline and important views of RBWM's towns and villages. Tall buildings should generally seek to minimise their impact on views and the skyline by:

- Taking account of their underlying topography;
- Limiting their height so as to maintain the prominence of existing landmarks; and
- Implementing design measures such as stepping down or utilising an appropriate architectural form.

In exceptional circumstances, a tall building could become a new prominent skyline feature and positively establish itself in views. In this instance, the tall building must be of the highest architectural quality and mark a place of special significance.

In the town centre of Maidenhead the clustering of tall buildings may be appropriate. Tall building clusters should be confined to a limited area and have a clear central focus with heights dropping away from the central building. Chapter 6 of the Building Heights and Tall Buildings SPD presents the appropriate locations for clusters in Maidenhead town centre. 4.8 DELIVER HIGH QUALITY PLACES TO LIVE

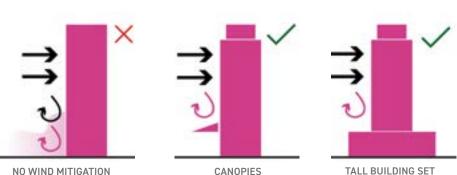
4.8.1 Tall buildings are very compact urban forms of development that concentrate accommodation in a small area. They need to be designed carefully to ensure they contribute to rather than detract from the amenity of existing and future residents.

MICROCLIMATE

4.8.2 Tall buildings should be designed to minimise negative microclimatic effects. The design process should involve wind testing to ensure there is not excessive windiness or wind noise affecting the chality, amenity and safety of spaces around the building (Figure 4.9).

4.8.3 The location, height and design of tall buildings should test and ensure its impact on overshadowing of surrounding open spaces, buildings, private and communal outdoor spaces is minimised.

4.8.4 Design should minimise adverse impacts from solar glare, limit light pollution and minimise the risk of bird strike



ID MITIOATION

BACK ON BASE

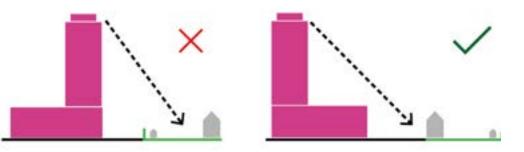
Figure 4.9: Good design of tall buildings should mitigate excessive wind at ground level

RESIDENT AMENITY

4.8.5 Tall buildings can cause overlooking of dwellings and lack of privacy for both existing and new residents in an area (Figure 4.10). The layout of buildings should ensure adequate separation distances or other effective screening measures to avoid overlooking in-between habitable rooms of dwellings, or infringement of privacy from too close proximity of habitable rooms to communal spaces or the public realm.

4.8.6 Building design should ensure that all dwellings, especially on lower floors and single aspect units, have an adequate outlook and sky view that is not over-dominated by other buildings. The interior of dwellings should receive adequate daylight and sunlight and comply with BRE's good practice guidance on daylight and sunlight.

4.8.7 Consideration should be given to the orientation of units, generally avoiding north facing single aspect units, and the impact of balcony overhangs on the daylight and sunlight conditions of homes.



NFigure 4.10: Tall buildings should mitigate adverse effects on residential amenity and avoid overdominating existing homes and gardens

4.8.8 Units must be designed to avoid overheating from the sun by incorporating appropriate fenestration and adequate external shading especially on south-facing facades. Throughout the building, adequate natural ventilation must be ensured, particularly for single aspect units.

PRIVATE AND COMMUNAL AMENITY SPACE

4.8.9 Proposals for tall residential buildings must demonstrate how they will deliver adequate private and communal amenity spaces that are well accessible, serve the needs of residents, are sheltered from wind and noise, and maximise on day and sun lighting. These may be in the form of communal courtyards and gardens, private gardens at ground floor level, balconies, terraces or communal rooftop open spaces. Each apartment should have its own private outdoor space. 4.8.10 Where a development is unable to provide sufficient outdoor resident amenity space, additional internal amenity spaces should be provided. Where family housing units are provided this should include outdoor play space for children based on an assessment of estimated child occupancy. Play spaces should be situated in well lit parts of communal spaces and offer protection from direct sunlight in summer, ideally designed so that family units overlook the play area.

PRINCIPLE 4.7 - AMENITY

Tall buildings must result in high quality places where people want to live and spend their time, by providing the following:

- Appropriate microclimate around the building, without excessive wind or overshadowing;
- High levels of amenity for residents through adequate building separation distances, attractive outlook, sufficient daylight and sunlight and good natural ventilation; and
- High quality outdoor amenity
 space for every residential unit,
 with additional indoor and outdoor
 communal amenity spaces,
 including children's play areas.

4.9 A POSITIVE RESPONSE TO THE STREET SPACE

CONNECTIVITY AND PERMEABILITY

4.9.1 As part of a comprehensive approach, tall buildings must support existing movement routes and, if possible, create new routes to centres, facilities and open spaces, and increase the permeability of the area.

STREET ENCLOSURE

4.9.2 Tall buildings should respond to the scale of surrounding streets and spaces, their sense of enclosure and the guality of the ground floor experience. buildings should not feel overbearing on surrounding streets, or neighbouring developments. Excessive enclosure or the creation of a 'canyon' effect should be avoided, for example by applying set-backs to effectively limit the visual impact of greater height on the street space (Figure 4.11).

ACTIVE STREET FRONTAGES

4.9.3 Tall buildings should provide a positive interface with the public realm around the building, and the design and distribution of uses especially at ground floor levels should provide overlooking and animation to the street space. Blank frontages and exposed servicing or car parking areas should be avoided.

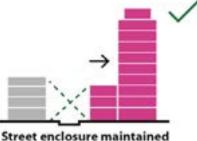
4.9.4 Cycle parking areas, storage and plant space, and other inactive uses should be internalised within the building envelope and wrapped by other active uses. Servicing yards should be integrated in the building, located away from primary pedestrian areas and be appropriately screened from public view. The building entrance should be at the principal street frontage.

A HIGH QUALITY PUBLIC REALM

4.9.5 The public realm around a tall building should be of high quality, consider the provision of tree planting, soft landscaping, seating, lighting and public art, and deliver a design that reflects the prominence of the building in the area. The footway at the base of a tall building should be generous and proportionate, and cater for increased pedestrian activity outside its entrance. Drop-offs, service bays and car park entrances should be located away from the entrance of the building and principal routes to avoid conflicts with pedestrian activity.







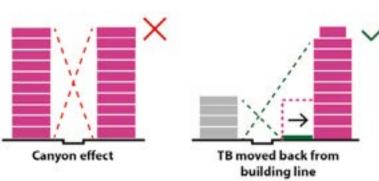


Figure 4.11: Tall buildings must provide good street enclosure without becoming overbearing

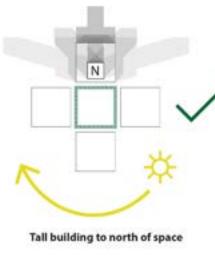
PUBLIC SPACE PROVISION

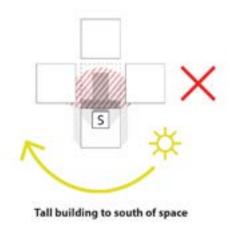
- 4.9.6 With their higher density, tall buildings intensify the pressure on urban environments and should contribute to the provision of quality spaces in their vicinity. Public open space design should reflect the needs of residents and the wider public and where appropriate provide a setting for the tall building, and be orientated to maximise sun exposure.
- $N_{4.9.7}$ Overshadowing by a tall building Solution of a public space may undermine its attractiveness and amenity and should be avoided (Figure 4.12).

PARKING DESIGN

4.9.8 Tall buildings can generate a high demand for parking due to high residential density. Parking provision should be integrated within the building envelop as part of a structured solution and wrapped with other uses to minimise its visual impact on the street scene. Alternatively underground parking could be considered.

4.9.9 Surface car parking around the building or structured parking exposed to the public realm should not be permitted as it detracts from the quality of the urban environment. Refer to the RBWM Parking Strategy 2020-2025.







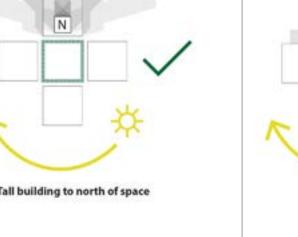
Morning impact

Figure 4.12: Tall buildings should avoid overshadowing open spaces. Proposals must consider the impact of shadow pattern on the amenity and usability of the public space.

PRINCIPLE 4.8 - POSITIVE RESPONSE TO STREET

Tall building should provide a positive response to the street space:

- Respect existing movement routes and create new routes, enhancing local permeability, where possible;
- Provide appropriate street enclosure, without creating a overbearing or canyon effect;
- Provide active street frontages, a positive interface with the public realm and avoid blank frontages and exposed servicing or car parking areas;
- Deliver a quality public realm around the building with generous and proportionate footways that cater for increased pedestrian activity outside the entrance;
- Contribute to the provision of quality public open space in the area; and
- Avoid surface parking and provide for parking needs within the development and located away from public view.





4.10 HIGHEST QUALITY OF ARCHITECTURAL DESIGN AND APPEARANCE

4.10.1 Tall buildings are highly visible and, depending on their stature, are a key part of the skyline and image of a place. Therefore they must be of exceptional architectural design and integrity.

4.10.2 Tall building design should respond to local townscape characteristics without resorting to pastiche solutions. The design attention should be on the careful articulation of the overall form and design, drawing on local characteristics in terms of rhythm Gacades, plot width, materials, details and building articulation.

4.10.3 Tall buildings in urban locations (above 8 storeys) can be considered in three parts; the base, the shaft and the top of the building. The architecture of tall buildings should articulate these three parts effectively rather than presenting a simple extrusion:

- The base comprises the lower storeys of the building and its role is to frame the street or public space, clearly present the entrance to the building and provide active frontages.
- The shaft of a tall building is the main tower element and largely determines the prominence of the

building, it's effect on neighbouring amenity and microclimate.

The top of the building includes the uppermost storeys, roof and roof equipment. The top should be a distinctive "crown" to a tall building through articulation, massing and/or materiality.

4.10.4 Tall buildings should be designed to express elegance, proportionality and verticality in a form that is consistent from every angle. To that end, generally slab blocks and bulky forms should be avoided.

4.10.5 Through careful detailing and choice of materials, tall buildings should age well and be designed for longevity, while relating to the character of their location.



Figure 4.13: Example of a tall building with high quality materials and detailing

PRINCIPLE 4.9 - FORM AND APPEARANCE

Due to their visual prominence, tall buildings must be attractive and of exceptional architectural design and integrity. Tall building design should:

- Respond to the characteristics
 of the local townscape without
 resorting to pastiche solutions;
- Articulate the building's constitute three parts - a base, shaft and top. Each part must be carefully considered and designed appropriately;
- Express elegance, proportionality and verticality; and
- Provide careful detailing and choice of materials that are robust, age well and respond to the character of the context.



4.11 BE SUSTAINABLE AND INNOVATIVE DEVELOPMENTS

4.11.1 Tall buildings may be used to optimise density on a site, thereby making sustainable use of land. The construction and operation of tall buildings must be designed to high sustainability standards to minimise their impact on the environment. Tall buildings must respond to the climate emergency by ensuring they are designed to adapt to and mitigate climate change.

 $N^{4.11.2}$ Tall buildings must be +sustainable, innovative and efficient • buildings that minimise use of resources, are adaptable to change and are long lasting. Tall building proposals should demonstrate how they have minimised the carbon footprint of the building and benchmark the proposal against comparable best practice schemes, and contribute to the Royal Borough's goal of achieving net zero carbon emissions by 2050. Renewable energy generation and the installation or future proofing for Photo Voltaics (PVs) should also be considered. Tall buildings are encouraged to be innovative with regards to sustainability.

4.11.3 Tall buildings must take into account how the local climate is expected to change as a result of climate change and be designed to mitigate the effects of extreme weather such as heat waves and flooding. Tall building developments should significantly contribute to green and blue infrastructure provision both within the development as well as the wider area. Tall buildings should not be located in areas of flood risk unless it can be demonstrated that the development can remain safe from flooding and will not increase the risk of flooding elsewhere.

4.11.4 Tall building developments should seek to encourage the use of public transport, walking and cycling, support car sharing and minimise

parking provision. Electric car charging points should be provided. To facilitate cycling as a sustainable transport mode, a secure cycle storage for residents should be provided with easy access from the public realm. This should provide 1 cycle space per studio, 1.5 spaces per 1 bedroom unit, 2 spaces per all other dwellings.

PRINCIPLE 4.10 -SUSTAINABILITY

Tall buildings should be sustainable developments, which promote innovative approaches to sustainability. Tall buildings should be:

- Highly energy efficient;
- Have low embodied carbon;
- Durable and adaptable to future needs:
- Explore the possibility of integrating renewable energy production in the building, such as solar panels;
- Designed to mitigate and adapt to changes in local weather as a result of climate change, such as heat waves and flooding;
- Incorporate green and blue infrastructure;
- Be located in areas of high public transport accessibility, provide cycling facilities and be easily accessible by walking.

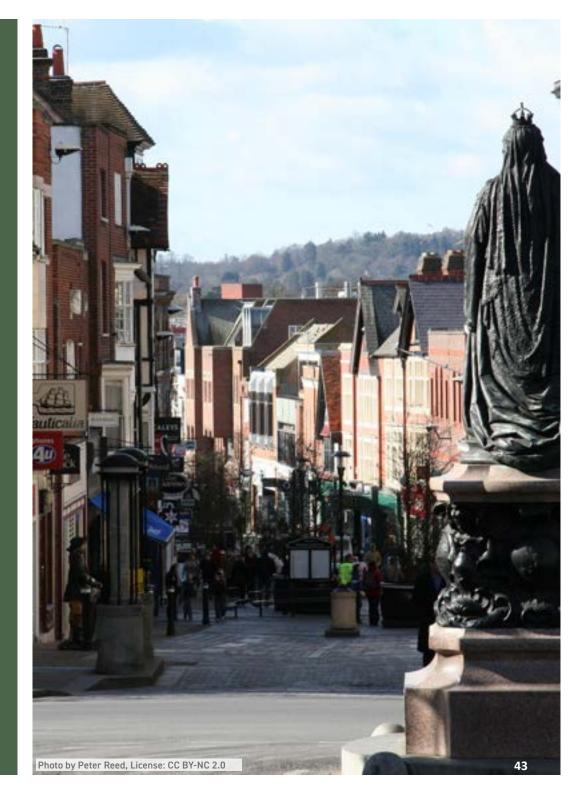


Figure 4.14: Example of "vertical greening" (Bosco Verticale, Milan)

CHAPTER 5 POTENTIAL LOCATIONS FOR INCREASED HEIGHT, LARGE AND TALL BUILDINGS

Chapter 5 provides borough-wide recommendations on where development of increased height and tall buildings could be located.

It also defines areas in the Royal Borough that are inappropriate for tall buildings, and areas that are sensitive to tall buildings. Note that the guidance in this chapter have been reconsidered following advice from the Local Plan Examination Inspector. In some instances the heights of potential tall buildings have been reduced.



5 POTENTIAL LOCATIONS FOR INCREASED HEIGHT, LARGE AND TALL BUILDINGS

5.1 INAPPROPRIATE AND SENSITIVE AREAS

5.1.1 Based on a thorough assessment of heritage and townscape sensitivities and an understanding of the borough's green belt and flood risk areas, two types of areas have been distinguished:

- Areas that by their nature are inappropriate for tall buildings; and
- Areas that are sensitive to tall buildings.

5.1.2 Figure 5.1 shows a composite map of inappropriate and sensitive areas in too Royal Borough. For further detail Sensitivities of heritage assets and townscape character, refer to the Tall Buildings Study - Technical and Baseline Study.

5.1.3 This chapter refers to heritage assets, which are defined by the NPPF as, 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).'¹

INAPPROPRIATE AREAS

5.1.4 Inappropriate areas are those areas where tall buildings would not be acceptable as they would have a significant harmful impact on the significance of a highly sensitive heritage asset.

5.1.5 This includes the following highly sensitive Conservation Areas:

- Maidenhead Riverside
- Furze Platt Triangle, Maidenhead
- All Saints, Boyne Hill, Maidenhead
- Cookham Village
- Altwood Road, Maidenhead
- Pinkneys Green, Maidenhead
- Mill Lane, Clewer Village, Windsor
- Trinity Place, Clarence Crescent, Windsor
- Windsor Town Centre
- Inner Windsor
- Eton
- Datchet
- Sunningdale.
- 5.1.6 The inappropriate areas include the Green Belt as it is likely that a tall building would be considered inappropriate development in the Green Belt. Any development proposal within the Green Belt would need to be assessed against BLP policy QP5 and the relevant policies within the NPPF.

SENSITIVE AREAS

5.1.7 Sensitive areas are areas where a tall building may negatively impact on sensitive heritage assets or townscapes.

5.1.8 The following areas are sensitive to tall buildings:

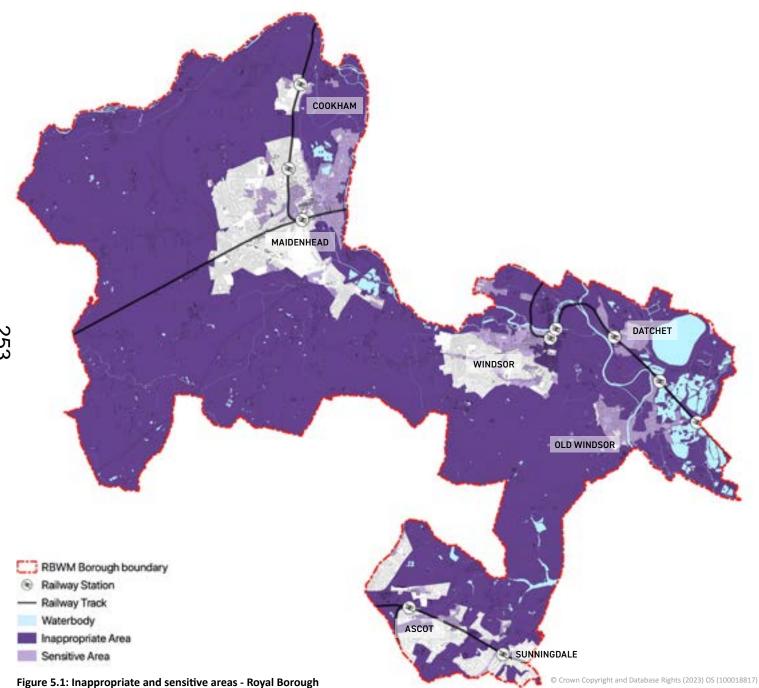
- Designated heritage assets including Conservation Areas, Registered Parks and Gardens, Listed Buildings and their settings (highly sensitive assets may also be identified as Inappropriate Areas);
- The following Townscape Character Area Types:
- Historic Town Cores;
- Historic Village Cores;
- Georgian Suburbs;
- Victorian Villages;
- Victorian and Edwardian Suburbs;
- Victorian/Edwardian and Riverside Villa Suburbs; and
- Collegiate.
- Areas in Flood Zone 2 & 3.

5.1.9 A tall building in a sensitive area should only be permitted if:

- it is located in an identified potential tall building location (see Figure 5.2);
- there are strong justifications and public benefits that outweigh any harm to heritage significance; and
- the impact on views (especially when located on high ground) and landscape character have been fully understood and mitigated; and
- it can be demonstrated that it delivers clear place making benefits and enhancements to views, the skyline characteristic and image of a place.

5.1.10 Additional testing and evidence is required to determine the appropriateness of tall building proposals in these areas. Tall building proposals should also consider their potential impact on heritage assets located in the Green Belt.

¹ National Planning Policy Framework Annex 2: Glossary, MHCLG, 2021



PRINCIPLE 5.1 INAPPROPRIATE AREAS

Tall buildings must not be located in areas considered inappropriate for them, which are:

- **Highly Sensitive Conservation** Areas; and
- Green Belt land.

PRINCIPLE 5.2 SENSITIVE AREAS

A tall building in a sensitive area should only be permitted if it is located in an identified potential tall building location (refer to Chapter 5 and 6) and all relevant sensitivities have been considered, and it can be demonstrated that any harm is mitigated and justified because of overwhelming public benefit. Sensitive areas are:

- Designated heritage assets;
- Highly sensitive townscape character areas (as identified under 5.1.7); and
- Areas in Flood Zone 2 and 3.

5.2 LOCATION GUIDANCE ON INCREASED HEIGHT, LARGE AND TALL BUILDINGS

5.2.1 This SPD has looked at site allocations established by the Local Plan and has identified potential areas where tall buildings may be appropriate. It also identifies the potential for a general increase in context height and the potential for larger buildings.

5.2.2 Potential development areas are identified in Figure 5.2 - Figure 5.7 on the following pages. These will need to be read together with the detailed recommendation for each site contained in Table 5.1 on page 53 to toge 61.

5.2.3 Maidenhead town centre has been identified in Local Plan Policy QP1a "as the key focus in the Borough for accommodating future development and the town centre area will play a major role in delivering the scale and mix of development types that the Borough requires. 12 of the Plan's 40 allocated development sites lie in the town centre area delivering retail, employment, housing, leisure and community uses."

5.2.4 Taking a comprehensive approach, the SPD has looked at the whole Maidenhead Town Centre (inclusive of allocated sites) to ensure that "future development of the town centre is considered holistically." This is set out in greater detail in Chapter 6.

5.2.5 The colour codes used by the Figures on the following pages are explained below:

Potential for tall building:

These areas have potential for a local landmark tall building (1.5-2.5x context height) due to their significant location and/ or potential for comprehensive development with its own character, subject to meeting all criteria set out in Chapter 6;

Potential for large building: These areas have potential to

accommodate a large building (up to 1.5x context height) subject to being well located and designed;

Potential future context height: These areas can accommodate a general increase in height from the existing context height in order to intensify and make good use of land; and

Maidenhead town centre:

Chapter 6 provides detailed recommendations for Maidenhead Town Centre. 5.2.6 Where a recommendation is for an increase in height as well as a tall or a larger building, both the relevant fill and stroke colour are applied to the area boundary.

5.2.7 Maidenhead town centre offers an opportunity for tall buildings in several of its character areas and therefore has been looked at in detail in Chapter 6 of this report.

PRINCIPLE 5.3 OPPORTUNITY FOR INCREASED HEIGHT, LARGE AND TALL BUILDINGS

Development for generally increased context height, large buildings and tall buildings in the Royal Borough of Windsor and Maidenhead should only be promoted on sites indicated in Figures 5.2 -5.7.

Development should fully satisfy site specific guidance and undertake relevant tests as set for respective areas in Table 5.1., in addition to all other guidance contained in this SPD.

Identification of a site identifies the potential for any of these three changes subject to test and conditions. It does not constitute a statement of acceptability in principle.

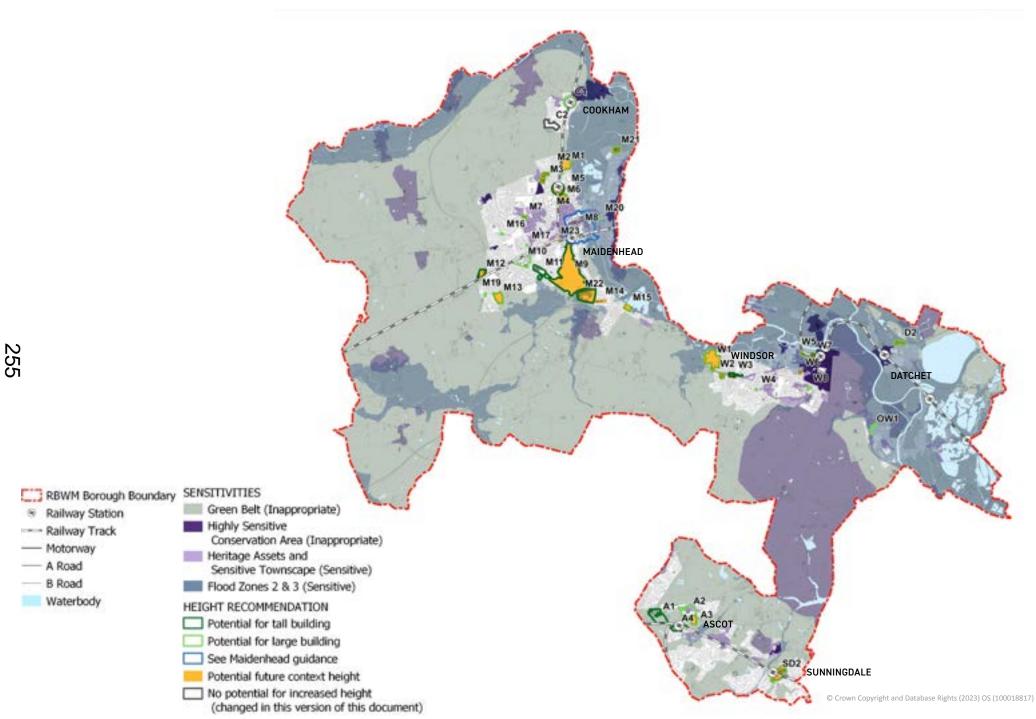
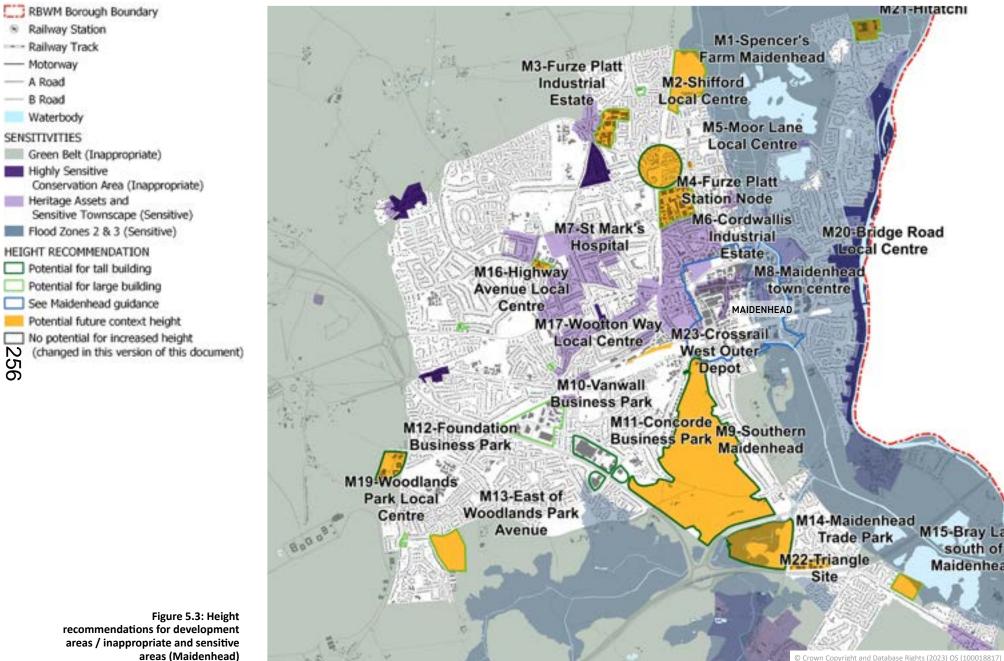


Figure 5.2: Height recommendations for development areas / inappropriate and sensitive areas



south of

8

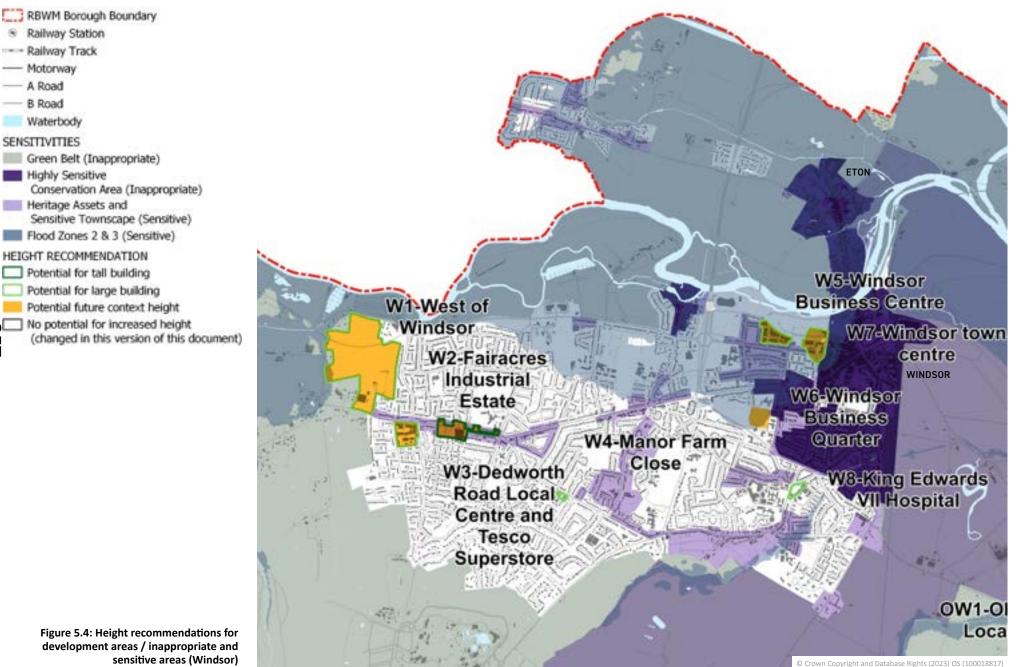
.....

Motorway

A Road

B Road

SENSITIVITIES

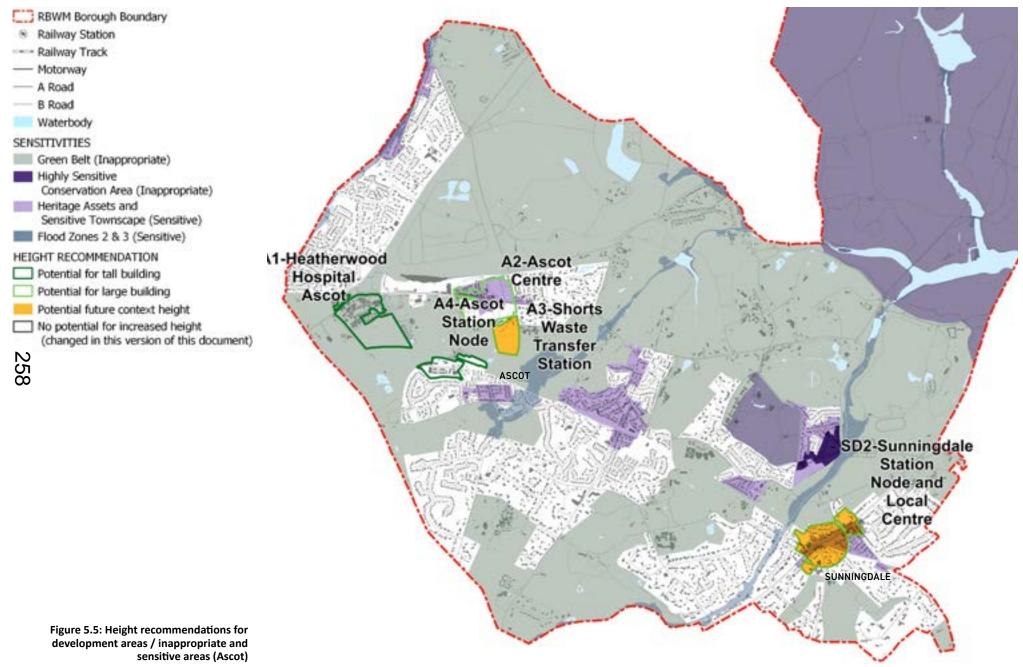


development areas / inappropriate and sensitive areas (Windsor)

8

N

5



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- RBWM Borough Boundary
- Railway Station
- --- Railway Track
- Motorway
- A Road
- B Road
- Waterbody



- Green Belt (Inappropriate)
- Highly Sensitive
 - Conservation Area (Inappropriate)
- Heritage Assets and Sensitive Townscape (Sensitive)
- Flood Zones 2 & 3 (Sensitive)



- Potential for tall building
- Potential for large building
- Potential future context height
- No potential for increased height (changed in this version of this doc
 - (changed in this version of this doc

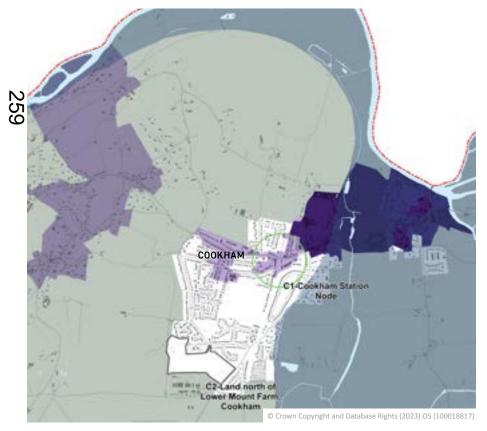


Figure 5.6: Height recommendations for development areas / inappropriate and sensitive areas (Cookham)



Figure 5.7: Height recommendations for development areas / inappropriate and sensitive areas (Datchet)

5.2.8 Table 5.1 on page 53 and following pages provides site specific detailed guidance for each site with potential for increased height and/or large or tall buildings.

5.2.9 The table has the following headings and colour coding:

- Code Unique reference code.
- Name Name of site (both the code and name are used to identify sites in Figures 5.2-5.7).
- Potential for tall / large building
- N Identifies if there is potential for
- a large building, a tall building or neither, and provides additional explanation.
 - Cells are colour-coded to highlight:
 - Potential for tall building
 - Potential for large building
 - No potential for tall or large building

- Potential tall / large overall building height - States the maximum height in residential storeys (or meters for commercial development) for a potential large building or tall building, if applicable.
- Potential future overall context height
- In case there is an opportunity to increase the context height this column states the potentially acceptable context height, together with additional recommendations if applicable.
- Cells are colour-coded to indicate:
- Potential for increase in context height
- No potential for increase in context height

- Townscape and Heritage
 Assessment Criteria
 - This column identifies tests, criteria and key heritage assets and townscape characters that need to be considered by proposals for a tall building in this area.
 - This information is only provided for sites that offer opportunity for a tall building, but not for large buildings or the general increase in height, which may also require a detailed consideration of heritage and townscape impacts.
 - Cells are colour-coded to indicate:
 - Potential tall building assessment criteria
 - Not applicable

5.2.10 Note the following footnotes that are relevant to the site guidance principles:

1) Potential tall building subject to satisfying all principles and impact testing.

2) Mixed use building to provide active ground floors and street animation, support regeneration and intensification of activities at local centre, subject to adhering to other TB principles and Impact testing.

3) Potential tall building height subject to satisfying all principles and impact testing.

4) Increased context height is encouraged as part of a comprehensive masterplan led approach on large sites to support the intensification and higher densities in areas well served by public transport. Note that the increased context height does not affect the existing context height used to establish appropriateness for tall buildings and is subject to impact testing.

5) Proposal for large buildings to comply with all relevant design and development management policies and undertake townscape, heritage, visual and landscape impact testing as required.

Note that when the term "storeys" is used, it is referring to a generic residential storey of 3.2m in height. Height in residential storeys is used because it is the most prevailing type throughout the Royal Borough and this will ensure consistency throughout the strategy. Proposals for commercial buildings must adapt their height to be equivalent to the height of the recommended number of residential storeys stated. For instance a site with potential for a 4 storey residential building could likely only accommodate a 3 storey commercial building as these have roughly equivalent total heights.

Table 5.1: Site specific increased height, large building and tall building detailed guidance

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
C1	Cookham Station Node	No opportunity for a tall building as this would overwhelm the existing context. However, there may be potential for a building of up to 3 storeys to mark the rail station, subject to responding sensitively to existing townscape and heritage assets. As a mixed use building this should contribute to local activities and reinforce the station node.	Maximum 3 storeys	None	N/A
22 261	Land north of Lower Mount Farm, Cookham	None	None	None	N/A
M1	Spencer's Farm, Maidenhead	 No opportunity for tall building. Potential for single larger building to emphasise site entrance on Cookham Road 	Maximum 3 storeys	3 storeys	N/A
M2	Shifford Local Centre	 No opportunity for tall building. Potential for single larger building mixed use building (see footnote 2) to emphasise local centre 	Maximum 3 storeys	None	N/A
М3	Furze Platt Industrial Estate	 No opportunity for tall building. Potential for larger building(s) to emphasise important entrance or node within the site as part of comprehensive development. 	Maximum 13m	10m or 3 residential storeys (if comprehensively redeveloped with height concentrated in centre of site)	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
M4	Furze Platt Station Node	 Potential for single tall building local landmark to mark the station node on Harrow Lane, as mixed use building (see footnote 2) 	Maximum 4 storeys	3 storeys around the station	Proposals for any taller building in this location should be discussed at the earliest opportunity with RBWM and Historic England. This will aid discussion and agreement of an appropriate scope for and approach to the necessary heritage impact assessment. A comprehensive LVIA will also be required. (It should be noted that these assessments must be conducted separately to avoid confusion and potential double- counting of effects.)
M5	Moor Lane Local Centre	None, as local centre already emphasised by 3 storey mixed use development	None	3 storeys within centre	N/A
™ 262	Cordwallis Industrial Estate	 No opportunity for tall building. Potential for larger building(s) to emphasise important entrance or node within the site as part of comprehensive development. 	Maximum 13m	10m or 3 residential storeys (if comprehensively redeveloped and where impact on local housing is mitigated with height concentrated in centre of site)	N/A
M7	St Mark's Hospital	 No opportunity for tall building. Potential for single larger building to emphasise street corner of Courthouse Road and St Mark's Crescent 	Maximum 3 storeys	3 storeys	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
M8	Maidenhead town centre	See area specific guidance in Chapter 6.	See area specific guidance in chapter 6.	See area specific guidance in chapter 6.	Proposals for any taller buildings in this location should be discussed at the earliest opportunity with RBWM and Historic England. This will aid discussion and agreement of an appropriate scope for and approach to the necessary heritage impact assessment. This must be conducted separately from any townscape/ landscape and visual impact assessment to avoid confusion and potential double-counting of effects. Given the maximum height recommendations within this search area (up to 33m for LM1, 52m for LM2, 33m for LM4, and 27m for LM7), extensive testing of intervisibility with heritage assets - in line with Historic England HEAN4 - will be required to understand the likely interaction with their setting and significance.
M9	Southwest Maidenhead	 Potential for tall building(s) to mark the gateway into Southwest Maidenhead from the town centre to provide a landmark to the local centre in a visual and functional significant location or other strategic node as part of comprehensive plan. 	Maximum 8 storeys (27m) at northern site access (see guidance on LM7 in Chapter 6) Maximum 6 storeys (20m) for internal landmark building in centre of southern neighbourhood Heights are subject to appropriate landscape, visual and townscape impact, including impact on the skyline and on long- distance views due to elevated nature of site	Site is large enough to set its own context height subject to comprehensive development and appropriate landscape and visual impact. Northern Neighbourhood: 5 storeys (range 2-6 storeys) Southern Neighbourhood (central area): 4 storeys (range 3-5 storeys) Peripheral areas: 2 - 3 storeys The Southwest Maidenhead urban extension is identified by the Local Plan as a major housing opportunity that could include approximately 2,600 new homes in two neighbourhoods. Site allocation AL13 requires building heights, densities and typologies of the northern neighbourhood to reflect those in the town centre. The southern neighbourhood is focused around a new local centre where heights of 4-6 storeys are promoted surrounded by more suburban character.	 Test impact of tall building on the following: The landscape, including woodland and remnant parkland trees; and Visual impact, skyline impact and impact on long-distance views due to elevated nature of site Proposals for any taller buildings in this location should be discussed at the earliest opportunity with RBWM and Historic England. This will aid discussion and agreement of an appropriate scope for and approach to the necessary heritage impact assessment. Key assets are likely to include: The Scheduled Mesolithic site at Moor Farm, ensuring that proposals conserve the heritage interest of the scheduled monument including any setting issues; and The Grade I listed Ockwells Manor and adjacent buildings ensuring that proposals conserve the heritage including any setting issues; The Grade II* listed Braywick House, ensuring that proposals conserve the special historical or architectural importance of the building including any setting issues.

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
M10	Vanwall Business Park	 No opportunity for tall building. Potential for single larger building to emphasise a central node within the business park. 	Maximum 15m subject to appropriate visual and landscape impact	None	N/A
M11	Concorde Business Park	 Potential for single tall building Local landmark to mark gateway into Maidenhead and to be visible from A404 as part of comprehensive development, and avoid over-dominating its suburban context. 	Maximum 24m subject to appropriate visual and landscape impact	None	Test impact of tall building on the following: The Grade I listed Ockwells Manor and adjacent buildings ensuring that proposals conserve the heritage interest of the scheduled buildings including any setting issues;
™12 264	Foundation Business Park	 No opportunity for tall building. Potential for larger building(s) to emphasise important entrance or node within the site. 	Maximum 15m subject to appropriate visual and landscape impact	13m or 4 residential storey, subject to appropriate visual and landscape impact	N/A
M13	East of Woodlands Park Avenue	 No opportunity for tall building. Potential for single larger building to emphasise site entrance on Woodlands Park Road 	Maximum 3 storeys	3 storeys	N/A
M14	Maidenhead Trade Park	None, as peripheral industrial site with little significance for the wider locality that would justify a local landmark.	None	10m or 3 residential storeys if comprehensively redeveloped	N/A
M15	Bray Lake, south of Maidenhead	 No opportunity for tall building. Potential for single larger building to emphasise site entrance on Windsor Road 	Maximum 3 storeys	3 storeys	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
M16	Highway Avenue Local Centre	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building** 	Maximum 3 storeys	None	N/A
M17	Wootton Way Local Centre	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building** 	Maximum 3 storeys	None	N/A
M19	Woodlands Park Local Centre	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building** 	Maximum 3 storeys	None	N/A
) M20	Bridge Road Local Centre	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building** 	Maximum 3 storeys	None	N/A
M21	Hitatchi	 No opportunity for tall building. Potential for larger building(s) to emphasise important entrance or node within the site. 	13m subject to appropriate visual and landscape impact	10m subject to appropriate visual and landscape impact	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
м22 266	Triangle Site	 Potential for tall building(s) to mark the gateway into Southwest Maidenhead, potential to provide a landmark to a local centre or other strategic node to meet the operational needs of operators of industrial and / or warehousing premises as part of comprehensive plan. 	Maximum 24m subject to appropriate visual and landscape impact	13m as this site is large enough to create its own character, subject to appropriate landscape and visual impact	 Test impact of tall building on the following: The landscape, including The Cut historic stream, woodland and remnant parkland trees (all proposals on greenfield sites should assess impact on the landscape); and visual impact, including long views across the borough Proposals for any taller buildings in this location should be discussed at the earliest opportunity with RBWM and Historic England. This will aid discussion and agreement of an appropriate scope for and approach to the necessary heritage impact assessment. Key assets are likely to include: The Scheduled Mesolithic site at Moor Farm, ensuring that proposals conserve the heritage interest of the scheduled monument including any setting issues; The Holyport Conservation Area, ensuring that proposals conserve the special architectural and historic interest and do not adversely affect views noted as important in the conservation area appraisal; and The Grade II* listed Braywick House, ensuring that proposals conserve the special historical or architectural importance of the building including any setting issues.
M23	Crossrail West Outer Depot	None, as backland site not situated on an important route and lacking the significance for the wider locality to justify a landmark building.	None	10m	N/A
W1	West of Windsor	 No opportunity for tall building. Potential for larger building(s) to emphasise site entrance or central node within the site. 	Maximum 3 storeys	3 storeys	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
W2	Fairacres Industrial Estate	 No opportunity for tall building. Potential for larger building(s) to emphasise site entrance or central node within the site. 	Maximum 13m	10m or 3 residential storeys	N/A
W3	Dedworth Road Local Centre and Tesco Superstore	 Potential for single tall building Local landmark to mark local centre and supermarket location as a mixed use building (see footnote 2) as part of comprehensive development. 	Maximum 4 storeys	3 storeys	 Test impact of tall building on the following: The urban form, ensuring that proposals do not result in adverse impacts on the Victorian Village character and do not alter or overwhelm the narrow buildings plots and terraces that are typical of the settlement; and The legibility of the townscape, ensuring that proposals provide positive new focal points and do not detract from existing positive focal points such as churches, schools and public houses.
0 ₩4 7	Manor Farm Close	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building (see footnote 2) 	Maximum 3 storeys	None	N/A
W5	Windsor Business Centre	 No opportunity for tall building. Potential for single larger building to emphasise site entrance or central node as part of a comprehensive (residential or mixed use) redevelopment. 	Maximum 13m subject to appropriate visual and landscape impact (or 4-5 residential storeys if comprehensive residential or mixed use redevelopment)	10m or 3 residential storeys (or 4 residential storeys if comprehensively redeveloped for residential or mixed use, with heights dropping down towards lower rise buildings to the south)	Development should not exceed the AOD height of the Windsor and Eton Central Station building and avoid adverse impacts on incidental and longer views towards Windsor Castle.
W6	Windsor Business Quarter	None, as back land site not situated on an important route and lacking the significance for the wider locality to justify a landmark building.	None	13m or 4 residential storeys	N/A

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
W7	Windsor town centre	No opportunity for tall buildings as Windsor town centre comprises and is situated within multiple highly sensitive heritage contexts, including Windsor Castle, whose settings would be significantly harmed by a tall building. Potential for larger building(s) subject to appropriate heritage, visual and townscape impact, including impact on the skyline and on long-distance views to Windsor Castle	Maximum 5 storeys (18m) subject to townscape, heritage, and visual impact assessment	4 storeys as part of comprehensive development, with heights dropping down towards lower rise buildings, the river front and heritage assets	Development should not exceed the AOD height of the Windsor and Eton Central Station building and avoid adverse impacts on incidental and longer views towards Windsor Castle.
89 %	King Edward VII Hospital	 No opportunity for tall building. Potential for single larger building to emphasise junction of St. Leonard's Road with Frances Road subject to integrating with the Grade II listed hospital and satisfying Heritage Impact Assessment 	Maximum 4 storeys	None	Development to ensure an appropriate and sensitive response, and appear clearly subordinate, to the Grade II Listed King Edward VII Hospital.
D2	Datchet North	 No opportunity for tall building. Potential for larger building(s) to emphasise site entrance or central node within the site. 	Maximum 3 storeys	3 storeys	N/A

c	Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
C	DW1	Old Windsor Local Centre	 No opportunity for tall building. Potential for single larger building to emphasise local centre with mixed use building (see footnote 2) 	Maximum 3 storeys	None	N/A
269	41	Heatherwood Hospital Ascot	 Potential for single tall building Local landmark to mark the gateway into Ascot at the roundabout junction of Kings Ride with the High Street as part of comprehensive development. Potential for larger building(s) to emphasise site entrances or nodal places. 	Tall building maximum of 5 storeys (18m) subject to appropriate visual and landscape impact Large building maximum 4 storeys (15m)	None	 Test impact of tall building on the following: The character of the landscape corridor between Ascot and Sunningdale, in particular on the pastureland, woodland, and dispersed character of settlement; Proposals for any taller buildings in this location should be discussed at the earliest opportunity with RBWM and Historic England. This will aid discussion and agreement of an appropriate scope for and approach to the necessary heritage impact assessment. Key assets are likely to include: The Grade II listed Ascot War Memorial, ensuring that proposals conserve the special historic or architectural importance of the memorial and consider any setting issues; and The Scheduled Bell Barrow on Bowledge Hill, ensuring that proposals conserve the heritage interest of the scheduled monument and consider any setting issues.

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
Α2	Ascot Centre	No opportunity for tall building. Potential for larger building(s) to enhance the legibility of the town centre, such as marking a focal point on the High Street.	Maximum 4 storeys	None	 Test impact of large building on the following: The character of the landscape corridor between Ascot and Sunningdale, in particular on the pastureland, woodland, and dispersed character of settlement; The urban form, ensuring that proposals do not adversely affect the typical narrow buildings plots and Victorian village character associated with this part of Ascot; The legibility of the townscape, ensuring that proposals contribute a positive focal point and do not detract from existing positive focal points in the settlement; -The Grade II listed former Tote building to Ascot Racecourse, ensuring that proposals conserve the special historical or architectural importance of the building and respect its setting.
270	Shorts Waste Transfer Station	 No opportunity for tall building. Potential for larger building(s) to emphasise site entrance or central node within the site. 	Maximum 3 storeys	3 storeys	N/A
Α4	Ascot Station Node	 Potential for single tall building local landmark to mark the station node as part of comprehensive development. Potential for larger building(s) to emphasise site entrances or nodal places. 	Tall building maximum of 4 storeys (14m) subject to appropriate visual and landscape impact Large building maximum 3 storeys	None	Test impact of tall buildings on the following: The character of the landscape corridor between Ascot and Sunningdale, ensuring that proposals do not result in the physical or perceived loss of pastureland, woodland, dispersed settlement and educational institutions with associated playing fields.

Code	Name	Potential for tall / large building (see footnote 1)	Potential tall / large overall building height (see footnote 3)	Potential future overall context height (see footnote 4)	Townscape and Heritage Assessment Criteria for Tall Buildings (see footnote 5)
SD2	Sunningdale Station Node and Local Centre	 No opportunity for tall building. Potential for larger building(s) to emphasise site entrances or nodal places. 	Large building maximum 3 storeys	3 storeys	 Test impact of large buildings on the following: The urban form, ensuring that proposals do not adversely affect the typical narrow buildings plots and Victorian village character associated with the village centre; The legibility of the townscape, ensuring that proposals contribute a positive focal point and do not detract from existing positive focal points in the settlement.

Footnotes (repeat from page 52)

1) Potential tall building subject to satisfying all principles and impact testing.

2) Mixed use building to provide active ground floors and street animation, support regeneration and intensification of activities at local centre, subject to adhering to other tall building principles and impact testing.

3) Potential tall building height subject to satisfying all principles and impact testing.

4) Increased context height is encouraged as part of a comprehensive masterplan led approach on large sites to support the intensification and higher densities in areas well served by public transport. Note that the increased context height does not affect the existing context height used to establish appropriateness for tall buildings and is subject to impact testing.

5) Proposal for large buildings to comply with all relevant design and development management policies and undertake townscape, heritage, visual and landscape impact testing as required.

CHAPTER 6 MAIDENHEAD TOWN CENTRE HEIGHTS AND TALL BUILDINGS STRATEGY

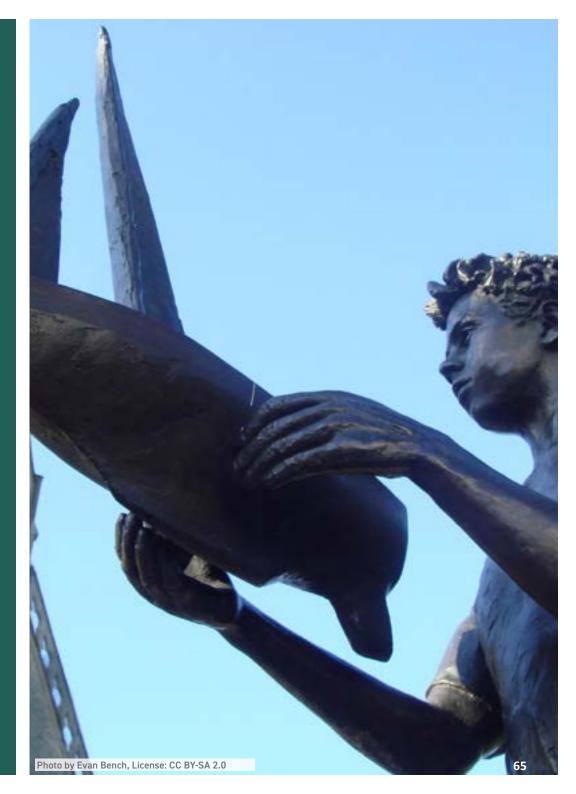
Maidenhead town centre has been identified in Local Plan Policy QP1a "as the key focus in the Borough for accommodating future development and the town centre area will play a major role in delivering the scale and mix of development types that the Borough requires. 12 of the Plan's 40 allocated development sites lie in the town centre area delivering retail, employment, housing, leisure and community uses." The complexity of the town centre warrants a more specific approach to planning for tall buildings.

Chapter 6 presents a proactive strategy for tall buildings and intensification in Maidenhead town centre.

Section 6.1 describes each character area and summarise their opportunity for change.

Section 6.2 identifies potential changes to the context height areas in the town centre to accommodate intensification.

Section 6.3 identifies potential locations for tall buildings in Maidenhead and establishes specific recommendations for each character area.



6.1 CHARACTER AREAS

6.1.1 Maidenhead Town Centre can be divided into nine distinct character areas, each with their own urban form, function and identity. They are as follows:

- Historic High Street Historic heart of Maidenhead, with the fine grain high street and attractive townscape. Recently the eastern end of the high street has seen modern development of greater height, that manages successfully to integrate with the smaller scale context through
 Nstepping down heights towards the street frontage.
- Town Centre Core Post-war shopping district displaying a mixture of heights. In recent years this area has seen significant development interests. A major mixed use development scheme at the Landings with heights up to 16 storeys is currently being implemented. Furthermore, a planning permission has been granted for another major development at the Nicholsons Shopping Centre, which proposes heights of up to 25 storeys. The Landings scheme, and, if implemented, the Nicholson Scheme, will significantly transform the character of this central part of Maidenhead.
- Town Centre North Highly fragmented area with a mixture of standalone post-war and contemporary development. The area offers a number of development opportunities. Recently a 7 storey office building was granted permission at St Cloud Gate at the junction with Cookham Road and Saint Cloud Way. On the adjacent Magnet site, a large residential development is coming forward with proposals of heights up to 11 storeys. On the junction of Moorbridge Road and Forlease Road, at the eastern end of the Town Centre North area, a residential scheme with heights of up to 10 storeys is currently being constructed.
- Town Centre East Fragmented area characterised by a mix of smaller scale housing and institutional buildings. This area has recently seen the completion of a new residential led mixed use development with heights of up to 8 storeys that provide an attractive setting for the town hall and library.
- Station Quarter Rail station with a station drop-off forecourt and large office buildings. Recent public realm improvements have enhanced the

arrival experience into Maidenhead by removing excess car parking, and providing more space for people and cycle storage.

- Town Centre South Large scale office buildings and retail park, with associated parking. Given its use, built form and proximity to the station, this area may offer opportunities for intensification in the future.
- South West Maidenhead -South-western periphery of the town centre, including Maidenhead golf course, identified by the Local Plan as the site for a major urban expansion.
- Suburban Residential Primarily small scale, semi-detached and short terraced housing with suburban character. This area is largely sensitive to change and offers little opportunity for larger scale development.
- Industrial Area Industrial estate with large units, open storage areas and a working environment. This area may offer some opportunity for intensification.

Figure 6.1 presents the locations and extents of the Maidenhead Town Centre character areas.



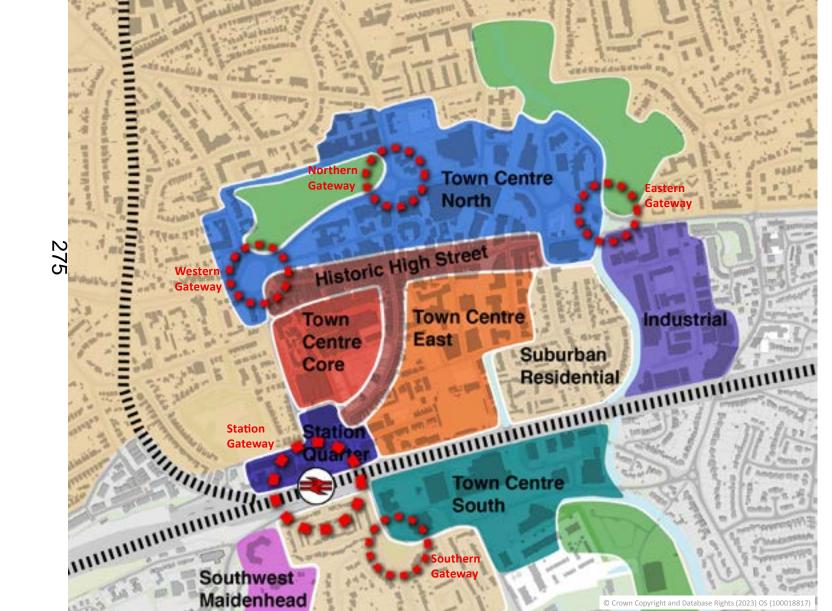
Fine grain historic High Street with Berkshire House to the back and Landings to the right



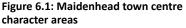
The Landings Development introduces a new scale into Maidenhead town centre



New development steps down and integrates well with the smaller scale on the High Street







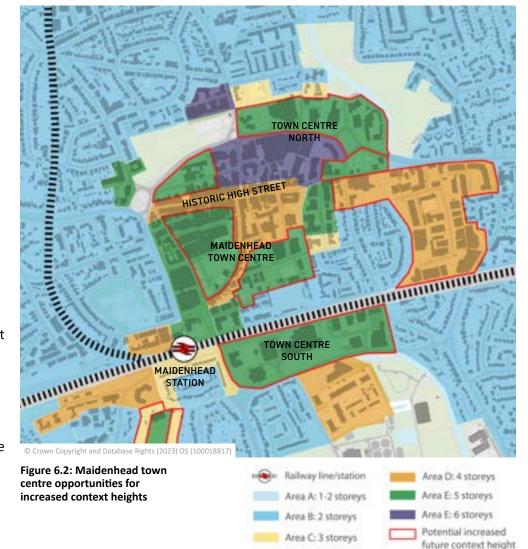
6.2 OPPORTUNITIES FOR INCREASED CONTEXT HEIGHTS

6.2.1 Maidenhead town centre, in line with national policy on sustainable development, is the most appropriate location in the Royal Borough for intensification. It is served by a national rail station and the Elizabeth Line, and already has a strong retail and leisure offering. Therefore, the town could offer more space to live and work by increasing densities.

6.2.2 Tall buildings are not the only way of delivering high density. Increasing the context height of a wider area can wult in high densities in liveable urban arters that respect the scale of the historic town centre.

6.2.3 Figure 6.2 illustrates the recommendations for increased new context heights. The areas that have capacity to increase their context height (outlined in red) are those that are of lower sensitivity, have already a varied character and offer greater potential for development and intensification. However, development must respond appropriately to sensitivities, which could include stepping down to heritage assets or lower buildings.

6.2.4 No change to the context height is envisioned for the historic town core around the High Street and Queen Street as this is a sensitive historical environment that should be preserved.



PRINCIPLE 6.1 INCREASED CONTEXT HEIGHTS IN MAIDENHEAD TOWN CENTRE

Character areas of Maidenhead town centre that can accommodate increased context heights (in brackets) are:

- Industrial Area (4 storeys);
- Town Centre North (5 storeys)
- Town Centre core (4-5 storeys)
- Southern part of Town Centre East (5 storeys)
- Station Quarter (4-5 storeys)
- Town Centre South (5 storeys)
- Northern section of Southwest Maidenhead (5 storeys (range 2 - 6 storeys))

Minimal variation of actual building height (context height plus minus one storey) may be permissible subject to meeting principle 2.2.

Accurate boundaries of areas appropriate for increased context heights are indicated in Figure 6.2.

Developments need to respond appropriately to the site context, townscape features, listed buildings, conservation areas and lower rise residential buildings, and where necessary step down in height.

6.3 TALL BUILDINGS RECOMMENDATIONS

6.3.1 The recommendations for potential tall buildings and clusters of tall buildings in Maidenhead town centre are shown in Figure 6.3.

6.3.2 The strategy identifies seven specific locations where landmark buildings could be appropriate. Each landmark will have a special role in the townscape, such as:

- to assist orientation and wayfinding,
- to be a welcoming marker at an

arrival point, or

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 to contribute to the character and identity of the area.

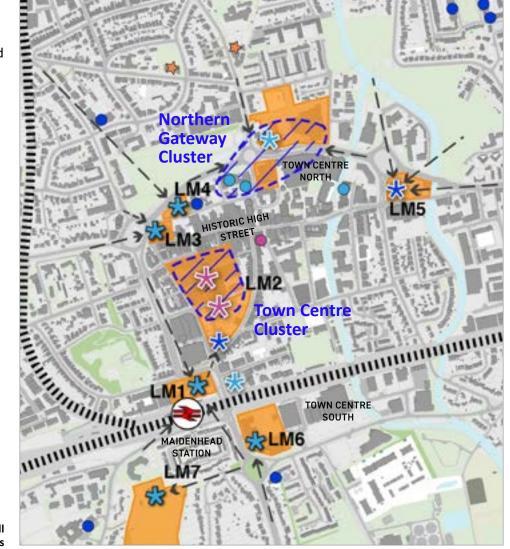
6.3.3 Landmarks will need to be buildings of the highest quality and distinctiveness, and fully satisfy the tall buildings principles in Chapter 4. The plan distinguishes between Higher and Lower Local Landmarks. This denotes if a tall building is supposed to be at the upper or lower end of the respective height range for local landmark buildings.

6.3.4 Two areas could be appropriate for clusters of tall buildings. Each cluster is anchored by one or more landmark building that marks its centre, and can accommodate other subordinate taller buildings. 6.3.5 Clusters help to intensify and animate the town centre. They establish compact groupings of taller buildings that emphasise the town centre core and the northern gateway office quarter on the skyline.

6.3.6 Detailed guidance on location, height, design and sensitivities of each tall building is provided in Principle 6.2 on the following pages.



Figure 6.3: Maidenhead town centre tall buildings recommendations



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PRINCIPLE 6.2 TALL BUILDING PRINCIPLES MAIDENHEAD TOWN CENTRE A) HISTORIC HIGH STREET



Figure 6.4: Historic High Street recommendations

OPPORTUNITY FOR CHANGE:

Development in the Historic High Street Character should reinforce the existing character to strengthen its sense of place and identity. This may involve sensitive refurbishment and infill development that retains the fine grain and scale of streets.

POTENTIAL CONTEXT HEIGHT:

Generally no change in context height.

TALL BUILDING POTENTIAL:

There is opportunity to develop a local landmark building (LM3) at the western entrance into the High

Street to mark this gateway into the town centre. The development should bring comprehensive change and a significant enhancement to the northern side of the High Street in this area and define an active frontage onto the roundabout.

The design will need to appropriately respond to the historic townscape, step down and reflect the fine grain High Street frontage and avoid overdominating the area.

No other site within this character area is suitable for a tall building due to its historic townscape character and heritage significance.

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM3 - Local Landmark

- No more than 20m (6 residential storeys), subject to appropriate heritage impact and landscape and visual impact assessments; and
- The height and design to respond sensitively to views along the High Street from the east to avoid overdominating or detracting from the character of the Conservation Area.

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

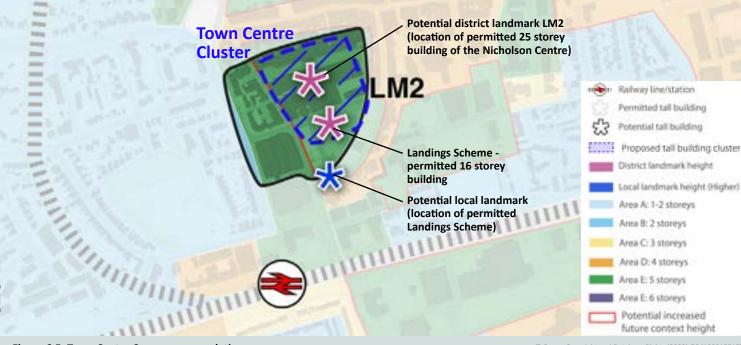
Need for testing of the impact of tall buildings on the following:

- The medieval street pattern, ensuring that proposals do not result in adverse impacts on the fine grain and human scale that characterises the High Street - the way that the building lands at ground level and its interaction with adjacent buildings on the High Street will be critical;
- The legibility of the townscape, ensuring that proposals do not detract from existing historic landmarks;
- The Maidenhead Town Centre and Castle Hill Conservation Areas,

ensuring that proposals conserve the special architectural and historic interest and any specified views relating to these areas - and particularly views up and down the High Street;

- The Grade II listed Stables, east of King Street, ensuring that proposals conserve the special historical or architectural importance of the building, and respect its setting;
- The Grade II listed 25 & 27 Broadway, ensuring that proposals conserve the special historical or architectural importance of the building, and respect its setting;
- The Grade II listed Bear Hotel, ensuring that proposals conserve the special historical or architectural importance of the building, and respect its setting;
- The Grade II listed Wilton Mead and Company Estate Agents, ensuring that proposals conserve the special historical or architectural importance of the building, and respect its setting; and
- The Cliveden Registered Park & Garden, ensuring that proposals conserve the special historic interest and respect views from the RPG.

B) TOWN CENTRE CORE



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Figure 6.5: Town Centre Core recommendations

OPPORTUNITY FOR CHANGE:

The opportunity in this area is to modernise the shopping centre and to regenerate the heart of the town centre. This should renew the focus in the town centre, deliver a high quality public realm and introduce a greater mix of uses including apartments and offices that support the vitality and vibrancy of the town centre.

Tall buildings could form part of a comprehensive approach to development to support increased densities and to help deliver regeneration. The area is currently seeing the development of a major town centre scheme at the Landings, with building heights up to 16 storeys (purple star as annotated in Figure 6.5). A planning permission has been granted for the Nicholson Centre that could see the development of a 25 storey building, if implemented (purple star as annotated in Figure 6.5). The Landings and (potentially) the Nicholson development will significantly transform this area.

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POTENTIAL CONTEXT HEIGHT:

There is potential to increase the context height in this area to 5 storeys to support the intensification of the town centre. Along Frascati Way development should step down to 4 storeys to respond appropriately to low rise housing on the opposite side of the road.

TALL BUILDING POTENTIAL:

There is opportunity to develop a cluster of tall buildings in this area that will help to intensify the town centre and attract a cohort of young urban professionals with greater spending power into the centre. New residents will animate the town centre and support local businesses. Tall buildings in the cluster can also assist in the viability and deliverability of development and support wider regeneration. The extent of the cluster area is indicated in Figure 6.5.

Central to the cluster there may be an opportunity for a district landmark (LM2) that complements the taller buildings on the Landings site and helps to consolidate this cluster as marking the town centre and retail core of Maidenhead on the skyline. The Nicholson Centre planning permission, if implemented, would assume the district landmark in this area.

There is potential for a local landmark marking the corner of Queens Street and Kings Street to signal the entry point into the town centre when arriving from the station and the south. The Landing planning permission provides a tall building in this location that satisfies this role (blue star as annotated in Figure 6.5). The recent permission and major developments coming forward are in broad conformity with this guidance.

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM2 - District Landmark

- Opportunity for a district landmark of between 2.5x and 3x the context height (up to maximum 16 storeys)* subject to appropriate heritage impact and landscape and visual impact assessments; and
- Distinctly designed exceptional building located central to the site.

Town Centre Cluster

- Tall buildings of up to 43m
- N (13 residential storeys);
- Tall building heights must reduce heights from the centre towards the edge of the cluster and provide variation to avoid a uniform skyline; and
- Cluster principles apply (Principle 4.6)

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

Test impact of tall buildings on the following:

- The medieval street pattern, ensuring that proposals do not result in adverse impacts on the fine grain and human scale that characterises the High Street;
- The legibility of the townscape, ensuring that proposals do not detract from existing historic landmarks;
- The Maidenhead Town Centre Conservation Area, ensuring that proposals conserve the special architectural and historic interest and any specified views relating to this area;
- The Grade II listed Stables, east of King Street, ensuring that proposals conserve the special historical or architectural importance of the building;

* The testing of the impact of height scenarios on the Nicholson Site (Appendix A, Height Testing on key sites in Maidenhead Town Centre) concluded that a building above 16 storeys on this site would be considered out of scale and have a detrimental impact on Maidenhead's townscape and heritage context. It is acknowledged that a planning permission is granted on the Nicholson Site for 25 storeys, that could lawfully be implemented. However, any new planning application for the Nicholson site will need to be in accord with this guidance.

- The Cliveden Registered Park & Garden, ensuring that proposals conserve the special historic interest and any specified views relating to this area; and
- The Taplow Court Registered Park & Garden, ensuring that proposals conserve the special historic interest and any specified views relating to this area.

OTHER CONSIDERATIONS:

Peregrines have been observed roosting in parts of the town centre. Development of tall buildings should consider the habitat of these birds and include measures that support continued roosting and nesting in this area in the future.

C) TOWN CENTRE NORTH

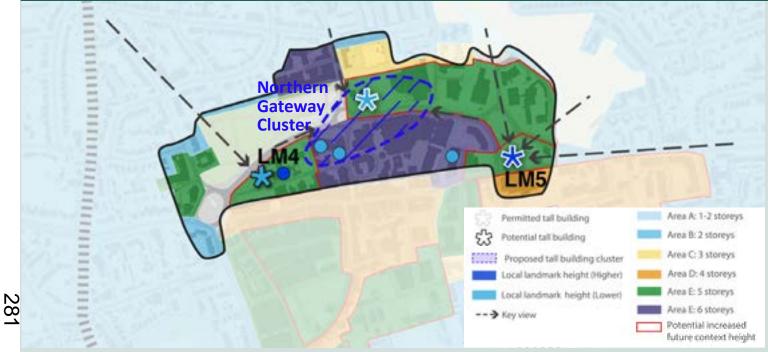


Figure 6.6: Town Centre North recommendations

OPPORTUNITY FOR CHANGE:

This area offers an opportunity for intensification with higher density housing that help repair the fragmented urban fabric and can support the vitality of the centre. Along the ring road, there is also an opportunity to expand the office guarter.

A number of taller development schemes have been permitted in this area. This includes the St Cloud Gate scheme of up to 7 commercial storeys, and the Moorbridge Court and Liberty House scheme of up to 10 residential storeys at the junction of Moorbridge Road and Forlease Road (under construction). On the Magnet site, a large residential development is coming forward with proposals of heights up to 11 storeys.

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POTENTIAL CONTEXT HEIGHT:

Some areas within the Town Centre North area have already an existing 5-6 storey context height due to the concentration of large and tall buildings. In these areas the context height will not be increased further. In a number of other sub-areas the context height can be increased to 5 storeys to support the intensification of the town centre. At the northern edge and interface with low rise development height should step down to 3 storeys. Equally heights should mitigate with the lower rise development to the south and avoid visibility from the High Street.

TALL BUILDING POTENTIAL:

There is an opportunity for a local landmark (LM4) at West Street (north side) to mark the Western Gateway and to enhance overlooking to Kidwells Park. Development here should also facilitate a direct and quality pedestrian connection from the High Street to the park.

In the triangular site between Bridge Road and Moorbridge Road is another opportunity for a local landmark (LM5), that would act as the focus of the view along Bridge Road and mark the eastern town centre gateway. This tall building location accords with the permitted Moorbridge Court and Liberty House scheme that brings forward heights of 10 residential storeys and is currently under construction.

Around the intersection of Market Street and Saint-Cloud Way exists an opportunity for the establishment of a cluster of taller buildings. The Northern Gateway Cluster expands from the existing and permitted taller buildings in this location. It will support the intensification of the town centre, mark this important regeneration area, and provide a visual focus in views from Cookham Road, along Saint-Cloud Way and Bad Godesberg Way.

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM4 - Local Landmark

 up to 33m (10 residential storeys) subject to appropriate heritage impact and landscape and visual impact assessments.

LM5 - Local Landmark

- up to 33m (10 residential storeys) (the permission of the Moorbridge Court and Liberty House scheme with 10 residential storeys accords with this guidance for LM5) subject to appropriate heritage impact
- and landscape and visual impact assessments.

Northern Gateway Cluster

- Comprises existing and permitted tall buildings (Maersk office building, hotel and recent office permission at St Cloud Gate);
- Any additional tall building will need to be carefully considered to establish a coherent cluster and respond sensitively to its immediate surroundings. It should not exceed the height of the Maersk Office Building and avoid undermining the visual prominence of this building in the cluster.

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

Test impact of tall buildings on the following:

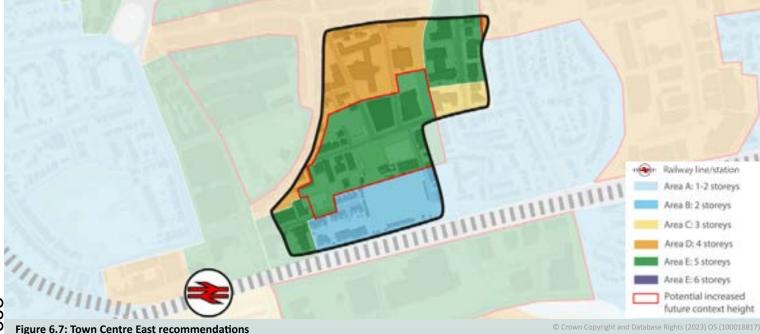
- The character of the High Street, ensuring that proposals do not result in adverse impacts on the fine grain and human scale that characterises the High Street;
- The legibility of the townscape, ensuring that proposals do not detract from existing historic landmarks;
- The Maidenhead Town Centre Conservation Area, ensuring that proposals conserve the special architectural and historic interest and respect views relating to this area;
- The Grade II listed Berkshire College of Art with forecourt walls, railings and gate piers, ensuring that proposals conserve the special historical or architectural importance of the building ad respect its setting;
- The Grade II listed Wilderness, ensuring that proposals conserve the special historical or architectural importance of the building and respect its setting;

- The Grade II listed Gardeners Arms Public House, ensuring that proposals conserve the special historical or architectural importance of the building and respect its setting;
- The Grade II listed Milestone, Moorbridge Road, ensuring that proposals conserve the special historical or architectural importance of the structure and respect its setting; and
- The Cliveden Registered Park & Garden, considering the impact on views from this RPG.

OTHER CONSIDERATIONS:

Peregrines have been observed roosting in parts of the town centre. Development of tall buildings should consider the habitat of these birds and include measures that support continued roosting and nesting in this area in the future.

D) TOWN CENTRE EAST



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OPPORTUNITY FOR CHANGE:

This area offers opportunity for residential intensification and mixed use and residential development to support the vitality of the town centre.

Infill and redevelopment may be promoted to repair the fragmented urban fabric and to establish well designed urban quarter that integrates civic institutions and provide a strong sense of place.

The recently completed development on St. Ives Road with a broad range of 4 to 7 storeys sets the context for the anticipated quality and the potential scale and massing of new development in this area.

POTENTIAL CONTEXT HEIGHT:

There is potential to increase the context height in the centre of the character area (as indicated in Figure 6.7) to 5 storeys to support the intensification of the town centre. Heights need to step down at the edges and where the area interfaces with lower scale development.

_...

TALL BUILDING POTENTIAL:

The area is peripheral in the town centre and lacks functions, connections or approaches of a wider significance. As such there is no townscape rationale for the provision of tall buildings here.

In areas with a proposed context height of 5 storeys, there may be the potential for a few large buildings of up to 7 residential storeys as part of a range of heights (3-7 storeys) to provide interest to the skyline, enhance open space and residential amenities, and support local legibility and place making, subject to avoiding harm on existing heritage, townscape and residential amenities.

E) STATION QUARTER

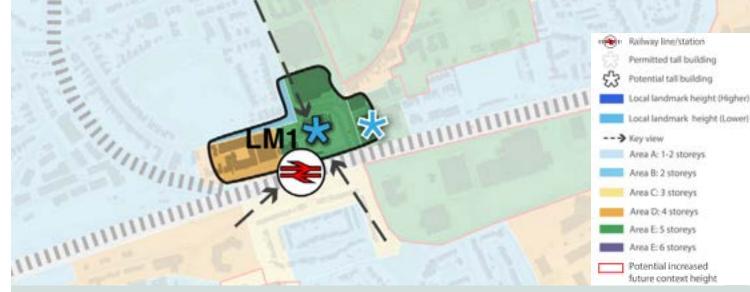


Figure 6.8: Station Quarter recommendations

N PPORTUNITY FOR CHANGE:

Opportunity for infill or comprehensive (re)development of the station area to provide a better arrival experience, enhance the legibility of the station and better connect the station with the town centre.

Site allocation AL7 identifies opportunity for a modest tall building adjacent to the train station entrance, which must respect and be compatible with the adjacent residential uses in terms of both character and amenity.

POTENTIAL CONTEXT HEIGHT:

The current context height of the site is equivalent of 5 residential storeys (15-18m), which should be respected by new development. Heights need to step down the equivalent of 4 residential storeys or lower on Frascati Way and Grenfell Road where the area interfaces with two storey buildings.

TALL BUILDING POTENTIAL:

There is an opportunity for a local landmark (LM1) to mark the station in views from approaching routes.

The role this tall building is to provide legibility of the station and to promote higher density residential and mixed use development in a highly sustainable location.

The site may offer opportunity for another large building of up to 7 residential storeys to visually mediate the height of LM1 with its context. Crown Copyright and Database Rights (2023) OS (100018817)

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM1 - Local Landmark

- up to 27 to 33m (8-10 residential storeys)* subject to appropriate heritage impact and landscape and visual impact assessments; and
- tall building situated adjacent to the railway line and marking the station entrance.

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

Test impact of tall buildings on the following:

- The Maidenhead Town Centre and Castle Hill Conservation Areas, ensuring that proposals conserve the special architectural and historic interest of these areas, and the transition to them;
- The Grade II listed Clock Tower, ensuring that proposals conserve the special historical or architectural importance of the tower and aiming to enhance its setting;
- The Cliveden Registered Park & Garden, considering the impact of any tall building on views from this RPG; and
- The two storey housing to the north of Grenfell Road and modest apartment buildings to the south of the railway line, ensuring that tall buildings avoid having an overbearing relationship with this housing or detracting from the residential amenity.

* The testing of the impact of height scenarios on the Station Quarter site (Appendix A, Height Testing on key sites in Maidenhead Town Centre) concluded that a building of 8 to 10 storeys on this site could be considered appropriate in respect of its impact on Maidenhead's townscape and heritage context, subject to more detailed testing at application stage.

F) TOWN CENTRE SOUTH



OPPORTUNITY FOR CHANGE:

This area offers a longer term opportunity for intensification with mixed use town centre uses in close proximity to the station and the town centre. It lends itself for the establishment of a new urban quarter with town centre scale street blocks.

POTENTIAL CONTEXT HEIGHT:

Height can increase to 5 storeys to support the intensification of the town centre. To the south of Staferton Way heights should step down to 4 storeys.

TALL BUILDING POTENTIAL:

There is an opportunity for a local landmark (LM6) to mark the southern gateway into the town centre on Braywick Road. The role of this landmark is to enhance legibility of the gateway, to mark this potential urban expansion area of the town and increase density in a highly sustainable location near the station.

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM6 - Local Landmark

- up to 27m (equivalent of 8 residential storeys) subject to appropriate heritage impact and landscape and visual impact assessments; and
- Tall building to address gateway.

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

Test impact of tall building on the following:

- The Maidenhead Town Centre and Castle Hill Conservation Areas, ensuring that proposals conserve the special architectural and historic interest of these areas, and the transition to them; and
- The Cliveden Registered Park & Garden, considering the impact of any tall building on views from this RPG.

G) SOUTHERN MAIDENHEAD NORTHERN NEIGHBOURHOOD



Figure 6.10: Southwest Maidenhead recommendations

OPPORTUNITY FOR CHANGE:

he Southwest Maidenhead urban extension is identified by the Local Plan as a major housing opportunity that will accommodate approximately 2,600 new homes in two neighbourhoods. Site allocation AL13 requires building heights, densities and typologies of the northern neighbourhood to reflect those in the town centre.

POTENTIAL CONTEXT HEIGHT:

The Southwest Maidenhead site is sufficiently large to develop a context height approach that is independent from its surrounding context, provided that heights towards the edges of the site mediate with the lower surrounding development. There is a potential to develop heights of 4-6 storeys (CH of 5 storeys) in the northern neighbourhood. Areas towards the edges of the site should be 2-3 storeys.

TALL BUILDING POTENTIAL:

The northern part of the site offers an opportunity for a Local Landmark (LM7) to mark the entrance into this strategic expansion area of Maidenhead.

TALL BUILDING HEIGHT AND DESIGN PRINCIPLES:

LM7 - Local Landmark

- up to 27m (8 residential storeys) subject to appropriate heritage impact and landscape and visual impact assessments;
- tall building should be tested in long views to avoid dominating (and appearing taller on the skyline) than the proposed other landmarks in the town centre; and
- avoid overlooking or overbearing relationship with existing neighbouring housing and their amenity spaces.

HERITAGE AND TOWNSCAPE ASSESSMENT CRITERIA:

Test impact of tall buildings on the following:

- The Maidenhead Town Centre and Castle Hill Conservation Areas, ensuring that proposals conserve the special architectural and historic interest of these areas, and the transition to them; and
- The Cliveden Registered Park & Garden, considering the impact of any tall building on views from this RPG.

H) SUBURBAN RESIDENTIAL



OPPORTUNITY FOR CHANGE:

The established domestic scale of this area means there its little development opportunities apart from individual house extensions.

POTENTIAL CONTEXT HEIGHT:

Current contextual height should remain.

TALL BUILDING POTENTIAL:

The area does not offer potential for tall buildings due to its peripheral location, domestic scale and absence of significant location or function that would justify a landmark.

I) INDUSTRIAL AREA



Figure 6.12: Industrial Area recommendations

OPPORTUNITY FOR CHANGE

This area offers the opportunity to intensify the industrial estate with buildings of increased height to make better use of available land. This could be achieved through incremental intensification or comprehensive development.

POTENTIAL CONTEXT HEIGHT

The context height of the area could be increased to 4 storeys to support the intensification with employment use. Development will need to step down towards neighbouring lower rise areas. © Crown Copyright and Database Rights (2023) OS (100018817)

TALL BUILDING POTENTIAL

There are no opportunities for tall buildings in this area due to its peripheral location and absence of a significant location or function that would justify a landmark.

CHAPTER 7 **APPLICATION** REQUIREMENTS

Chapter 7 sets out the specific requirements for developers intending to submit a planning application for a tall building.



7 APPLICATION REQUIREMENTS

7.1 PRE-APPLICATION PROCESS

7.1.1 Applicants should discuss any proposals for tall buildings with planning and design officers at preapplication stage, with discussions beginning as early as the concept stage. Draft plans and initial design statement and impact studies are important to these discussions and should be made available to the officers at the earliest opportunity.

7.1.2 A computer generated zone of theoretical visibility analysis of the proposed of the proposed tall building would be provided in early discussions the Planning Authority (and its design and conservation officers) to assist the scoping of the visual impact work and heritage impact statement.

7.1.3 Tall buildings proposals should be subject to a minimum of two design reviews, utilising the Design Review Mechanism available to the Local Authority. The first review should be during the concept and masterplanning stage and the second at draft submission stage. The purpose of the reviews is to ensure design excellence of tall building proposals, the successful integration in their context and maximising the opportunity for place making and an enhanced environment.

PRINCIPLE 7.1 PRE-APPLICATION PROCESS

Applicants should engage with the council through the pre-application process and at least two design reviews of the proposed tall building.

Proposals for tall buildings should consider their potential cumulative impact with other existing and proposed tall buildings and make use of zone of visual influence analysis to understand potential visual impacts, to inform the visual impact assessment.

7.2 SUPPORTING INFORMATION

7.2.1 Tall buildings are a specific and unique form of development and as such require a specific approach in the planning process. The following recommendations for the local authority and applicants are made to ensure that tall buildings proposals are appropriately tested.

7.2.2 Furthermore, applications for tall buildings will need to provide the following additional supporting information to enable a thorough assessment of the proposals and design:

- Survey plan and calculations that illustrate the heights of the proposed building in its surrounding context to determine the context height ratio and if the buildings has a proportional relationship with its surrounding;
- Design and access statement that sets out the architectural and urban design rationale for the proposal and addresses among other factors the development context, development objectives, relationship with the street and neighbouring buildings, relationship to open space (including waterways) scale and massing, alignment, density, materials, detailing, lighting (day and night time), existing and proposed land

and building uses, ground floor uses, treatment of rooftop/ crown, ground floor treatment, landscaping and public realm strategy.

- Tall building statement that evaluates the benefits and justifications for a tall building on the proposed site in terms of the principles and the design criteria (in response to to this SPD and design other policies) used to assess tall building proposals;
- Evidence to demonstrate that the viability and appropriateness of other (lower rise) forms of high density development have been explored;
- Visual impact assessment (VIA) to illustrate the impact on the context, especially on heritage assets and significant views. This should include a computer-generated zone of visual influence and the impact on local, medium and long distant views which should be done through accurate visual modelling of proposals (buildings fully rendered) – from relevant assessment points defined by the Council. Proposals should be shown in daylight and night conditions and in different seasons.

- Heritage impact statement that identifies the heritage assets that the proposal has taken into account, including the potential for archaeological findings. This should demonstrate how the tall building proposal has responded to these heritage assets and their respective significance, and how the proposal has mitigated its potential adverse impact to avoid or minimise harm to the heritage asset and its setting.
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to the heritage asset and its setting This should cross reference to the VIA as necessary.

- Physical impact assessment to illustrate the impact on micro climatic conditions (wind tunnel studies, sun path studies, overshadowing, heat island and glare studies), privacy and overlooking, telecommunications, and subterranean service infrastructure.
- Movement statement that provides a traffic impact assessment, including car parking, pedestrian movement and public transport needs, and a servicing strategy.
- Building services strategy, including building systems and enclosure, energy consumption and efficiency,

lighting (day and night time), waste storage and disposal, and maintenance.

- Sustainability statement outlining how the building will apply best sustainable practices, including energy management and production, resource conservation, materials specification and waste management. A recognised method of sustainability assessment should be used (e.g., BREEAM, Home Quality Mark).
- Telecommunications Studies
 have concluded that tall buildings
 and structures can disrupt wireless
 services¹. To mitigate these impacts,
 developers should assess any
 consequential impact that their
 development may have on wireless
 services at the planning application
 stage, for example through a desktop
 assessment that examines the
 potential of the development on
 reception, including existing CCTV
 services. A Section 106 agreement
 may be necessary in order to address
 these issues.

1 Tall structures and their impact on broadcast

7.2.3 The greater the scale, impact and complexity of the proposals, the more detailed and comprehensive the statements should be. Applications submitted without the above supporting information may lead to a planning refusal on the grounds of insufficient information to allow the application to be fully and effectively assessed.

7.2.4 The potential clustering and cumulative effects of tall buildings must be addressed in the submission. Applications must include adequate information on relevant existing tall buildings, extant permissions or concurrent proposals for tall buildings that have a bearing on the proposal's consideration.

PRINCIPLE 7.2 APPLICATION SUPPORTING INFORMATION

Planning applications for tall buildings must include the following supporting documents:

- Survey plan clearly showing height of tall building;
- Tall building statement;
- Viability evidence demonstrating need for a tall building;
- Design and access statement;
- Visual impact assessment;
- Heritage impact assessment;
- Physical impact assessment;
- Movement statement;
- Building services strategy; and
- Sustainability statement.

and other wireless services, Ofcom, 2009

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

APPENDIX A:

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MAIDENHEAD TOWN CENTRE VIEW IMPACT TESTING

BUILDING HEIGHT AND TALL BUILDINGS SPD

NOVEMBER 2023



4290

REPORT PRESENTED BY	URBAN INITIATIVES STUDIO LTD
IN ASSOCIATION WITH	ROYAL BOROUGH WINDSOR & MAIDENHEAD
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Exmouth House, 3-11 Pine Street London EC1R 0JH

+44 (0)20 3567 0715 www.uistudio.co.uk

1 INTRODUCTION

ABOUT THIS REPORT

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This report is an Appendix to the Royal Borough of Windsor and Maidenhead Building Height and Tall Building Supplementary Planning Document. It provides view testing undertaken for two specific sites in Maidenhead town centre, Maidenhead Station Quarter and the Nicholson Shopping Centre site, that were identified a having a potential for tall buildings.

The public consultation on the draft SPD (September/ October 2022), raised various comments about the proposed height ranges on these sites. In response, further height testing was undertaken to understand in more detail the townscape and visual impact of proposed heights on sensitive locations in and around the town centre. The findings of this testing are set out in this report and the conclusions have informed revisions to the guidance in the draft SPD.

The testing was undertaken by Urban Initiatives Studio on behalf of the Royal Borough of Windsor and Maidenhead in September 2023.

Chapter 2 of this report covers the view testing of the Maidenhead Station Quarter, and Chapter 3 of the Nicholson Shopping Centre site.

GENERAL APPROACH

The assessment utilises view testing to assess the potential appropriateness of heights at the two sites in respect of their impact on visual and townscape aspects. It should be noted that it does not take full account of other aspects such as heritage impacts, planning considerations, placemaking, viability or deliverability. These will need to be considered as part of the detailed appraisals required as part of a planning application on these sites.

The assessment is not intended to replicate or be at the level of detail of a comprehensive townscape and visual impact assessment, as would be required as part of an EIA and a planning application. It remains at a higher strategic level that is appropriate to the scope of guidance required and proportionate to the purpose of this study.

SELECTION OF VIEWS

For each site this study undertook a zone of theoretical visibility (ZTV) modelling that identified areas from which a building of the tested maximum height would visible in the Maidenhead context. This made use of GIS software and utilised topographical lidar based information data (DTM). The ZTV was overlaid over the mapping of heritage and townscape sensitivities established as part of the draft SPD baseline work. Based on this, relevant view points for testing were identified.

In total, 10 sensitive view points were identified for the Maidenhead Station Quarter site, and 17 for the Nicholson site.

ASSESSMENT OF VIEWS

captured.

Detailed design proposals of proposed development on each site will need to be fully tested and appraised against the principles set in the draft SPD and any other applicable planning policy, and will be subject to full Visual, Townscape and Heritage Impact Appraisal if required at planning application stage.

In the absence of a formal 3D model of the town centre the assessment of views made use of Google Earth (GE) 3D model to understand impacts on view points. Each view point was set up in GE, and a notional cylinder of the maximum height was modelled into the GE environment for each site. Views from each viewpoint were simulated. Whilst these views do not provide a photorealistic representation of each viewpoint, they do provide an accurate understanding of massing and the relationship of buildings with their height to one another, and in the context of the wider view.

Site visits to each view point were undertaken to review and compare visual outputs from GE with the actual situation and to understand and assess the potential impact that development of the maximum height would have on the existing visual and townscape context. For each site a potentially appropriate height was identified at which the impact of development would potentially be acceptable. A photograph of each viewpoint was also

The material and findings from this assessment for each view point are contained in this report. Based on the findings on potentially appropriate heights a recommended maximum height was established for each site, and view outputs of this height scenario are also included for each view point.

Maximum heights provide an indication of the scale and height of development that may be found acceptable on each of the two sites. They do not constitute statements of acceptability in principle.

2 MAIDENHEAD STATION QUARTER VISUAL IMPACT TESTING

OVERVIEW

The draft SPD identifies the Station Quarter as potential for a tall building (LM1).

Two height scenarios are included in this testing:

- Scenario A: 32.8m (10 residential storeys); and
- Scenario B: 26.4m (8 residential storeys).

Figure 1 identifies the 10 sensitive viewpoints that were identified by this study. Figure 2 shows the overlay of the ZTV over the heritage context, and Figure 3 the overlay over sensitive townscapes.

OUTCOMES OF THE TESTING

Scenario A is (obviously) of greater visibility than Scenario B. Consequently the townscape and visual impact of Scenario A is generally greater than of Scenario B. In none of the locations, was the townscape or visual impact of Scenario A found inappropriate or out of scale. In many locations the townscape impact of Scenario B is considered negligible as the development remains largely hidden behind existing buildings or tree cover.

In a number of locations Scenario A was found to have the potential to be a positive landmark to the station (subject to its distinctive design), aiding with legibility and wayfinding, whilst Scenario B was not. Enhancing the legibility of the station is important, given that it currently lacks visual presence, whilst having an important function for sustainable access to Maidenhead and in supporting the vitality of the town centre.

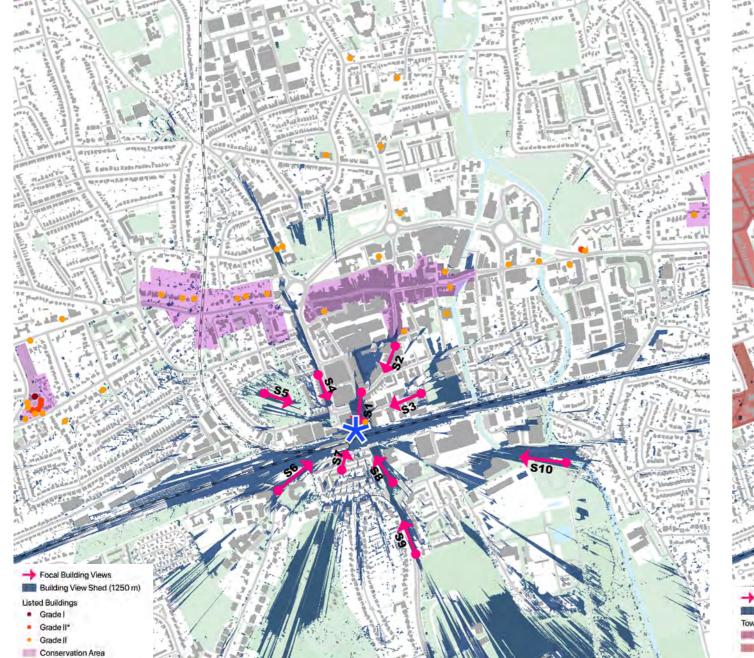
Based on the findings, a building between 8 and 10 residential storeys is considered appropriate on the LM1 site. It will be subject to detailed architectural design to find a solution that responds appropriately to the surrounding townscape context and views, and that manages to enhance the legibility of the station through its approach to height, massing, form and architectural treatment.

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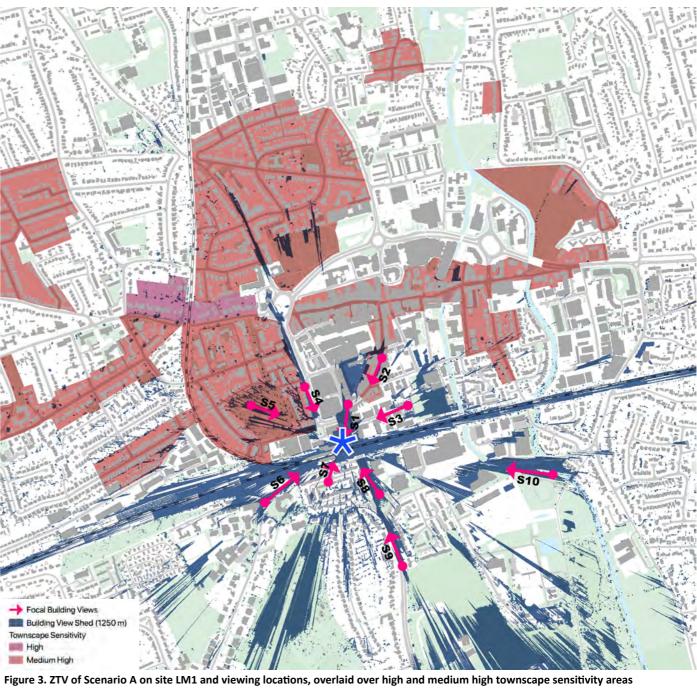
View No.	View Name
S1	Queen Street and King Street Junction
S2	Queen Street
S3	Bell Street
S4	A308 Grenfell Place
S5	Grenfell Park
S6	Ludlow Road and Shoppenhangers Road Junction
S7	Courtlands Street
S8	Roundabout at Braywick Road
S9	A308 Braywick Road
S10	The Cut, Berkshire Canalside



ons.







VIEW S1 - VIEW FROM QUEEN STREET & KING STREET JUNCTION



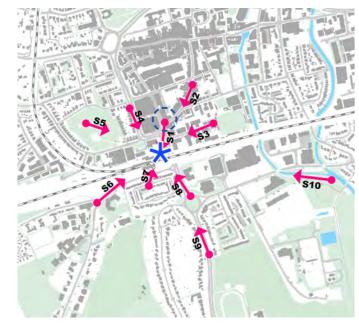


ABOUT THE VIEW

THE VIEW POINT

The view is from the Queen Street and King Street junction

DIRECTION: South



ASSESSMENT SCENARIO A

- Building provides prominent marker of station and can help to enhance legibility.
- Height not out of scale with general heights around the station.
- Subject the location, massing and form, development may impact on setting of clock tower - requires testing.
- Townscape and visual impact may be appropriate subject to design.

- Development is less prominent and landmark function of station less pronounced, lesser impact on enhancing legibility.
- Modestly higher than existing buildings, appropriate scale.
- Appropriate impact on the local townscape and setting of clock tower.

View S1 - Scenario A



View S1 - Scenario B

VIEW S2 - VIEW FROM QUEEN STREET



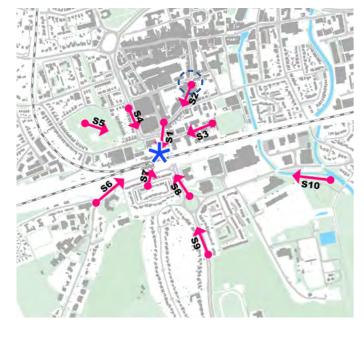
View S2 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the Queen Street towards Maidenhead Station.

DIRECTION: South-west

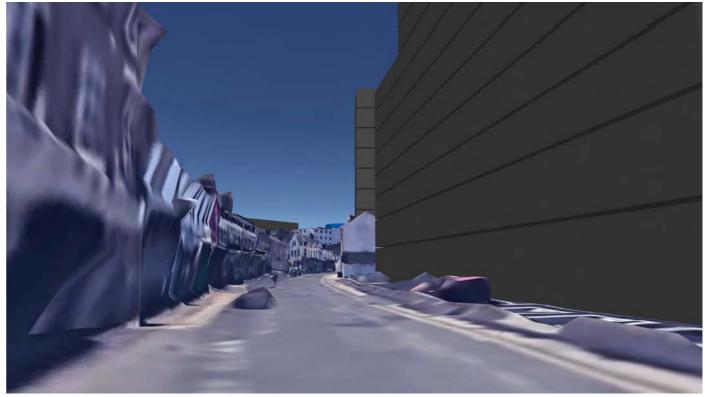


ASSESSMENT SCENARIO A

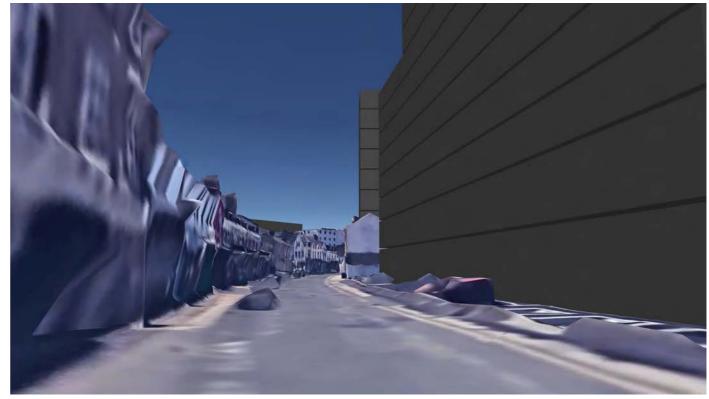
- Top floor of building may be visible and subject to distinctive design may provide a modest landmark to assist with wayfinding to the station.
- Townscape and visual impact appropriate.

ASSESSMENT SCENARIO B

- Development not visible.
- No townscape or visual impact.



View S2 - Scenario A



View S2 - Scenario B

VIEW S3 - VIEW FROM BELL STREET

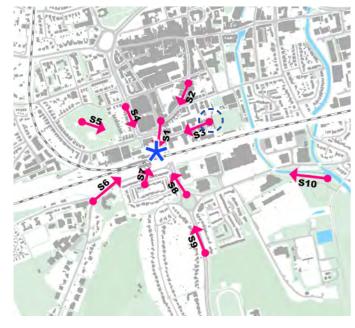


ABOUT THE VIEW

THE VIEW POINT

The view is from Bell Street next to Maidenhead United football stadium.

DIRECTION: West



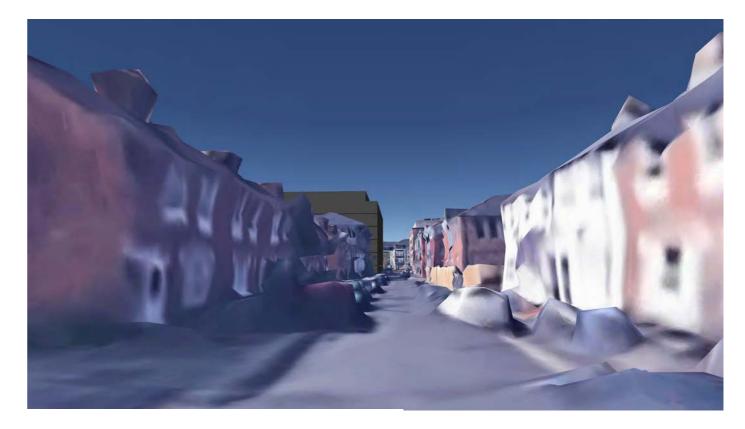
ASSESSMENT SCENARIO A

- Development not visible due to development permitted at the street corner (as shown by the grey building visualisation).
- No townscape or visual impact.

- Development not visible due to permitted development at street corner.
- No townscape or visual impact.



View S3 - Scenario A



VIEW S4 - VIEW FROM A308 GRENFELL PLACE



View S4 - Existing View **ABOUT THE VIEW**

THE VIEW POINT

The view is from the footway at A308 Grenfell Place. **DIRECTION:** South

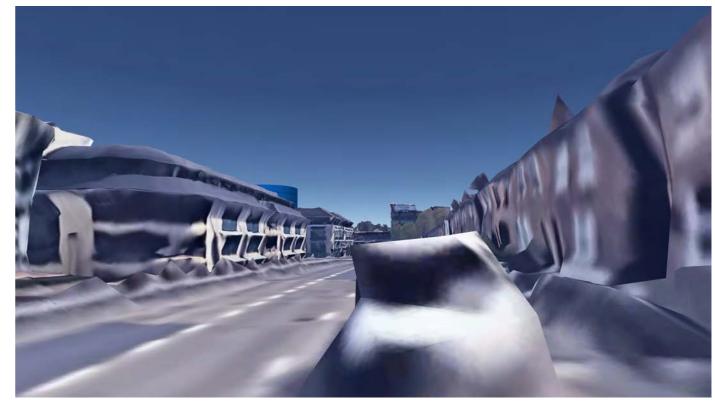


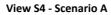
ASSESSMENT SCENARIO A

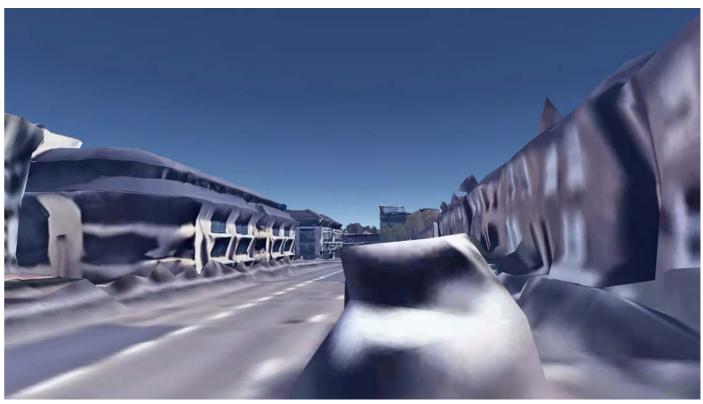
- Development rises modestly over the roof scape of buildings to the left of the view, but visually integrates with their greater massing and height.
- Development is set away and of proportionate height in respect of the lower rise housing to the right of the view.
- With distinctive design building could provide a station landmark and assist with way finding.
- Townscape and visual impact considered appropriate.

ASSESSMENT SCENARIO B

- Development is hidden behind existing buildings and barely visible.
- Negligible townscape and visual impact.







View S4 - Scenario B

VIEW S5 - VIEW FROM GRENFELL PARK





View S5 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from Grenfell Park. **DIRECTION:** South-east



ASSESSMENT SCENARIO A

- Development rises modestly over the tree line / existing development.
- Would be prominent in the park but not domineering.
- Could provide a landmark and orientation role to the station.
- Integrates with other development that is visually present.
- Some degree of townscape and visual impact.

- Development largely hidden behind existing buildings and barely visible.
- Negligible townscape and visual impact.



View S5 - Scenario B

VIEW S6 - VIEW FROM LUDLOW ROAD & SHOPPENHANGERS ROAD JUNCTION



View S6 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at Ludlow Road and Shoppenhangers Road junction.

DIRECTION: North-east



ASSESSMENT SCENARIO A

- Development is visible in-between and above trees, but remains below taller trees.
- Height is proportionate in its townscape context.
- As a landmark it marks the station and enhances legibility.
- Townscape and visual impact considered acceptable.

ASSESSMENT SCENARIO B

- Development will be largely hidden behind existing trees.
- Of similar height as the permitted building on King Street to the rear.
- Does not stand out and makes no contribution to enhancing legibility to the station.
- Negligible townscape and visual impact.



View S6 - Scenario A



View S6 - Scenario B

VIEW S7 - VIEW FROM COURTLANDS STREET

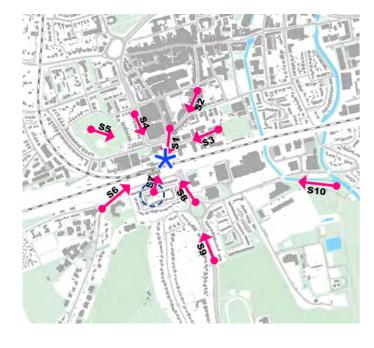


ABOUT THE VIEW

THE VIEW POINT

The view is from Courtlands Street.

DIRECTION: North-east



ASSESSMENT SCENARIO A

- Development largely hidden behind tree cover with limited visibility above tree line.
- Despite close proximity development avoids having a dominating impact.
- Some visibility could help provide greater legibility to station.
- Little townscape and visual impact.

- Development largely hidden behind existing trees and barely visible.
- Negligible townscape and visual impact.



View S7 - Scenario A



View S7 - Scenario B

VIEW S8 - VIEW FROM ROUNDABOUT AT BRAYWICK ROAD



View S8 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the roundabout at Braywick Road. **DIRECTION:** North-west



ASSESSMENT SCENARIO A

- Development is clearly in the vista of the town centre approach.
- Massing is prominent but avoids being over-dominant.
- Proportional to other surrounding (medium to larger scale) development.
- Subject to its distinctive design development can act as landmark to the station and help with orientation and way finding.
- Townscape and visual impact considered acceptable.

ASSESSMENT SCENARIO B

- Development is less outstanding and blends into the surrounding context.
- Its height is comparably to the permitted building on Kings Street on the right hand side of the image.
- Given that it is less outstanding it does not contribute significantly to an enhancement of legibility to the station.
- Townscape and visual impact is considered acceptable.



View S8 - Scenario A



View S8 - Scenario B

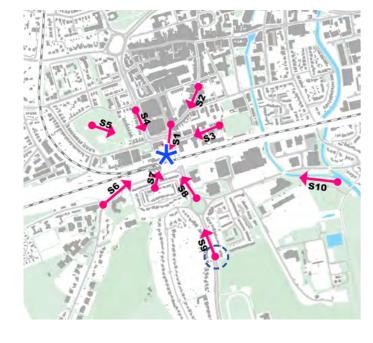
VIEW S9 - VIEW FROM A308 BRAYWICK ROAD



View S9 - Existing View ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at A308 Braywick Road. **DIRECTION:** North-west



ASSESSMENT SCENARIO A

- Development can be seen in the vista along Braywick Road in the context of the taller Landings development.
- Visibility can help to provide greater legibility to station.
- Little townscape and visual impact.

- A small part of the development can be seen in the vista.
- Townscape and visual impact is considered acceptable.



View S9 - Scenario A



View S9 - Scenario B

VIEW S1 - VIEW FROM THE CUT, BERKSHIRE CANALSIDE





View S8 - Scenario A

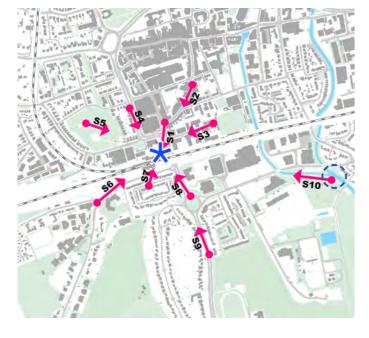
View S8 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the walkway along the Cut, Berkshire Canalside.

DIRECTION: West



ASSESSMENT SCENARIO A

- Development can be seen as modest high point above the tree line, in the context of and comparable to the permitted scheme on Kings Street, and of significant lesser massing and height than the Landings scheme.
- High point with distinctive design could become a modest landmark to the station, helping with way finding.
- Townscape and visual impact considered acceptable.

ASSESSMENT SCENARIO B

- Development is of little visibility only marginally visible above the tree line and of lesser impact than the permitted scheme on Kings Street and the Landings' towers.
- Negligible townscape and visual impact.



View S8 - Scenario B

3 NICHOLSONS SHOPPING CENTRE VISUAL IMPACT TESTING

OVERVIEW

The draft SPD identifies the Nicholson Shopping Centre site as having the potential for a tall building (LM2 in the draft SPD).

Two height scenarios are included in this testing:

- Scenario A: 84m (26 residential storeys); and
- Scenario B: 52m (16 residential storeys).

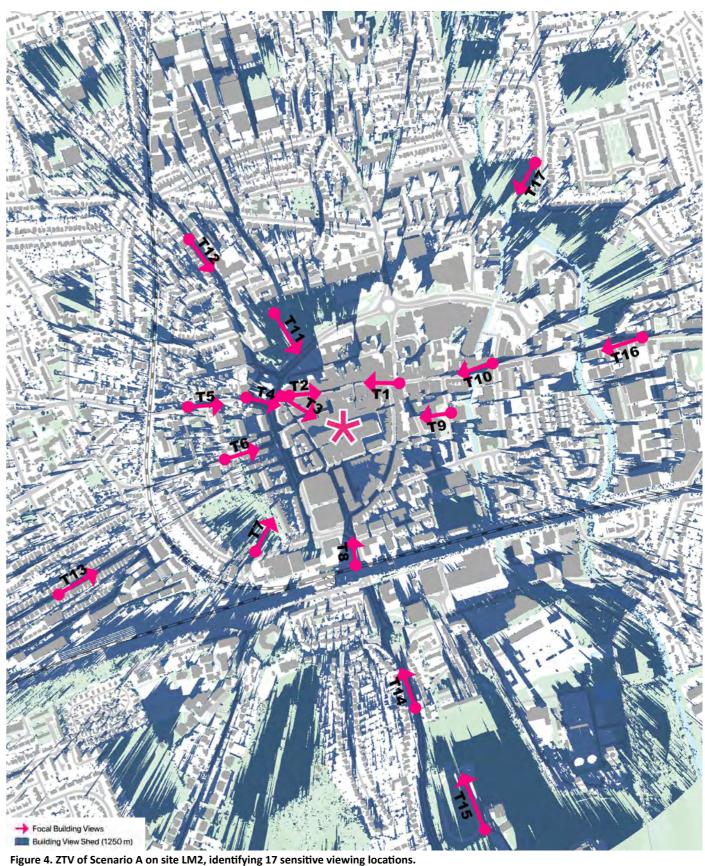
Figure 4 identifies the 17 sensitive viewpoints that were identified by this study. Figure 5 shows the overlay of the ZTV over the heritage context, and Figure 6 the overlay over sensitive townscapes.

OUTCOMES OF THE TESTING

Scenario A is of significantly greater height than Scenario B, and the townscape and visual impacts between the two scenarios area massively different. In most locations Scenario A is considered out of scale and has a significantly adverse impact on the prevailing townscape character or the wider place character.

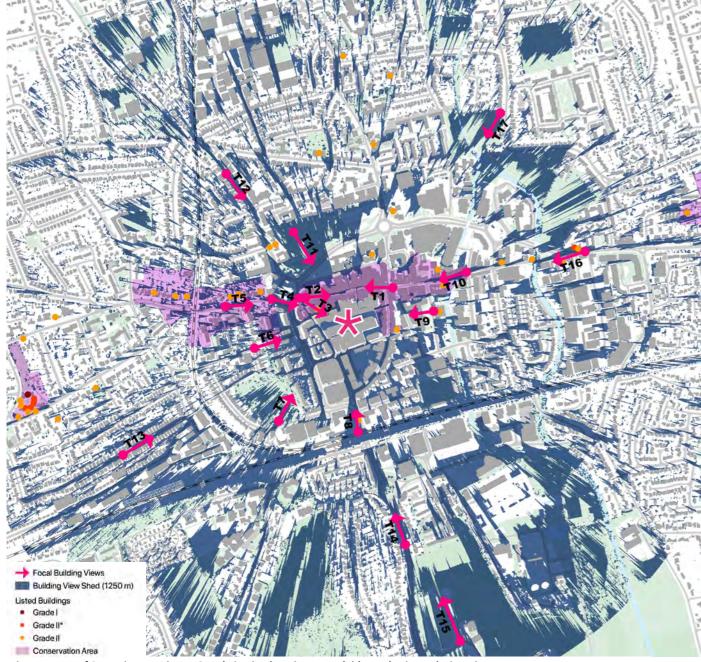
Conversely, the impact on the local townscape of Scenario B in the majority of locations was found to be generally appropriate. In some locations Scenario B is barely visible or not at all, whilst in others it is visible, but with its height it is likely to have a more sympathetic and proportional relationship with its surrounding context. In some locations, the height of Scenario B is considered borderline in having an increased adverse impact (T3 and T4). The actual impact will obviously depend on the precise location and the massing, form and design of the proposal.

Based on the findings, a building at this location should not be above the height of 52m (16 residential storeys), and be subject to detailed testing from identified and other views during the development management process to ensure a respectful, sensitive and proportionate response to Maidenheads townscape and place character.

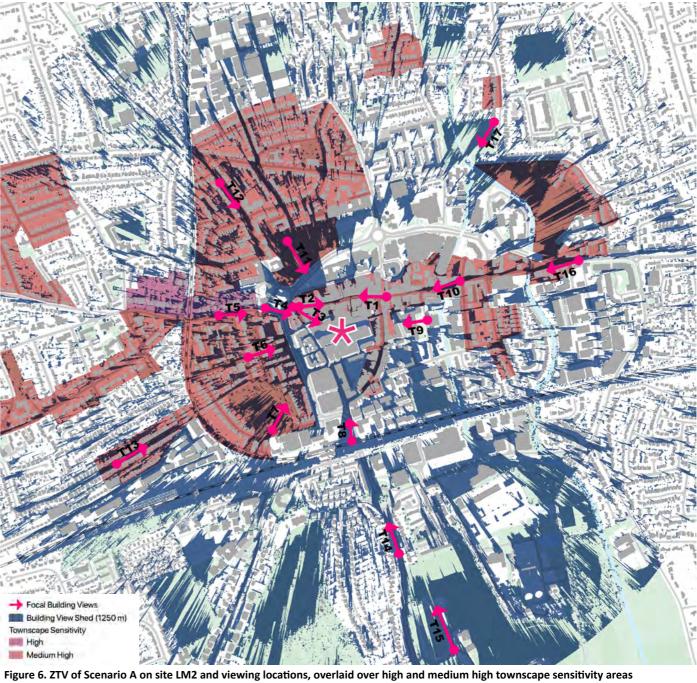


View No.	View Name
T1	High Street and Queen Street junction
Т2	High Street
Т3	High Street and King Street junction
T4	Roadabout at Castle Hill Road
T5	Castle Hill Road
Т6	High Town Road
Т7	Grenfell Park
Т8	Station Approach on A308 Braywick Road
Т9	St Ives Road

View No.	View Name
T10	High Street at Waterside
T11	Kidwells park
T12	A308 Craufurd Rise
T13	Clare Road
T14	A308 Braywick Road
T15	Braywick Athletic Track
T16	A4 Bridge Road
T17	The Moor







VIEW T1 - VIEW FROM HIGH STREET & QUEEN STREET JUNCTION

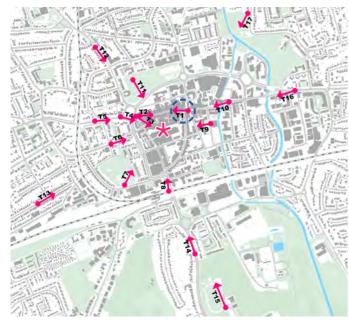




ABOUT THE VIEW

THE VIEW POINT

DIRECTION: West



ASSESSMENT SCENARIO A

• Scenario A has a notable impact on local townscape character with the building looming over the smaller scale and finer grain high street and detracting from its townscape character

ASSESSMENT SCENARIO B

- No townscape or visual impact from this location.
- A building up to a height of 19 storeys would not be visible from this view point, but it may come into view when stepping further back.

View T1 - Scenario B

The view is from the footway at High Street and Queen Street junction

18



VIEW T2 - VIEW FROM HIGH STREET



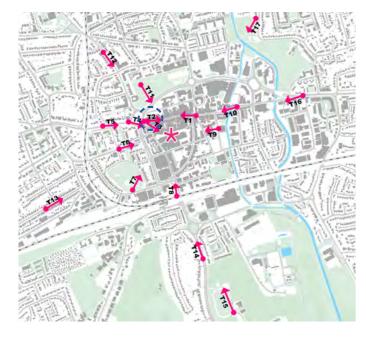
View T2 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from Maidenhead High street.

DIRECTION: East



ASSESSMENT SCENARIO A

- Scenario A rises starkly over the small scale, fine grain frontage of the high street, and looms over the street space
- With its height the building is intrusive, totally out of scale and would significantly undermine the local townscape character of the High Street and detract from the significance of the Conservation Area.

ASSESSMENT SCENARIO B

- Limited visibility of the upper floors of Scenario B above the roof scape.
- Scenario B is more proportionate to the existing grain and height of the street frontage and less intrusive to the character of the street.
- The townscape or visual impact from this location will depend on the precise location, massing and design of the proposed building, but Scenario B is more likely to have an acceptable townscape and visual impact.



View T2 - Scenario A



View T2 - Scenario B

VIEW T3 - VIEW FROM HIGH STREET & KING STREET JUNCTION





View T3 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at High Street and King Street junction next to High Street Methodist Church.

DIRECTION: South-east



ASSESSMENT SCENARIO A

- Scenario A rises starkly over the historic building at the end of the High Street, and looms over the street space.
- The building is totally out of scale and would significantly undermine the townscape character of the High Street and detract from the significance of the Conservation Area.

- Scenario B would remain visible above the roof scape of the historic building at the end of the High Street and affect its setting.
- However, Scenario B is less intrusive to the overall townscape character, and subject to the design may be perceived as a disassociated background to the high street environment, similar to Berkshire House or the Landings towers.
- Scenario B height is considered borderline to an acceptable impact, and further reduction in height or a location further away may be desirable to further decrease the impact of the building on this character.



View T3 - Scenario B

VIEW T4 - VIEW FROM THE ROUNDABOUT AT CASTLE HILL ROAD





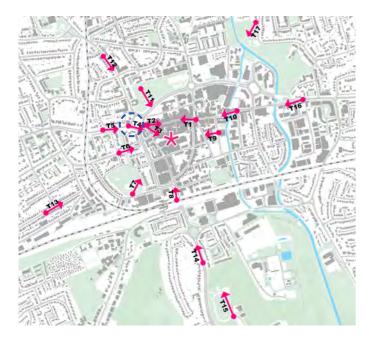
View T4 - Scenario A

View T4 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the roundabout at Castle Hill Road. **DIRECTION:** East



ASSESSMENT SCENARIO A

• Scenario A rises unmitigated sky-high to the back of the Methodist Church on Frascati Way. The impact on the local townscape is overwhelming, domineering and out of place with the surrounding context and scale of development in Maidenhead more widely. The height feels unjustified even in the context of the Landings development (as shown by the grey building visualisations).

ASSESSMENT SCENARIO B

- Scenario B would create a prominent new high point in this view. Its height is more proportionate to its context and does not over-domineer its foreground. The building would shift the skyline emphasis towards the shopping centre, balancing somewhat the impact of the Landings on the skyline. Other surrounding development of slightly greater height in the town centre cluster (not modelled) could create a mitigating context to this building and through layering help to mediate its contrast with the lower development in the foreground.
- Overall Scenario B height is considered borderline to an acceptable townscape impact and ideally should be reduced further. The actual townscape impact will also depend on the precise location, massing and design of Scenario B and associated development.



View T4 - Scenario B

VIEW T5 - VIEW FROM CASTLE HILL ROAD



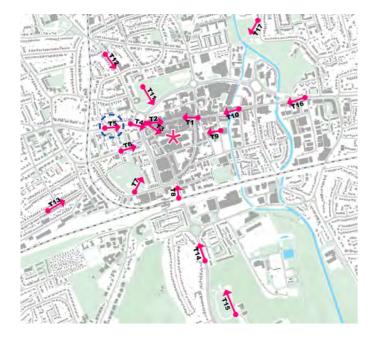


View T5 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at Castle Hill Road. **DIRECTION:** East



ASSESSMENT SCENARIO A

- Scenario A rises starkly over the treeline and intrudes into the character of this street.
- The building is out of scale and alien to this townscape character of the High Street and detract from the significance of the Conservation Area.

- Scenario B would potentially be inbetween and through the tree cover, but the building would remain below the ridge line of the historic building in the middle of the view.
- As such a building of this height is likely to be less intrusive and have a limited impact on the townscape character present in this view. The actual townscape impact will depend on the precise location, massing and design of the proposed building.



View T5 - Scenario B

VIEW T6 - VIEW FROM HIGH TOWN ROAD



View T6 - Scenario A

315

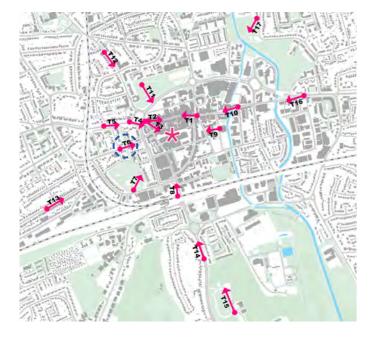
View T6 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the High Town Road.

DIRECTION: East



ASSESSMENT SCENARIO A

• Scenario A appears central to this view, rising above the treeline. The building appears totally out of place in this view and would detract from this sensitive townscape character.

ASSESSMENT SCENARIO B

- Scenario B would remain below the tree line and also below the ridge line of but the building would remain below the ridge line of the historic building to right of the view.
- As such a building of this height is likely to be less intrusive and have a limited impact on the townscape character present in this view. The actual townscape impact will depend on the precise location, massing and design of the proposed building.



View T6 - Scenario B



VIEW T7 - VIEW FROM GRENFELL PARK





View T7 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from Grenfell Park. **DIRECTION:** North-east

ASSESSMENT SCENARIO A

- Scenario A rises above the treeline and intrudes dominantly into the character of this open space.
- It has an urbanising impact that further compounds the impact of the Landings scheme, and takes away from the seclusion and tranquility of the open space at present.

- Scenario B is likely to remain largely below the tree line.
- As such a building of this height is less intrusive and has a limited impact on the character of this open space. The actual townscape impact will depend on the precise location, massing and design of the proposed building.



View T7 - Scenario B

VIEW T8 - VIEW FROM A308 MAIDENHEAD STATION APPROACH





View T8 - Scenario A

View T8 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the Maidenhead Station approach on A308 Braywick Road.

DIRECTION: North



ASSESSMENT SCENARIO A

- Scenario A is situated to the back of the Landings development and will be seen rising above their roofscape. It will compound the impact of the Landings and cumulatively create a concentration of height and a highly urban appearance that appears out of character with the wider scale and massing of development in the town centre and Maidenhead as a whole.
- The height of the Landings, whilst tall and unprecedented appears somewhat proportionate to the wider scale and height of development in this view. It sets a benchmark that should not be crossed in this view, and possibly in Maidenhead town centre more widely.

ASSESSMENT SCENARIO B

- Scenario B would remain hidden behind the Landings scheme, that sets the new height scape for the town centre.
- As such a building of this height will not have an impact on the local townscape in this location.



View T8 - Scenario B

VIEW T9 - VIEW FROM ST IVES ROAD





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ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at St Ives Road in front of Maidenhead Library .

DIRECTION: West

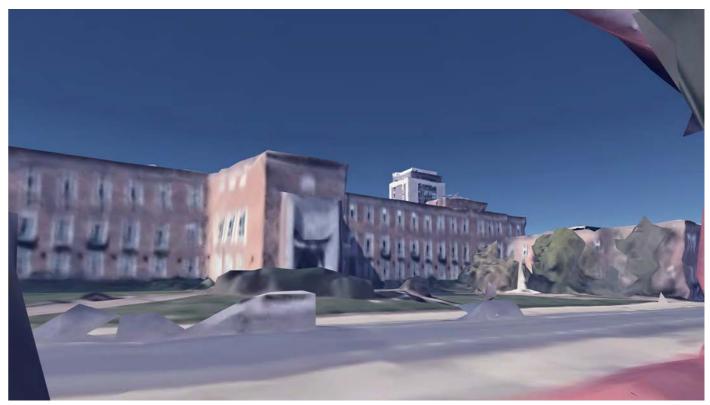


ASSESSMENT SCENARIO A

• A sliver of the top floors of Scenario A may be seen over the roofscape of the town hall, interfering with the clarity of the roofline, and potentially competing with Berkshire House. Whilst not having a significant impact on the townscape character, it would be improved if the building was not visible at all.

ASSESSMENT SCENARIO B

Scenario B will not be visible from this view point and the impact on the local townscape character is nil.



View T7 - Scenario B

VIEW T10 - VIEW FROM HIGH STREET AT WATERSIDE



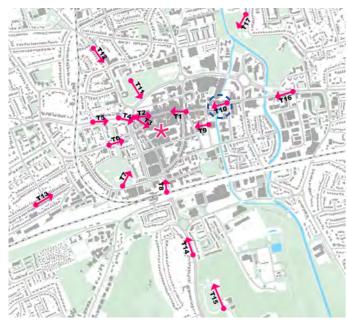
View T10 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at High Street next to the Waterside Quarter in front of the Picturehouse building.

DIRECTION: West

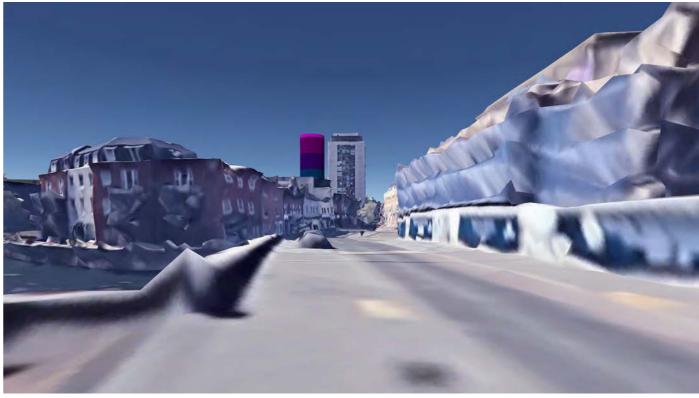


ASSESSMENT SCENARIO A

• Scenario A is situated to the back of Berkshire House, yet rises to the same height in this view. Subject to the view point and the building's location and massing both buildings may visually coalesce into a single large shape on the skyline. This will undermine the prominence and legibillity of Berkshire House in this view, create a cluttered and domineering skyline and significantly detract from the character and distinctive ensemble of the High Street in the fore and middle ground of this view.

ASSESSMENT SCENARIO B

- Scenario B is significantly lower and remains in the backdrop of the view. It is clearly subordinate to Berkshire House, avoids direct competition, and if anything, helps to mediate the contrast of Berkshire House with the lower scale development in the foreground.
- As such the impact of this height would be considered appropriate in the context of the local townscape in this location.



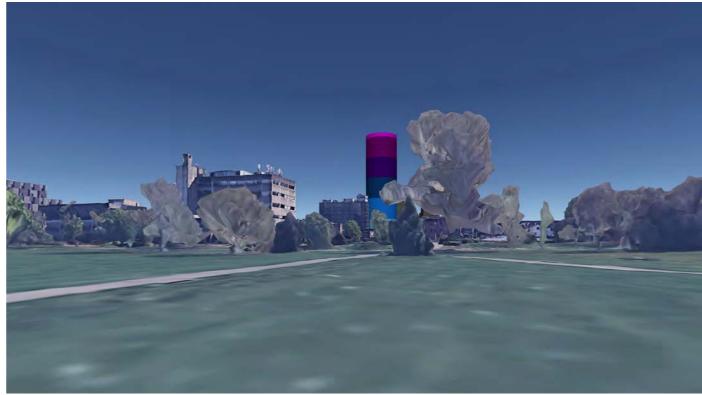
View T10 - Scenario A



View T10 - Scenario B

VIEW T11 - VIEW FROM KIDWELLS PARK





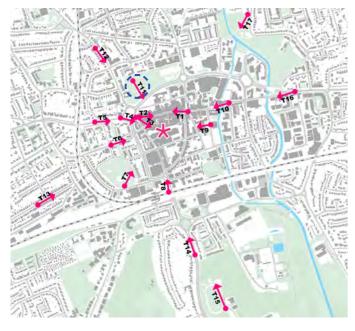
View T11 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the World War One Memorial Garden at Kidwells Park.

DIRECTION: South-east

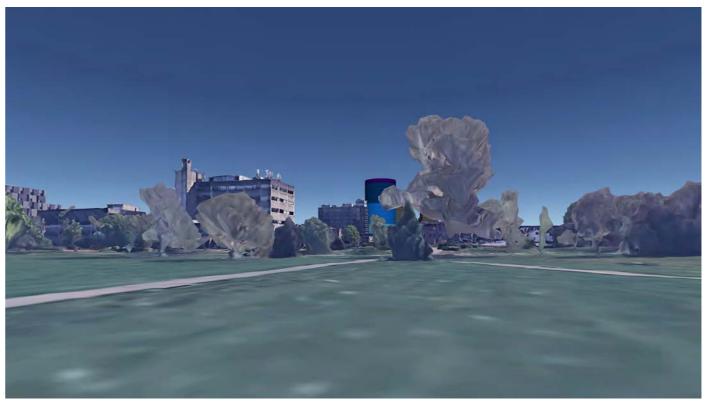


ASSESSMENT SCENARIO A

 Scenario A rises dominantly over the existing development and will tower over the open space. Whilst the southern edge of Kidwells Park is poorly defined and include buildings of large scale and diverse form, the building will not positively contribute to enhancing its setting and further erode its qualities, by creating intrusive overlooking and a principal focus outside of the open space.

ASSESSMENT SCENARIO B

• Scenario B will not be visible from this view point and the impact on the local townscape character is nil.



View T11 - Scenario B

28

VIEW T12 - VIEW FROM A308 CRAUFURD RISE



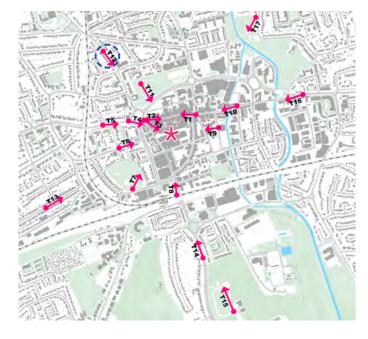


View T12 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at A308 Craufurd Rise. **DIRECTION:** South-east



ASSESSMENT SCENARIO A

- Scenario A will become prominently visible in the visual focus of this town centre approach. Its height is significantly taller than the Landings development that can also be seen in this view. It appears completely out of place in the context of the scale, grain and height of development along this street, but also in respect of the Landings in the town centre.
- Whilst a visual marking of the town centre can enhance legibility in this view, this is already sufficiently achieved with the visibility of the Landings development, and Scenario A, with its greater height is unnecessary, specifically as it detracts from the townscape character.

ASSESSMENT SCENARIO B

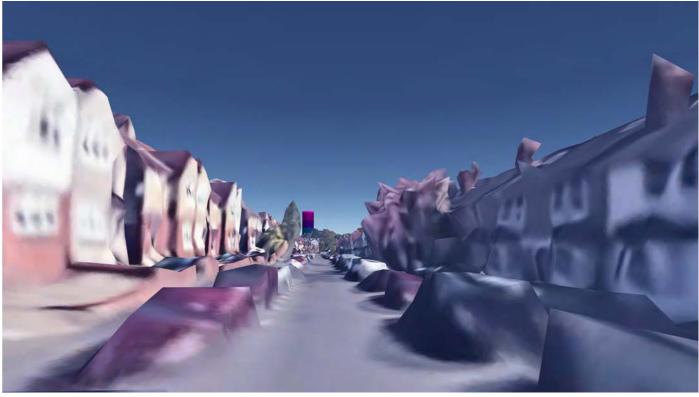
Scenario B is significantly lower and remains in the backdrop of the view, only modestly rising above development in the middle ground (subject from where seen). Its height is proportionate to its context, and its impact on the townscape character is similarly moderate to that of the Landings. As such the impact of this height is likely to be considered appropriate in the context of the local townscape in this location.



View T12 - Scenario B

VIEW T13 - VIEW FROM CLARE ROAD





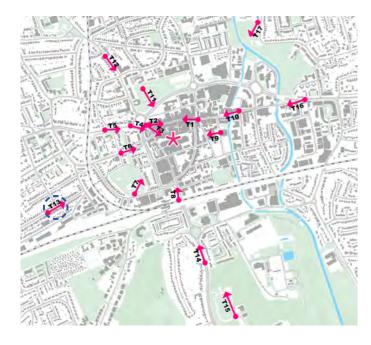
View T13 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the Clare Road.

DIRECTION: South-east

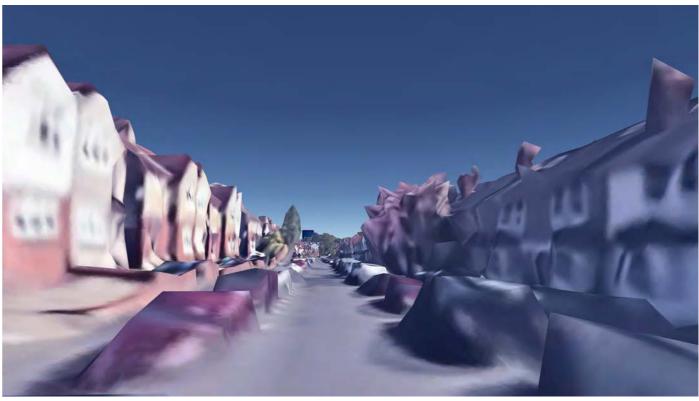


ASSESSMENT SCENARIO A

 Scenario A rises dominantly over the tree line in the vista of this view and intrudes into the domestic scale historic townscape. It is out of scale and has a domineering presence that will detract from the local townscape character.

ASSESSMENT SCENARIO B

Scenario B may still be visible, but it will be significantly less outstanding and conspicuous than Scenario A. It remains in the background and does not detract from the townscape character of the street scene itself. As such the impact of this height would be considered appropriate in the context of the local townscape in this location.



View T13 - Scenario B

VIEW T14 - VIEW FROM A308 BRAYWICK ROAD



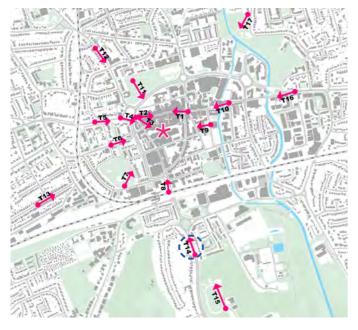
View T14 - Existing View

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at A308 Braywick Road and Bellworthy Close junction.

DIRECTION: North



ASSESSMENT SCENARIO A

• Scenario A will rise significantly above the Landings development in this view, establishing a dominant focal high point. With its height this appears completely out of place in the context of the Landings but also the wider character of the Maidenhead as a place.

ASSESSMENT SCENARIO B

- Scenario B remains below the height of the Landings development and visually integrates with it as part of a cluster of taller buildings in the town centre.
- As such the impact of this height would be considered appropriate in the context of the local townscape in this location.



View T14 - Scenario A



View T14 - Scenario B

VIEW T15 - VIEW FROM BRAYWICK ATHLETIC TRACK

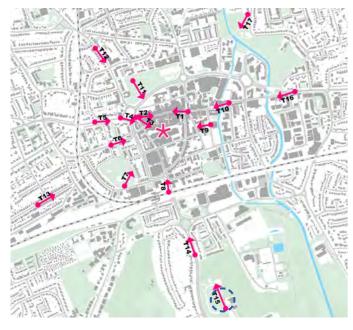


ABOUT THE VIEW

THE VIEW POINT

The view is from the footway next to Braywick Athletic Track.

DIRECTION: North

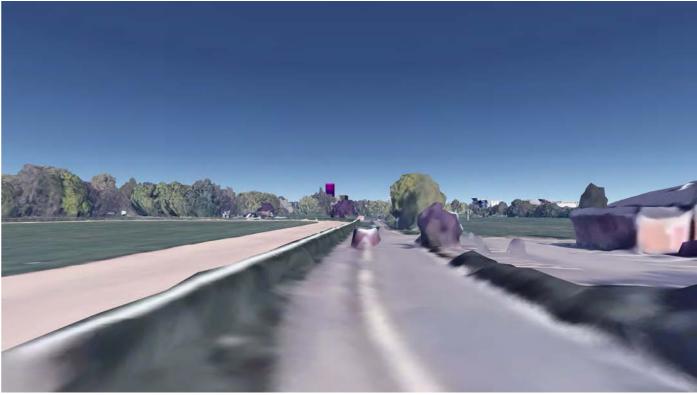


ASSESSMENT SCENARIO A

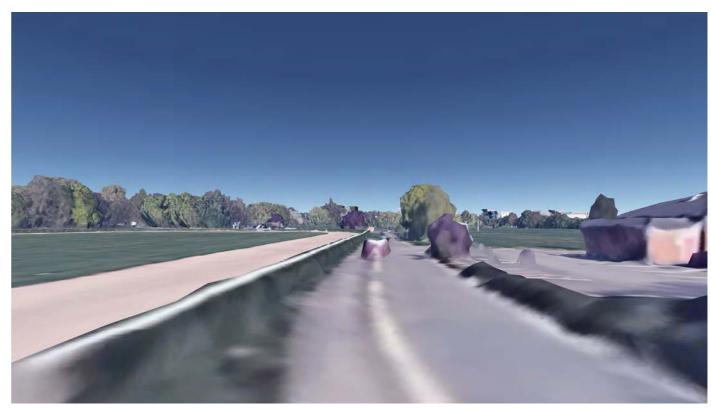
 Scenario A rises vertically as a dominant beacon over the tree line and intrudes in the open natural character of Braywick Open Space. It is of unprecedented height, clearly out of scale and provides a sense of 'urbanness' that is out of place with Maidenhead as a place.

ASSESSMENT SCENARIO B

 Scenario B is of similar height to the tallest tower of the Landings that may be visible just at the top of the treeline. It will blend into the background and avoid any significant impact on the local landscape character. As such the impact of its height is considered appropriate in this location.



View T15 - Scenario A



View T15 - Scenario B

VIEW T16 - VIEW FROM A4 BRIDGE ROAD





View T16 - Scenario A

View T16 - Existing View

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ABOUT THE VIEW THE VIEW POINT

The view is from the footway at A4 Bridge Road.

DIRECTION: West



ASSESSMENT SCENARIO A

- Scenario A will rise as a dominant vertical beacon in this view. The townscape character of this location is rather poor and the area feels fragmented. Nevertheless, the building will appear as out of scale to the typical development along this approach and the town centre more widely. As such it is considered as detracting from the wider place character.
- It also stands significantly taller than Berkshire House (partially hidden behind a tree) and competes with and overwhelms this central Maidenhead landmark.

ASSESSMENT SCENARIO B

- Only a small part of Scenario B is visible in this view above the roofscape. It remains below the height of Berkshire House and avoids significant competition with this landmark.
- Overall the impact of its height would be considered appropriate in the context of the local townscape in this location and the wider place character.

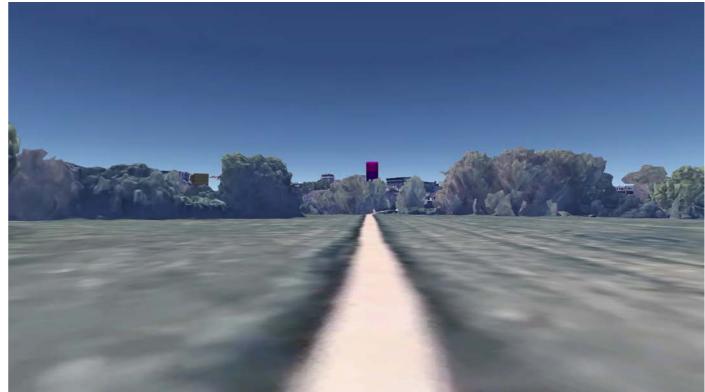


View T16 - Scenario B

MAIDENHEAD VIEW IMPACT TESTING DRAFT REPORT

VIEW T17 - VIEW FROM THE MOOR





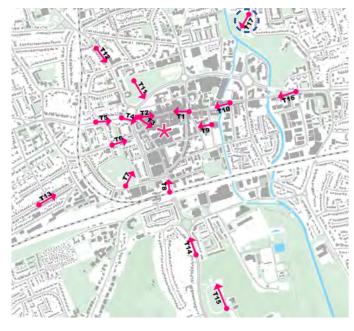
View T17 - Scenario A

ABOUT THE VIEW

THE VIEW POINT

The view is from the footway at the Moor next to Blackamoor Lane.

DIRECTION: South-west

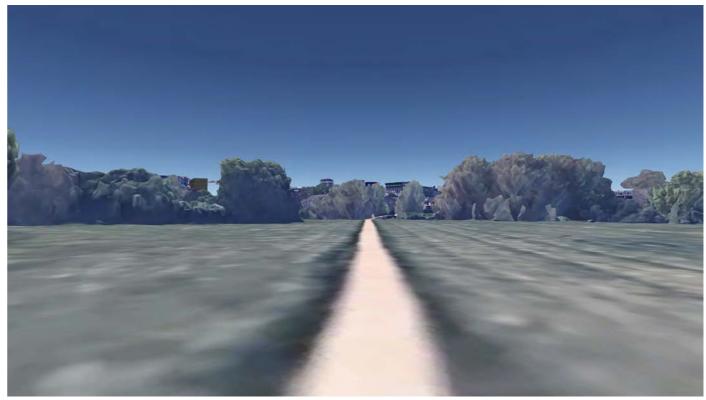


ASSESSMENT SCENARIO A

 Scenario A rises as a dominant beacon over the tree line in the focus of this view. Whilst it will be seen in the context of other taller development visible above the tree line, it would create a dominant vertical high point and a level of overlooking that is uncharacteristic and strongly urbanising to this open space. The building is of unprecedented height, appears out of scale, and detracts from the wider place character of Maidenhead.

ASSESSMENT SCENARIO B

 Scenario B is barely visible and blends in with other development in the background of this view. As such the impact of its height is considered appropriate in this location.



View T17 - Scenario B

MAIDENHEAD VIEW IMPACT TESTING DRAFT REPORT



Building Height and Tall Buildings Supplementary Planning Document

Consultation Statement

November 2023

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1. Introduction

- 1.1 This statement sets out the work involved in preparing the draft Building Height and Tall Buildings Supplementary Planning Document (SPD) for public consultation and how the Council has engaged various stakeholders and the community in preparing the SPD.
- 1.2 After the consultation on the draft SPD, this consultation statement has been updated to reflect the feedback received and sets out how this has been taken into account in the final version of the SPD. The final consultation statement will be published alongside the SPD for adoption.
- 1.3 In line with Regulation 12 of the Town and Country Planning (Local Planning) (England) 2012 regulations and with the Royal Borough of Windsor and Maidenhead Revised Statement of Community Involvement (June 2020), this statement provides details of:
 - (i) who the local planning authority consulted when preparing the supplementary planning document
 - (ii) a summary of the main issues raised by those persons
 - (iii) how those issues have been addressed in preparing the draft and final versions of supplementary planning document (SPD)

2 SPD preparation and early stakeholder and community involvement

- 2.1 During the examination pause period of the Borough Local Plan (BLP) in 2019, the council engaged consultants Urban Initiatives Studio (UIS) to prepare a Tall Buildings Strategy and Tall Buildings Technical and Baseline Study.
- 2.2 The intention was that this work would provide a robust evidence base for the formulation of a specific Tall Buildings policy in the Borough Local Plan, including specific design principles related to the Royal Borough of Windsor & Maidenhead that could form the basis for a future SPD.
- 2.3 As part of preparing the earlier work on the BLP, stakeholder engagement took place, mostly involving consultation and engagement with internal officers. This was an opportunity to test emerging thinking on a range of issues, such as certain design principles and aspects of infrastructure provision.
- 2.4 When the allocation sites were confirmed, UIS reviewed those allocations and provided guidance on tall buildings and increased building heights in areas that were of sufficient scale and opportunity to take this change. A draft Tall Buildings Strategy (TBS) and Tall Buildings Technical and Baseline Study

(TBTBS) were then published in October 2019 and included in the BLP examination evidence base.

- 2.5 As a result, members of the public and other stakeholders had the opportunity to make comment on the draft versions of the TBS and or the TBTBS during the examination of the BLP. Furthermore, the Inspector asked a number of questions in her Matters, Issues and Questions (MIQs) for the Stage 2 BLP hearings, including several related to Tall Buildings (Matter 6, Issue 4) and people had the opportunity to respond to these MIQs.
- 2.6 A BLP Stage 2 hearing session was held to discuss the proposed new policy QP3a (and its evidence base) on Tuesday 10th November 2020. Several parties attended this, including those representing developers and the local community. There were concerns raised, for example, on the draft policy including the acceptability of tall buildings in the Ascot area.
- 2.7 Following this, the Inspector specifically referenced both the emerging policy and the Tall Building Strategy in her Stage 2 examination post-hearing advice letter. This feedback necessitated a review and redrafting of Policy QP3a and the TBS and TBTBS.
- 2.8 This was an ongoing process that took several months of work between Council Officers and UIS. The revised policy was again consulted on at the Main Modifications stage and in her final report, the Inspector found Policy QP3a (as amended) to be 'sound'.
- 2.9 Post adoption of the BLP, further work was undertaken by UIS on producing the SPD document in order to ensure consistency with the adopted BLP. This included a review all sites, updating of boundaries where there were changes, confirmation of UIS recommendations for these areas.
- 2.10 Council officers have been involved and consulted at all stages of the production of the Tall Buildings Strategy and SPD since 2019 and their feedback has informed the content of the document from the start of the process.
- 2.11 Strategic Environmental Assessment (SEA) screening has also taken place on the draft SPD with statutory consultees (Environment Agency, Natural England and Historic England). As a result of this, it was agreed that a full SEA was not required for this SPD.

3 Consultation on the draft SPD – Autumn 2022

- 3.1 Consultation on the draft SPD took place between 30 August 2022 and 11 October 2022. This was two weeks longer than required by the Regulations to reflect the fact that the consultation was partly held over the summer holiday period. The approach taken to consultation was consistent with the Council's Statement of Community Involvement.
- 3.2 The following steps were taken to publicise the consultation and associated events:
 - Everyone on the planning policy consultation database was notified, mainly by email, some by hard copy letter.
 - Information was included in the Borough Residents' Newsletter
 - Social media was used to message about the consultation
 - A public notice was placed in the Maidenhead Advertiser (1st September 2022) and the Windsor Express (2nd September 2022)
 - A press release was issued and there was press coverage of the consultation
- 3.3 All persons on the Council's planning policy consultee database were notified about the consultation. Residents were able to respond in several different ways, including via the consultation portal or by completing the Word version of the consultation form and returning it by email or by post.
- 3.4 All consultation material was made available on the Council website and hard copies were placed in Maidenhead Library, Windsor Library and Ascot Library.
- 3.5 A number of consultation events were held during the consultation period to help explain the draft SPD and encourage people to write in with their comments. These were:
 - A drop in/exhibition event:
 - Maidenhead Library 8th September 2.00pm 6.30pm
 - An online briefing event 28th September 6.00pm 8.00pm
- 3.6 A recording of the online event was also made available on the website.
- 3.7 During the consultation period people were able to send in their comments in a number of different ways:
 - Via the Council's planning consultation portal
 - By filling in a form available on-line and returning it by emailing or post, or by emailing comments

• By filling in a hard copy form available at Maidenhead Library, Windsor Library and Ascot Library.

4 Main Issues Raised in Consultation on the Draft SPD and Main Changes to the SPD

- 4.1 A total of 104 different organisations and individuals submitted written comments on the draft SPD. Many of these submissions were very extensive in nature, covering a wide range of issues in the draft SPD. A detailed summary of the of the key issues raised in these comments and a list of all the individuals and organisations who commented is contained in the Summary of Representations document (Appendix 1 to this document). The Summary of Representations document also sets out the Council's response to the issues raised and, where appropriate, highlights (in bold) where changes have been made to the SPD in response to those comments.
- 4.2 The issues raised were both of a general and detailed or technical nature. Key issues and concerns raised, primarily from the general public, included:
 - Comments on the recommendations of the SPD on building heights on some of the sites identified as being most appropriate for tall buildings in the Borough. Particularly at the northern end of the South West Maidenhead Placemaking Area and Maidenhead town centre
 - General concern that the scale of development would result in overdevelopment of parts of the Borough
 - Opposition to some aspects of the context height analysis in certain areas of the Borough, including Windsor town centre, Ascot town centre and Cookham
 - Questions raised on the methodology employed to identify the sites that were assessed as being the most appropriate for tall buildings
 - Questions on analysis of Above Ordnance Datum (AOD) information used to inform the analysis included in the SPD
 - Suggestions raised that the SPD introduces new policy
- 4.3 There was a desire from some of the general public's comments to see more clarity and certainty than they perceived the draft SPD to provide. Some also sought the use of stronger, firmer language in the way that some issues are addressed in the SPD. Conversely, there were challenges, particularly (but not entirely) from the development industry, suggesting that the draft SPD was going "too far", was "too prescriptive" and may be seeking to set policy in an SPD which was regarded as inappropriate.
- 4.4 There were a wide range of detailed and technical comments on various aspects of the draft SPD, but focusing on three main elements:

- Context heights
- The methodology used to identify the sites that present opportunities for tall buildings
- The assessment of sites in Table 5.1 of the SPD (showing Boroughwide increased height, large building, and tall building detailed guidance)
- 4.5 Other areas of focus for more detailed comments included:
 - Quality of the maps included in the SPD
 - Sustainability/biodiversity net gain
 - Some design issues including massing
- 4.6 In response to the comments received a wide range of changes have been made to the SPD. These are outlined in more detail in the "response" column of the table in Appendix 1. In summary some of the main changes made to the SPD following consultation are:
 - The addition of text throughout the document to make it clear that this SPD does not allocate sites for development or grant planning permission, but rather that it identifies locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It provides additional detailed guidance on location, height and design of tall buildings and sets application requirements for tall buildings as required by paragraph 6.14.11 of the BLP.
 - Wording reviewed and amended where required to ensure consistency with the role of SPDs, with other documents in the Council's Development Plan and the other SPDs adopted by the Council.
 - A review of the Borough's context heights using a GIS based methodology to compute context heights and create a metric-based context height to make the methodology even more robust.
 - Re-evaluation and amended (where appropriate) of the potential heights possible on the sites identified as being most appropriate for the development of tall buildings in the Borough.
 - Guidance reviewed and amended for several sites, including at Maidenhead Train Station (LM1), South West Maidenhead (LM7).
 - Guidance reviewed for all sites included in Table 5.1 of the SPD and amended where appropriate, including the addition of text to make it clear whether or not there is an opportunity for a tall building on each site within the table.

- The addition of height guidance in metres for non-residential development.
- A review and update of all of the maps within the SPD in order to reflect the review of context heights and in response to requests to make them as legible and easy to read as possible.
- A review of the Application Requirements section, including the removal of the statement that outline planning applications for tall buildings are unacceptable.
- A number of other updates and clarifications in the key principles section, including wording aimed at reducing the risk of bird strikes.
- Updates to the text to ensure consistency with local and national policy, including national green belt policy.
- 4.7 Whilst it has not been possible to make changes to address all comments, not least because the SPD has to be consistent with the policies in the Local Plan, significant changes have been made in finalising the SPD. The SPD will be very important in shaping planning applications that are received by the Council, and there will be further consultation and engagement on those planning applications as they are prepared and submitted.

Appendix 1 - Summary of Representations on the Building Height and Tall Buildings Supplementary Planning Document

See separate appendix.

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Consultation Statement

Appendix 1 - Summary of Representations on the Building Height and Tall Buildings Supplementary Planning Document

List of those who made representations

Alec Melvin (Dr)	Alison Bowater	Alison Logan
Andrew Hill	Andrew Hockley	Andrew Moran (Councillor)
Ascot, Sunninghill and Sunningdale	B. Fidler (Mrs)	Beth Osborne
Neighbourhood Plan Delivery Group		
Brian Darracott (Dr)	Caroline and David Fleming	Chloe Browitt
Chris Bailey	Councillor Singh	David Ashwell
David Esling	David Grant	Debbie Ludford
Elizabeth Chan-A-Sue	Eric Boisseau	Fiona Tattersall
Fiona Thornton	Gail Byca	Gavin Pidduck
Gayle Hall	Gerardine Thornton-Taylor	Harriet Pleming
HCUK Group on behalf of UREF LP and	Helen Martin	Hilary Garland
Bridgecore Developments Limited		
Hurley Parish Council	lan Haggart	lan Lester
Iceni Projects on behalf of CALA (Chiltern)	Irene Jordan	Jane Brett
Jean-Marc Herve Maury	Jennifer Griffin	Jill Chadwick
John Smith	John Schonbeck	Jon Davey (Councillor)
Jonathan Reekie	Josephine Crab	Joyce Delasalle
Judith Littlewood	Judy Trinder	Karen Ryder
Katherine Price	Keith Le Page	Luigi Poma
Lynda Jones	Lynn Bradley	Nigel Smith
Maidenhead Civic Society	Maidenhead Great Park Community	Mandy Brar (Councillor)
	Interest Company	
Marika Karavan	Marion Owen	Martin Baker
Martin Ratcliffe	Matthew Woodall	Max Gardiner
Melanie Hill	Mick Jarvis	Mike Potts
Mick Jarvis	Mike Potts	National Highways (Beeta Ginn)
Nexus Planning on behalf of Bray Film	Owen Mellard	Pamela Knight
Studios Ltd		
Paul Bradley	Paul Martin	Paul Strzelecki (Professor)
Pauline Checkley	Peter Child	Philip Jones

Rachel Cook	Robert Chambers	Robert Luscombe
Roger Davies	Rushington Area Residents Association	Sarah Watford
Savills on behalf of Abri Group Limited	Savills on behalf of Anglesea Capital	Savills on behalf of Taylor Wimpey
Solve Planning on behalf of Shanly Homes Limited	Stephanie Diggon	Stephen Perrett
Sunninghill and Ascot Parish Council	Sue Sewell	Susan Klincewicz
Sylvie Howse	T Mace (Mr)	Tara Crist
Teresa Burton	Thames Water (Mr David Wilson)	The Cookham Society (Tom Denniford)
The Windsor and Eton Society	Theresa Haggart	Theresa May MP
Tom Wright	Troy Planning and Design of behalf of	White Waltham Airfield (Catherine Smith)
	Cookham Parish Council	
Wild Maidenhead	Woolf Bond Planning on behalf of Anita	
	and Siobhan Thomas and McElhinney	

Summary of Representations and Council Response

Summary of Representation	Council Response
The draft SPD attempts to invent new policy	The SPD provides guidance, it does not allocate sites for development, or
	encourage the development of tall buildings.
	The principle of an SPD to support BLP Policy QP3a was established following the adoption of the BLP in 2022.
	Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD.
	As explained in paragraph 1.2.1 of the SPD, it supports Local Plan Policy QP3a by setting out in detail what the Council considers to be appropriate in terms of building height in the Royal Borough. The SPD has the following main purposes: To identify what parts of the Royal Borough are inappropriate for tall buildings in principle; To guide the appropriate location and height of tall buildings; To provide clear objectives and design guidance for tall buildings; To highlight the heritage and townscape elements that should be considered in relation to tall building proposals; and to identify areas that can accommodate a general increase in context heights thereby intensifying the urban fabric.
	The SPD does not create new policy, rather it provides the additional guidance that the Borough Local Plan indicates is necessary.
The draft SPD fails to give sufficient weight to the requirements set out	
in policy QP3(a) of the BLP / fails to fully take account of this policy	

	Paragraph 1.2.1 states how the SPD the supports Local Plan Policy QP3a by setting out in detail what the Council considers to be appropriate in terms of building height in the Royal Borough.
	Section 1.5 of the SPD goes into detail on the Policy Context including setting out Policy QP3a in full on pages 9 and 10.
	It is also worth noting, paragraph 1.5.11 of the SPD, which states that Policy QP3a was informed by the Tall Buildings Study and Strategy, which were originally prepared in 2019 and updated in 2021 and 2022. Those documents also informed the SPD itself.
	As stated in paragraph 6.14.11, the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD. The SPD is considered to fulfil the requirements of the BLP.
It is inappropriate for the SPD to identify sites through an SPD that are not envisaged in the BLP or strategy document supporting the BLP	The principle of an SPD to support BLP Policy QP3a was established following the adoption of the BLP in 2022. Clause 10 of Policy QP3a states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD.
	The SPD provides guidance, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, as required by the Borough Local Plan.
	The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the

	Council more control over what tall buildings are, or are not, permitted within the Borough.
	The Council has no control over what planning applications are submitted by applicants.
The draft SPD lacks clarity	Noted. It is acknowledged that the SPD is, in places, a technical document. However, it is considered to explain relatively complicated theoretical and practical concepts in as concise and clear a manner as possible.
	The 10 key principles in Section 4 of the SPD are explained with clarity and each key principle is accompanied by diagrams which help the reader to further understand the urban design concepts and theories underpinning the key principles and the guidance in general.
	Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough. Section 6 does the same for the sites in Maidenhead Town Centre, with maps and tables clearly stating the findings and recommendations of the SPD.
	Section 7 of the SPD also provides clear guidance on planning application requirements and the supporting information that planning applications will be expected to include.
	Overall, the SPD is not considered to lack clarity.
The SPD should make it clear that taller buildings, including local landmarks, are only appropriate in specific locations.	Noted. There is an entire Section of the SPD devoted to identifying the areas that would be inappropriate or sensitive for tall buildings.
	Section 5.1 of the SPD is entitled 'Inappropriate And Sensitive Areas', and paragraph 5.1.1 states:

	 Based on a thorough assessment of heritage and townscape sensitivities and an understanding of the borough's green belt and flood risk areas, two types of areas have been distinguished: Areas that by their nature are inappropriate for tall buildings; and Areas that are sensitive to tall buildings. In addition, Principle 5.3 on page 46 of the SPD states that development for generally increased context height, large buildings and tall buildings in the Royal Borough of Windsor and Maidenhead should only be promoted on sites indicated in Figures 5.2 -5.7. However, additional wording will be added to the SPD to help make this clearer throughout the document. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might
The definition of key terms, such as 'context height', are brief and	be appropriate in those locations. Noted.
lacking in detail, selective and distributed through the SPD rather than positioned clearly up front	The SPD gives a clear definition of what is meant by 'context height' in paragraph 2.1.4. This definition is also set out in the Borough Local Plan at paragraph 6.14.2.
The term 'Node' is not defined	Noted. The use of the word 'node' should be taken to mean a central or connecting point in a neighbourhood or area.
The poor quality of the maps and diagrams makes it difficult to for readers to establish exactly the extent of context areas or where the opportunity areas for large or tall buildings are proposed.	Noted. Given the format of the SPD document and the large areas it covers, the SPD only aims to provide an overview of map content and therefore omits map details including street names as this would make diagrams illegible.
	Amend and update all maps to make more legible. For example, maps 2.1 to 2.6 to include landmarks such as the River Thames.

A preferred approach would be to omit precise locations and limit to exceptional circumstances allowed as grounds for tall and large buildings following the rest of the document's guidance.	The Council is committed to ensuring that any proposed tall buildings are beneficial to the Royal Borough's towns and villages, and that they are in appropriate locations and achieve design excellence. The SPD sets out guidance in line with that required by the Borough Local Plan which states in paragraph 6.14.11, that the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD is considered to fulfil the requirements of the BLP.
It is completely inappropriate that new sites for Tall Buildings should be introduced through an SPD when they are not envisaged in the BLP or the Strategy document that was written in support of the BLP prior to its Examination. The draft SPD unlawfully expands on newly made policy in the BLP.	 The SPD does not expand on Policy QP3a of the BLP. Paragraph 6.14.11 of the Borough Local Plan states that the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD is considered to fulfil the requirements of the BLP. To be clear, the SPD identifies areas where tall buildings would be inappropriate and, as per paragraph 5.2.1 of the SPD, identifies potential areas where tall buildings may be appropriate. However, the SPD does not allocate sites for development. The SPD provides guidance on appropriate heights, should planning applications come forward for development on those opportunity sites, as required by the BLP. The evidence base for the SPD was part of the Borough Local Plan examination, and therefore examined at that stage by the Inspector. The SPD has responded to the recommendations of the Inspector.

	Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
BLP Inspector gave very clear identification and expression in her final report of the fundamental principle that should guide the SPD – that in the majority of cases in RWBM there must be truly exceptional reasons for a tall building which exceeds the context height.	Noted. Paragraph 4.10.1 acknowledges that tall buildings are highly visible and, depending on their stature, are a key part of the skyline and image of a place. Therefore they must be of exceptional architectural design and integrity. The BLP Inspector did note that tall buildings should be exceptional. She also noted a range of other considerations (para 132 of the Inspector's Report) and agreed that an SPD should be produced, "to support the policy by providing further detail on locational opportunities for tall building development, together with any site-specific requirements". The SPD follows the considerations the Inspector set out and her comments in relation to its content, which also reflect the supporting text policy QP3a.
A fundamental flaw of the SPD is that it only deals with context height and tall buildings. Equally important is the mass of the building and the size of the buildings needed to mitigate the effect of the tallest building. There is no way of knowing if a proposed landmark building of 30m height is 15m wide or 100m wide. It is in some ways more important than height.	The Royal Borough of Windsor and Maidenhead is committed to ensuring that any proposed tall buildings are beneficial to the Royal Borough's towns and villages, and that they are in appropriate locations and achieve design excellence. This is a height and tall building SPD, so its principal focus is on height. The massing of buildings and specifically tall buildings can have an impact on how the building is perceived and how well it responds to its context. Buildings that are slender and upward-striving generally tend to appear more elegant than buildings of greater mass or with a slab-like appearance. The massing of development will depend on proposed uses and appropriateness will need to be assessed as part of the development management process. Massing is also covered by the Borough Wide Design Guide. Chapter 7 includes a
	section on Building Scale, Massing and Heights. Paragraph 7.24 includes approaches which may allow larger buildings with large scale and mass to be integrated into fine grain environments in a sensitive and high-quality manner.

	However, Principle 7.6 clearly states that the Council will resist proposals where the bulk, scale and mass adversely impact on the street scene, local character and neighbour amenities.
	Furthermore, Section 4.10 of the SPD states that any tall buildings should be designed to express elegance, proportionality and verticality in a form that is consistent from every angle. To that end, generally, slab blocks and bulky forms should be avoided.
	In addition, Section 7.2 of the SPD also states that any planning application will need to include a Design and Access Statement that addresses scale and massing.
There have been many residents commenting on various platforms that they do not want this. All in all this SPD bares absolutely no relation to what is needed and much less to what is good for residents who have to endure architectural monstrosities – it undermines quality of life and wellbeing.	The Council is committed to ensuring that any proposed tall buildings are beneficial to the Royal Borough's towns and villages, and that they are in appropriate locations and achieve design excellence. The Council considers that it is important to have this SPD to help achieve this, rather than provide no guidance.
	This SPD is not designed to encourage tall buildings, but rather to allow the Council more control over any planning applications for large or tall buildings that come forward in the future.
	Inappropriately located, designed or scaled tall buildings can cause significant adverse impacts on their immediate and wider contexts by appearing overly prominent in views, causing harm to heritage assets and their settings, drawing attention away from historic landmarks or skyline features, resulting in overshadowing and overlooking of low-rise housing and gardens, or by being out of place and detracting from the character of towns and villages.
	The purpose of the SPD is explained in paragraph 1.2.1, which clearly states that the SPD supports Local Plan Policy QP3a. Policy QP3a responds to increasing pressure for higher density and tall development and is intended to ensure that the unique character of the borough's towns and villages is protected from inappropriately tall development. Furthermore, Section 7 of the SPD contains an

	extensive list of planning application requirements intended to give Officers more information to enable a thorough assessment of the proposals and design.
The SPD has strayed over the boundary from merely identifying locations where an increase in building height could be acceptable in exceptional circumstances, and instead gives the strong impression that tall buildings in these locations are fully acceptable, and the constraints that will affect each and every potential site are downplayed.	Paragraph 6.14.11 of the Borough Local Plan states that the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD is considered to fulfil the requirements of the BLP.
	The SPD provides guidance, it does not allocate sites for development. The SPD is not designed to encourage tall buildings, but rather to allow the Council more control over any planning applications for large or tall buildings that come forward in the future. This SPD is intended to give the Council more control over applications for development and introduces more requirements upon developers bringing forward development proposals that include tall buildings.
	Amend wording in Section 1 and other relevant locations of the draft SPD to emphasise that the SPD is not designed to encourage the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
By proposing tall and larger buildings on sites not identified for redevelopment in the local plan the SPD is effectively amending the local plan and encouraging proposals for larger and taller buildings in these areas.	Paragraph 6.14.11 of the Borough Local Plan states that the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD is considered to fulfil the requirements of the BLP.
	The SPD provides guidance, it does not allocate sites for development, or propose any tall or larger buildings on any sites.
	The SPD is not designed to encourage tall buildings, but rather to allow the Council more control over any planning applications for large or tall buildings

	 that come forward in the future. This SPD also introduces more requirements upon developers bringing forward development proposals that include tall buildings. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
Objection to building heights – suggest nothing over 5m in Area type A and 7m in Area type B.	 The context heights identified in the SPD follow a robust methodology and are considered appropriate. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough. Amend wording in Section 5 and Section 6 of the draft SPD to ensure that the context heights have been updated in line with the findings of the postconsultation review of context heights.
Insufficient infrastructure to support high density	These is a matter to be assessed in the determination of any planning application that is submitted. However, Principle 4.2 of the SPD is clear that tall buildings in RBWM should have a clear role and purpose to deliver vital social, cultural or civic infrastructure.

	Section 7 of the SPD is also clear that a Physical Impact Assessment should be submitted with any planning application which illustrates the impact on telecommunications and subterranean service infrastructure.
	Any proposal for a tall building in the Borough would need to take account of all the guidance listed in the draft SPD, as well as the relevant policies in the Borough Local Plan and National guidance.
	BLP Policy IF1 states that development proposals must, where appropriate, deliver infrastructure to support the overall spatial strategy of the Borough, including making contributions to the delivery of all relevant infrastructure projects included in the IDP in the form of financial contributions or on site provision. In addition, Policy IF4 states that the Council will work in partnership with infrastructure service providers and developers to ensure that the infrastructure needed to support development is provided in a timely manner to meet the needs of the community. In some cases, it will be necessary for the infrastructure to be provided before development commences. Any planning application submitted would need to comply with all relevant policies in the BLP.
	As part of the development management process, statutory consultees would also be consulted on any relevant development proposals and on the need to deliver improvements in local infrastructure.
The possible opportunities for tall buildings must be balanced by equal emphasis on limits, restrictions and full range of conditions that apply to tall buildings, in order that they are correctly positioned as the 'exception' to the rule, and that controversial and/or inappropriate tall buildings that would change the character of the Borough are actively discouraged	The SPD supports Local Plan Policy QP3a by setting out in detail what the Council considers to be appropriate in terms of building height in the Royal Borough. Policy QP3a responds to increasing pressure for higher density and tall development and is intended to ensure that the unique character of the borough's towns and villages is protected from inappropriately tall development.
	The SPD has the following main purposes: to identify what parts of the Royal Borough are inappropriate for tall buildings in principle; to guide the appropriate location and height of tall buildings; to provide clear objectives and design guidance for tall buildings; to highlight the heritage and townscape elements that

	 should be considered in relation to tall building proposals; and to identify areas that can accommodate a general increase in context heights thereby intensifying the urban fabric. Furthermore, Section 7 of the SPD contains an extensive list of planning application requirements intended to give Officers more information to enable a thorough assessment of the proposals and design.
Some of the key points of Historic England Advice Note 4 have not been included in the SPD	Section 1.5 of the SPD explains the Policy Context and covers the Historic England Advice Note 4 on Tall Buildings. As mentioned in paragraph 1.5.8, the SPD aligns closely to the Historic England advice note to ensure it is based on best practice guidance.
	The Townscape and Heritage Assessment Criteria column of Table 5.1 in the SPD also clearly states (for multiple relevant locations) that proposals for any taller building should be discussed at the earliest opportunity with RBWM and Historic England.
	It should also be noted that any proposal for development must comply with Policy HE1 of the BLP which states that the historic environment will be conserved and enhanced in a manner appropriate to its significance.
Any proposed tall buildings must comply with the White Waltham Airfield safeguarding map.	Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. The impact of any proposed tall building on the White Waltham Airfield, or vice versa, would need to be fully assessed during the consideration of a planning application.
Several points from the Tall Buildings Strategy update should be included in the SPD relating to context height: - A more varied town centre with buildings ranging between 3 and 6	The context heights identified in the SPD follow a robust methodology and are considered appropriate.
 storeys could actually have a context height of 4 storeys, based on a professional assessment. The importance of understanding context height is that it is a key element in defining the character of a place. 	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.

 Context height also has a direct consequence on levels of overshadowing, overlooking and privacy, which affect the quality of residential environments and public spaces. That high density development can be delivered without high rise buildings (our emphasis). Figure 4.1 in the Tall Buildings Strategy Final Report April 2022 (Update) shows how compact urban blocks of less than 8 storeys can deliver higher residential densities than taller developments of up to 13 storeys. 	The SPD provides guidance, any development proposal which includes a tall building in the Borough will need to take account of all of the guidance listed in the SPD, as well as the relevant local and national planning policies. Ensuring the quality of residential environments and public spaces is crucial for any proposed tall building. The SPD reinforces this, and the issues of overshadowing and privacy are covered by the 10 key principles in Section 4 of the document. Section 7 of the SPD also recommends that any planning application is accompanied by a Physical Impact Assessment which considers the impact of any tall building proposal on privacy and overlooking, overshadowing. Paragraph 6.2.2 of the SPD acknowledges that tall buildings are not the only way of delivering high density. Increasing the context height of a wider area can result in high densities in liveable urban quarters that respect the scale of the historic town centre.
	In addition, Policy QP3a (9)(g) states that proposals for tall buildings must be of the highest quality of design and demonstrate how they will maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook).
Tall buildings create sun-less wind tunnels, cannot be softened by planting and require resources which are unsustainable.	Any planning application that is submitted must carefully consider all the issues raised. Section 7 of the SPD includes an extensive list of supporting information that will need to be submitted to support applications for tall buildings. This includes a Physical Impact Assessment to illustrate, amongst other things, wind tunnel studies.
	In addition, Policy QP3a (9)(i) states that proposals for tall buildings must be of the highest quality of design and demonstrate how they will ensure the development does not adversely impact on the microclimate of the application site and the surrounding area.
Tall buildings create dark areas leaving people vulnerable to antisocial behaviour. If you put people in small boxes with no outside space antisocial behaviour increases, and more police presence is required.	Clause 9(h) of the Borough Local Plan Policy QP3a states that proposals for tall buildings must be of the highest quality of design and demonstrate how they will provide high quality private and communal open space, play areas and public realm for occupants of the building.

	Section 4.2, paragraph 4.2.4 of the SPD states that development of a large site can provide opportunities for public open space, with paragraph 4.8.3 of the SPD making clear that the location, height, and design of tall buildings should test and ensure its impact on overshadowing of surrounding open spaces, buildings, private and communal outdoor spaces is minimised. Furthermore, as mentioned in paragraph 4.8.9, proposals for tall residential buildings must demonstrate how they will deliver amenity spaces. These may be in the form of communal courtyards and gardens, private balconies, terraces, or communal rooftop open spaces. Paragraph 4.9.6 of the PSD provides further guidance and states that public open space design should reflect the needs of residents and the wider public and where appropriate provide a setting for the tall building and be orientated to maximise sun exposure. As outlined in paragraph 4.9. of the SPD, overshadowing by a tall building may undermine its attractiveness and should be avoided. Figure 4.12 of the SPD shows how tall buildings should avoid overshadowing open spaces. Proposals must consider the impact of shadow pattern on the amenity and useability of the public space.
	Section 7 of the SPD includes an extensive list of supporting information that will need to be submitted to support applications for tall buildings. This includes a Design and Access Statement that sets out the architectural and urban design rationale for the proposal and addresses, amongst other factors, the relationship to opens space including waterways).
Tall buildings create areas that are constantly full of litter and lacking in natural wildlife.	One of the ten key principles identified to guide the approach and design of tall buildings in the Royal Borough is that tall buildings should be sustainable and innovative developments. Section 4.11 outlines how tall buildings should significantly contribute to green and blue infrastructure provision both within the development as well as the wider area.
	Section 7 of the SPD includes an extensive list of supporting information that will need to be submitted to support applications for tall buildings. This includes a Sustainability Statement that outlining how the building will apply best sustainable practices, including waste management. Any planning application

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	would also require a Building Services Strategy which would include waste storage and disposal and maintenance.
	Any proposal for a tall building in the Borough would also need to comply with all relevant policies in the Borough Local Plan and National guidance with regards to impact on nature and wildlife.
I am concerned that the tall building study and strategy is based on grade I and II* listed buildings only. The Borough has a great many grade II listed buildings which contribute to the character of the area. Would like to see these included in the analysis to determine whether it would affect any of the conclusions and recommendations.	Grade II listed buildings are included in the analysis. Table 5.1 of Section 5 of the SPD includes The Heritage and Townscape Assessment Criteria column for each of the assessed sites. Grade II listed buildings are mentioned where relevant. For example the assessment of site W8 King Edward Hospital includes the following analysis, 'Development to ensure an appropriate and sensitive response, and appear clearly subordinate, to the Grade II Listed King Edward VII Hospital.'
	In addition, Section 6 of the SPD includes a Heritage and Townscape Assessment Criteria for each of the identified locations. These include reference to any Grade II listed buildings in the assessed area. For example, (A) Historic High Street on page 70, stresses the need for testing of the impact of tall buildings on multiple Grade II listed buildings, including the Stable, 25 & 27 Broadway and the Bear Hotel.
There is insufficient parking for high density development.	Section 4.9 of the SPD gives detail regarding parking design. Paragraph 4.9.8 recognises that tall buildings can generate a high demand for parking due to high residential density. Parking provision should be integrated within the building envelop as part of a structured solution and wrapped with other uses to minimise its visual impact on the street scene. Alternatively underground parking could be considered.
	In addition, Section 7 of the SPD includes an extensive list of supporting information that will need to be submitted to support applications for tall buildings. This includes a Movement Statement that provides a traffic impact assessment, including car parking, pedestrian movement and public transport needs, and a servicing strategy.

	Any proposal for a tall building in the Borough would also need to take account of all relevant policies in the Borough Local Plan and National guidance with regards to parking provision.
The Council should be liable for any poor workmanship as they grant the planning permissions.	This is not a planning consideration. The developer of any scheme is responsible for the quality of their workmanship. The Building Regulations 2010 cover the construction and extension of buildings.
Loss of light resulting from Tall Buildings.	 The impact of any development on amenity should be fully assessed. Section 4.8 of the SPD outlines how proposed tall buildings should deliver high quality places to live. For example, as outlined in paragraphs 4.8.5-4.8.7 of the SPD, provide guidance on resident amenity, with paragraph 4.8.6 of the SPD specifically stating that the interior of dwellings should receive adequate daylight and sunlight and comply with BRE's good practice guidance on daylight and sunlight. Figure 4.12 of the SPD also shows how tall buildings should avoid overshadowing open spaces. Proposals must consider the impact of shadow pattern on the amenity and useability of the public space. Clause 9(g) of the Borough Local Plan Policy QP3a states that maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook).
No need for buildings to be over three storeys high outside of the central area.	 The context heights identified in the SPD follow a robust methodology and are considered appropriate. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.

All tall buildings should have sufficient private and public space, and parking (including electric car charging).	Section 4.9 of the SPD gives detail regarding parking design. Paragraph 4.9.8 recognises that tall buildings can generate a high demand for parking due to high residential density. Parking provision should be integrated within the building envelop as part of a structured solution and wrapped with other uses to minimise its visual impact on the street scene. Alternatively underground parking could be considered.
	Paragraph 4.11.4 states that Tall building developments should seek to encourage the use of public transport, walking and cycling, support car sharing and minimise parking provision. Electric car charging points should be provided. In addition, Section 7 of the SPD includes an extensive list of supporting information that will need to be submitted to support applications for tall buildings. This includes a Movement Statement that provides a traffic impact assessment, including car parking, pedestrian movement and public transport needs, and a servicing strategy.
	Any proposal for a tall building in the Borough would also need to comply with all relevant policies in the Borough Local Plan and National guidance with regards to parking provision.
The draft SPD seems an invitation to developers to build high and large.	The principle of an SPD to support the BLP and BLP Policy QP3a was established following the adoption of the BLP in 2022. Clause 10 of Policy QP3a states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD. The SPD provides guidance, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, which is what the Borough Local Plan states that it should do. The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the

	Council more control over what tall buildings are, or are not, permitted within the Borough. This SPD is intended to give the Council more control over applications for development and introduces more requirements upon developers bringing forward development proposals that include tall buildings. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
What weight would local resident's objections be given if a large	Any application would be assessed on its own merits and against adopted
building satisfied these guidelines but was seriously opposed by the community.	policies. Resident objections would need to be assessed and considered in the determination of any planning application that is received.
The Environment Agency has designated the Thames Water region to be "seriously water stressed". Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head plus a daily allowance of 5 litres per head for gardens) as set out in the NPPG and support the inclusion of this requirement in the policy.	The Council's Interim Sustainability Position Statement states the following: Development should minimise the use of mains water by: a. incorporating water saving measures and equipment b. designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day (excluding an allowance of 5 litres or less per head per day for external water consumption.) Paragraph 14.16.9 of the BLP states that to ensure that sufficient water supplies, and sewerage infrastructure are available to service any new developments, it will be necessary to examine existing provision and the impact that a development proposal is likely to have on capacity and water pressure.
	Clause 6 of Policy IF7 of the BLP states that new water resource schemes, improvements to the water supply network, demand management measures needed to meet current and future water supply needs and those needed to meet the challenges of climate change and environmental protection will be supported.

Thames Water consider that the SPD should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. Proposed new water / wastewater infrastructure text to be included in the SPD.	 Policy IF7 of the BLP covers water supply and sewerage infrastructure. states that new water resource schemes, improvements to the water supply network, demand management measures needed to meet current and future water supply needs and those needed to meet the challenges of climate change and environmental protection will be supported. Any proposal for a tall building in the Borough would also need to comply with all relevant policies in the Borough Local Plan and National guidance with regards to water provision and sewerage infrastructure. Where relevant, Thames Water, are consulted on planning applications as the statutory sewerage undertaker for the whole Borough and the statutory water undertaker for part of the Borough.
Building upwards in densely populated areas would result in overlooking of gardens and lower floors.	The SPD provides guidance, any development proposal which includes a tall building in the Borough will need to take account of all of the guidance listed in the SPD, as well as the relevant local and national planning policies. Ensuring the quality of residential environments and public spaces is crucial for any proposed tall building. The SPD reinforces this, and the issues of overshadowing and privacy are covered by the 10 key principles in Section 4 of the document. Section 7 of the SPD also recommends that any planning application is accompanied by a Physical Impact Assessment which considers the impact of any tall building proposal on privacy and overlooking, overshadowing. In addition, Policy QP3a (9)(g) states that proposals for tall buildings must be of the highest quality of design and demonstrate how they will maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook).
Urge the Council to produce a comprehensive list of non-designated heritage assets as soon as possible to assess heritage sensitivities in relation to tall buildings.	It would not be appropriate for this SPD to produce a comprehensive list of non- designated heritage assets.

It would be helpful for the reader to put metre values in perspective (i.e. a 10-metre-high building would typically contain 3 residential storeys, however, the exact height of a storey will vary from building to building)	Paragraph 2.1.8 of the SPD states the following: Note that when the term "storeys" is used, it is referring to a generic residential storey of 3.2m in height. The term is used for the benefit of the reader to put metre values in perspective. For instance a 10m building would typically contain 3 residential storeys. In reality, the exact height of a storey will vary from building to building and will typically be higher than 3.2m in commercial buildings.
Higher densities do not have to come in the shape of tall buildings. There is no evidence that shows building heights per se affects regeneration. Royal Borough of Kensington and Chelsea: "confidence in regeneration is signalled through quality urban design and public realm improvement rather than tall buildings". There is some evidence that social regeneration in terms of the vibrancy of an area and social communication can be impeded by tall buildings	This SPD does not claim that higher densities can only be delivered in the shape of tall buildings. Rather, the SPD is intended to ensure that if any proposals for tall buildings are submitted to the Council, they must be beneficial to the Boroughs towns and villages, be of the highest quality and be in the most appropriate locations. Paragraph 4.2.2 states that speculative proposals for tall buildings on smaller sites that do not fit in with an agreed wider vision for a place can lead to a fragmented townscape, an illegible skyline, weaken the distinctiveness and image of place, and undermine regeneration. Therefore, as per paragraph 4.2.1 of the SPD, tall buildings should only be considered where they are part of a plan-led strategy for change and regeneration led by a comprehensive and widely supported vision, and where it has a clear purpose in delivering this vision. In addition, policy QP3a of the BLP states that to be acceptable, tall building proposals will need to be part of a comprehensive approach to development and placemaking. Proposals should demonstrate how as a landmark building (or cumulatively as part of a cluster of buildings) they will significantly enhance legibility and deliver significant regeneration benefits for the locality.
How will costs of management and maintenance be apportioned between the Borough, developers, and residents through their service charges.	This is a matter for the different parties involved to determine. This does not fall within the scope of this SPD.

Tall Buildings as Landmarks - who will decide what is good design, what "teeth" will the local authority have for rejecting what it considers to be detrimental design. Design factors specific to tall buildings - main challenges are overlooking, reduced daylight and sunlight; in single aspect blocks there can be overheating due to sun exposure and lack of through ventilation; access for emergency services; microclimate impacts (wind, overshadowing, light and glare) which affect the public realm	The Borough Local Plan includes policy QP3a – 'Building Height and Tall Buildings' which addresses the height of all new development, with specific urban design criteria for tall buildings. Clauses 5-9 of policy QP3a list those criteria. The purpose of the SPD is to expand upon that by providing further details and guidance on the application of the policy. Section 4 of the SPD includes the ten key principles that have been identified to guide the approach and design of any proposed tall buildings in the Borough. Section 7 of the SPD sets out the specific requirements for developers intending to submit a planning application for a tall building. Design factors specific to tall buildings will be assessed against the guidance in the SPD, the policies within the BLP and national guidance when the Council receives a planning application which includes a tall building.
Tall buildings are more expensive to build than lower rise / conventional buildings which means costs passed on to the end-user or quality scaled down; also more expensive ongoing maintenance costs which can result in poor maintenance.	Noted. This doesn't take away the need to secure high quality, well designed developments. Section 7 of the SPD also recommends that any planning application is accompanied by evidence to demonstrate that the viability and appropriateness of other (lower rise) forms of high density development have been explored. Maintenance costs are beyond the scope of this SPD.
Tall Buildings carry a greater environmental cost. In this era of climate emergency, we should be protecting the environment. Living in tall buildings and destroying the environment is letting down the future generation.	One of the key principles in Section 4 is that tall buildings should be designed to minimise emissions, adapt to climate change and incorporate blue and green infrastructure. Section 7 of the SPD states that planning applications for tall buildings would need to include a Sustainability Statement that outlining how the building will apply best sustainable practices. Section 4.11 of the SPD outlines how proposed tall buildings should be sustainable and innovative developments. Paragraph 4.11.1 of the SPD states

that the construction and construction of an Artific 10. 10. 10. 10. 10. 10.
that the construction and operation of any tall buildings must be designed to
high sustainability standards to minimise their impact on the environment. Tall
buildings must respond to the climate emergency by ensuring they are designed
to adapt to and mitigate climate change.
Any proposal for a tall building in the Borough would need to comply with Policy
EP1, and also need to take account of all of the guidance listed in the draft SPD,
as well as other relevant policies in the Borough Local Plan and National guidance
with regards to impact on the environment.
The consultation on the SPD was intended to allow residents and stakeholders to
have their say on the content of the SPD. The SPD is intended to ensure that we
secure high-quality, well-designed buildings and environments.
secure high quality, wen designed buildings and environments.
The SPD has been amended in response to comments received during the
consultation, including to emphasise that it is not designed to encourage tall
buildings.
This is not the case, the consultation on the SPD was intended to allow residents
and stakeholders to have their say on the content of the SPD.
The SPD has been amended in response to comments received during the
consultation, including to emphasise that it is not designed to encourage tall
buildings.
Planning permission for the mentioned scheme was granted before the
consultation on this SPD could take place. At the point in time that the consent
was granted Council officers could only afford the SPD limited weight in their
decision-making process.
The consultation on the SPD was intended to allow residents and stakeholders to
have their say on the content of the SPD. The SPD is intended to ensure that we
secure high-quality, well-designed buildings and environments.
Secure ingri-quality, well-designed buildings and environments.
secure high-quality, wen-designed buildings and environments.
The SPD has been amended in response to comments received during the

Why not build houses instead of tall buildings?	The BLP aims to provide new homes that contribute to meeting the needs of the current and projected households within the Borough. The BLP aims to deliver a wide variety of high-quality homes that will provide the tenures, types and sizes of housing to meet the needs and demands of different people in the community. Included within that mix are both flatted developments (potentially in tall buildings) and houses.
Large buildings are subject to a lower level of scrutiny than tall buildings.	As defined in Section 3 of the SPD, large buildings are smaller than tall buildings. As such, and as per paragraph 3.2.13 of the SPD, large buildings usually require less stringent testing compared to tall buildings but should still be carefully located and designed.
	However, as per clause 5 of paragraph 5.2.10 of the SPD, proposals for large buildings to comply with all relevant design and development management policies and undertake townscape, heritage, visual and landscape impact testing as required.
	Any proposal for a large building in the Borough would need to take account of all of the relevant guidance listed in the SPD, as well as the relevant policies in the Borough Local Plan, associated guidance in the Council's Borough Wide Design Guide and relevant national policies and guidance.
The SPD does not address how it fits in with permitted development rights to increase building heights. When a 4-storey building is	Permitted development rights allow certain types of development without the need to apply for planning permission.
acceptable in an area with a contextual height of 2 storeys a further	They derive from a general planning permission granted not by the local
storey could be added later, making it 5 storeys. This would be unacceptable.	authority but by Government legislation. Currently, this permitted development right does not apply to buildings constructed after October 2018.
Ascot	
The RBWM Townscape Assessment identifies Ascot as a Victorian Village and not an urban conurbation. This must be corrected.	The RBWM Townscape Assessment does not include 'Urban Conurbation' as a 'Townscape Type'. The SPD uses its own terms of reference. The description of Ascot as an 'urban conurbation' has no bearing on the assessment of current context heights or potential future context heights.

	However, in order to avoid confusion, the text of the SPD has been amended to remove the word 'conurbation'.
The document deviates from the BLP with regard to Ascot – AL16 and QP1c	 Table 5.1 of the SPD states clearly that at Ascot Centre (A2), the maximum building height should be 4 storeys. However, text has been amended for A2 in Table 5.1 to state that there is no opportunity for a tall building as per the existing context heights in the area. Context heights in the Borough were reprocessed using a data-based method following the public consultation on the SPD.
Object to the proposals to build high rise buildings in and around Sunningdale station. The area includes Broomhill Farm and a neighbouring field that provides much needed green space for the village and is within the green belt. Sunningdale does not have good transport links neither does it have capacity in its local primary school, doctors and nhs dentist.	 The context heights identified in the SPD follow a robust methodology and are considered appropriate. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The assessment of Sunningdale Station Node (SD2 in Table 5.1 of the SPD) amended to state that there is no opportunity for a tall building on this site.
The SPD offers little protection from larger and tall buildings across the Sunninghill and Ascot Parish, which is a green and leafy area of predominantly low-rise domestic scale buildings with a context height of 2 storeys. Full protection is only afforded to the green belt and highly sensitive heritage areas.	 The context heights identified in the SPD follow a robust methodology and are considered appropriate. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.

The weak protection, together with the sites identified as suitable for tall building(s) that aren't allocated for development in the local plan, will encourage proposals for larger and tall buildings in inappropriate areas around the Parish that will be difficult to prevent.	The principle of an SPD to support the BLP and BLP Policy QP3a was established following the adoption of the BLP in 2022. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD. Paragraph 6.14.11 of the Borough Local Plan states that the SPD will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD is considered to fulfil the requirements of the BLP. The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the Council more control over what tall buildings are, or are not, permitted within the Borough. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
The SPD does not afford the same protection to the 4 Victorian villages (of Ascot, North Ascot, South Ascot and Sunninghill) as the Technical	The Sunninghill High Street area had been identified as sensitive townscape area in the baseline study. This had erroneously been omitted in Diagram 5.1 of the
and Baseline Study. Particularly concerned that the SPD doesn't afford	in the baseline study. This had erroneously been omitted in Diagram 5.1 of the SPD.
the same protection as recommended for Sunninghill High Street in the	
RBWM Tall Building and Baseline Study, or heritage assets listed in the	Amend Diagram 5.1 in the SPD to include sensitive areas. The site has not been
Neighbourhood Plan (Policy NP/DG4 – Heritage Assets).	identified as having an opportunity for a tall or large buildings in Section 5.
There is no indication as to how the Townscape Character areas listed	Paragraph 5.1.2 of the SPD refers to the Tall Building Study - Technical Baseline,
as sensitive were selected. Most of the Townscape character areas in	which includes detail on how sensitivities have been established.
our parish are 'sensitive' due to their domestic scale, and poor public	
transport services and highway infrastructure. Larger and tall buildings	

/ictorian Villages and, elsewhere in our parish, only allowed in exceptional circumstances with appropriate mitigation.	which limits tall buildings in sensitive areas to those identified by the study.
exceptional circumstances with appropriate mitigation.	
The SPD headings of all the maps wrongly define the whole of the	Although Figures 2.4 and 5.5 refer to "Ascot" only in their titles, the maps
Neighbourhood Plan areas as 'Ascot'.	themselves refer to both Ascot and Sunningdale.
The A4 Ascot Station Node is split in two and Table 5.1 identifies it as a	The SPD does not permit tall buildings or allocate sites for tall buildings. The
possible location for a single tall building.	intention of the SPD is to give the Council more control over what tall buildings
o locate a single tall building on either part of the site would be	are, or are not, permitted within the Borough.
contrary to Principles 4.1 and 4.2.	
The two parts of the site do not form a cohesive whole and aren't part	The A4 site is not split in two in the SPD. Any proposed tall building located on
of a wider vision for the area as presented in QP1c of the Local Plan.	the Ascot Station site (A4 in Table 5.1 of the SPD) would need to take into
The southern site is speculative and is not listed as a site for	account all 10 of the key principles included in the SPD.
levelopment in the BLP and should be removed from the SPD.	
	It is worth noting that the northern part of the A4 area (north of the railway line)
	corresponds to AL18 in the BLP. The proforma in the BLP for this site establishes
	the principle of a decked car park. This would increase the context height on site.
Suggest a larger area of Sunninghill and Ascot Parish is identified in the	Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context
SPD as inappropriate for large and tall buildings and included in Figure	height of the Royal Borough using the latest available datasets, which is
5.1: Inappropriate and sensitive areas, due to poor accessibility and	represented in Figures 2.1-2.6 of the document.
imited public transport.	
	Section 5 of the SPD also provides clear, specific guidance on what may or may
	not be appropriate in specific locations across the Borough, including in Ascot
	and Sunningdale. Section 6 does the same for the sites in Maidenhead Town
	Centre, with maps and tables clearly stating the findings and recommendations
	of the SPD.
	However, the SPD only provides guidance on proposed tall buildings, it does not
	allocate sites for development, nor is it intended to encourage the development
	of tall buildings. Any proposal for a tall building will need to take account of the
	policies of the BLP, national policies and the guidance included in the SPD and
	other relevant documents.
Cookham	

Proposals for taller buildings in Cookham would significantly undermine the special qualities of the place (as reflected in the Cookham VDS)	Section 5 of the SPD notes that Cookham Village conservation area is highly sensitive and inappropriate for tall buildings.
	Table 5.1 of the SPD also makes it clear that there is no opportunity for a tall building on any of the Cookham sites assessed in the SPD.
	Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
4 storey buildings in Cookham would be contrary to section 6.4 of the Cookham VDS	The SPD clearly states that the maximum height of any large building in Cookham (C1 and M1 in Table 5.1) should be a maximum of 3 storeys. Amend text in Table 5.1 to clarify that there is no opportunity for a tall building
	on any of the sites in Cookham.
Cookham is an area with extensive heritage assets, but which is not recognised / referenced / considered in the SPD.	Protecting and enhancing the Borough's heritage assets, protected landscapes and their settings is one of the key principles within the SPD.
	Any proposal for development must comply with Policy HE1 of the BLP which states that the historic environment will be conserved and enhanced in a manner appropriate to its significance.
	All proposed development proposals need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
Please do not allow the construction of ANY tall buildings of three storeys or more at either Cookham Station or Lower Mount Farm, or in Cookham at all.	Table 5.1 of the SPD makes it clear that there is no opportunity for a tall building on any of the Cookham sites assessed in the SPD. The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.
	Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham.

	Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
The recommendations in the SPD should be revisited, extending the definition of inappropriate and sensitive areas to include the entirety of Cookham Parish.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.
	Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.
	The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.
	Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham.
	Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
The extent of the Cookham High Street Conservation Area in the SPD and supporting documents is incorrect as based on pre-September 2022 information. CA extended and renamed as of 29 th September 2022.	Noted. Amend Section 5 and Maps where appropriate.
The establishment of 'future context heights' is not justified and could lead to schemes for much taller buildings in Cookham and should be removed from the SPD.	Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document.

	Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough, including Cookham.
	The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.
	Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham.
	Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
Re: the railway station and Local Centre (Cookham Rise) - The strategy said no potential for anything in the local area as it would "overwhelm the existing context". This statement is removed in the SPD, there is no explanation for this.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.
The station marks the local centre and does not require any tall building	Amend Table 5.1 (C1) in the SPD to state that there is no opportunity for a tall building as this would overwhelm existing context.
to mask its low-profile presence or somehow "mark" it.	Surfaing as this would over when i existing context.
Refute the need for tall buildings in this area and suggest it should be	However, there may be potential for a building with a maximum of 3 storeys to
removed from the SPD.	mark the rail station, subject to responding sensitively to existing townscape and heritage assets. As a mixed-use building this should contribute to local activities and reinforce the station node.
AL37 (Land north of Lower Mount Farm) – The potential identified in the SPD and strategy for a context height of three storeys and the	
potential larger building at the entrance to "emphasise" the site is contrary to the stakeholder sessions for this allocated site. The anomaly in the SPD should be removed. The site is open-field (ex-	The adopted Stakeholder Masterplan Document for this site clearly states that a 3 storey building would be out of character.
greenbelt) unbuilt on at present.	The SPD is intended to provide guidance, it does not allocate sites for development, or encourage the development of large or tall buildings. Any proposal for development on this site will need to comply with the policies in the

The existing 1-2 storey building height in Cookham is underpinned by significant work by The Cookham Society in maintaining quality spaces for residents and to prevent overdevelopment and unsightly buildings. A 3+ storey building at the station is not in keeping with any of its	 BLP, national policies and take account of the guidance included in the SPD and other relevant documents (including the adopted stakeholder masterplan document). Any planning application received in Cookham would also need to take account the Cookham Village Design Statement. Amend Table 5.1 (C2) in the SPD to state that there is no opportunity for a large or tall building at the AL37 site. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.
surroundings, and I am not sure of the purpose of a tall building in this village location. The streets are narrow, there are no additional parking spaces for a large building.	Amend Table 5.1 (C1) in the SPD to state that there is no opportunity for a tall building at the AL37 site as this would overwhelm existing context. However, there may be potential for a building with a maximum of 3 storeys to mark the rail station, subject to responding sensitively to existing townscape and heritage assets. As a mixed-use building this should contribute to local activities and reinforce the station node.
C2 does not have high public transport accessibility, it does not have a mixed use and it does not have an emerging urban character. It therefore does not comply with QP3a Clause 7.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Amend Table 5.1 (C2) in the SPD to state that there is no opportunity for a large or tall building at the AL37 site.
Lower Mount Farm is on a hill and given the topography a tall building in this location would dominate.	 Figure 4.7 of the SPD notes clearly that topography and additional height needs to be taken into account when designing for tall buildings on elevated land. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Amend Table 5.1 (C2) in the SPD to state that there is no opportunity for a large or tall building at the AL37 site.
No building should be taller than existing heritage such as church spires and historic buildings.	Noted.

	As stated in paragraph 4.7.4 of the SPD, tall buildings should avoid any harmful impact onto townscape or skyline views, and avoid detracting from valued townscape ensembles, landmarks or distinctive skyline features.
Maidenhead	
The number of documents and the number of different consultations, particularly relevant to the 'over' development of Maidenhead is very taxing on hard working residents. The expectation that this level of public engagement is going to be informative and effective is inappropriate and unrealistic.	 Noted. The consultation on the SPD was intended to allow residents and stakeholders to have their say on the content of the SPD. The SPD is intended to ensure that we secure high-quality, well-designed buildings and environments. The SPD has been amended in various ways in response to comments received during the consultation. For example, following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.
Further tall buildings, i.e. higher than Berkshire House, are out of character in Maidenhead	 Section 6 of the SPD includes a detailed assessment of the different character areas within Maidenhead town centre. Principle 6.1 of the SPD provides a breakdown of the character areas that have been identified as being able to potentially accommodate increased context heights. However, Principle 6.1 also makes it very clear that any proposed development would need to respond appropriately to the site context, townscape features, listed buildings, conservation areas and lower rise residential buildings, and where necessary step down in height. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. This would be assessed during the consideration of a planning application.
The 1.5x ratio is the maximum principle which should be adopted for the Landing and Nicholson's.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.

	It should be noted that planning permissions were granted on the Landings and Nicholson's sites prior to the consultation on the draft SPD.
	However, in response to the large number of comments received relating to Section 6 of the SPD and Maidenhead, additional View Impact Testing analysis was carried out following the consultation on specific sites within the town centre. The assessment utilises view testing to assess the potential appropriateness of heights at the two sites in respect of their impact on visual and townscape aspects. It should be noted that it does not take full account of other aspects such as heritage impacts, planning considerations, placemaking, viability or deliverability. These will need to be considered as part of the detailed appraisals required as part of a planning application on these sites.
	The testing of the impact of height scenarios on the Nicholson Site (Appendix A, Height Testing on key sites in Maidenhead Town Centre) concluded that a building above 16 storeys on this site would be considered out of scale and have a detrimental impact on Maidenhead's townscape and heritage context. It is acknowledged that a planning permission is granted on the Nicholson Site for 25 storeys, that could lawfully be implemented. However, any new planning application for the Nicholson site would need to be in accord with this updated guidance.
	The SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. This would be assessed during the consideration of a planning application.
	Amend text in Section 6 to clarify guidance on the town centre core.
Object to any further high-rise buildings in Maidenhead. The Council	Principle 4.2 of the SPD is clear that tall buildings in RBWM should have a clear
are totally oblivious to the state that they are turning this town in to.	role and purpose to deliver vital social, cultural or civic infrastructure.

We are short of infrastructure (including doctor's surgeries and schools etc) in addition to eyesore properties.	Section 7 of the SPD is also clear that a Physical Impact Assessment should be submitted with any planning application which illustrates the impact on telecommunications and subterranean service infrastructure. Any proposal for a tall building in the Borough would need to take account of all the guidance listed in the draft SPD, as well as the relevant policies in the Borough Local Plan and National guidance.
	BLP Policy IF1 states that development proposals must, where appropriate, deliver infrastructure to support the overall spatial strategy of the Borough, including making contributions to the delivery of all relevant infrastructure projects included in the IDP in the form of financial contributions or on site provision. In addition, Policy IF4 states that the Council will work in partnership with infrastructure service providers and developers to ensure that the infrastructure needed to support development is provided in a timely manner to meet the needs of the community. In some cases, it will be necessary for the infrastructure to be provided before development commences. Any planning application submitted would need to comply with all relevant policies in the BLP.
	As part of the development management process, statutory consultees would also be consulted on any relevant development proposals and on the need to deliver improvements in local infrastructure.
	These are matters for consideration in any planning application that may be submitted.
Against the Tall Building strategy having seen the current building work underway which has changed the whole town environment for the worse. It will result in unsightly tower blocks that will not attract young professionals from London and will become dark and unattractive places prone to low level crime. Lack of greenery is also a concern.	The BLP aims to provide new homes that contribute to meeting the needs of the current and projected households within the Borough. The BLP aims to deliver a wide variety of high-quality homes that will provide the tenures, types and sizes of housing to meet the needs and demands of different people in the community. Included within that mix are both flatted developments (potentially in tall buildings) and houses.

	Section 7 of the SPD states that planning applications for tall buildings would need to include a Sustainability Statement that outlining how the building will apply best sustainable practices. Section 4.11 of the SPD outlines how proposed tall buildings should be sustainable and innovative developments. Paragraph 4.11.1 of the SPD states that the construction and operation of any tall buildings must be designed to high sustainability standards to minimise their impact on the environment. Tall buildings must respond to the climate emergency by ensuring they are designed to adapt to and mitigate climate change.
	Clause 1 of Policy EP1 of the BLP also states that Development proposals will only be supported where it can be shown that either individually or cumulatively in combination with other schemes, they do not have an unacceptable effect on environmental quality or landscape, both during the construction phase or when completed.
	Any proposal for a tall building in the Borough would need to comply with Policy EP1, and also need to take account of all of the guidance listed in the draft SPD, as well as other relevant policies in the Borough Local Plan and National guidance with regards to impact on the environment.
Why is so much housing expected in Maidenhead? It is not creating and positive and vibrant future for the town. The density causes issues for cars and parking and services that won't keep pace. Should focus on housing with greenery, not high-rise flats	The BLP aims to provide new homes that contribute to meeting the needs of the current and projected households within the Borough. The BLP aims to deliver a wide variety of high-quality homes that will provide the tenures, types and sizes of housing to meet the needs and demands of different people in the community. Included within that mix are both flatted developments (potentially in tall buildings) and houses.
	Paragraph 6.4.2 of the BLP states that Maidenhead has been identified as the key focus in the Borough for accommodating future development and the town centre area will play a major role in delivering the scale and mix of development types that the Borough requires. 12 of the Plan's 40 allocated development sites lie in the town centre area delivering retail, employment, housing, leisure and community uses. The range of uses, scale of development, intensity of activity and large number of different sites makes it important that the future

	development of the town centre is considered holistically and compels the need for a bold vision of placemaking.
	As explained in paragraph 5.1.1 of the SPD, a thorough assessment of the heritage and townscape sensitivities and an understanding of the borough's green belt and flood risk areas has identified areas that could be appropriate for tall buildings and areas that are sensitive to tall buildings. As explained in paragraph 5.2.7 Maidenhead town centre offers an opportunity for tall buildings in several of its character areas and therefore has been looked at in detail in Chapter 6 of the SPD.
	However, the SPD provides guidance, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, which is what the Borough Local Plan states that it should do.
Maidenhead Town Centre is crowded with tall buildings that block out the light and overshadow the sky. It is claustrophobic. Town planners have no vision or imagination.	Ensuring the quality of residential environments and public spaces is crucial for any proposed tall building. The SPD reinforces this, and the issues of overshadowing and privacy are covered by the 10 key principles in Section 4 of the document. Section 7 of the SPD also recommends that any planning application is accompanied by a Physical Impact Assessment which considers the impact of any tall building proposal on privacy and overlooking and overshadowing.
	Figure 4.10 of the SPD illustrates how tall buildings should mitigate adverse effects on residential amenity and avoid over dominating existing homes and gardens. Loss of light, and overshadowing would be assessed during the consideration of a planning application.
	In addition, Policy QP3a (9)(g) states that proposals for tall buildings must be of the highest quality of design and demonstrate how they will maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook).

	It should be noted that the SPD provides guidance, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, which is what the Borough Local Plan states that it should do. Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
No attempt to increase GP surgeries in Maidenhead, schools, or parking	This is not the purpose of this SPD. However, Principle 4.2 of the SPD does state that tall buildings in RBWM should have a clear role and purpose to deliver vital social, cultural or civic infrastructure. Policy IF1 of the BLP states that development proposals must, where appropriate, deliver infrastructure to support the overall spatial strategy of the Borough, including making contributions to the delivery of all relevant infrastructure projects included in the IDP in the form of financial contributions or on-site provision. Infrastructure and service provision would need to be assessed as part of the process of determining any planning application that is received. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents.
The draft SPD does not reflect the plans to build buildings of up to 25 storeys which have already been approved. The proposed view of how the town will look will therefore be substantially different to what you have portrayed. We therefore cannot make an informed decision on the basis of what is being presented.	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. It should be noted that planning permissions were granted on the Landings and Nicholson's sites prior to the consultation on the draft SPD. However, in response to the large number of comments received relating to Section 6 of the SPD and Maidenhead, additional View Impact Testing analysis was carried out following the consultation on specific sites within the town

	centre. The assessment utilises view testing to assess the potential appropriateness of heights at the two sites in respect of their impact on visual and townscape aspects. It should be noted that it does not take full account of other aspects such as heritage impacts, planning considerations, placemaking, viability or deliverability. These will need to be considered as part of the detailed appraisals required as part of a planning application on these sites.
	The testing of the impact of height scenarios on the Nicholson Site (Appendix A, Height Testing on key sites in Maidenhead Town Centre) concluded that a building above 16 storeys on this site would be considered out of scale and have a detrimental impact on Maidenhead's townscape and heritage context. It is acknowledged that a planning permission is granted on the Nicholson Site for 25 storeys, that could lawfully be implemented. However, any new planning application for the Nicholson site would need to be in accord with this updated guidance.
	The SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. This would be assessed during the consideration of a planning application.
	Amend text in Section 6 to clarify guidance on the town centre core.
The pandemic highlighted some of the downsides of living in high density blocks without private gardens. RBWM should re-assesses housing need in a post-covid world. Will demand be as high as previously thought? What sort of homes will people require? Please re- assess and show the residents updated data on which to make decisions.	The BLP aims to provide new homes that contribute to meeting the needs of the current and projected households within the Borough. The BLP aims to deliver a wide variety of high-quality homes that will provide the tenures, types and sizes of housing to meet the needs and demands of different people in the community. Included within that mix are both flatted developments (potentially in tall buildings) and houses.
	The SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall

	buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. This would be assessed during the consideration of a planning application.
Object to height of new development currently being constructed in Maidenhead which are totally out of keeping with the whole town centre.	Construction taking place in Maidenhead has already been granted planning permission.
	The SPD only provides guidance on proposed tall buildings, it does not allocate
	sites for development, nor is it intended to encourage the development of tall
	buildings. Any proposal for a tall building will need to take account of the policies
	of the BLP, national policies and the guidance included in the SPD and other
	relevant documents. This would be assessed during the consideration of a
	planning application.
The SPD overrides the guidance in the AAP, and there has been substantial intensification in general building heights to the extent that	The Maidenhead Area Action Plan was superseded by the Borough Local Plan. Following the adoption of the BLP, the MAAP is no longer used to determine
almost everything new in the town centre is now at least 20m tall.	planning applications.
annost everything new in the town centre is now at least zonr tail.	pidrining appreations.
	Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD.
	The SPD provides guidance, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, which is what the Borough Local Plan indicates that it should do.
	Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant

	documents. This would be assessed during the consideration of a planning application.
No concerns with tall buildings proposed in Maidenhead Town Centre, but North Maidenhead and surrounding countryside (in particular Spencers Farm) should not have tall buildings as they are not in keeping with the local green open spaces and would obstruct local views.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Amend text in Table 5.1 to clarify that there is no opportunity for a tall building at M1 (Spencer's Farm).
Current RBWM Planning proposals Maidenhead Town Centre have not and will not conform to paragraph 2.1.2 of the NPPF: 'Good design is a key requirement. The tall blocks in St Ives Road give the town a sense of being enclosed and does not accord with sub paragraph 2.1.5 to 'promote social interaction and cohesion through mixed use developments'; 'healthy and safe'; and 'public open space'. The tall buildings increase a sense of isolation as well as being unsafe for the lone female to walk through given the reduced visibility for the pedestrian exacerbated with a lack	This SPD does not put forward any planning proposals. One aspect of the SPD is the identification of the most appropriate locations within the Borough for tall buildings, if any planning applications including tall buildings are submitted to the Council. Any proposals submitted to the Council will need to take account of local and national policies, including the NPPF. The development on St Ives Road has been granted planning permission and has been built out. This SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take
of public open space.	account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. This would be assessed during the consideration of a planning application.
The proposal to build over the last 'Green Lung' in the centre of Maidenhead i.e. the Golf Course, removes wildlife habitat, public open space and a clean air contributor to the environment	The principle of development on the South West Maidenhead Placemaking Area was established when the BLP was adopted in February 2022. The issues raised here were considered and responded to during the BLP examination process and South West Maidenhead Placemaking Area SPD consultation. On Thursday 15 December 2022 the Council adopted the South West Maidenhead Development Framework Supplementary Planning Document.
Maidenhead is being destroyed by tall buildings. It was an historic market town with surrounding villages having uninterrupted views, however, all that can be seen are the skyscrapers that have been plonked in Maidenhead for no other reason than financial gain.	This SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents.

The Council is only interested in destroying every piece of green space, decimating bio diversity and destroying the views for people living outside the boundaries of the town.	Amend wording in Section 1 and other relevant locations of the draft SPD to ensure that the SPD is not interpreted to be encouraging the development of tall buildings, but to guide them to the right locations and indicate what might be appropriate in those locations.
Windsor	
The Council's intentions for tall and larger buildings in Windsor should be clearly explained and larger scale maps are needed, at least for the areas W5 and W7.	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The more detailed site analyses that have been included in the SPD relate to the sites within the Borough that have been identified as being the most appropriate for tall buildings, should any planning applications come forward that include tall buildings.
	Amend Table 5.1 of the SPD has been amended to make clear that there is no opportunity for a tall building in either W5 or W7.
W5 and W7 should be shown in context maps in the same way and at a similar scale as for the Maidenhead Town Centre sites.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results.
	The more detailed site analyses that have been included in the SPD relate to the sites within the Borough that have been identified as being the most appropriate for tall buildings, should any planning applications come forward that include tall buildings.
	Amend Table 5.1 of the SPD has been amended to make clear that there is no opportunity for a tall building in either W5 or W7.
Context heights incorrect on Vansittart Road	The context heights identified in the SPD follow a robust methodology and are considered appropriate.

	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.
W3 is Tesco not Sainsbury	Noted. Amend Table 5.1 of the SPD to correct the text for W3.
There is no mention of Sawyer's Close which are very tall buildings	 Sawyers Close is shown on Figure 2.3 Amend Figure 2.3 to show Sawyers Close more clearly. A note under Figure 2.3 of the SPD does mention Sawyers Close. Amend note under Figure 2.3 of the SPD for clarity. Note: Sawyers Close (SC) in Windsor comprises of 4 towers of approximately 8 storeys. These are considered to be exceptional buildings within a campus style area with single storey garage and other buildings. The context height here is categorised as Context Height Area A. Any development proposal for this site will need to respond to the unique context of the site through a masterplan led approach that can establish its own context height.
No tall buildings should be allowed to be built in Windsor in order to maintain and protect the character of the town.	 The SPD acknowledges that there is no opportunity for a tall building in Windsor town centre. The only site in Windsor that could be appropriate for a single tall building is the W3 site on Dedworth Road. This site has been identified as having the potential to accommodate a single building of no more than 4 storeys. However, a per Table 5.1 of the SPD, any proposed for a single tall building would need to test the impact of that tall building on the urban form, ensuring that proposals do not

	result in adverse impacts on the Victorian Village character and do not alter or overwhelm the narrow buildings plots and terraces that are typical of the settlement. The legibility of the townscape would also need to be carefully considered in order to ensure that proposed development would provide positive new focal points and do not detract from existing positive focal points such as churches, schools and public houses.
	It should be noted that this SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents.
Jnclear who would benefit from a further larger building in Dedworth.	Noted.
	It should be noted that this SPD only provides guidance on proposed tall buildings, it does not allocate sites for development, nor is it intended to encourage the development of tall buildings. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents.

	1. INTRODUCTION	
Paragraph Number	Summary of Representation	Council Response
1.1.3	Would be more appropriate to relate this strategy to the built up areas and allocated sites rather than the Borough as a whole. Note that the evidence base upon which the SPD is based is fundamentally focussed around a review of existing built up areas and allocations, rather than land beyond them.	Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD.

		The SPD provides guidance, it does not allocate sites for development, nor is it
		intended to encourage the development of tall buildings. It does identify
		locations that present opportunities for tall buildings, which is what the Borough
		Local Plan indicates that it should do.
		Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough. Section 6 does the same for the sites in Maidenhead Town Centre, with maps and tables clearly stating the findings and recommendations of the SPD.
		Section 5.1 of the SPD is entitled 'Inappropriate And Sensitive Areas', and paragraph 5.1.1 states:
		Based on a thorough assessment of heritage and townscape sensitivities and an
		understanding of the borough's green belt and flood risk areas, two types of
		areas have been distinguished:
		 Areas that by their nature are inappropriate for tall buildings; and
		 Areas that are sensitive to tall buildings.
		In addition, Principle 5.3 on page 46 of the SPD states that development for
		generally increased context height, large buildings and tall buildings in the Royal
		Borough of Windsor and Maidenhead should only be promoted on sites
		indicated in Figures 5.2 -5.7.
		However, additional wording will be added to the SPD to help make this clearer throughout the document.
		Amend wording in Section 1 and other relevant locations of the draft SPD to
		ensure that the SPD is not interpreted to be encouraging the development of
		tall buildings, but to guide them to the right locations and indicate what might
		be appropriate in those locations.
1.3.3	Scope should also include specific reference to the	Noted, however, this SPD cannot reasonably consider documents that do not
	emerging Boroughwide Heritage Strategy and Action plan.	currently exist. Protecting and enhancing the Borough's heritage assets,

		 protected landscapes and their settings is one of the key principles within the SPD. Section 1.5 of the SPD explains the Policy Context and covers the Historic England Advice Note 4 on Tall Buildings. As mentioned in paragraph 1.5.8, the SPD aligns closely to the Historic England advice note to ensure it is based on best practice guidance. The Townscape and Heritage Assessment Criteria column of Table 5.1 in the SPD also clearly states (for multiple relevant locations) that proposals for any taller building should be discussed at the earliest opportunity with RBWM and Historic England. It should also be noted that any proposal for development must comply with Policy HE1 of the BLP which states that the historic environment will be conserved and enhanced in a manner appropriate to its significance.
1.3.3	Scope should also include specific reference to the 'Vision of Windsor'.	 The Vision for Windsor project was only in its formative stages when the SPD was consulted upon. The Council believes that this SPD complements the Vision for Windsor. Any proposal for a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
1.3.3	This paragraph is Incorrect; Neighbourhood Plans cannot be superseded This needs to be redrafted	Noted. Paragraph 1.3.3 does not state that the SPD supersedes Neighbourhood Plans States that the SPD should be read in conjunction with a range of 'detailed topic' and 'locally specific' design documents and lists examples.
1.3.3	SPD deviates from the Inspectors comments for the BLP	Noted. The Council does not believe this to be the case.
1.5.5 –	The SPD must make it clear that the only place within the	This is made clear in Section 3 of the SPD.
1.5.8	Borough where building heights above 2.5 times the context height may be acceptable is within Maidenhead Town Centre.	Paragraph 3.2.10 states that the only place in the Royal Borough where a tall building of district landmark scale can be considered is in the town centre of Maidenhead.

		Amend text in Principle 3.1 has also been amended to make this even clearer.
		Policy QP3a (5) of the BLP is also clear that other than in Maidenhead Town Centre, building heights of above 2.5 times the context height will not generally
		be appropriate.
1.5.9	Definition for 'storeys' should be adjacent to tall building	Noted.
	definition in point 4 of this paragraph	Paragraph 2.1.8 of the SPD includes a definition of the term 'storey'.
1.5.10	The definition of 'large building' should be included in	Noted.
	point 4 of this paragraph.	This paragraph repeats in full the text from the BLP Policy QP3a. The definition of
		a tall building is included in point 5 of this paragraph (Clause 5 of QP3a).

	2. GENERAL APPROACH TO BUILDING HEIGHT	
Paragraph Number	Summary of Representation	Council Response
General	 The following sites are incorrectly categorised: Windsor Leisure Centre: This should be shown as a 3 or 4 storey building on its own; Combermere Barracks: should be separately categorised as a 4-storey area; The section of St Leonards Road from Sinclair Road to Maple Court is 3 storeys; The developments fronting Fountain Roundabout on the A308 are mostly 4 and 5 storeys but categorised as 3; The development now under construction at Goslar Way/Imperial Road quadrant is 5 storey not 2; 	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.
		Sawyers Close is shown on Figure 2.3.

	 The committee is not convinced that Sawyers Close should be treated as an anomaly. It is a large self- contained site mostly surrounded by open space and is not viewed in the context of nearby housing. Categorising the site as only 2 storeys could deter future redevelopment. The Sawyers Close designation on the map has been placed next to the Centric Building opposite and not on Sawyers Close, which many people may overlook and thus miss the opportunity to comment. 	 Amend Figure 2.3 to show Sawyers Close more clearly. A note under Figure 2.3 of the SPD does mention Sawyers Close. Amend note under Figure 2.3 of the SPD for clarity. Note: Sawyers Close (SC) in Windsor comprises of 4 towers of approximately 8 storeys. These are considered to be exceptional buildings within a campus style area with single storey garage and other buildings. The context height here is categorised as Context Height Area A. Any development proposal for this site will
	- Stephensons Drive, Clewer, is not given a context.	need to respond to the unique context of the site through a masterplan led approach that can establish its own context height.
2.1	The context height for the Ascot Business Park area and Silwood Park should be 2-storeys	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
2.1 to 2.6	These figures completely and systematically omit the inclusion of any road names. The River Thames is also completely omitted. This renders the figures vague diagrams only. This needs to be amended and a greater degree of detail required to enable the designated areas to be properly and clearly understood and correctly interpreted.	Given the format of the SPD document and the large areas it covers, the SPD aims to provide an overview of map content and therefore omits some map detail including street names as this would make diagrams illegible. Amend maps in SPD to make more legible. For example, add the River Thames to maps 2.1 to 2.6.
2.1.4	This brief definition of the term 'context height' leaves out more than it includes. A standard formula cannot be applied to the different character areas across the Borough.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology

Fig. 2.2	The existing context height on Shoppenhangers Road is two storeys, not three.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
		Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
		In addition, paragraph 2.1.5 explains that the context height is the height that an observer would read as the typical or defining height of a particular area. In places that are consistent in height, the context height may be the most commonly occurring building height. In more varied height environments, the context height may be the average height that buildings fluctuate around.
Fig. 2.1	It would be logical to note the existing heights at Bray Studios, noting these are tall in the context of the Borough, particularly outside of the built up areas.	Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document.
2.1.6	Includes an explanation of the term 'storeys' which is important and would be helpful if it was included adjacent to the tall building definition (paragraph 1.5.9 point 4)	Noted. Paragraph 2.1.8 of the SPD includes a definition of the term 'storey'.
		 and are considered to be a fair and accurate representation of the context heights found within the borough. The SPD takes account of the unique aspects and different character areas within the Borough. Context heights are one aspect within the wider assessment used to set out in detail what the Council considers to be appropriate in terms of building heights in the Borough and of achieving the main purposes of the SPD as stated in paragraph 1.2.1.

		The majority of Shoppenhangers Road is shown on Figure 2.1 of the SPD as being within a context height range of two storeys.
2.2	Support general acceptance that there is potential to increase the general heights beyond existing context on large greenfield sites but concerned that the very generic broad brush comment of only increasing height by up to one storey is too restrictive. The SPD does not provide sufficient caveats to cater for different scenarios and reinforces the point that it would be better placed focusing upon the existing built up areas and allocations.	 Paragraph 2.2 of the SPD provides further guidance and states that on large redevelopment sites and appropriate greenfield sites there may be an opportunity to increase the general height beyond the existing context height to deliver sustainable settlements and make efficient use of land. This increase to the existing context height should not normally exceed one storey in suburban areas, or two storeys in Maidenhead town centre locations, if appropriate. Paragraph 2.2.4 states that establishing the new context height for a large development area should involve a masterplanning approach and testing undertaken in consultation with the local authority. Developers proposing to increase the context height on their lands will need to demonstrate how the new height approach will deliver successful place making, responds to the existing townscape character, and transitions appropriately with the existing build fabric. Townscape, Landscape, Heritage and Visual Impact appraisals may be required to support proposals for increased heights. It should be noted that BLP Policy QP3a Clause 3 states that where development is proposed on large greenfield sites that lack a relevant development context, the appropriate future height of buildings should be established through the Placemaking SPD or Stakeholder Masterplan process (as relevant). The SPD takes account of the unique aspects and different character areas within the Borough. Context heights are one aspect within the wider assessment used to set out in detail what the Council considers to be appropriate in terms of building heights in the Borough and of achieving the main purposes of the SPD as stated in paragraph 1.2.1.
2.2	Sunninghill and Ascot Parish Council are against a 3-storey context height for the A3 Shorts Waste Transfer Station. There are no highly urban towns in the Ascot area – Ascot is a district centre. The existing High Street has a mix of 2 and 3 storey buildings and has a Townscape Categorisation	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.

	of 'Victorian Village' and Principle 2.1 should therefore apply.	Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.
		The SPD takes account of the unique aspects and different character areas within the Borough. Context heights are one aspect within the wider assessment used to set out in detail what the Council considers to be appropriate in terms of building heights in the Borough and of achieving the main purposes of the SPD as stated in paragraph 1.2.1.
		Any proposal for a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
2.2.1	The SPD indicates that within Cookham the prevailing (or context) building height is generally two-storey and paragraph 2.2.1 implies new development should reflect this. The Parish would agree with this and request this is clarified in the SPD.	Sections 5 and 6 of the SPD provide site specific recommendations of where tall buildings may be appropriate. The SPD does not identify any location in Cookham as being appropriate for tall buildings.
2.2.2	Land taken from greenfield should not be extended in height as it should remain in context of the area around Higher buildings in previous greenfield land will alter the area significantly and impact on wildlife	Principle 2.2 states that on large greenfield or regeneration sites, it may be appropriate to increase the general height beyond the existing context height by one storey or up to two storeys in highly urban town centre locations.
		However, paragraph 2.2.4 states that establishing the new context height for a large development area should involve a masterplanning approach and testing undertaken in consultation with the local authority. Developers proposing to increase the context height on their lands will need to demonstrate how the new height approach will deliver successful place making, responds to the existing townscape character, and transitions appropriately with the existing build fabric. Townscape, Landscape, Heritage and Visual Impact appraisals may be

		required to support proposals for increased heights.
		It should be noted that BLP Policy QP3a Clause 3 states that where development is proposed on large greenfield sites that lack a relevant development context, the appropriate future height of buildings should be established through the Placemaking SPD or Stakeholder Masterplan process (as relevant).
		The SPD takes account of the unique aspects and different character areas within the Borough. Context heights are one aspect within the wider assessment used to set out in detail what the Council considers to be appropriate in terms of building heights in the Borough and of achieving the main purposes of the SPD as stated in paragraph 1.2.1.
		Any proposal for a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
2.2.2	Support suggestion which notes there is an opportunity to increase general height beyond the existing context on large redevelopment sites and appropriate green field sites to make efficient use of land.	Noted.
2.2.3	The impact of taller buildings at this paragraph needs to be extended (analysis and recommendations) to state that Cookham is an inappropriate location for additional height (due to impact on the special artistic and cultural setting and significance of the conservation area and Cookham as a whole).	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. Amend Table 5.1 (C1, C2) in the SPD to state that there is no opportunity for a tall building in Cookham as this would overwhelm existing context. However, there may be potential for a building with a maximum of 3 storeys to mark the rail station, subject to responding sensitively to existing townscape and heritage assets. As a mixed-use building this should contribute to local activities and reinforce the station node.

		Any proposal for a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
Fig. 2.3	Incorrect. The Sawyers Close marked area is Centrica office buildings north of the Maidenhead Road. Sawyers Close is south of the Maidenhead Road	Noted. Amend Figure 2.3 to show Sawyers Close correctly.
Fig. 2.3	Amendment requested: Explicitly acknowledge the acceptability of tall buildings at the Sawyer Close site in Windsor. Request Sawyers Close is recognised as its own Area of Height; it should not be identified as an exception within Area B, but instead identified as a new Area F for 8+ storeys and shown on an updated Figure 2.3 on page 17 of the SPD.	Sawyer's close accommodates four 8 storey residential towers in a campus style green setting, interspersed by garage courts. The towers are perceived as significant exceptions in their local and wider suburban low-rise context. Due to the wide spacing of the towers and their standalone nature the area is not perceived as a place with an urban and intense 8 storey context, but as a place with tall buildings amidst a free-flowing green space. As such the area cannot be defined as an area with an 8-storey height context. The data-based context height assessment also identifies this area as having a context height of 1 storey with four tall buildings. The buildings at Sawyers Close are considered to be exceptional buildings within a wider area that is generally 2 storeys in height, and therefore are categorised as part of Context Height Area B (2 storeys). Amend Figure 2.3 to show Sawyers Close more clearly. A note under Figure 2.3 of the SPD does mention Sawyers Close. Amend note under Figure 2.3 of the SPD for clarity. Note: Sawyers Close (SC) in Windsor comprises of 4 towers of approximately 8 storeys. These are considered to be exceptional buildings within a campus style area with single storey garage and other buildings. The context height here is categorised as Context Height Area A. Any development proposal for this site will need to respond to the unique context of the site through a masterplan led approach that can establish its own context height.

listoric Town Fringes (2A) and s identified in the RBWM 2, have a prevailing height of 5 tified in Figure 2.3 of the SPD. t for this zone is reappraised	Stakeholder Masterplan Document for that site.Following public consultation, context heights in the Borough have beenreassessed to make use of available digital data (Lidar based DTM and DSM data,and OS data), leading to more accurate results. The context heights identified inthe SPD follow a robust methodology and are considered appropriate.
s identified in the RBWM 2, have a prevailing height of 5 tified in Figure 2.3 of the SPD.	reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in
flects the higher scale and cteristic to the west of the al height stated in the rohibitive	Paragraph 2.1.6 explains the five common area types identified by the context height analysis. Area Type A is a mix of 1-2 storey buildings with a context height of 5m. Area Type B includes predominantly 2 storey buildings at 7m. These categorisations are based on the above mentioned height mapping methodology and are considered to be a fair and accurate representation of the context heights found within the borough.
ts are wrong	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
	cteristic to the west of the al height stated in the rohibitive

	3. DEFINING TALL BUILDINGS	
Paragraph Number	Summary of Representation	Council Response
3.1	Incorrect context heights - in an area that is predominantly two-storeys in height and defined as having a 'context height' of 7 metres, or 2 storeys, then 1.5 times this would be 10.5 metres, or 3 storeys. However, Table 3.1 indicates that in this example 1.5 times the context height would be 13 metres or 4 storeys. This is wrong and could result in misleading applications and decision makers, leading to schemes that are inappropriate to the context (across the Borough, not just in Cookham).	Table 3.1 identifies at what height a building is considered a tall building (local landmark) for each context area type. It defines the lower threshold for a Local Landmark as 1.5x Context Height or a minimum of two additional storeys (6m) (emphasis added here) - see asterix underneath Table 3.1. This is to avoid the classification of 3 storey buildings as 'tall' in 2 storey contexts.In the context of Cookham, the SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.

		Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham.
3.1	Table 3.1 suggests in Cookham Village and Cookham Rise buildings up to five storeys may be appropriate and in Cookham Dean up to four storeys. This is contrary to paragraph 2.2.1.	Table 3.1 does not represent an expression of appropriateness for tall buildings in a respective height zone. Section 5 and 6 of the SPD provide site specific recommendations of where tall buildings may be appropriate. The SPD has been amended to make clear that there is no opportunity for any tall buildings in Cookham.
		Table 3.1 identifies at what height a building is considered a tall building (local landmark) for each context area type. It defines the lower threshold for a Local Landmark as 1.5x Context Height or <u>a minimum of two additional storeys (6m)</u> (emphasis added here) - see asterix underneath Table 3.1. This is to avoid the classification of 3 storey buildings as 'tall' in 2 storey contexts.
		In the context of Cookham, the SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys. Amend text in Table 5.1 to clarify that there is no opportunity for a tall building
		on any of the sites in Cookham.
3.1	Request for clarification as to larger building height in a 3- storey area	Buildings up to 1.5x context height are considered large buildings. A large building is a contextual building that provides a local height accent, for example with a slightly taller corner element, and by this contributes to a varied urban fabric.
Table 3.1 Code C	Code C includes housing estates. In Windsor these are generally 2 storey so more appropriately ought to be in	Code C ranges from 2-4 storeys.
	Code B.	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
3.1	Sawyers Close in Windsor should also be identified as an opportunity for District Landmark Buildings (2.5-5x context height).	Sawyer's close accommodates four 8 storey residential towers in a campus style green setting, interspersed by garage courts. The towers are perceived as significant exceptions in their local and wider suburban low-rise context. Due to

perceived as a place with an urban and intense 8 storey context, but as a place with tall buildings amidst a free-flowing green space. As such the area cannon defined as an area with an 8-storey height context. The data-based context height assessment also identifies this area as having a context height of 1 stores.	t be rey :hin
defined as an area with an 8-storey height context. The data-based context height assessment also identifies this area as having a context height of 1 sto	rey :hin
height assessment also identifies this area as having a context height of 1 sto	hin
with four tall buildings.	
The buildings at Sawyers Close are considered to be exceptional buildings wi	ed i
a wider area that is generally 2 storeys in height, and therefore are categoris	
as part of Context Height Area B (2 storeys).	
Amend note under Figure 2.3 of the SPD for clarity.	
Note: Sawyers Close (SC) in Windsor comprises of 4 towers of approximately	8
storeys. These are considered to be exceptional buildings within a campus st	
area with single storey garage and other buildings. The context height here i	
categorised as Context Height Area A. Any development proposal for this sit	will
need to respond to the unique context of the site through a masterplan led	
approach that can establish its own context height.	
The redevelopment of the Sawyers Close site will also be guided by the	
Stakeholder Masterplan Document for that site.	
Figure 3.1 Raise concerns over the application of Figure 3.1 and Table Following public consultation, context heights in the Borough have been	
and Table 3.1 in guiding assessments of development. Whilst reassessed to make use of available digital data (Lidar based DTM and DSM of the second s	ata,
3.1 potentially useful guiding principle, consider the low and OS data), leading to more accurate results. The context heights identifie	l in
contextual height of the baseline townscape west of the SPD follow a robust methodology and are considered appropriate.	
Windsor will be too prohibitive in making a case for	
increases to the contextual height, even if all the principles Windsor Yard is included in the Windsor Town Centre Conservation Area and	
for tall buildings are met. Such of high sensitivity and inappropriate for tall buildings. No change has be	en
Policy constraints will potentially limit any real increase in context height.	
3.1.2 The statement that in many of the 1 and 2 storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the statement that in many of the 1 and 2 storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the statement that in many of the 1 and 2 storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the statement that in many of the 1 and 2 storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the statement that in many of the 1 and 2 storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one and two storey low rise housing the storey areas of Paragraph 3.1.2 states that in many of the one areas of Paragraph 3.1.2 states that in many of the one areas of Paragraph 3.1.2 states that in many	חס
the Borough a 4-storey building would be considered a tall areas of the Royal Borough a four-storey building would be considered a tall	ъ
building, is at variance with Figure 3.1, where in areas with building.	

	1-2 storey context height, a 3-storey building is considered tall.	Figure 3.1 shows that the upper threshold for a local landmark in an area with a 1-2 storey context height could theoretically be 4 storeys. There is no contradiction between paragraph 3.1.2 and Figure 3.1.
3.2.6 5.2.5	Local Landmark buildings may be appropriate in an urban setting, but not within historic / rural settings such as Cookham (inc. Village Dean and Rise)	Table 3.1 does not represent an expression of appropriateness for tall buildings in a respective height zone. Section 5 and 6 of the SPD provide site specific recommendations of where tall buildings may be appropriate. The SPD has been amended to make clear that there is no opportunity for any tall buildings in Cookham.
		Table 3.1 identifies at what height a building is considered a tall building (local landmark) for each context area type. It defines the lower threshold for a Local Landmark as 1.5x Context Height or <u>a minimum of two additional storeys (6m)</u> (emphasis added here) - see asterix underneath Table 3.1. This is to avoid the classification of 3 storey buildings as 'tall' in 2 storey contexts.
		In the context of Cookham, the SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.
		Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham.
3.2.12	Includes a definition of "large buildings" – it would be helpful if this definition could be included at an earlier point in the SPD (e.g. with the tall building definition at	Paragraph 1.5.10 includes the full wording of BLP Policy QP3a, there is no definition of a large building in policy QP3a.
	paragraph 1.5.10 point 4)	It is considered more appropriate to include the definition of large building in Section 3 which focuses specifically on defining what a tall building is, and what it is not.
3.2.12	Suggest the paragraph needs clarification. Does it imply that larger buildings can only be used to provide local accents, or are they allowed more generally the whole of a site?	Paragraph 3.2.12 states that a large building is a contextual building that provides a local height accent. There is no suggestion in the text that this is the only purpose for a large building.

		Any development proposal that includes a large building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
3.20	Demonstrates that tall buildings on Green Belt land cannot be sustainable. The detrimental impact of tall buildings on the golf course and Rushington Copse would be irreversible.	The principle of development in the South West Maidenhead Placemaking Area was established when the BLP was adopted in February 2022. The issues raised here were considered and responded to during the BLP examination process and South West Maidenhead Placemaking Area SPD consultation. On 15 December 2022 the Council adopted the South West Maidenhead Development Framework Supplementary Planning Document. Any development proposal that includes a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide. It should be noted that the AL13 site proforma in the BLP requires that Rushington Copse be retained as part of any development proposal.
3.2.8	Landmark building at LM7 would be situated between 2 two-storey residential areas and divorced from the real town centre. Indicates AOD at Bell Street is 28m, AOD at Courtlands is 31m and AOD at northern end of golf course is 43m	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. Any planning application received will need to carefully consider AOD. Paragraph 4.7.8 states that tall building proposals should be understood both in terms of their height above ground and their height above ordnance datum. Section 6 of the SPD also states that any tall building on LM7 should be tested in long views to avoid dominating (and appearing taller on the skyline) than the proposed other landmarks in the town centre.

Paragraph Number	Summary of Representation	Council Response
General	The images and photos in Section 4 emphasise the urban nature of the strategy and are buildings and heights that would be wholly inappropriate for Cookham and much of the Royal Borough as a whole. A more nuanced approach to the form and nature of tall buildings in the context of the Royal Borough and its hierarchy of settlements should be more accurately reflected in the diagrams and images used, and what the implications of tall buildings are in this context.	Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough, including Cookham. Section 6 does the same for the sites in Maidenhead Town Centre, with maps and tables clearly stating the findings and recommendations of the SPD. The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the Council more control over what tall buildings are, or are not, permitted within the Borough.
		Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
General	Irreversible planning approvals have been granted for a number of extraordinarily tall buildings in Maidenhead. Some may never be built. This is where the principles of the SPD then come into play to ensure that those mistakes and others like them will not happen again. The SPD sets out 10 key principles of how these objectives should be met. These are pretty comprehensive.	Noted. Support for the 10 key principles is welcomed.
General	Should the Council decide to include Green Belt land within the remit of the SPD, the Bray studios site should be included within the SPD as an appropriate location for tall buildings.	Section 5 of the SPD provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough. Para 5.1.6 states that it is likely that a tall building would be considered inappropriate development in the Green Belt.
General	Generally supportive of the principles set out in this section. They provide a robust framework for considering proposals for tall buildings generally and are sufficiently clear so that section 6 does not need to be so prescriptive.	Noted. Support for the 10 key principles is welcomed. The Council does not accept that section 6 is overly prescriptive. Section 6 provides clarity on height parameters for potential tall buildings in Maidenhead which is consistent with the methodology adopted by this SPD and responds to requirements in the NPPF (para 127) on providing clarity. Section 4 provides

	The sites identified for tall buildings in section 6 is not an exhaustive list of sites which can meet these tests or comply with these principles.	design principles but not area specific location principles, and both are needed to appropriate guide tall buildings.
General	This section should make it clear that proposals for development which meet these principles and other policies in the Local Plan will be permitted. The way in which the SPD is drafted seems to imply that tall buildings can only come forward in the specific locations identified in Figure 6.3. This is a negative rather than an enabling policy which is at odds with the need to deliver the housing numbers set out in the Local Plan for the town centre and national policy	The principle of an SPD to support the BLP and BLP Policy QP3a was established following the adoption of the BLP in 2022. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD. Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. The SPD provides guidance, it does not allocate sites for development, nor is it
		 intended to encourage the development of tall buildings. It does identify locations that present opportunities for tall buildings, which is what the Borough Local Plan indicates that it should do. The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the Council more control over what tall buildings are, or are not, permitted within the Borough.
General	The analysis in the SPD does not appear to have looked at potential impacts on the capacity of site allocations within the town centre. This has the indirect and unintentional effect of changing adopted policy, which goes beyond the scope of SPDs. It also runs counter to Section 11 of the NPPF.	The testing of site capacity is beyond the scope of this SPD. The principle of an SPD to support the BLP and BLP Policy QP3a was established following the adoption of the BLP in 2022. Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific

		recommendations on building height. It will provide additional detailed guidance
		on location, height and design of tall buildings and set application requirements
		for tall buildings. Clause 10 of Policy QP3a also states that further details and
		guidance on the application of the policy will be set out in a Building Height and
		Tall Buildings SPD.
		The SPD provides guidance, does not set new policy, and it does not allocate sites
		for development. As stated in paragraph 4.1.1 of the SPD, the ten key principles
		have been identified to guide the approach and design of tall buildings in the
		Royal Borough. Furthermore, paragraph 4.1.2 states that developers and
		designers should use the principles and contained guidelines to inform their
		approach to the location, layout and design of a tall building. Section 4 of the SPD
		provides the additional detailed guidance on the design of tall buildings required
		by the Borough Local Plan.
		The SPD is intended to ensure that any tall building applications that are
		permitted are of the highest possible quality. The SPD does not permit tall
		buildings or allocate sites for tall buildings. The intention of the SPD is to give the
		Council more control over what tall buildings are, or are not, permitted within
		the Borough.
4.1	The 10 Tall Building Principles, as drafted, are divorced	Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a
	from the precise wording and intent of policy QP3a. There	Building Height and Tall Buildings SPD. This will identify locations that present
	is a risk that these principles become – in effect – new	opportunities for tall buildings in the Royal Borough, together with site-specific
	policy.	recommendations on building height. It will provide additional detailed guidance
		on location, height and design of tall buildings and set application requirements
		for tall buildings. Clause 10 of Policy QP3a also states that further details and
		guidance on the application of the policy will be set out in a Building Height and
		Tall Buildings SPD.
		As stated in paragraph 4.1.1 of the SPD, the ten key principles have been
		identified to guide the approach and design of tall buildings in the Royal
		Borough. Furthermore, paragraph 4.1.2 states that developers and designers
		should use the principles and contained guidelines to inform their approach to

		the location, layout and design of a tall building.
		The key principles do not form new policy. The SPD provides guidance, it does not allocate sites for development, nor does it encourage the development of tall buildings.
		Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
4.1	Key Principles of the draft SPD are not compliant with the requirement for Biodiversity Net Gain (BNG) in accordance with national planning policy.	Biodiversity requirements and biodiversity net gain are policy requirements in the Local Plan and, in relation to the 10% net gain, will be required on nearly all developments from 2024.
	Insufficient in achieving any net gain as the definition of green infrastructure is to 'protect biodiversity' rather than increase it.	Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
4.2.2	Inaccurate assessment of 'context height' in northern section of the site identified for 8 storey housing. Paragraph 3.3 of the Hydra report which provides a baseline study of the area is also incorrect. The correct information can be found in the 'Tall Buildings Technical and Baseline Study', dated October 2019, 7.2: Existing Building Heights. This identifies building heights are predominantly 2 storey, but in recent years some of the buildings nearest Shoppenhangers Road and on the lowest topographical levels have been raised to be 4 storeys.	 This comment appears to refer to paragraph 4.2.2 of the South West Maidenhead Placemaking Area SPD, not the Building Heights and Tall Buildings SPD. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
	Opposing view to the above submitted: Overall context height of 4 storeys is not reflective of the BLP allocation, specifically point 1(i) of the site allocation pro forma for AL13 which denotes that the northern	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.

	neighbourhood should reflect the town centre's building heights, densities and typologies.	Any planning application received will need to carefully consider AOD. Paragraph 4.7.8 states that tall building proposals should be understood both in terms of their height above ground and their height above ordnance datum.
4.2.2	The SPD makes no reference to the topography of this northern part of the South West Maidenhead Placemaking Area (SWMPA). There are significant differences in ground levels such that an 8 storey building here would create an intrusion in to the skyline, be visible from miles around, weaken town image and detract from the quality of the area.	This comment appears to refer to paragraph 4.2.2 of the South West Maidenhead Placemaking Area SPD, not the Building Heights and Tall Buildings SPD. Context heights in the SPD have been reviewed following the public consultation. Context heights have been amended where appropriate. The Council is satisfied that the findings of the review of the Borough's context heights are robust. Any planning application received will need to carefully consider AOD. Paragraph 4.7.8 states that tall building proposals should be understood both in terms of their height above ground and their height above ordnance datum.
4.2 and	Tall buildings of an appropriate scale, purpose and design	The recommendations included within the SPD are on the form of development
4.3	 could help revive Maidenhead's identity, character and prestige but their location and function should be part of co-ordinated master plan, like the forthcoming Town Centre SPD. Consideration should be given to a requirement for mixed usage in buildings over a certain height, not just at ground floor level but throughout the building. A tall building is more likely to be welcomed by the community if it houses facilities that they can use, e.g. a rooftop bar / restaurant. 	(height and scale), not on specific uses. However, paragraph 4.4.4 states that tall buildings should generally be mixed use buildings with active ground floors and offer a meaningful facility for the wider public, unless it can be demonstrated that active ground floor uses such as retail, leisure, cultural, community, health, employment are not viable in a location and the landmark is purely justified from a legibility point of view.
4.3	Under section 4.3 Landscape Character and View of the draft SPD it describes the rural green leafy character of the SWMPA but does not mention views of this northern part of the site.	This comment appears to refer to paragraph 4.2.2 of the South West Maidenhead Placemaking Area SPD, not the Building Heights and Tall Buildings SPD.

4.3	Large parts of Sunninghill and Ascot Parish are not located in 'central areas' or within 800m of Ascot Station and are poorly served by public Transport.	 Paragraph 4.4.2 states that tall buildings should only be proposed in areas that benefit from good public transport accessibility and are well connected with a network of walking and cycling routes. Furthermore, Policy QP3a (7) of the BLP states that in general, tall buildings will only be considered appropriate in areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development.
		This would be assessed as part of any planning application that was submitted.
4.3	Should this paragraph refer to District Centres rather than local centres?	Noted. Amend Section 4.4 to include reference to District Centres.
4.6	 Existing tall building development in Maidenhead has not complied with guidance. Building height should not exceed existing town centre buildings. Existing residents were not consulted; presentations have been provided in the Nicholson centre but don't recall buildings exceeding existing heights. 	The planning permissions for existing development in Maidenhead have already been granted. Those decisions were made according to the policy framework that was in place at the time of the decision.
4.7	W5 and W7 fall within the protected views of Windsor Castle in the Windsor NP.	In Table 5.1, the entries for both W5 and W7 state that there is no opportunity for tall buildings. In both areas, any proposed development should not exceed the AOD height of the Windsor and Eton Central Station building and avoid adverse impacts on incidental and longer views towards Windsor Castle. It should also be noted that any proposal for development must comply with Policy HE1 of the BLP which states that the historic environment will be conserved and enhanced in a manner appropriate to its significance. Policy HE2 of the BLP also states that development proposals should show how the development protects and enhances public view of the Castle, including those from further afield.

4.7	W7 proposed building up to the riverbank of the Thames,	Noted.
	is this the result if the poor quality maps/images?	Amend and all update maps to make more legible.
4.7.1	There are not two towns in the Borough but four –	Noted.
	Maidenhead, Windsor, Ascot and Eton.	Amend text in paragraph 4.7.1
4.7.10	Typo – tal rather than tall	Noted.
		Amend text in paragraph 4.7.10
4.7.10	Maidenhead town centre is highlighted as the only place	Noted.
	where a cluster of tall buildings may be found but there	However, paragraph 4.7.10 states that the only place where the clustering of tall
	are other areas where such clusters may be found; for	buildings is found appropriate in the Royal Borough is the town centre of
	example Sawyers Close and the Fountain Roundabout in	Maidenhead. Figure 2.3 has a note relating to Sawyers Close, which has a unique
	Windsor.	context.
4.8	There is no reference to the fact that Rushington Copse is	The row for site M5 in Table 5.1 states that proposals should test the impact of
	ancient woodland and as such is a sensitive area that	tall buildings at South West Maidenhead on the landscape, including woodland
	requires environmental designation in the plan and	amongst other things.
	therefore requires protection. It is entirely inappropriate	
	to place tall buildings so close to ancient woodland with no	Policy NR3 of the BLP ensures that any development proposals should ensure
	mention of a buffer zone Section 4.8 should mention	that Ancient Woodland will be maintained, protected and where suitable,
	ancient woodland as a local wildlife site	enhanced. Ancient or veteran trees are to be safeguarded from harm or loss.
		The AL13 site proforma in the BLP requires that Rushington Copse be retained as
		part of any development proposal, including buffer zones around it.
		Any development proposal that includes tall buildings will need to take account
		of the policies of the BLP, national policies and be informed by the guidance
		included in the SPD and other relevant documents including the Borough Wide
		Design Guide and the South West Maidenhead SPD.
4.8	An 8-storey building in this location will be highly visible	Noted.
	since the ground level is at 43m AOD and the general level	Amend text (for M9 row in Table 5.1) to remove AOD height limitation and
	at the bottom of the hill (station, Landing, Grenfell Park)	replace with need to test the impact of tall buildings in respect of landscape
	are at 28m. That is a difference of 15m or 5 storey	and visual impact, skyline impact and impact on long-distance views due to
	building.	elevated nature of site.
4.8.4	Tall building design should also minimise the risk of bird	Noted.
	strike in order to protect biodiversity	Amend Section 4.8 and paragraph 4.8.4 to include text that states that the
		design of tall buildings should minimise the risk of bird strike.

4.8 and	With the exception of daylighting levels, which are to	Noted. However, there is no simple way of defining these terms. Nevertheless,
4.11	comply with BRE standards, there is no definition or	this SPD would sit alongside other SPDs such as the Borough Wide Design Guide
	guidance as to what constitutes 'high quality', 'high levels	and the forthcoming Sustainability SPD which provide further guidance on these
	of amenity' or 'high sustainability standards'; all	matters.
	referenced in the SPD.	
	Although planning authorities cannot demand that new	Paragraph 7.2.3 of the SPD does state that planning applications that include tall
	homes are assessed under the BRE's Home Quality Mark	buildings will need to provide a sustainability statement which outlines how the
	surely this would be a way of proving to RBWM that high standards have been achieved at a level determined by a	building will apply best sustainable practices. A recognised method of sustainability assessment should be used e.g. BREEAM.
	respected third party.	Sustainability assessment should be used e.g. bitleAwi.
4.9.1	The only reference to topographies is in 4.9: Ground	It seems that this response refers to paragraph 4.9.1 of the SWMPA SPD, not the
	Condition. It would be more accurate to say the land	Building Heights and Tall Buildings SPD.
	slopes towards the M4 in relation to the SWMPA, but	
	there is a steep drop in levels at the northern most part of	
	the site which is on high ground and drops suddenly to	
	Courtlands and the station. To put tall buildings on this	
	prominent high ground will mean they will be visible for	
	miles and tower over the town centre and neighbouring developments.	
4.11	Is the SPD implying that in terms of CO2 emissions in use	The SPD does not mention the Building Regulations in Section 4.
	the developer need only meet the minimum standards set	
	by Part L of Building Regulations?	As stated in paragraph 1.3.2, this SPD only covers aspects of tall buildings that
		are specific to RBWM. It does not provide guidance on matters already
		addressed by national Building Regulation requirements (e.g. access
		and fire safety, energy and water efficiency and disabled access).
		The SPD cannot introduce new policy and cannot provide guidance on matters
		already addressed by national Building Regulation requirements.
		More general guidance on reducing carbon emissions is being prepared through the Sustainability SPD.

	5. POTENTIAL LOCATIONS FOR INCREASED HEIGHT, LARGE	AND TALL BUILDINGS
Paragraph	Summary of Representation	Council Response
Number		
5.1	Re-write to include all Conservation Areas	Eleven of the Conservations Areas not listed under paragraph 5.1.5 are located
		within the Green Belt and consequently would fall under the definition of an
		'inappropriate area' identified at paragraph 5.1.6. It is therefore not necessary
		to list them under 'sensitive Conservation Areas' at paragraph 5.1.5. Castle Hill,
		Maidenhead and Maidenhead Town Centre are not listed as 'sensitive
		Conservation Areas' under paragraph 5.1.5.
		Figure 5.1: Character areas sensitivity assessment, at page 110 of the Royal
		Borough of Windsor and Maidenhead Tall Buildings Study, Tall Buildings
		Technical and Baseline Study (final report April 2022 – UPDATE), identifies Castle Hill Conservation Area as having a 'Medium' sensitivity to setting change arising
		from tall buildings, and Maidenhead Town Centre Conservation Area is identified
		as having a 'Low Medium' sensitivity. Nevertheless, in section 6.3 it states that
		proposals in relevant parts of Maidenhead Town Centre should test the impact of
		tall buildings on these two conservation areas.
		It is therefore not considered appropriate to include all Conservation Areas
		within the Royal Borough in the list at paragraph 5.1.5.
5.1	Unclear what the potential context height and maximum	Noted.
	heights are or could be. This is arguably the most crucial	
	item in the SPD, i.e. how tall can a tall building be?	The columns for table 5.1 will remain unchanged, however, the information can
	Suggested change: Re-draft table 5 with clear numbers in	been simplified and clarified. Overall building heights remain in either storeys or
	the columns as to the potential maximum heights and	metres as a maximum measurement, however, the descriptions have been made
	context heights, and not have the asterix (****) reference	clearer.
		Amond Table 5.1 following nublic consultation. Remove the actavity references
		Amend Table 5.1 following public consultation. Remove the asterix references from Table 5.1 and replace with footnotes 1 to 5 (for clarity).
5.1	The SPD has not grasped the particular sensitivities in	Noted. However, the SPD refers to " <i>Potential</i> future context height".
J.1	Cookham and the use of and reference to 'future context	
	height' in the SPD should be removed.	
		1

		Amend Table 5.1 following public consultation. For the Cookham sites make it clear that there are no opportunities for tall buildings on the C1 and C2 sites.
Section	Guidance for AL13, M9 Chapter 5 and LM7 Chapter 6	Noted.
5.2 and	should be reassessed for the following reasons:	
Table 5.1		Following public consultation, context heights in the Borough have been
	- Overall context height of 4 storeys is not reflective of	reassessed to make use of available digital data (Lidar based DTM and DSM data,
	the BLP allocation; specifically point 1(i) of the site	and OS data), leading to more accurate results. The context heights identified in
	allocation proforma for AL13, which denotes that the	the SPD follow a robust methodology and are considered appropriate.
	northern neighbourhood should reflect the town	
	centre's building heights, densities and typologies.	Amend description of Principle 6.2 (g) for LM7 and within the table (5.1) to
	Determined fortune excernell countered to sight four manifed and	clarify context height.
	 Potential future overall context height for peripheral areas is potentially seen as overly restrictive and 	Any planning application received will need to carefully consider AOD. Paragraph
	would benefit from more clarity around what is meant	4.7.8 states that tall building proposals should be understood both in terms of
	by peripheral areas. 2/3 storeys may not allow the	their height above ground and their height above ordnance datum.
	principle and flexibility to gradually step up from the	their height above ground and their height above ordinance datam.
	adjacent context at the edges of the site. This	The proposed context height for the LM7 site (Southwest Maidenhead) has been
	guidance is not in full alignment with the fact that M9	reviewed and text reference to AL13 added.
	is identified as a site for Potential Future Overall	
	Context Height increaseWe also do not consider that	M9 and SPD have been amended to clarify heights along the edges of the site.
	reflects AL13 proforma 1(ii).	The SPD has also been amended to reflect the text of AL13 in the BLP, including
		'Opportunity for Change' (in relation to Principle 6.2 (G)) which now states: 'Site
	- A maximum of 8 storeys is overly restrictive at the	allocation AL13 requires building heights, densities and typologies of the
	northern access of AL13. It is not clear if this has been	northern neighbourhood to reflect those in the town centre.'
	tested against the future context height within	
	Maidenhead's town centre. The issue of storey heights	Whilst 'peripheral areas' has not been defined in the context of M9, text has
	should be expressed as a range to support more	been added to Principle 6.2 (G) to clarify 'heights towards the edges of the site
	detailed design exploration.	mediate with the lower surrounding development', and 'Areas towards the
	The mention of the should be received this base	edges of the site should be 2-3 storeys'.
	- The maximum 25m should be reassessed. This has	Establishing the maximum baights for tall buildings in LNA7 is consistent with
	the potential to be insufficient/not flexible enough to accommodate a non-residential ground floor, some	Establishing the maximum heights for tall buildings in LM7 is consistent with methodology adopted by this SPD (context height ratio and proportionality to
	construction methodologies or requirement for	place significance). Possible height in LM7 has been established using the
	construction methodologies of requirement for	place significance. Possible neight in Livi7 has been established using the

	rooftop plant. We would welcome the removal of this	methodology adopted by this guidance and reviewed in a 3D model
	height request, or ask that flexibility is built into it.	environment. The height guidance for LM7 reflects the elevated nature of the
		site and Principle 4.7 in the SPD. Height guidance does not stand in the way of
	- We disagree with the definition of maximum AOD	detailed design exploration within the confines of this constraint.
	height identified for M9. This level of detail is seen as	
	overly prescriptive without more detailed testing. The	Maximum metric heights have been reviewed and amended in the SPD to reflect
	maximum 8 storey building cannot be accommodated within the maximum 60m AOD height.	3.2m regular floor height and 4.2m ground floor height.
		The 60m AOD height limitation has been removed from M8 in Table 5.1 and
	- There are already extensive policy mechanisms in	replaced with the need to test the impact of tall buildings in respect of landscape
	place to control the design of tall buildings	and visual impact, skyline impact and impact on long-distance views due to elevated nature of site.
	- The guidance is too prescriptive and does not allow	
	for a flexible approach towards sustainable	There are policy mechanisms in place to control the design of tall buildings.
	development . The height of the buildings is something	Policy QP3a of the BLP addresses the height of all new development, with
	that we would expect to be dealt with in the design	specific urban design criteria for tall buildings and provides tall building urban
	process, where the focus should be on producing	design principles. However, policy QP3a also commits the Council to provide
	proposals of high quality design	further details and guidance on the application of this policy to be set out in a
		Building Height and Tall Buildings SPD.
	- The SPD needs to remove references to specific	
	heights and AOD height limits for Maidenhead Golf	The NPPF requires local planning authorities to provide clarity on development
	Course.	parameters ("Plans should, at the most appropriate level, set out a clear design
		vision and expectations, so that applicants have as much certainty as possible
		about what is likely to be acceptable". (Paragraph 127)). As mentioned above,
		the SPD is required as per Policy QP3a clause 10. Any development proposal that
		includes tall buildings will need to take account of the policies of the BLP,
		national policies and be informed by the guidance included in the SPD and other
		relevant documents including the Borough Wide Design Guide.
Table 5.1	LM7 – a landmark building is this location is completely	The potential for a Landmark building, LM7, is expressed as a gateway into the
	unnecessary for way-marking since the main entrance to	strategic expansion area of Maidenhead from the town centre. The South-West
	the site is at the southern end and there will be no through	Maidenhead SPD identifies the 'northern most neighbourhood should be
		orientated towards the town centre, given its proximity, and in doing so establish

	traffic and only public transport and bicycles at the northern end. There is no mention of the mass of the building proposed but since it apparently needs some lower tall building around the landmark building to mitigate the harm it does, this will be a massive building cluster on a site which is about 150 metres square on high ground with two-storey residential housing on at least two sides.	a new town centre neighbourhood'. It is intended that the northern neighbourhood will be the primary sustainable movement corridor. This is a building height and tall buildings SPD, so its principal focus is on height. The massing of buildings and specifically tall buildings can have an impact on how the building is perceived and how well it responds to its context. Buildings that are slender and upward-striving generally tend to appear more elegant than buildings of greater mass or with a slab-like appearance. The massing of development will depend on proposed uses and appropriateness will need to be assessed as part of the development management process. Section 4.10 of SPD states that any tall buildings should be designed to express elegance, proportionality and verticality in a form that is consistent from every angle. To that end, generally, slab blocks and bulky forms should be avoided. In addition, Section 7.2 of the SPD also states that any planning application will need to include a Design and Access Statement that addresses scale and massing.
5.1 - 5.3	The key principles provide extremely limited protection from tall and larger buildings in the Parish of Ascot and Sunninghill other than to green belt and highly sensitive heritage areas and will fail to prevent proposals for large and tall buildings across the Parish.	Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide. The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the Council more control over what tall buildings are, or are not, permitted within the Borough.
Table 5.1	The recommendations for the Cookham Station Node area in the SPD run counter to the Borough's own position in respect of development in this location (see 20/00864/FULL and 21/02331/OUT). The SPD should be amended to reflect this: that the sensitivity of the area	Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.

	should be fully recognised and identified as being inappropriate for tall buildings.	 The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys. Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham. Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
Table 5.1 Codes C1 and C2	Suggests there are no applicable townscape or heritage assessment criteria for tall buildings in these locations, despite Table 5.1 of the baseline study stating that The Cookham High Street CA is highly sensitive to tall buildings. Any future development in C1 would be in the setting of the CA and is therefore highly sensitive and in C2 would be subject to wider consideration of the impact on the Spencer landscape.	 Principle 4.4 of the SPD states that tall buildings must demonstrate that they will minimise or avoid harm to designated heritage assets and their settings. Proposals must comprehensively review and test their impact on heritage assets, even where they are located further away. Similarly, proposals for a tall building will need to demonstrate that it minimises or avoids adverse impacts to protected and valued landscapes and their characteristics. The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys. Amend text in Table 5.1 to clarify that there is no opportunity for a tall building on any of the sites in Cookham. Any proposal for development will need to take account of the policies of the BLP, national policies and the guidance included in the SPD and other relevant documents. Any planning application received in Cookham would also need to take account the Cookham Village Design Statement.
C2	Replace "Cannondale Road" with "Cannondown Road"	Subsequent to the post-consultation review of the SPD, the text relating to Cannondown Road has been removed.
		Amend C2 for accuracy.

C2	The suggestion that potential exists for a larger building <i>"to emphasise the site entrance on Cannondale Road"</i> would undermine the criteria in the BLP Site Proforma for allocation AL37, in particular points 3 and 9. This suggestion is also contrary to the Cannondown Road masterplan, which has been subject to public engagement, and which indicates that buildings are to be set back from Cannondown Road frontage, retaining a green landscaped aspect at the entrance to Cookham Rise, and two-storey in height. The masterplan is the appropriate place for analysis of the site and preparation of a place-specific development response. Reference to the site should therefore be removed from the SPD.	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. There is no opportunity for a tall building on this site. Upon review of the site and site allocation AL37, the recommendations for the site have been changed. Potential future context height has been removed as has the previously stated opportunity for a large building. The SPD clearly states that the maximum height of any large building in Cookham (C1 and C2 in Table 5.1) should be a maximum of 3 storeys.
Table 5.1	Emerging policy for Area W7 does not allow flexibility to create local landmarks that are greater than 1.5x contextual height. Question this approach given the proximity to the station and approaches to town centre. Suggest wording is revised to offer greater degree of flexibility – for example guiding built scale within public views but giving scope to set-back higher development away from public views within development plots. Suggest the parcel of W7 south of the railway viaduct has potential for tall building, subject to being supported by the necessary impact assessments.	 on any of the sites in Cookham, including C2. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. The part of W7 that is covered by the increased context height of 6 storeys (focused on Windsor Yard) is also considered to not be suitable for a large building, as any rise above the already significant development height would become notable on the skyline. This has been clarified under W7. Following a review of all maps within the SPD, Parcel W7 has been amended to exclude Alexandra Gardens (designated open space). Windsor's skyline is highly sensitive to tall buildings as they would compete with and detract from Windsor Castle which should remain the dominant skyline feature in views of the town. Due to its proximity to the town centre and castle, W7 is not appropriate for tall buildings.

		Amend Figure 5.4 for accuracy.
Figure 5.1	The whole of central Windsor area is shaded in grey which, according to the colour key, is a Sensitive area. This is incorrect as the area shaded grey in this Figure comprises at least 3 inappropriate areas as listed in the draft SPD under 5.1.4	The grey areas on Figure 5.2 are settlement areas without assessment of sensitivity. Amend all maps to include additional detail; a legend/key for the additional layers of information has been included for clarity. The previously grey shaded areas on Figure 5.2, denoting the settlement areas (omitting any assessment of sensitivity), have been replaced and the coloured green and blue outlines replaced with a different coloured-wash layer to denote when a location is 'sensitive' or 'inappropriate' (for example due to green belt, heritage or flood risk reasons).
5.1.2	As the consultation document is an SPD it seems incorrect to have to refer to another documents for details / interpretation (referred to Technical and Baseline Study) Does the baseline document require commenting on as well? Should the consultation have been named differently to reflect the correct extent of the consultation? Is the study referred to adopted as an integral part of the SPD? Is it the intention the whole study has to be read in order to interpret the SPD after adoption?	The SPD makes use of specialist information already carried out during the production of the Borough Local Plan and supplements the policy that the evidence has been prepared to justify (QP3a). Paragraph's 1.1.1 and 1.1.2 of the Technical and Baseline Study explains that the study formed part of the evidence base for the Borough Local Plan 2013-2033, which was adopted on 8 th February 2022. Reference is made to the Technical and Baseline Study in the SPD to highlight where it is drawing upon this evidence base to inform the SPD. The Council believe that the scope of the consultation was appropriate as all documents were included in the consultation.
5.1.3	Is this definition of heritage assets correct. The precise NPPF needs to be included here in the SPD.	The following definition is included in the NPPF Annex 2: Glossary Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

		Paragraph 5.1.3 is consistent with the NPPF definition, with the exception of the replacement of ' <i>It includes</i> ' with ' <i>Heritage asset includes</i> '
5.1.3, 5.1.4 and 5.1.8	Policy NP/DG4 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan lists landmark buildings and views for protection. As the Neighbourhood Plan forms part of the Local Plan they should be added to the list of inappropriate and sensitive areas in 5.1.4 and 5.1.8 as they are 'designated heritage assets' in accordance with 5.1.3. Most of the Townscape Character Areas within the Parish have a very coherent and strong domestic scale character and should be defined as 'inappropriate areas' for tall buildings.	This area had been identified as sensitive townscape area in the baseline study. This had erroneously been omitted in Diagram 5.1 of the SPD. The diagram has been updated to include sensitive areas. Notwithstanding this, the site has not been identified as having an opportunity for a tall or large buildings in Section 5.
Figure 5.1 and Figure 5.4	The area of Windsor Yards fronting onto Charles Street and Goswell Hill should lie within the Sensitive Area policy zone. It is not justified to include within the inappropriate areas as it is outside of the Conservation Area and existing buildings east of Charles Street are already characterised as having larger building mass and height yet have limited impact on the Historic Core of the town centre.	Windsor Yards is included in the Windsor Town Centre Conservation Area and as such is of high sensitivity and inappropriate for tall buildings. Amend Figure 5.4 for accuracy.
5.1.6	This paragraph states Inappropriate Areas include Green Belt as development here is not acceptable as a matter of principle. This does not comply with the NPPF of policy QP5 of the BLP. It must be made clear in the SPD that development may be considered acceptable in the Green Belt subject to meeting the various exceptions set out in National Policy.	Amend text at paragraphs 5.1.4 to 5.1.6. The text will no longer state that the principle of tall buildings is unacceptable in the green belt / inappropriate areas. However, the revised paragraph 5.1.6 continues to highlight that it is likely that a tall building would be considered inappropriate development in the green belt, for the avoidance of doubt. Paragraph 5.1.6. also highlights such proposals would be assessed against policy QP5 of the BLP and the NPPF.
5.2	The term 'increased height building' is introduced. It is unclear how this is defined and where it fits in relation to contextual height.	Section 5 of the SPD covers potential locations for increased height, large and tall buildings and Section 5.2 specifically providing location guidance on increased height, large and tall buildings. These Sections do not reference 'increased height building', but rather, the explanatory text clarifies 'Development for generally increased context height, large buildings and tall buildings'. The title

		 'increased height, large and tall buildings' is therefore to be read as short hand for 'increased context height, large buildings and tall buildings'. For example, Principle 6.2 I) Industrial Area, under the heading 'Opportunity for Change', states: 'opportunity to intensify the industrial estate with buildings of increased height to make better use of available land.' However, this is not introducing a new term 'increased height building', but rather, once more, highlights the context area could be increased to support the intensification with employment use.
5.2	 Heights for central Maidenhead – given height recommendations within this area (up to 40m LM1, 60m LM2, 31m LM4, and 25m LM7) extensive testing of intervisibility with heritage assets – in line with Historic England HEAN4 – will be required to understand the likely interaction with their setting and significance. The recommendations seem to have been ignored by the new 88m tall tower being built in central Maidenhead. The policy must be quite clear and robust, no development should be able to go above the 31m for LM4 anywhere in the town centre. 	 Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate. In addition, in response to the large number of comments received relating to Section 6 of the SPD and Maidenhead, additional View Impact Testing analysis was carried out following the consultation on specific sites within the town centre. The assessment utilises view testing to assess the potential appropriateness of heights at two sites in respect of their impact on visual and townscape aspects. The planning permissions for existing development in Maidenhead have already been granted. Those decisions were made according to the policy framework that was in place at the time of the decision. Every planning application received in future by the Council will be assessed on its merits and will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
5.2	Agreed with the general need to identify appropriate locations for increased height and tall buildings across the entire Borough. However, the SPD does not identify the	The planning permissions that have already been granted were made according to the policy framework that was in place at the time of the decision.

	site at Bray studios as a suitable location despite planning permission being granted for a new film and TV studio with a maximum height of 17.5m. Figure 5.2 should be amended accordingly.	 Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document. In addition, paragraph 2.1.5 explains that the context height is the height that an observer would read as the typical or defining height of a particular area. In places that are consistent in height, the context height may be the most commonly occurring building height. In more varied height environments, the context height may be the average height that buildings fluctuate around. Following public consultation, context heights in the Borough have been reassessed to make use of available digital data (Lidar based DTM and DSM data, and OS data), leading to more accurate results. The context heights identified in the SPD follow a robust methodology and are considered appropriate.
5.2	The draft SPD seeks to provide guidance on large/larger buildings that are not Tall Buildings (as defined). This is completely inappropriate and all references to large/larger buildings needs to be deleted. Large/larger buildings are not subject to Policy QP3a and are outside the scope of the proposed SPD.	The SPD is not considered to introduce new policy by providing limited guidance on assessing large buildings. The use of the term is intended to provide a way of describing buildings that are taller than the surrounding context height but are not tall enough to be considered a tall building. Paragraph 3.2.12 of the SPD makes clear that large buildings are not considered to be tall buildings. Paragraph 3.2.13 and Principle 3.1 both state that large buildings usually require less stringent testing compared to tall buildings but should still be carefully located and designed.
Figure 5.4 and Table 5.1	The standards for W7 Windsor Town Centre are relative to smaller residential storey heights rather than commercial floor to ceiling heights and is therefore too restrictive on commercial and mixed-use development in this zone. Does not give enough flexibility for the intensification of uses to support the vitality of the Town Centre in these locations (as Principle 4.4 states in the SPG).	Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document. Paragraph 2.1.8 has been amended to state that "In reality, the exact height of a storey will vary from building to building and will typically be higher 3.2m in commercial buildings" rather than 3m.

		Table 5.1 explains that there is considered to be no opportunity for tall buildings as Windsor town centre comprises and is situated within multiple highly sensitive heritage contexts, including Windsor Castle, whose settings would be significantly harmed by a tall building.
Figure 5.4 and Table 5.1	The parcel of land drawn for W7 should not extend across Alexandra Gardens to the river; this is an Inappropriate Area and important green space for the town. This area of townscape is incredibly varied and the SPG would benefit from further refinement of detail shown on the mapping.	Noted. Amend Figure 5.4 for accuracy. In addition to the parcel of land not extending across Alexander Gardens to the river, the map has also been updated with additional layers of information.
Table 5.1 and Figure 5.4 W1	AL21 has a narrow site entrance. A larger building at the site entrance would be impractical. This anomaly demonstrates that the Tall Buildings SPD has been developed in isolation.	In this instance, the SPD has identified the potential for a larger building with a maximum of 3 storeys. This potential is identified to either 'emphasise' the site entrance, or for central node within the site. Every planning application received by the Council will be assessed on its merits and will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
W2	This is the one site that may be identified as a suitable site.	Noted.
W3	A large, tall building in the area would be wholly inappropriate and detrimental to the amenity of existing residents in an area of mainly two-storey houses.	Context heights in the SPD have been reviewed following the public consultation. Context heights have been amended where appropriate, and in this instance the potential for a building with a maximum of 4 storeys is identified. The Council is satisfied that the findings of the review of the Borough's context heights are robust.
		Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document. Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough. Section 6 does the

		same for the sites in Maidenhead Town Centre, with maps and tables clearly stating the findings and recommendations of the SPD.
W4	A large, tall building in the area would be wholly inappropriate and detrimental to the amenity of existing residents in an area of mainly bungalows and two-storey houses	Context heights in the SPD have been reviewed following the public consultation. Context heights have been amended where appropriate, and in this instance the potential for a building with a maximum of 3 storeys is identified. The Council is satisfied that the findings of the review of the Borough's context heights are robust.
		Paragraph 2.1.4 explains that the SPD has mapped the prevailing broad context height of the Royal Borough using the latest available datasets, which is represented in Figures 2.1-2.6 of the document.
		Section 5 of the SPD also provides clear, specific guidance on what may or may not be appropriate in specific locations across the Borough. Section 6 does the same for the sites in Maidenhead Town Centre, with maps and tables clearly stating the findings and recommendations of the SPD.
W5	Surprising to find that location W5 incorporates the listed railway arches. Unless this is another emanation of the poor quality of figures?	Protecting and enhancing the Borough's heritage assets, protected landscapes and their settings is one of the key principles within the SPD.
	Large buildings on W5 and W7 would obscure the local views from Duke Street towards Windsor Castle that are in the adopted Windsor Neighbourhood Plan	Any proposal for a tall building will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide and Neighbourhood Plans.
W8	The area to the front of the grade II listed hospital and statue is inappropriate to consider for redevelopment	Noted. Amend SPD to correct the reference to Leopards Road.
	Please note the Leopards Road address is incorrect	Amenu SFD to correct the reference to Leoparus Road.
5.5	Demonstrates how neglected Maidenhead is with regards to parks and gardens which means that Maidenhead cannot meet biodiversity nor climate change targets as set out by the Borough.	Noted.

	6. MAIDENHEAD HEIGHTS AND TALL BUILDING STRATEGY	
Paragraph Number	Summary of Representation	Council Response
General	In recent years Maidenhead Town Centre has become home to roosting Peregrines on the BT Tower and St Lukes Church. It would be wonderful to encourage these birds and I would like to see design guidance included to encourage developers to incorporate a nesting platform to their designs	Principle 6.2 (B) and (C) have been updated to reflect that peregrines have been observed roosting in parts of the town centre, and that development of tall buildings should consider the habitat of these birds and include measures that support the continued roosting and nesting in the future.
General	This section is overly prescriptive in terms of context heights and determining locations for tall buildings	Paragraph 6.14.11 of the BLP states that, the Royal Borough will prepare a Building Height and Tall Buildings SPD. This will identify locations that present opportunities for tall buildings in the Royal Borough, together with site-specific recommendations on building height. It will provide additional detailed guidance on location, height and design of tall buildings and set application requirements for tall buildings. Clause 10 of Policy QP3a also states that further details and guidance on the application of the policy will be set out in a Building Height and Tall Buildings SPD.
		Section 6 provides clarity on height parameters for tall buildings in Maidenhead which is consistent with the methodology adopted by this SPD and responds to requirements by NPPF (para 127.) on providing clarity. Section 4 provides design principles but not area specific location principles, and both are needed to appropriately guide tall buildings.
		The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. The intention of the SPD is to give the Council more control over what tall buildings are, or are not, permitted within the Borough. Likewise, any planning application received by the Council will be assessed on its individual merits.
Figure 6.1	South West Maidenhead area is not part of the town centre	The site proforma for allocation site AL13 in the BLP states that the northern neighbourhood will be orientated towards the town centre making the most of proximity to the railway station and town centre facilities. Here, building heights,

		densities and typologies will reflect those in the town centre and will promote patterns of living which reduce reliance on the car. As such, the Southwest Maidenhead site (LM7) has been identified by the SPD as being a Maidenhead town centre character area.
Figure 6.2	The approach to context height in this figure is overly cautious and not reflective of the situation along West Street. This throws up an anomaly between QP3a (2) and QP3a(4) – where any 5 storey building would be considered a tall building despite also needing to be over 1.5x context height. (An example being the 6-storey permission at 106 to 108 High Street – 19/03606 – which would fall between definitions). If the SPD acknowledges that buildings over 5 storeys would be acceptable if they met the principles in Section 4 then this would provide more clarity and enable scheme like this to come forward.	In the consultation draft Figure 6.2 showed the buildings in West Street, fronting the High Street, were identified as being located in Area C (3 storeys). The buildings fronting West Street were identified as being in Area E (5 storeys). Principle 6.2 (C) identified an opportunity for a local landmark (LM4) at West Street (north side). Context heights in the SPD have been reviewed following the public consultation. Context heights have been amended where appropriate. Figure 6.2 now identifies the buildings in West Street, fronting the High Street, as being in Area D (4 storeys). The buildings fronting West Street remain in Area E (5 storeys). The identification of a Landmark building (LM4) on the north side of West Street remains. The Council is satisfied that the findings of the review of the Borough's context heights are robust. Every planning application received by the Council will be assessed on its merits and will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
6.3	There is strong implication that the sites identified in Figure 6.3 are the only locations where tall buildings will be allowed. This would seem to preclude buildings which are only 6 or 7 storeys outside of these specific locations. This brings the SPD in conflict with the BLP	The SPD is intended to ensure that any tall building applications that are permitted are of the highest possible quality. The SPD does not permit tall buildings or allocate sites for tall buildings. Figure 6.3 provides recommendations within the context of Maidenhead town centre. The intention of the SPD is to give the Council more control over what tall
	SPD should include text to clarify that the locations shown in Figure 6.3 are not exhaustive or definitive.	buildings are, or are not, permitted within the Borough. Likewise, any planning application received by the Council will be assessed on its individual merits.
6.4	LM3 is shown almost adjacent to a 6-storey building but is defined as being no more than 6 storeys, this is not a	The review of the Context Heights on the High Street has classified this area as mainly 4 storey context height.

	landmark building given the context height has already been permitted.	The SPD recommends that a local landmark of no more than 6 residential storeys would be appropriate subject to heritage impact and landscape and visual impact assessments;
Chapter 6 and Figure 6.5	Impacts adversely on the image and 'home counties' nature and character of the town centre which is already blighted by so many new flats that are not of high-quality design	Noted. Every planning application received by the Council will be assessed on its merits and will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide. The Royal Borough of Windsor and Maidenhead is committed to ensuring that any proposed tall buildings are beneficial to the Royal Borough's towns and villages, and that they are in appropriate locations and achieve design excellence. That is the main purpose of this SPD.
Chapter 6 and Figure 6.5	The research/strategy document alludes to lack of sociability for residents of buildings above 5 storeys so why would you building something so tall in a small-town centre. Health and Safety aspects of such tall buildings to be considered	Noted. This reference was not included by way of suggesting that there is no place for tall buildings as a form of development. Rather, the reference was made as part of the wider summary of the theoretical framework for tall buildings that underpins the whole study. Paragraph 3.3.2 of the Building Height and Tall Buildings Technical and Baseline Study also explains that the context height of buildings in an area is an essential attribute that determines key characteristics of urban areas, such as their density, character, street enclosure, the quality of the public realm, and the
		sociability of urban spaces. The Royal Borough of Windsor and Maidenhead is committed to ensuring that any proposed tall buildings are beneficial to the Royal Borough's towns and villages, and that they are in appropriate locations and achieve design excellence. That is the main purpose of this SPD.

Chapter 6	The SPD and research/strategy documents do not consider	Noted.
and	the new WFH/Hybrid working patterns now popular post	
Figure 6.5	Covid, i.e. there will not be as many commuters. On the	It is beyond the scope of this SPD to consider working patterns. The SPD provides
	other side will Maidenhead become a 'commuter town',	guidance on building height and tall buildings, it does not allocate sites for
	i.e. lacking in depth and the green / rural spaces people	development, or encourage the development of tall buildings.
	think they are moving to	
Chapter 6	Document refers to an apparent abundance of leisure,	The SPD is intended to ensure that any tall building applications that are
and	retail and parking facilities – there are already inadequate	permitted are of the highest possible quality. The SPD does not permit tall
Figure 6.5	for such an affluent town.	buildings or allocate sites for tall buildings. The intention of the SPD is to give the
	Massive overdevelopment and a lack of infrastructure will	Council more control over what tall buildings is, or are not, permitted within the
	only serve to make Maidenhead more of a ghost town.	Borough. Likewise, any planning application received by the Council will be
		assessed on its individual merits.
LM2	Town Centre Core –	The planning permissions that have already been granted were made according
	The Civic Society shares the view that a 13 storey	to the policy framework that was in place at the time of the decision. The SPD
	maximum height for Maidenhead would be more	cannot change historic planning permissions.
	appropriate. However, 17 storeys have been approved for	
	the Landing and 25 as part of the Nicholson's	Following public consultation, context heights in the Borough have been
	redevelopment. The SPD guidance should ensure that the	reassessed to make use of available digital data (Lidar based DTM and DSM data,
	same mistakes are not made again, it cannot undo the permissions already granted.	and OS data), leading to more accurate results.
		As part of this review Maidenhead Town Centre View Impact Testing has been
	The SPD should avoid setting a precedent and remove	carried out, and is included at Appendix A. The findings of the further height
	references to specific heights for unrealised proposals.	testing are set out in the report at Appendix A and the conclusions have
		informed revisions to the guidance in the draft SPD.
		The outcomes of the testing are that a building between 8 and 10 residential
		storeys is considered appropriate on the LM1 site, and for LM2 the building
		should not be above the height of 52m (16 residential storeys).
		The Council is satisfied that the findings of the review of the Borough's context heights are robust.

6.3	The golf course is 43m AOD, 15m above the station.	Noted.
(LM7 and	Topographical offset provision should be used to limit any	
M8 in	development on this area to no more than 5 storeys, and	The site proforma for allocation site AL13 in the BLP states that the northern
table 5.1)	ideally 3 to maintain contextual heights	neighbourhood will be orientated towards the town centre making the most of proximity to the railway station and town centre facilities. Here, building heights,
	The northern part of the golf course is also not in the town	densities and typologies will reflect those in the town centre and will promote
	centre	patterns of living which reduce reliance on the car. As such, the Southwest
		Maidenhead site (LM7) has been identified by the SPD as being a Maidenhead
	The South West Maidenhead area is the gateway to the	town centre character area.
	town and must not be turned in to some sort of urban	
	ghetto	Context heights in the town centre range from 3 to 5 storeys. The recommended
		maximum height of LM7 of 8 storeys has been defined in respect of the
		envisaged future average context height in the centre of the northern
		neighbourhood of 5 storeys (range 4-6 storeys). LM7 has been assessed at 1.6x
		the envisaged future context height.
Figure 6.7	The approach to Town Centre East is not justified. The	Noted.
	context heights as shown are incorrect. Page 69 is also	
	incorrect; this is a key view of the town centre for people	The SPD has been amended and text added to clarify that buildings up to 7
	arriving by train. There is a clear townscape rationale for	storeys (large buildings) may be appropriate here, as part of a range of heights
	tall buildings in this location, which is acknowledged by the	(3-7 storeys), whilst the area is not considered to merit buildings of greater
	permissions already granted here.	height due to its peripheral location in the town centre.

	7. APPLICATION REQUIREMENTS			
Paragraph	Summary of Representation	Council Response		
Number				
7.2	A Biodiversity Statement should be incorporated to explain exactly how net gain will be achieved, e.g. green walls, green roofs, Peregrine Platforms, Swift boxes or bricks, Bat boxes, insect habitats and design features to avoid bird strike. Green roofs on tall buildings support biodiversity including providing opportunities for birds to nest	Noted. Biodiversity requirements and biodiversity net gain are policy requirements in the Local Plan and, in relation to the 10% net gain, will become a mandatory requirement in 2024.		

		Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
7.2.2	Concerns regarding the requirement that any application for a building which is more than 1.5 times taller than the surrounding context, would only be supported if applied for under a full planning application.	Noted. The SPD has been amended and this paragraph has been removed.
	It is considered that this requirement at 7.2.2 should be deleted in its entirety.	

	Draft Building Height and Tall Building Technical and Baseline Study			
Paragraph Number	Summary of Representation	Council Response		
Figures 4.8 – 4.11 and 4.14 – 4.16 and 4.19 –	The SPD is an overtly urban strategy. The analysis plans in the Baseline Study are focussed on the main settlements of Maidenhead, Windsor and Ascot.	The parts of the Borough that are not built up are within the Green Belt. The SPI states that it is likely that a tall building would be considered inappropriate development in the Green Belt. Any development proposal within the Green Belt would need to be assessed against BLP policy QP5 and the relevant policies within the NPPF.		
4.21		Figure 4.22 shows the building heights in the Borough and surrounding area, which helps place context for focus on the main settlements of Maidenhead, Windsor and Ascot.		

	Draft Building Height and Tall Building Strategy					
Paragraph	Summary of Representation	Council Response				
Number						
General	The Tall Building Strategy was initially prepared to support	The SPD supplements the BLP policy and as such draws upon the evidence				
	the draft BLP, and it is the NPPF that sets the scene for this	provided to justify the policy itself. The Tall building strategy was updated in				
	document. The adopted BLP (not the NPPF) should set the					

	scene for the draft SPD. A full reappraisal of the Tall Building Strategy is required, not a simple 'updating'.	April 2022 to reflect the RBWM adopted Local Plan. The draft SPD references the relevant policy from the BLP and is consistent with it.
		Any development proposal that includes tall buildings will need to take account of the policies of the BLP, national policies and be informed by the guidance included in the SPD and other relevant documents including the Borough Wide Design Guide.
General	The Tall Buildings Strategy document seems confused about its purpose. The title is 'strategy', yet the text refers to it being a 'study'. It cannot be both	 Noted. The Royal Borough of Windsor and Maidenhead Tall Buildings Study formed part of the evidence base for the Borough Local Plan 2013- 2033, which was adopted on 8th February 2022. The 'study' comprises two documents: Tall Buildings Strategy; and Tall Buildings Technical and Baseline Study The Tall Buildings Strategy presents a succinct strategy with only the necessary information included. The Tall Buildings Technical and Baseline Study is a separate report that demonstrates all the background work undertaken to create the strategy.
General	The document cannot legally be a strategy document. The strategic direction of the SPD is determined by the new BLP which was the subject of public examination, not a	Consequently, the strategy report forms part of the wider Tall Building Study. Noted. Paragraph 1.5.11 states that BLP Policy QP3a was informed by the Tall Building
	consultant report.	Study and Strategy. Both documents were included within the evidence base of the BLP and have informed the SPD. The requirement for the SPD was established when the BLP was adopted, as Policy QP3a (10) which states that further details and guidance on the application of this policy will be set out in a Building Height and Tall Buildings SPD.
General	The Tall Building Strategy was initially prepared for RBWM to support the draft BLP and therefore pre-dates the decisions made by the Inspector during the course of the examination and the significant changes to the policy regarding tall buildings.	Noted. Paragraph 1.5.11 states that BLP Policy QP3a was informed by the Tall Building Study and Strategy. Both documents were included within the evidence base of the BLP and the BLP Inspector would have been aware of them. They have informed the SPD. The requirement for the SPD was established when the BLP was adopted, as Policy QP3a (10) which states that further details and guidance

Section 4	Provides a better explanation of what the term context height means and how it should be used, with practical	 on the application of this policy will be set out in a Building Height and Tall Buildings SPD. The Strategy has been updated in April 2022 to reflect the Borough Local Plan. The draft SPD references the relevant policy from the BLP. The SPD sets out the definition of the term context height that is within Policy QP3a of the BLP. Para. 2.1.5 provides further clarification on this term and this is
	examples. Why are these points not included in the SPD.	considered to be clear. The Building Height and Tall Buildings SPD is more than just a Tall Building Strategy and consequently, cannot include all of the detailed analysis and explanation included within the Strategy document.
Section 9	Do not agree with the proposals for permitting Landmark context height building in 'Gateway clusters & Town Centre' areas. Apart from radically changing the look and feel of neighbourhoods and the town centre, road, pedestrian, cycle, bus networks and parking provision are already under strain, as are water, sewerage, electricity, and gas services.	Noted. Paragraph 7.2.4 highlights that the potential clustering and cumulative effects of tall buildings must be addressed in the supporting information submitted with an application.

Agenda Item 11

Report Title	Mill Lane, Clewer Village Conservation Area Appraisal
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Adam Bermange, Cabinet Member for Planning, Legal and Asset Management
Meeting and Date:	Cabinet, 13 th December 2023
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services & Adrien Waite, Assistant Director of Planning
Wards affected:	Clewer East



REPORT SUMMARY

- 1. The Borough has 27 conservation areas, most have a recent conservation area appraisal, but a small number lack an appraisal or have existing documents that are out of date and do not accord with current policies, plans and guidance.
- 2. On 28th June 2018 Cabinet agreed a rolling programme of review of the Borough's Conservation Areas and those areas without an appraisal, or with outdated documents, were made a priority for a new or revised appraisal.
- 3. The first of these documents, an appraisal for the Cookham High Street Conservation Area, was agreed last year and the second, a draft appraisal for the Mill Lane Conservation Area in Windsor, has been prepared in readiness for public consultation (as required under the Planning (Listed Buildings and Conservation Areas) Act 1990). This document forms Appendix B.
- 4. This report seeks agreement of the draft Mill Lane Conservation Area Appraisal and approval of a period of public consultation. A final draft of the document, updated to take account of the public's views, will be reported to Cabinet for approval. The aims of this project meet the Council's current key corporate objective to create inspiring places.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Agrees the draft appraisal document.
- ii) Delegates authority to the Assistant Director of Planning in Consultation with the Cabinet Member for Planning, Legal and Asset Management to
 - a. approve and publish any minor changes to the Mill Lane Conservation Area Appraisal document, prior to its publication for consultation, and

- b. commence a period of public consultation on the document, including a drop-in session at a local venue.
- iii) Agrees that the appraisal document would come back to Cabinet after consultation, following a review of the responses received, for a decision on whether it can be adopted as a material planning consideration.

2. REASON(S) For RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments		
Agree the draft appraisal document.	This approach is in accordance with the agreed programme of review and responds to planning legislation requirements, and the		
Delegate authority to the Assistant Director of Planning in Consultation with the Cabinet Member for Planning, Legal and Asset Management to commence a period of public	requirements of the NPPF (National Planning Policy Framework) in terms of preserving and enhancing the significance of the historic assets of the Borough and Policy HE 1 of the Borough Local Plan.		
consultation on the document, including a drop-in session at a local venue.	The proposed consultation would engage with stakeholders and ensure proper consideration of the Borough's heritage in planning decisions. This would provide a robust document that will assist officers and support		
This is the recommended option	Council decisions at Appeal.		
Do nothing This is not a recommended	There is a risk that this would leave the area without an appraisal and vulnerable to insensitive change, and challenge at Appeal.		
option.	It would also miss an opportunity to engage with the local community and groups with an interest in the area and could result in less support for local heritage and a lost opportunity to gain further understanding of the area and its value to residents.		

Background

2.1 Under Section 71 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a duty to formulate and publish policies for the preservation

and enhancement of conservation areas within the Borough. In the Cabinet report of 28th June 2018, the Mill Lane Conservation Area, an area without a current appraisal, was identified as a priority for this work.

- 2.2 The Mill Lane Conservation Area was originally part of a larger Conservation Area and was designated as a separate area in 1974. It is small in size, largely residential in character and located close to the Thames, with St Andrews Church, a grade II* listed building, at its heart. The area is attractive and historically significant. It includes a number of good historic buildings, both listed and unlisted, and has links to a number of nationally important historical figures and events. Despite being a fairly early designation, the first conservation areas were designated in 1967, the area does not currently have a conservation area appraisal.
- 2.3 The purpose of the draft Mill Lane Conservation Area Appraisal is to provide an analysis of the features that give the area its special architectural or historic character (its significance), and to identify those elements it is important to retain, re-introduce or enhance. This will help applicants, agents, and owners, as well as members of the public who have a particular interest in the area, to understand its importance. It will also guide those who are considering development proposals and provide a basis for the assessment of applications by Planning Officers. The appraisal has been developed in line with Council policy and refers to current legislation and relevant guidance.
- 2.4 Under Section 71 (2) and (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council is required to undertake public consultation on proposals for conservation areas, including conservation area appraisals, and to consider any views expressed by the public as part of the consultation process.

Criteria for new designations

2.5 Following review, there are no proposals to extend this conservation area, however, a number of non-listed buildings have been identified as being of local interest. These have been considered using the previously approved selection criteria for buildings of local interest and if agreed, will be considered as non- designated heritage assets, and protected by Council policy. In the future, these buildings are likely to form the basis of a formally agreed "Local List" for the Borough, one of the anticipated outcomes of the Borough's future Heritage Strategy and Action Plan.

3. KEY IMPLICATIONS

3.1 It is proposed that following Cabinet agreement, a period of public consultation on the document will commence. Once revised to take account of comments received, the final document will be returned to Cabinet for approval. The approved document will be a material consideration when considering planning applications within the conservation area.

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The costs associated with the programme of conservation area appraisal provision are met from existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. In addition, para 190 of the NPPF advises that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. These should consider the desirability of sustaining and enhancing the significance of heritage assets. Also, the wider social, cultural, economic, and environmental benefits that the conservation of the historic environment can bring, and the opportunities to draw on the contribution made by the historic environment to the character of a place.
- 5.2 The Council will undertake public consultation as required by the Act, in line with best practice and as outlined in the 'Conservation Area Appraisal, Designation and Management' Historic England Advice Note 1, 2019. The Act also requires the Council to have regard to the views expressed as part of the consultation process.

6. RISK MANAGEMENT

Table 2: Im	pact of fish	<u>anu mitiy</u>	ation			
Threat or risk	Impact with no mitigations in place or if all mitigations fail	Likelihood of risk occurring with no mitigations in place.	Mitigations currently in place	Mitigations proposed	Impact of risk once all mitigations in place and working	Likelihood of risk occurring with all mitigations in place.
There is a risk that the conservation area is insufficiently protected, and the local community not engaged if the document and public consultation exercise are not completed.	Major 3	High	The public consultation events will be well publicised using the Council's web site, local notice boards, and libraries. All residents in the area will be written to and asked for their views on the document. A drop in event, at a local community hub, will be held.	Completion of the revised appraisal, with full public consultation and adoption by the Council to an agreed timetable	Minor 1	Low

Table 2: Impact of risk and mitigation

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as Appendix A
- 7.2 Climate change/sustainability. The Government recognised with the Climate Change Act 2008, that there is a need for us to understand the risks presented by the changing climate and how we can adapt to minimise the impact of these risks. There is international recognition of the importance of preparedness for climate change in the heritage sector, with a number of UNESCO publications and in the UK a Joint Heritage Sector Statement on Climate Change. Historic England in its Climate Change Adaption Report (2016) advises that we should not see contributing to sustainability as an imposed additional task, but as an opportunity to think differently and review existing practices and processes, as in the case of this project.
- 7.3 Key issues are promoting the positive role that the historic environment can play in informing responses to climate change and associated environmental risks. Current approaches promote the reuse of buildings rather than redevelopment, and the use of local materials; using innovative approaches, including technology, to ensure the historic environment can contribute to energy efficiency, including renewable energy generation to meet future changes without loss of significance. Key actions include promoting the positive role the historic environment can play in informing responses to climate change and associated environmental risks, and engaging the public in this process. The appraisal promotes sustainability, and this issue will be examined and discussed throughout the public consultation process.
- 7.4 Data Protection/GDPR. A DPIA is not required in this instance as personal data, i.e., names and detailed addresses of all those who respond to the consultation will not be required/collected as part of the consultation process.
- 7.5 There is the possibility of enquiries from the public relating to this project that may involve front line staff.

8. CONSULTATION

- 8.1 The appraisal will be subject to both internal consultation and wider public consultation as required by the Act and in line with accepted good practice and as outlined in Historic England current guidance.
- 8.2 This will include individually addressed letters and comments/response sheets sent to all those living or working in the area; letters to local Councillors and to relevant local bodies and groups, such as Parish Councils and local history societies; and the consultation of statutory bodies, such as Historic England. Hard copies of the draft proposals will be available to view in local libraries and the document and consultation details will be uploaded to the Council's web site. Dates for the public meeting will be advertised on the web site and this will be held as a drop-in event at an accessible local community hub within the area. The meeting will include presentation materials and will be attended by members of the Conservation Team, who will be available to answer questions in person.
- 8.3 All consultation responses will be considered, collated and relevant comments incorporated into a revised document and reported to Cabinet for final

consideration.

8.4 Once agreed, Berkshire Archaeology will be notified so that the County Historic Environment Record can be updated, and Historic England will also be advised of the new document. The Council's Planning web site, GIS and Local Land Register will be updated accordingly.

9. TIMETABLE FOR IMPLEMENTATION

9.1 It is anticipated that the public consultation on the draft Mill Lane Conservation Area Appraisal will commence in Spring 2024.

10. APPENDICES

This report is supported by two appendices:

- Appendix A Equality Impact Assessment
- Appendix B Draft Mill Lane Conservation Area Appraisal

11. BACKGROUND DOCUMENTS

This report is supported by the following background documents:

- Conservation Area Appraisals Review Programme Report template (moderngov.co.uk)
- Planning (Listed buildings and Conservation Areas) Act 1990 <u>Planning (Listed Buildings</u> and Conservation Areas) Act 1990 (legislation.gov.uk)
- National Planning Policy Framework <u>National Planning Policy Framework</u> (publishing.service.gov.uk)
- Borough Local Plan BLP Adopted Final (7).pdf
- Historic England Advice Note 1 (Second Edition), Published 8 February 2019
 Conservation Area Appraisal, Designation and Management | Historic England
- Joint Heritage Sector Statement on Climate Change | Historic England
- Understanding Place Historic Area Assessment, Historic England 2017 <u>historicengland.org.uk/images-books/publications/understanding-place-historic-area-assessments/heag146-understanding-place-haa/#:~:text=HAAs typically give insights into,wider evolution of the area.</u>

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officer (or deputy)		
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	07.11.23	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	07.11.23	08.11.23
Deputies:			

Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	07.11.23	22.11.23
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	07.11.23	
Mandatory:	Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA		
Samantha Wootton	Data Protection Officer	07.11.23	17.11.23
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer	07.11.23	08.11.23
Other consultees:			
Directors (where relevant)			
Stephen Evans	Chief Executive	07.11.23	22.11.23
Andrew Durrant	Executive Director of Place	07.11.23	22.11.23
Assistant Directors (where relevant)			
Adrien Waite	Assistant Director of Planning	07.11.23	08.11.23
External (where relevant)			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cllr Bermange Cabinet Member for Planning, Legal and Asset Management	Yes
Ward Councillors	Cllr Karen Davies Cllr Amy Tisi	Yes

REPORT HISTORY

Decision type:	Urgency item?	To follow item?	
Non-key decision	No	No	
Added to Forward Plan on 31.07.23.			

Report Author: Ian Motuel, Planning Policy Manager 01628 796429

Appendix A

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Mill Lane Conservation Area Appraisal
Service area:	<u>Planning</u>
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?

Is it a new proposal or a change to an existing one?

Under the Planning (Listed Buildings and Conservation Areas) Act 1990 Councils have a duty to formulate and publish proposals for the preservation and enhancement of conservation areas and to undertake public consultation on these proposals. In addition, para 190 of the NPPF advises that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

The Mill Lane Conservation Area lacks a Conservation Area Appraisal at present and the new appraisal document aims to meet the above Government requirements. It provides an analysis of the features of the Mill Lane Conservation Area that give it its special architectural and historic character and identifies those elements that it is important to retain, re-introduce or enhance.

It is intended that the document will help local residents and others with an interest in the area to understand its importance and raise awareness of its history, heritage, and unique sense of place. It is also intended to function as a guide when development proposals are being considered and aid Planning Officers when assessing applications for works within the area, so contributing positively to the local development process and to improved place making.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM

employees?

- If Yes, state 'Yes' and proceed to Section 3.
- If No, please explain why not, including how you've considered equality issues.

Will this proposal need a EQIA at a later stage? (For example, for a forthcoming action plan)

Yes

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff

Residents within the conservation area boundary, developers and planning staff

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented? For example, compared to the general population do a higher proportion have disabilities?

No

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

A period of public consultation is planned for early next year. This will include a letter, map and a response sheet, the layout and content of which will be agreed with the Council's Communications Department and will be sent to each household within the conservation area. An accessibly checked version of the document and a response form will be available online, and a hard copy of the document and paper response form will be made available in local libraries.

Council staff will also be available to answer queries via email and telephone; and in person at the meeting. The meeting will be held in an accessible venue, ideally with parking, if available.

What sources of data and evidence have been used in this assessment?

Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

Not applicable

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	No impact	Not applicable	Not applicable
Disability	The document has been accessibly checked and will be made widely available on the Council's web site and in hard copies at the libraries; staff will be available to answer queries via email and telephone; and in person at the meeting; the meeting will be held in an	Not applicable	Not applicable
Sex	No impact	Not applicable	Not applicable
Race, ethnicity, and religion	No impact	Not applicable	Not applicable
Sexual orientation and gender reassignment	No impact	Not applicable	Not applicable
Pregnancy and maternity	No impact	Not applicable	Not applicable
Armed forces community	No impact	Not applicable	Not applicable
Socio- economic considerations e.g., low income,	Document is free of charge on the web site and to all residents	Not applicable	Not applicable

poverty			
Children in care/Care leavers	No impact	Not applicable	Not applicable

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

• For planned future actions, provide the name of the responsible individual and the target date for implementation.

Not applicable

How will the equality impacts identified here be monitored and reviewed in the future? See guidance document for examples of appropriate stages to review an EQIA.

Not applicable

6. Sign Off

Completed by: Sarah Harper	Date: 8.08. 2023
Approved by: Adrien Waite	Date: 24.11.2023

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Royal Borough of Windsor & Maidenhead

Mill Lane, Clewer Village Conservation Area Appraisal



September 2023



Acknowledgements

Mrs Susy Shearer

Berkshire Archaeology

Royal Borough of Windsor and Maidenhead Arboriculture Team

The Royal Windsor Web Site (RWWS)

Windsor & Royal Borough Museum and Library Services

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Note

This document may not be suitable for users of assistive technology. If you incur any issues please email conservation@rbwm.gov.uk.

The contents of this appraisal are intended to highlight significant features but they should not be regarded as fully comprehensive and the omission of, or lack of reference to a particular building or feature should not be taken to im ply that it is of no importance. Its significance may only be fully identified when is subject to rigorous assessment, which may occur as part of an assessment related to a development proposal. Similarly, the controls that apply to ele ments vary and in some instances the items that have been identified as sig nificant features may not be protected by current planning legislation.

Foreword

By Councillor Adam Bermange, Cabinet Member for Planning

The Borough Council has carried out a character appraisal for the Mill Lane, Clewer Village Conservation Area and has produced this draft appraisal document, which describes the special architectural and historic features of the area. The approach taken follows advice set out in current Historic England guidance and fulfils national legislation and policy. Once agreed, this appraisal will be used when planning decisions are made that affect the Conservation Area so will play an important role in its future preservation and enhancement.

This is a new appraisal document and is part of a longer-term project to review the existing evidence base for all Conservation Areas in the Borough, completing appraisals for Conservation Areas that do not presently have one and revising those that are found to be out of date.

The document will be the subject of a public consultation exercise in 2024 after which, this draft version will be amended to reflect feedback from the consultation process.

If you have any questions regarding any aspect of the appraisal please contact: <u>conservation@rbwm.gov.uk</u>, or

The Conservation Team, Place Directorate, Royal Borough of Windsor and Maidenhead Town Hall, St Ives Road, Maidenhead, SL6 1RF

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Conservation Areas in RBWM

- Hurley 1.
- 2. Bisham Village
- 3. Cookham Dean
- 4. Cookham Village
- 5. Burchett's Green
- Pinkneys Green 6.
- Furze Platt Triangle 7.
- Maidenhead Riverside 8.
- Littlewick Green 9.
- Altwood Road 10.
- 11. All Saints
- 12. Castle Hill
- 134 40 15. Maidenhead Town Centre
- Bray
- Waltham St. Lawrence
- St Marys and Bury Court White Waltham 16.
- Holyport 17.
- **Beenhams Heath** 18.
- Shurlock Row 19.
- 20. Mill Lane, Clewer
- 21. Eton
- 22. Windsor Town Centre
- 23. Trinity Place and Clarence Crescent
- Inner Windsor 24.
- 25. Datchet
- Old Windsor 26.
- 27. Sunningdale

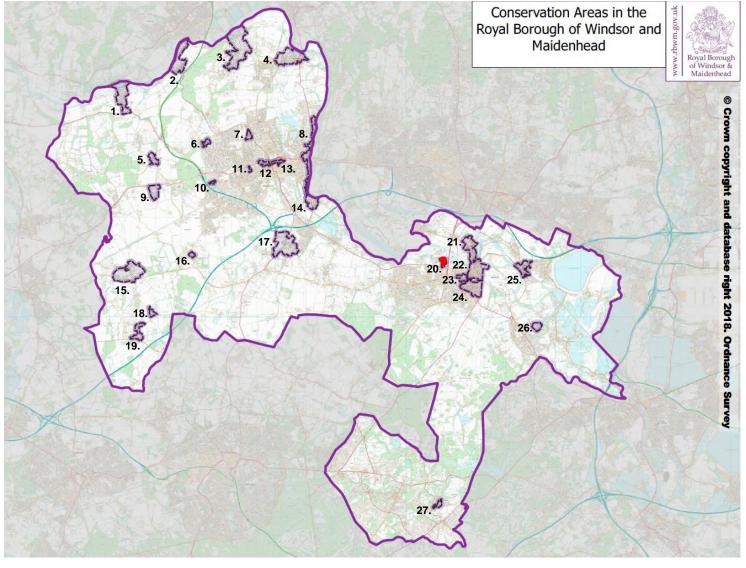


Fig. 1 Boundary Map: Conservation Areas The Royal Borough of Windsor and Maidenhead

1. Introduction





Fig. 2 Edgeworth House, Mill Lane, Clewer, listed grade II

The Mill Lane, Clewer Village Conservation Area is largely residential and lies to the south of the River Thames and to the west of Windsor town centre. It was originally included in the Windsor Riverside Conservation Area, designated in 1968. In 1977 the Windsor Town Centre District Plan identified the need to review the town's Conservation Area boundaries. Following this, on 29th March 1978, Berkshire County Council agreed to designate the village as a separate Conservation Area. In terms of current legislation and planning policy, both local and national, the Conservation Area is considered as a "designated" heritage asset.

The main purpose of this appraisal is to identify the significance, or heritage interest of the Mill Lane, Clewer, Conservation Area. This may be archaeological, architectural, artistic or historic interest as defined by the National Planning Policy Framework 2021. It should be noted that significance is derived not only from the asset's physical presence but also from its setting. This document also seeks to raise awareness of the importance of the area and the need for its preservation and enhancement. It will provide guidance for residents, developers and the Council when considering new development and alterations to existing properties, and identifies opportunities within the area for improvement and enhancement. It will also be an important document to guide decisions made at Appeal.

More information on Conservation Areas, significance, heritage assets, details of heritage policies and current guidance can be found in the Appendices to this document.

1.2 Introduction

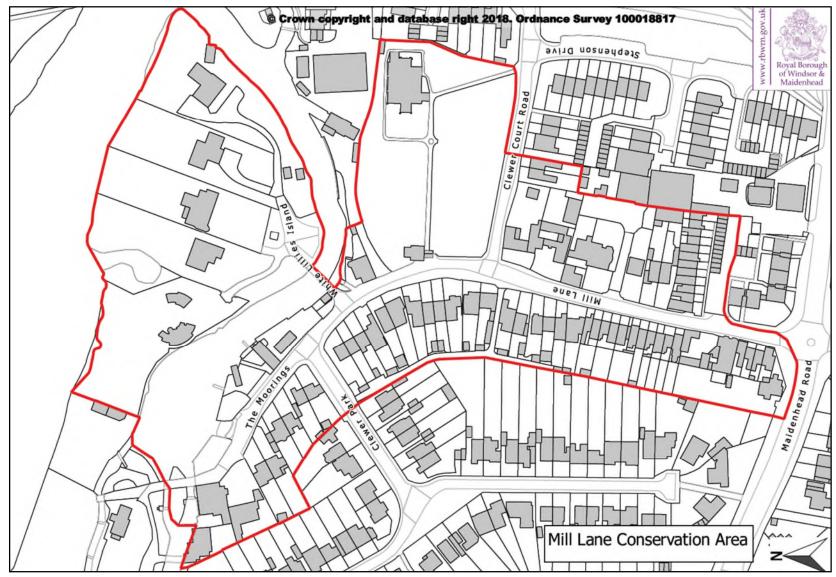


Fig. 3 Boundary Map: Mill Lane Conservation Area

2. Summary of special interest

The significance in terms of the special interest of the Mill Lane, Clewer Village Conservation Area is considered as:

Archaeological Interest

The area was a Saxon riverside settlement that predated Windsor, with a church, mill and fisheries. The Church and Churchyard of St Andrew's stand on the site of an earlier church and date from the 12th century. The village is, therefore, archeologically sensitive.

Architectural Interest

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The Conservation Area includes a number of high quality buildings, both listed (including grade II* listed buildings) and unlisted. These include St Andrew's Church, early houses dating from the 17th and 18th centuries; well detailed terraces of 19th century workers cottages; and more modern properties, such as Mill Run, a 20th century house of notable design.

Historic Interest

The area has a distinctive layout with Mill Lane forming part of an historic drovers route to Windsor Forest, running north south, and includes a stretch of the Thames (Clewer Mill Stream), moorings, a boatyard and White Lilies Island.

It has historic links with a number of famous people, families and events. These include Sir Bernard Brocas, a 14th century commander in Edward III's army, who is buried in Westminster Abbey; and Sir Daniel Gooch, MP and famous GWR railway engineer. Gooch was also responsible for laying the first transatlantic telegraph cable and involved with the construction of the Severn Tunnel. He was instrumental in bringing the railway to Windsor.

Also buried in the churchyard is Owen George Allum, a 17 year old Windsor General Post Office telegraph boy, who was a victim of the Titanic disaster. The area also has royal links as a number of people who worked for the Royal Household over the years are buried in the church yard.

Charles Thomas Wooldridge murdered his wife Laura Ellen in the Clewer Park area, and the execution of Wooldridge in 1896 was immortalised in Oscar Wilde's The Ballad of Reading Gaol.



Fig. 4 Path through St Andrews Church Yard

3. Location and context

The village of Clewer falls within the County of Berkshire, and lies within the south east of the Royal Borough of Windsor and Maidenhead. It is a suburb positioned to the west of the town of Windsor and is separated from it by The Royal Windsor Way. This is a four lane road constructed in the 1960s as the Windsor and Eton Relief Road. It is one of the busiest roads in the Borough and links Windsor with the M4. It was refurbished and renamed in 2012.

To the north Clewer village is bounded by Royal Windsor Race Course and the River Thames, and forms part of the setting of the river. Included within the Conservation Area is White Lilles Island, created by an inlet of the river and accessed via a bridge. To the south is Maidenhead Road and to the west the open spaces of Clewer Park and allotments. The park forms part of the setting of the Conservation Area and contains an ornamental pond, grassland and areas of woodland, including some ancient oak trees that survive from Windsor Forest. The park is a haven for wildlife and birds, and the landscape is all that remains of the former Clewer Park Estate. This area was purchased by the Royal Borough of Windsor and Maidenhead in 1975 to prevent further development and to provide an open space for the enjoyment of residents. The Conservation Area falls within a protected species region, which is noted for bats, Kingfishers, Reed Bunting, Dunnock, Song Thrush, House Sparrows and Woodpeckers.

The Clewer area has been identified in the Council's Borough Townscape Assessment (2010) as being a

"Historic Village Core". These areas are noted as "the historic core of villages usually associated with a village church, green or common. The type includes examples of development shown on the 1816-1822 Ordnance Survey maps of England and Wales". The assessment of Clewer village describes the village as having been subsumed within the wider urban fabric of Windsor. With parts of the main street, Mill Lane, redeveloped in the 19th and 20th centuries to include two storey terraces and semi detached properties. The importance of the lych gate, Church Lodge and church are particularly noted. The large specimen trees within the area are considered to contribute strongly to its leafy character and the importance of maintaining structural vegetation within the area, in both public and private spaces, is highlighted.

The area falls within the Clewer Corridor Neighbourhood Area identified in the Windsor Neighbourhood Plan. This is described as "a continuous ancient route stretching from the mill at a fordable spot on the Thames to ...Windsor Forest'. The country lane character of Mill Lane is particularly recognised.

It is noted that most of the Conservation Area falls within EA Flood Zone 2, and there is also a culverted stream running along Mill Lane.



Fig. 5 The relief road following its construction, with the race course stables in the left hand corner of the image (photo The Royal Windsor Forum)

4. General character



Clewer Village is a peaceful, predominantly residential, suburban area with an interesting history and a mix of mostly modest buildings of different types and ages.

An important building in the townscape and community focus is the church of St Andrew the Apostle with its distinctive timber shingle clad spire. The Church falls within the Diocese of Oxford and has regular services, with an active team of bell ringers. The church lodge, lych gate and boundary wall to the church yard are also important architectural and historic features of the Conservation Area.

Other notable features are the open space of the church yard, which is bounded and crossed by mature avenues of trees and includes some notable memorials.

The Mill Stream, which cuts across the northern part of the area, is fringed with mature trees, giving this part of the area a more open and semi-rural character. White Lilies Island is an unusual feature, formed between the Mill Stream and the Thames, accessed via a private road, this is the location of a small number of exclusive larger houses.

The only public house, The Swan, which includes substantial outbuildings, has historically been used as a coaching inn and court house. It closed some years ago, but was successfully listed as an Asset of Community Value in November 2018. In January 2019 it was purchased by a local community group and has been refurbished and reopened as a free from tie public house and local community hub.



Fig. 6 Stone cross in St Andrew's Church Yard



5. Archaeology

The Palaeolithic Period

The stretch of riverbank where the village gradually grew attracted human habitation potentially as early as the Upper Palaeolithic period (the stone age, approximately 2.6 million years ago). The easternmost and oldest section of the Thames lies in a chalk valley between the North Downs and Chiltern Hills. Geological deposits across much of this section of the river are composed of London Clay, a stiff blue-grey marine sediment with notable fossil inclusions. This "proto-Thames" formed around 60-50 million years ago when Britain was submerged under warm tropical seas, although its course was severely disrupted around 110,000 Rears ago with the coming of the last Ice Age, when a slowly advancing glacier forced the river southward into something resembling its present course. With this diversion, the river eroded the London Clay valley creating a series of terraces and depositing heavier sediments such as sands, gravels and, in some locations (including Clewer), valuable brickearth (sandy clay), which later became essential in the manufacture of building materials.

The Lower and Middle Palaeolithic

The Lower and Middle Palaeolithic periods (circa 3.3 million to 300,000 years ago) were characterised by alternate phases of warming and cooling. During this later phase the environment evolved from a treeless, stepped tundra, into woodlands populated with birch and pine trees. It is probably at this point that the area began to see continuous human occupation, with climate conditions continuing to improve right up to the Bronze Age (circa 3,000 to 1200 BC).

Mesolithic

Mesolithic environments were largely wooded and supported the needs of hunter-gatherer communities. River valleys such as the Thames would have been especially hospitable to humans, providing a predictable source of food (hunting and fishing) and water, as well as a means for transport and communication. Evidence from this period of human activity in the Clewer locality is characterised largely by finds of flint tools and waste rather than structural remains. Mesolithic flints including blades, burnt flint and a few cores were found in 1987 along the riverside in Windsor. In Clewer, a flint tool around 5cm long was found in Orchard Avenue, near Hatch Lane, approximately 200m-300m south of Mill Lane.

Early settlement

Two archaeological investigations in the early 2000s sought to explore the early settlement. Archaeological monitoring took place when a new building was constructed within the grounds of Edgeworth House and when new lamp posts were erected within the graveyard of St Andrew's Church. Unfortunately, neither revealed any remains, other than 19th-century rubble within the graveyard, probably associated with the 19th-century renovations of the Church.

As such, nothing is currently known about the area prior to the

5.1 Archaeology



establishment of the medieval village and there are no known archaeological monuments (other than the church) or finds spots within the Conservation Area. The area, however, lies on the gravels and alluvium of the Middle Thames Valley, an area intensively settled and farmed from the Early Neolithic period (circa 4,000 BC) onwards.

Recent archaeological excavations, for example, on the north bank of the Thames in advance of the construction of the nearby Eton Dorney Rowing Lake, found important remains of prehistoric, Roman and Saxon date. Similar buried deposits are highly likely to survive within the Conservation Area, sealed below the current built environment.

Like elsewhere along the Thames, archaeological finds have been recovered from the bed of the River adjacent to Clewer. These include a stone axe head, a stone mace head and a Late Bronze Age (circa 1,000 BC) bronze spearhead. The huge number and range of such objects recovered from the River Thames as a whole suggests that these were not accidental loses, but deliberate depositions, the meaning of which is now lost.

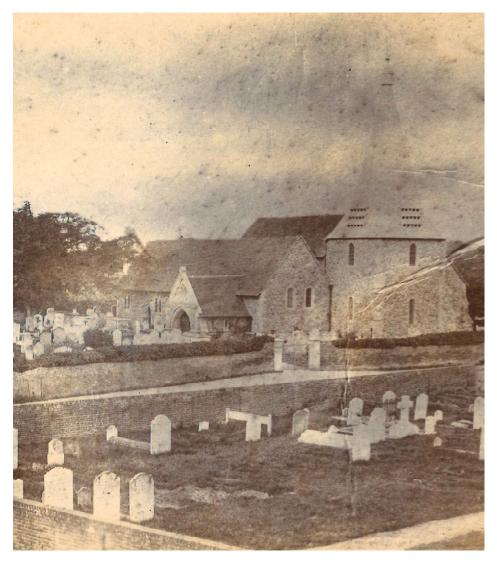


Fig. 8 St Andrew's Church, Clewer, circa 1857

6. History

The Mill Lane Conservation Area encompasses the historic settlement of Clewer and the settlement's location on the south bank of the River Thames was likely to have been an important topographic factor in its origins and development. Clewer Mill Stream is named after the mill it once drove, although it is unclear if the stream was purpose-built, or if it was modified from a pre-existing braid of the River Thames.

Clewer existed as a small settlement by the river long before Windsor came into being, with its church, mill (mentioned in Domesday Book) and fisheries. The Mill Stream provided a safe harbour with access to the Thames. Place name evidence indicates that Clewer had its origins in the late axon period. The Domesday Book records this area in 1086 as 'Clivore' (from 'Clifwara', meaning "Cliff-dwellers"), a reference to the prominent chalk outcrop within the Manor of Clewer held by Earl Harold (II) of Wessex, England's last Anglo-Saxon king. This chalk was the building material used for St Andrew's Church, the earliest part of which dates from the 12th century.

By the time William the Conqueror chose what is now known as Castle Hill in Windsor to build his fort, the Manor of Clewer had passed to Radulfus son of Seifride, who charged 12 shillings per annum for the half a hide of land the wooden fort was built on. William's descendants continued to pay rent until the 1500s.

Rector Elwell of St Andrew's sister church, All Saints Dedworth, records the local tradition that William the

Conqueror "was accustomed to hear Mass in Clewer Church", as there was no chapel built in the wooden fortification on Castle Hill.

In 1198 the Knights Templars of Bisham granted a fishery at Clewer to Richard de Sifrewast, who held the manor at the time.

In 1316 New Windsor was returned as a borough, and the Hundred of Ripplesmere consisted of Easthampstead, Winkfield and Ascot, Clewer and Dedworth, and Old Windsor.

During the reign of King Richard II, Sir Bernard Brocas, a prominent commander during the Hundred Years War, held lands in Clewer as well as the Manor of Clewer and Clewer Brocas. Eight years into King Richards reign, Sir Bernard endowed a chapel at St Andrew's Church in Clewer.

In the 18th-century the village was depicted, reasonably



Fig.9 Excerpt from John Rocque's Map of Berkshire (1761)

6.1 History



accurately although somewhat stylistically, on Rocque's 1761 map of Berkshire, with houses either side of Mill Lane, which would have included The Limes and Edgeworth House, leading to Clewer Mill (Fig.9).

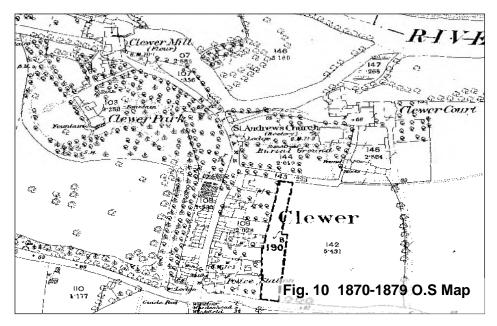
The original mill burnt down in 1781 and was soon after replaced with the current building. Prior to the fire, the interior machinery of the mill was noted to have been "curious and singular" (*Tighe, Robert Richard; Davis, James Edward (1858). Annals of Windsor. pp. 16–17*) drawing the attention of King George III and many noblemen. It operated as a mill, first flour, then corn until 1899 and by 1912 was referred to as Mill House. In more recent times it has been the home of a number of famous music and media personalities.

In addition to the church and mill, by the 1870's (Fig. 10), Clewer consisted of a Police Station, a smithy, a public house (The Duke of Edinburgh) and separate Inn (The Swan). It included St Andrew's Church lodge, rectory and burial ground; and Clewer Court, a large Georgian house (now demolished). Riverside Cottage fronting Mill Lane was its lodge. The 1870's O.S map also details a pound and stocks to the south east of the church yard. Clewer Park with its lodge on Clewer Road (now Maidenhead Road) and large greenhouses onto Mill Lane are prominent features.

Clewer Park

Clewer Park house, now demolished, had 15th century origins and was later altered and modernised in the Georgian period to become a large three-storey stucco mansion. It was used as a barracks to accommodate the Royal Horse Guards 1796-1800, until replaced 1881.The most famous owner of the estate was Sir Daniel Gooch, who purchased Clewer Park in 1859.

Starting his career as a locomotive engineer in 1837 he worked for the GWR and later took up the role as chief engineer of the Telegraph Construction & Maintenance Company. It was while working here that Gooch played an instrumental role in laying the first Transatlantic Telegraph Cable, reducing communication times from 10 days to a matter of minutes. He became the Director of the GWR and a Conservation MP in 1865 and was knighted in 1866. He is commemorated in Clewer by a plaque at no. 7 Mill Lane .



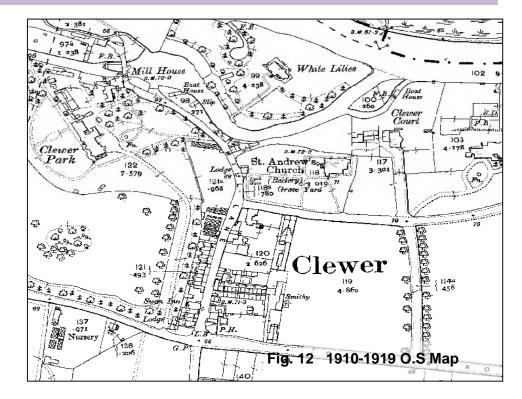
6.2 History

In the 1860's Gooch replaced the irregular line of cottages on the west side of Mill Lane with the fine terrace that stands there today. He was also responsible for rebuilding the frontage of The Swan public house.

Sir Daniel Gooch died at Clewer Park in 1889 and was buried in St Andrew's church yard. The house and estate were passed down through the family until they were sold and bought by the wealthy widow, Mrs Harriet Frances Moss- Cockle (later called Mosscockle), in around 1907. This was three years after the death of her husband Charles Moss-Cockle, a solicitor and a Commissioner for Queensland. Harriet was a well known slightly



Fig 11. Clewer Park date unknown (photo RWWS)



eccentric local figure and a dog breeder of note.

At the start of WWII Clewer Park was commandeered by the Royal Navy and used by the WRN's in the "Pay and Admin" branch. It was returned in 1945 but due to its state of disrepair it was sold in 1955. The following year, 60 houses were built by a developer forming the housing estate known as Clewer Park Fig.13. Today all that remains of buildings of Clewer Park are the gate posts and lodge (now much altered) on Maidenhead Road and a well to the rear of Mill Lane. The remains of the estate are now used as allotments and a public park, and are located to the

6.3 History

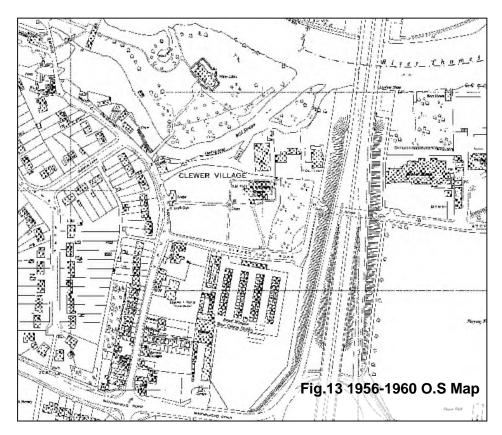
west of the Conservation Area, these form a part of its setting.

The Limes

In 1848, the widow of an English clergyman, Mariquita Tennant, began taking impoverished women into her home. This was a response to the social conditions of Windsor at this time and the concerns over living conditions for women who had fallen into "drunkenness and prostitution". She continued until 1849, when she could no longer cope with the number of women under her care. Rev Thomas Carter of St Andrew's Church moved the now "House of Mercy" from Mill Lane to Hatch Lane in 1851 where a convent and chapel were built (Convent Court). The sisters left Hatch Lane in 2001. Mariquita and Rev Thomas are both buried in the churchyard, as are many of the "Magdalen Women", most in unmarked graves, who were in their care.

Titanic Connection

Owen Allum embarked the Titanic at Southampton and was travelling in third class bound for New York City to meet up with his father who had only recently taken up a position in the USA. Following the sinking of the ship, Owen's body was recovered by the Mackay Bennett (ship) and taken to Boston, this is unusual as most 3rd class passengers were buried at sea. His father accompanied his body back to Clewer, where it was to be laid to rest beside that of his little sister. Owen's grave is listed as one of nine memorials in the churchyard to be included as Locally Important Buildings in Appendix 4.



The historic 1956-60 O.S map above shows the land to the east of Mill Lane used as stables for the Royal Windsor Race Course. These remained until Clewer Court Road and Stephenson Drive were developed in the late 1960s. Figs.12 and 13 also show the large late 19th century house, White Lilies, located on White Lilies Island, this too was demolished in the late 1960s. The projected route of the Windsor Relief Road and pedestrian underpass are outlined on the map.





6.4 History

Windsor Relief Road

In July 1964 construction began on the Windsor Relief Road with its completion in July 1966. The impact on Mill Lane was devastating, resulting in the demolition of Clewer Court and the decline and eventual demolition of Clewer Mead. Clewer Mead, shown on Fig.13 at the very edge of the relief road to the east, was a two storey late 19th century building Fig. 14. It became home to the Etonian Country Club, it included grand interiors and landscaped gardens. The house fell into disrepair by the time it was used in the 1960s as a venue for the infamous Ricky Tick Club, a rhythm and blues club. It stood on the site of the Windsor Leisure Centre Fig. 15.





St Andrew's Church Yard

The church was restored in the 1850s, it is thought that the entrance lodge and lychgate (grade II listed), designed by Henry Woodyer, were built at this time. The graveyard of St Andrew's, Clewer was extended westwards circa 1866, and the hexagonal stepped memorial topped with a cross, located to the west of the church, commemorates this event.

The earliest memorials are to the south and east of the church and include two headstones commemorating members of the Charlton family. Memorials include a large granite slab to Daniel Gooch, a simple cross marking the grave of Mariquita Tennant; a headstone to Mary Anne Hull, nurse to Queen Victoria's children (d1888); a large chest tomb with ornate carvings of contemporary military inspired features to Edward Adams, a quartermaster in

6.5 History

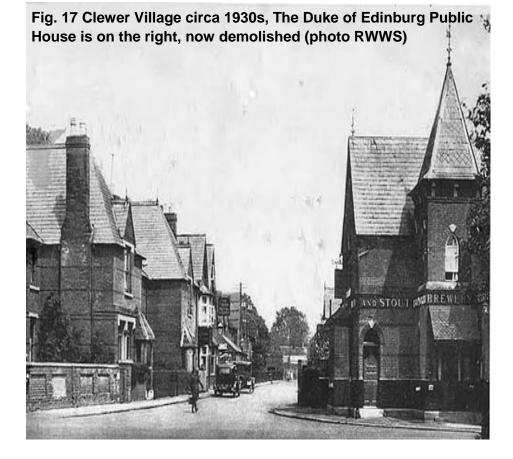


the Royal Horse Guards, and a simple monument to Mary Ann Glover, nurse to the Princess Royal, one of Queen Victoria's children.

It also contains many unmarked Magdalen graves (women cared for at the Limes and by the Sisters of the House of Mercy), and twenty two scattered war graves, eighteen from the First World War and four from the Second World War further details can be found at ttps://www.tracesofwar.com/sights/31327/Commonwealth-War-Graves-St-Andrew-Old-Churchyard.htm



Fig. 16 Andrews Church amongst the fields, 1906 by T E Cochrane, a local photographer and publisher (photo RWWS).



Further details of the monuments identified as Locally Important Features can be found in Appendix 4 and a history of the Church and churchyard can be found at: <u>St Andrews Church, Part of</u> <u>the Clewer Parish of Windsor (standrewsclewer.org)</u>

7. Spatial Analysis: Scale, layout and urban grain

Scale, Layout and Urban Grain

The Mill Lane Conservation Area has a varied urban grain comprising a mix of plot sizes and groups of mainly semidetached and terraced, predominantly two storey, properties.

The principal road, Mill Lane, runs north south within the Conservation Area and to the north this becomes The Moorings, which curves north- east along the mill stream. Clewer Court Road runs east -west to the south of the church yard. To the north of this is the access, via a bridge, into White Lilies Island. Clewer Park, only a small section of which falls within the designated area, is to the west of Mill carriage drive to Clewer Park that remains within the garden of the former lodge.

Mill Lane

There is a strong contrast in layout between the west and east sides of Mill Lane. On the west, the plots are continuous and linear in layout, Fig.18 and on the east, particularly where the older buildings are located, they are more varied in orientation, size, depth, and relationship to the road, Fig.19. On the west side, the buildings are tightly spaced with no break between properties. In contrast, and except for the buildings that form Swan Terrace, the properties on the east side of Mill Lane tend to have larger footprints and more varied orientation. These buildings are enclosed with high boundary walls that create a strong sense of enclosure from the junction with the A308 (Maidenhead Road) up to the churchyard.





7.1 Spatial Analysis: Scale, layout and urban grain

The Moorings

Northwards, within The Moorings, the buildings and plots become more generous in size. There are breaks between the short rows of 2 storey terraces and semi-detached dwellings. This gradual change in layout has resulted in larger front gardens, although these vary in size. The wide grass verges also make the streetscape appear more spacious. At the northern end of The Moorings, the built form is less dense and more informal. This part of the Conservation Area has a more spacious and semirural appearance, as there are fewer buildings and more greenery. This change in character is reinforced by the presence of the Mill Stream creating an important break in the townscape, it offers river views, and allows glimpses of the large properties to the east on White Lilies Island.



White Lilies Island

White Lilies Island is different to the rest of the Conservation

Area as the houses and plots are large and the latter irregular in shape. All bound the Thames to the north and in some cases the plots also have boundaries with the river inlet to the south and west. The island has a spacious, green and leafy character.

Clewer Court Road

A short section of this road falls within the Conservation Area, it includes the boundary of the church yard, the flank wall of The Limes, which is positioned hard on the back of the pavement and a pair of Victorian houses, which are set back from the road.

St Andrew's Church and Churchyard

The church and church yard are important focal features of the Conservation Area. The church is the most architecturally and historic significant building and the churchyard is the largest open space. The latter has a sylvan character and clear boundaries defined by distinctive brick and flint walls that front both Mill Lane and Clewer Court Road. The open appearance of the churchyard creates a strong contrast to the more tightly developed frontages along Mill Lane.



Fig. 21 Clewer Court Road looking east towards the church yard

7.2 Spatial Analysis: Views and entry points

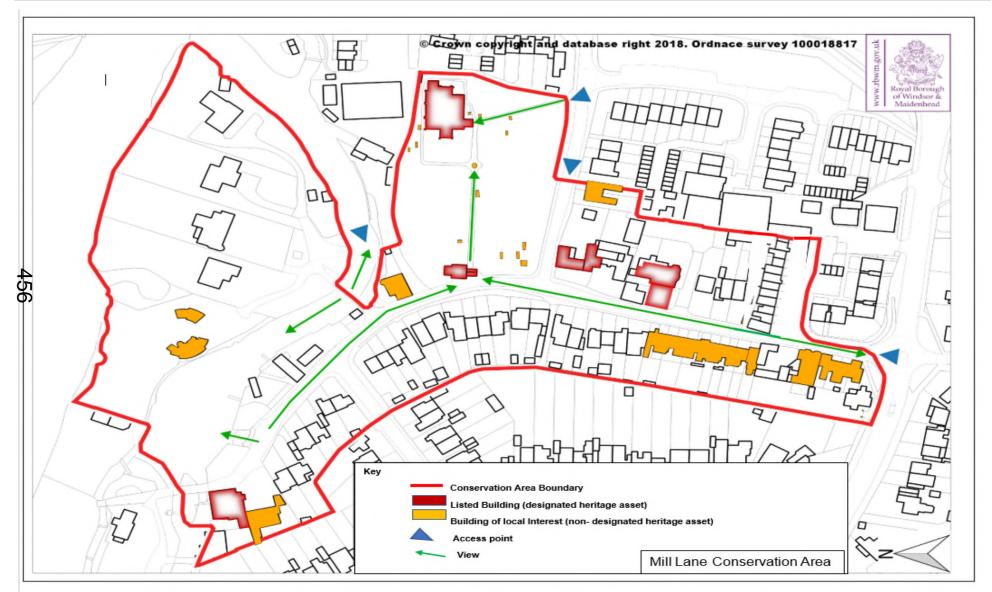


Fig. 22 Views and Entry Points Map: Mill Lane Conservation Area

7.3 Spatial Analysis: Views and entry points

Important Entry Points

There are two vehicular entry points (1 and 2 Fig. 22) into the Conservation Area, the main one is to the south from the busy Maidenhead Road Fig.23, the village having been cut off from Windsor to the east by the development of the Royal Way in the 1960s. To the east is a well-used pedestrian underpass that links Clewer Court Road to Stovall Road and Windsor (outside of the Conservation Area).



Fig. 23 View looking north from Maidenhead Road

Views

Maidenhead Road to Mill Lane, entry point 1, view A-B Fig.22

Maidenhead Road is a busy route into Windsor, so when entering Mill Lane, there is a distinctive change in ambiance between the areas. Whilst there is vehicle activity, Mill Lane is noticeably quieter. From this entrance into the Conservation Area there is a long view north toward the church, lodge and lych gate, Fig. 23 This view is framed by built form, it is enclosed by brick buildings with clay tiled and weathered slate roofs. The suburban character of the Conservation Area is conspicuous in this view. The undulating roof lines, chimneys and tall boundary walls are important features that add to the character of the area. The signage and hanging sign of The Swan are important historical features and are prominent in this view. Car parking narrows the views midway along the road Figs. 24 and 25.



Clewer Court Road, entry point 2 Fig.22

This is the second vehicle entry point into the area. The presence of the flint and brickwork church boundary wall closely defines and encloses the street, as does the tree screening along the boundary of the church yard, Fig 26. On the south side of Clewer Court Road, a pair of semi-detached Victorian town houses with visually striking gables form a distinctive marker at this eastern entrance to the Conservation Area.



Fig. 26 View east along Clewer Court Road

7.4 Spatial Analysis: Views and entry points

Approaching from Mill Stream, entry point 3, views C,D,E, and F Fig. 22 $\,$

This entry point is only accessible by boat and is important as it is an historic access into the Conservation Area. The stream leads to the Clewer Mill and its presence today is a reminder of the origins and history of the Conservation Area. Riverside Cottage and the bridge leading to White Lilies Island are visually prominent at this entry point. Beyond the bridge the activity and unsightly clutter of the boat vard can be seen from views E and F, Fig. 22. Whilst generally considered unattractive, this does have a very distinctive character and is unusual as it is a working boat yard in a residential location. Further north, the mature Reenery and trees create an almost rural appearance to this area, which has a tranquil atmosphere, view D. The informal river bank slopes to the water and the lack of built form creates a secluded atmosphere. There are views of the water that are not available elsewhere within the Conservation Area, Fig 28 this is a positive townscape feature.



Fig. 27 The Moorings towards Mill Stream viewed from White Lilies Bridge Looking south along Mill Lane, view C, Church Lodge, a strong visual focal feature, comes into view. Greenery is important as



Fig. 28 Mill Stream, viewed from The Moorings

St. Andrews Church Yard from Clewer Court Road, entry point 4, views H and G

This pedestrian entry point 4 Fig.22, has a very distinctive character as there is a dramatic change from residential street to a secluded grave yard and paths lined with tall dark yew trees. These draw the eye towards the church, with glimpses of the main entrance and the spire rising above the tree line, view H, Fig. 22. The church spire is considered an important focal point in views into and within the area.

The burial ground has a distinctively different character to the rest of the Conservation Area, largely as a result of the extensive mature greenery and trees, and also because of the screening created by the surrounding brick and flint walls.

7.5 Spatial Analysis: Views and entry points

The entry from the lych gate towards the church, view G Fig. 22, takes the viewer from the street into the secluded and quiet church yard. The stepped memorial is visible at the end of the route and is a strong focal point framed by an avenue of tall yew trees. Fig. 30 .Other than the avenue, the character here is more open than the entrance to the church yard from Clewer Court Road. The church remains a dominant presence.

The Conservation Area also falls within 2 of the viewing corridors identified in the Windsor Neighbourhood Plan, View of Windsor Castle from Maidenhead Road and View of the racecourse from Royal Windsor Way Bridge - <u>WNP APPENDIX</u> <u>3 VIEWS ADOPTED FINALVersion 29.06.21.pdf (windsorplan.org.uk)</u>.



Fig. 29 St Andrew's church yard path from Clewer Court

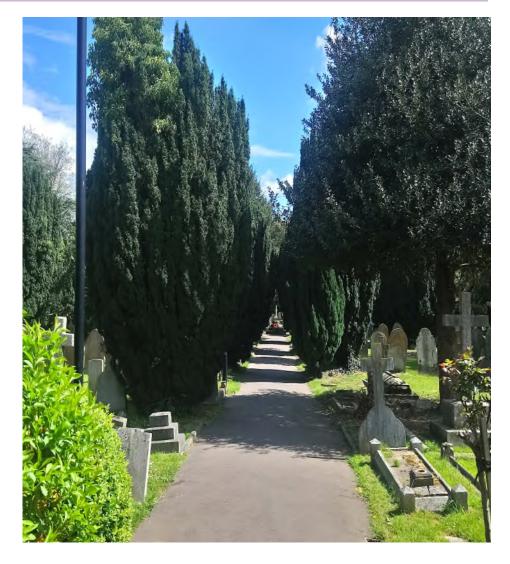


Fig. 30 View from the lych gate towards the memorial cross

7.6 Spatial Analysis: Routes

Important Routes

Vehicular

The quiet ambience of the Conservation Area is negatively affected by the flow and activity of residential traffic, and traffic noise from the busy Royal Windsor Way and Maidenhead Road. Traffic is mainly concentrated on Mill Lane and Clewer Court Road with some through traffic heading for Clewer Park and White Lilies Island. The latter is accessed from a bridge and a private road. The atmosphere is much quieter at the northern end of the Conservation Area and the flow of vehicles less regular. Congested and ad hoc road side parking along Mill Lane tracts from the appearance of the Conservation Area.

There is a service lane joining Clewer Park and Mill Lane to the rear of the modern houses, which runs approximately on the line of the original wall of the walled garden to Clewer Park Fig 32.

Pedestrian

Pedestrian footfall is concentrated on Mill Lane and through to Clewer Court Road as this is a well used route into Windsor town centre.

There are footpaths leading from the principal roads, these include the access to the front of the houses on Swan Terrace, and the paths through St Andrew's Church Yard. There is also the rear lane access from Clewer Park to Mill Lane, noted above, although this is less inviting for pedestrians.



Fig. 31 Swan Terrace foot path



Fig. 32 Rear lane from Clewer

7.7 Spatial Analysis: Public realm and street furniture

Public realm, street furniture and signage

Throughout the area the road surfaces are tarmacked and the pavements finished with blacktop or concrete slabs, with some areas of traditional granite kerbs and gutters lined with setts. These are generally in good condition. On the east side of Mill Lane there is no pavement north of Church Lodge and wide, visually dominant double yellow lines run north into Clewer Court Road.

Throughout the area are modern black painted traditional Windsor style lamps on decorative standards Fig. 33 There are also modern metal cannon type bollards, of a traditional design, in front of The Limes.

Signage is mainly modern, there are three traditional decorative cast metal road signs (two on Mill Lane and one on Swan Terrace) Fig. 34, which are an attractive feature of the area. There are numerous modern way finding and information signs attached to the lamp posts, creating a cluttered appearance Fig.35.

The Swan has a distinctive hanging sign Fig.36 and also had a flag pole, that may have originated from a traditional "ale pole".

Boundaries

Well defined plot boundaries are a positive feature of the Conservation Area. On the west side of Mill Lane the buildings





Fig. 33 modern Windsor style lamp

Fig. 34 Road sign on Mill Lane



Fig. 35 cluttered wayfinding



Fig. 36 The Swan hanging sign

7.8 Spatial Analysis: Boundaries

have a strong relationship with the road, most have low boundary or dwarf walls, and small gardens with some greenery. The modern houses to the north are set behind modest front gardens, with low boundary walls and generous grass verges Fig 40. A number of the boundary walls to these properties have, however, been removed to facilitate off street parking. This has opened up the frontages and blurred the traditional division between private/public space that exists elsewhere in the Conservation Area. This has also resulted in a loss of greenery that would contribute positively towards the quality of the streetscape.

A number of the properties on the east side of Mill Lane are set whind distinctive tall boundary walls. These are mostly of some age, are constructed of red brick, and have ornate gates and piers, some with stone cappings. A number of these walls and gateways are listed, either in their own right, e.g. Edgeworth House Figs.2 & 42, or are considered curtilage listed, e.g. The Limes Figs. 38, 39 & 43 and Old Mill House Fig. 51 (for further information on listed buildings and curtilage listing see page 49).

In places, such as at the western end of Swan Terrace, buildings are built up to the back of the pavement edge and on the corner of Clewer Court Road and Mill Lane, the old red brick garden wall and the timber framed building (The Limes) merge.

The long brick and flint wall to the churchyard (curtilage listed) with its distinctive brick canted coping is a prominent and important architectural feature at the heart of the Conservation Area Fig. 41.



Fig. 37 Brick boundary wall and wrought iron gates to The Coach House, Mill Lane (unlisted)



Fig. 38 Boundary wall to The Limes (listed)

7.9 Spatial Analysis: Boundaries



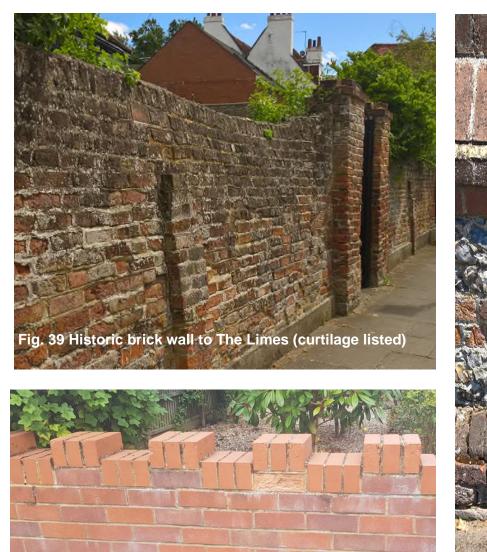


Fig. 40 Modern red brick wall, Mill Lane, which defines the public/private boundary in the streetscape







7.10 Spatial Analysis: Open spaces, trees and vegetation

Open spaces, trees and vegetation

The open spaces, trees and vegetation within the Conservation Area contribute positively to and enhance its character. Fig.46. The churchyard is a key open space and focal point within the area. The planting here comprises mainly mature specimen trees including Cedar, Lime, Oak, Ash, Holly and English Yew. There are two notable avenues of Irish Yew that mark both pathways leading to the church, the most prominent of which leads to the lych gate on Mill Lane. There are also a row of pollarded Lime trees that skirt the southern boundary of the church yard along with Clewer Court Road.

Shere are a wide variety of specimen trees within the former grounds of 'White Lilies'. (covered by a Tree Preservation Order). These are also key features of the Conservation Area and strongly contribute to its leafy character. This is enhanced by native trees, such as willows, lime, poplar, yew, ash, beech and thorn, appropriate to the riparian setting given White Lilies Island is bounded by the river Thames to the north and the Mill Stream to the east and south. The tree cover is reflected on the opposite bank adjacent to Mill Lane and land north of the churchyard, greening the area and contributing to its biodiversity. The trees provide a visual point of reference that help define the waterway.

There are a few other trees of note, including a mature horse chestnut in the grounds of the Old Mill House and other individual trees at Edgeworth House (also covered by two Tree Preservation Orders) and at The Church Lodge. The two trees on the public highway at Mill Lane, whilst currently of small stature, also positively contribute to the appearance of the area. Other vegetation, including the grass verge along the west side of Mill Lane and the irregular linear belt of shrubs further to the north on the east side of the road, add to the verdant appearance of the designated area.

River and Waterside Areas

These areas are generally informal with direct access to the Mill Stream at the northern end of Mill Lane and overgrown steps leading down to the water to the rear of Riverside Cottage Fig. 44. There are pontoons and other semi permanent structures alongside the moorings that are visible from Mill Lane and White Lilies Bridge, Fig. 45, these are considered to detract from the appearance of the Conservation Area.

Fig. 44 steps adjacent to Riverside Cottage





7.11 Spatial Analysis: Spaces, trees and vegetation



Fig. 46 Important spaces , trees and vegetation

8. Buildings: Age and architectural style

Ages and Architectural Style

The ages and architectural styles of the buildings in the Mill Lane Conservation Area are varied. Fig. 49 illustrates the main buildings of architectural interest. The oldest building is St Andrew's Church (grade II*), thought to be one of the oldest buildings in Windsor. It was listed in 1950 and is 12th century in origin with later 14th and 15th century additions. It is largely Norman in style with later Gothic Revival elements and is constructed of flint, with Bath stone dressings. The early supporting piers are of chalk block (clunch), the roof is tiled and the spire shingled. The church was restored and partially rebuilt by the well known church architect Henry Coodyer (1815-1896), a pupil of William Butterfield, in the mid and late 19th century. As part of this work, the rood screen, reredos (a WWI War Memorial) and the pulpit were installed (for full descriptions of all listed buildings see Appendix 2).

The pretty grade II listed Lych Gate and Lodge are also probably by Woodyer, Fig. 47. In 1967 the church was again refurbished by the architect Roderick Gradidge, and the interior decorative screen largely dates from this time, although some early wall paintings remain. The mural of the Risen Lord, by Anthony Ballantine, was also commissioned as part of this work. The interior includes a 12th century font, early carved church furniture, 19th and 20th century stained glass, and a range of memorials.

The newest structure at the time of writing is White Lilies, approved in 2016, this house replaced a earlier 3 storey

building of little historic or architectural interest. It is of contemporary design and 4 storeys in height, Fig. 48.



Fig 47. Church Lodge and Lych gate



8.1 Buildings: Historic assets



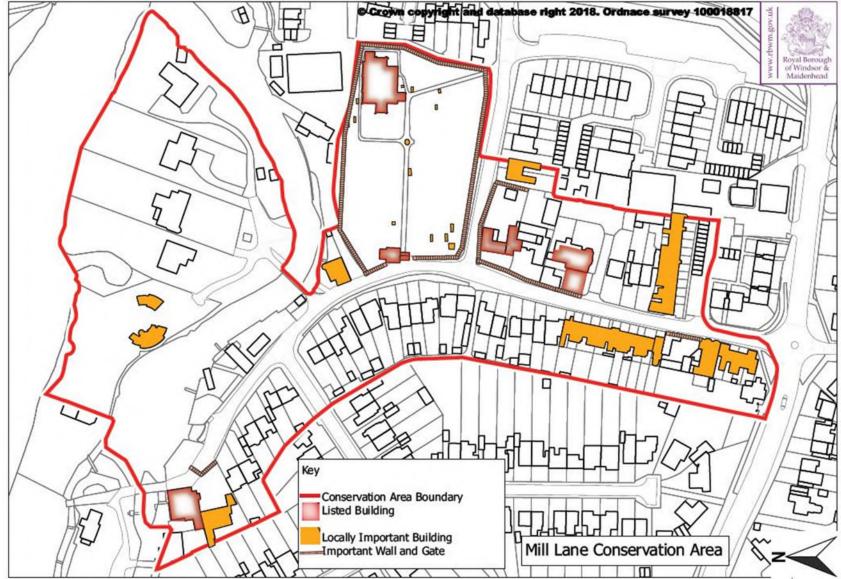


Fig. 49 Historic assets map: Mill Lane Conservation Area

8.2 Buildings: Age and architectural style

The only vernacular building in the Mill Lane Conservation Area is The Limes, located on the corner of Mill Lane and Clewer Court Road Fig. 50. It is circa 17th century in date with later 17th and 18th century additions. It was listed in 1975 and is grade II*. It is partly timber framed, visible from Clewer Court Road, with hand made brick infill. The building has a distinctive irregular old tiled roof and tall soft red brick chimney stacks.

Directly to the south of The Limes is Edgeworth House, a three storey, white rendered four bay Georgian house of 1707, with later extensions. This building was listed in 1975 and is grade II* listed, Fig 2.

The Old Mill House, Fig 51 is also grade II listed, and is located the north of the Conservation Area, next to the mill stream. It is 18th century in date and originally formed a part of the Clewer Park Estate. It is constructed of red brick with a brick parapet, stone coping and old hipped clay tiled roof. It's porticoed entrance is to the south elevation and the east elevation includes a recessed brick arch and delicate wrought iron balconettes.



Fig. 50 The Limes, exposed timber faming to northern elevation



Fig. 51 refined elevational detailing and use of materials to The Old Mill House, Mill Lane

The listed buildings are considered as designated heritage assets and are all of historic, architectural and in the case of the timber framed buildings, archaeological interest. Accordingly, they are considered to have a high degree of significance (see page 49) as defined by the National Planning Policy Framework 2021. Further information on historic assets can be found in Appendix 1.

At the southern entrance of the Conservation Area to the west are a group of four unlisted two storey Victorian estate houses adjoining The Swan public house. These are one bay wide and constructed of red brick, with burnt brick coursing and stone lintels under slate roofs with decorative clay ridge tiles. Originally of symmetrical design, Fig. 52, the central section of the group is recessed with front doors under a shared timber framed open porch. The first floor is decorated with a stone crest and date stone of 1869 under a turreted roof. At ground floor the forward wings have projecting open door canopies with tiled roofs and

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scalloped decoration. There are two window openings divided by a brick pier with chamfered detailing at ground floor, stone lintols with chamfered stop ends and a prominent brick arch over. At first floor there are brick gables over the central windows, the right wing has a plaque to Daniel Gooch, Fig. 51. Part of the terrace has been rough rendered and original windows and doors have been replaced with new units of design and materials that are considered to detract from their appearance.

The Swan public house adjoins the terrace, Fig 53. It comprises three storeys, including an attic floor within two gables, with decorative barge boards, that front the road. The street elevation is of redbrick and there is a later double height bay to the left hand side of the frontage and a single storey bay to the right.



Fig. 52 view of frontage of no 7 Mill Lane, with plaque commemorating Daniel Gooch There is a central front door with fan light under a slate canopy extending from the adjacent single storey bay window. At first floor there is a projecting modern sign on a long decorative metal bracket. No original window or doors remain and the frontage is in poor decorative order at present. The site includes a good example of a Victorian coach house and various period outbuildings.

This group of buildings are important because of their position as they mark the southern entrance to the Conservation Area– the grey rendered building is a landmark when seen from Maidenhead Road. The buildings are also important because of the quality of their architecture and their historic links to Daniel Gooch. The public house is considered to also has a high degree of communal importance.



Fig. 53 Frontage of The Swan public house

8.4 Buildings: Age and architectural style



Further north is a longer symmetrical Victorian terrace, of two storeys, Fig 54. This is notable because of its length and strong architectural form, with a central forward gable and intricate basket work patterned brickwork at first floor. The terrace is terminated at either end by forward projecting gables with half hipped roofs and dentil course eaves detail. The frontage is constructed of red bricks with burnt brick string courses, and red and black brick gothic style arches with key stones over the shared recessed entrances and upper floor windows. The terrace has tall chimneys, tile decorative hanging over the entrances and some original gothic style timber sash windows with early glass. The first of these buildings has been rough rendered and the last has an unsympathetic porch addition to the detriment of the appearance of the terrace as a whole. This well detailed Victorian group is important as it has a strong presence on the street frontage and contributes positively to the character and appearance of the area.

To the east, Swan Terrace, Fig 55, comprises small, mid Victorian stock brick workers cottages, whilst of some local interest, they have, however, been heavily altered.



Fig 55 the south elevation of Swan Terrace with numerous alterations

Riverside Cottage, Fig 58, is an attractive two storey red brick cottage with decorative brick detailing including moulded and coloured brickwork. Above the frontage windows are small gables hung with timber boarding. This building was originally the lodge to Clewer Court and positioned on the rear access to the house leading to a service court.

The Victorian houses are generally considered to be of local historical interest and a number are also considered to be of local architectural importance and to meet the Council's agreed criteria for consideration as Locally Important Buildings (non -designated heritage assets) These buildings are described in Appendix 4 and the criteria for inclusion on the Local List can be

8.5 Buildings: Age and architectural style

found in Appendix 3.

Beyond these buildings to the north are houses that date from the 1950's and 60s, these were developed in the grounds of the original manor house at Clewer Park. These two storey buildings are of a mix of semi-detached and short terraces, typical of their time in both materials and design. Some, however, include attractive architectural touches such as yellow brick work detailing at ground floor and projecting concrete canopies. Original doors and windows have mostly been replaced in different styles and a number of ad hoc extensions, garages and porch additions, have been constructed, although these do not generally detract from the overall character and appearance of the Conservation Area.





Fig. 57 Mill Run, White Lilies Island (Savills 2019)

White Lilies Island is unlike the rest of the Conservation Area with each house individually designed and different to its neighbours. On White Lilies Island each building has an individual pallet of materials including red brick, painted weather boarding and white render.

Mill Run, Fig.57 is located on the west of the Island and was built in 1979 in a modernist style with a semi-circular footprint developed around a large lime tree. This is considered to be of local interest and suitable for inclusion in the Local List. Further details can be found in Appendix 4.

9. Buildings: Materials, detailing and features

Materials

The materials used in the construction of the buildings and structures within the Conservation Area are traditional in appearance and quite varied. Red brick, clay roof tiles and slates are dominant elements, although several of the earliest surviving buildings are of timber-framed construction and the tower of the church is roofed with timber shingles. Materials found in Mill Lane Conservation Area include:

- Brick (predominately red, burnt (black), moulded and also some yellow stocks,) used for buildings and boundary walls
- Flint (church buildings, walls)
- Slate, clay tile, and lead (roofs)
- Decorative clay tiles (hanging and ridge)
- Stone (used as surrounds for windows and doors, sills, thresholds and copings for walls)
- Painted and natural timber (building frames, windows, doors, barge boards and some cladding)
- Painted cast or wrought metal (railings, gates, rainwater goods, boot scrapers, bollards, street signs, lamp standards and lanterns, and White Lilies Bridge)
- Crown or cylinder glass remain in some of the Victorian or older properties (this has an irregular appearance quite different to modern float and plate glass)

• The mid 20th century semi-detached and short terraces towards the northern end of Mill Lane and The Moorings have walls of hard red brickwork, cement based pointing and weathered concrete roof tiles. A limited number retain cast concrete porches and small projecting bay windows. Some of the later infill houses have distinctive green fishtail pattern tile hanging.

The choice of materials in all new works within the Conservation Area is, therefore, important, as the use of inappropriate and unsympathetic materials, or poor workmanship, can harm the appearance, and also architectural and historic significance of the buildings and the area.



Fig. 58 projecting and moulded brickwork banding and use of polychromatic brickwork on the upper floor of Riverside



Fig. 59 bull nose and fishtail pattern tile hanging, and decorative brick and stonework detailing on one of the Victorian terraces

9.1 Buildings: Materials, detailing and features





Fig. 61 Mill Lane: Victorian tiled path



Fig. 62 traditional wrought iron boot scraper outside the church



Fig. 63 Church Lodge, decorative brick and flint walling with distinctive oriel window

9.2 Buildings: Materials, detailing and features

Roofs

The Conservation Area features two main historic roofing materials, clay tiles and Welsh slate .

Machine made clay tiled roofs of a regular appearance are found on the Victorian terraced buildings along the west side of Mill Lane. The Limes, Edgeworth House, Church Lodge and Riverside have more distinctive hand made clay tiles, which have a more rustic appearance. Natural slate, most likely Welsh slate, a typical Victorian roofing material, is found on the group of buildings at the south west entrance to the Conservation Area, The <u>C</u>oach House and 2 and 4 Clewer Court Road.

Andrews Church spire is conspicuous as it is clad in overlapping wooden oak shingles Fig.65. The more modern houses have weathered brown interlocking concrete tiled roofs, as do the older houses on Swan Terrace, although these are likely to originally have had slate roofs.

The roof forms are a mix of traditional hipped, half hipped and gabled roofs found on both the historic and more modern properties. Some of the historic properties have complex roof forms and there are few modern roof extensions of any type. Small traditional dormer windows with flat or pitched roofs are, however, found on the traditional properties within the area.

Some roofs include fancy clay ridge tiles and metal finials, others such as the former Swan Public House have decorative timber barge boards. Roof forms and coverings are distinctive features of this Conservation Area and as such new roofing works should reflect original materials, detailing and worksmanship as closely as possible. Original features should be retained for reuse where they can be salvaged. Large roof extensions are not a feature of the area and should be avoided in favour of traditionally designed dormers, where these are appropriate in terms of the host building and its context. All new roof extensions within the Conservation Area will require consent.



Fig .65 St Andrews Church, spire clad in timber shingles

Fig. 64 The Swan, slate roof and decorative timber barge boards



Fig. 66 Clewer Court Road roofline metal finials



Fig. 67 The roof of the Limes has weathered hand made clay tiles

9.3 Buildings: Materials, detailing and features

Rooflights

A few properties within the area have rooflights on their front roof slopes. In general within Conservation Areas, these should be placed on rear roof slopes and be limited in number to avoid roofs appearing overly cluttered. All rooflights should be of a conservation type, having a single vertical glazing bar and lie flush with the roofline. On older buildings, or on those identified as heritage assets, rooflights, where appropriate ,should be traditionally constructed and metal framed. Depending on the type of property the installation of rooflights may require consent.

Satellite Dishes

There are a few dishes within the Conservation Area and these, together with their cabling, could detract from the appearance of the area and need to be carefully located. They should be placed away from chimneys, front roof slopes and publicly visible elevations. Once no longer in use they should be removed. In some cases these may require permission.

Chimneys

Chimneys are a common and important feature of the Conservation Area, Figs 67 and 68. They are a prominent and attractive streetscape element punctuating the skyline, often incorporating decorative clay pots. In Mill Lane the more recent houses also have chimneys, and these should be retained, even if no longer used. Terracotta chimney pots of different colours, designs and sizes are present on many of the historic stacks and should be retained where they remain and replaced where lost.



Fig .68 15-35 Mill Lane, gables and chimneys with terracotta chimney pots



Fig. 69 15-35 Mill Lane, decorative ridge tiles

9.4 Buildings: Materials, detailing and features

Windows, Doors and Porches

Traditional windows and external doors are features of the older houses in the Mill Lane Conservation Area and make an important contribution to its historic architectural character and appearance.

A large proportion of original windows are timber sashes of varying age and design. Both Georgian and Victorian windows remain and have different glazing patterns that reflect the architectural fashion and glass manufacturing techniques of the time Figs.70 and 71.

Unfortunately, some historic sash windows have been removed and modern replacements installed, including UPVC. Original detail and timber casements are present on several of the buildings, often combined with leaded lights. St Andrew's Church Lodge features a narrow stone mullioned oriel window, a unique feature within the Conservation Area, Fig.63. The Church also includes a good group of 19th and early 20th century stained



Fig. 70 Edgeworth House, Georgian sash window with early glass and fine glazing bars



Fig. 71The Limes, metal and timber casements with leaded lights



Fig.72 19 Mill Lane, Victorian sash windows, with larger panes

Fig. 73 St Andrew's Church: lancet window with metal frame and stained glass



glass windows, noted in its listing description (page 52).

A number of the buildings retain original timber front doors, some quite grand as at the Old Mill House, Fig. 79 and also the Church Fig 74. Both of these buildings are listed so the removal or alteration of windows and doors would require consent. Some of the original windows and doors of the unlisted houses have been lost and replaced with a variety of materials and different designs. This detracts from the appearance of the buildings, particularly the Victorian terraces, where the repetition of features is an important part of their character. No 25 Mill Lane retains an original door with stained glass inserts Fig.76.

Original windows and doors reflect the age and architecture of buildings and the technology of the times in which they were constructed. They are a useful tool in dating the older buildings in the Conservation Area and should be repaired, retained and replicated wherever possible. Works to listed buildings will require consent.

9.5 Buildings: Materials, detailing and features



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Fig. 74 Church Lodge timber door with metal strap hinges and cast iron door knocker



Fig. 75 St Andrews Church: Timber Gothic stye door with tracery detailing



Fig. 76 Original Victori an front door at 25 Mill Lane



Fig. 77 Shared pitched roof open porch over 3/5 Mill Lane



Fig. 78 Modern porch extension to a Victorian terraced property



Fig. 79 Old Mill House, Georgian timber door with deep mouldings and raised and fielded panels, under a porch supported on Doric columns

9.6 Buildings: Materials, detailing and features

Date Stones and Plaques

There are a number of date stones and plaques within the area and these are important in understanding its history and special interest. These have relevance in their original positions and should be retained in situ. Their relocation should only be considered as a last resort, when other options are not viable.



"SIR DANIEL GOOCH BARI DL JP 1816-1889 Cable laying and locomotive engineer Lived in Clewer Park From 1859 These Houses Have his Armorial bearings Supt. Great Western Railway at 21 And Chairman 1886 Engineer SS great eastern laying the First transatlantic cables 1865 & 1866 Buried in Clewer" Erected by the Royal Borough of Windsor and Maidenhead Mary Johnson fecit1979



Fig. 81 3 and 5 Mill Lane: with date stone (1869), coat of arms and Latin inscription "Fide et virtute" - "faith and virtue."

Fig. 82 Plaque at The Limes, this notes that *"Mariquita Tennant 1811-1860 lived here and started her work of helping the impover-ished women of Windsor"*

10. Threats, opportunities and managing change



Under section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 local planning authorities have a statutory duty to draw up and publish proposals for the preservation and enhancement of Conservation Areas. In the case of the Mill Lane Conservation Area this review identifying threats and opportunities will be developed into a more detailed management plan that is specific to the area's needs and promotes positive change through the creation of additional guidance and protective measures.

Traffic and parking

The flow of traffic detracts from the architectural interest and atmosphere of the Conservation Area. The character of the Conservation Area would benefit from measures to calm traffic and to control parking. New double yellow lines should be of a conservation type, i.e. narrow and primrose yellow in colour.

Pavements and Road surfaces are in varied condition, and utilise a number of different materials. An audit of finishes is required and a consistent approach to good quality new surfaces agreed. Where good quality original natural materials remain, e.g. granite kerbs and setts, they should be retained, reused and used as a pattern for new works.

Signage and street furniture

Existing signage is cluttered in some locations and disparate in terms of design and materials. The traditional cast metal signs, lamp posts and bollards, are particularly attractive and should be retained and used as a pattern for replacement. The existing signage should be reviewed and streamlined. There is also a lack of maintenance in general with regards to the existing street furniture that needs to be addressed.

New development

Some development surrounding the Conservation Area has had a negative impact on its setting, such as the modern block of flats directly to the south- east of the site of the former Duke of Edinburgh public house. All new development within the area, or close to its boundary, has the potential to effect, not only its setting, but also that of the heritage assets within the area. Care should also be taken when considering the positioning, design and materials of all new buildings, and also taller buildings, particularly those within the viewing corridors identified within the Neighbourhood Plan. This is not an area considered suitable for tall buildings

As the area is archeologically sensitive, applications for new works will need to be mindful of any impacts on below ground archaeology (for further information on applications see page 48).



Fig. 83 memorials in poor condition in the grave yard

10.1 Threats, opportunities and managing change

Some historic buildings, particularly early timber framed buildings may be of archaeological importance in themselves, and it is possible that there may also be the remains of related structures, such as kitchens, cisterns or barns, in the area immediately around the building. "Hidden archaeology", therefore, needs to be factored into works within sensitive areas., and may delay works on site if not considered early in the development process.

Flood Risk may also be an issue for some properties within the area and this can have an impact on design and materials, it is important that these reflect the architecture and historic character of the village.

The Council will consider providing detailed design guidance on we development in all Conservation Areas.

Replacement of windows, doors and architectural features

Some minor works to houses in Conservation Areas may not require permission, provided the buildings are not listed, but this can still have a negative impact on the appearance of the area. The replacement of historic windows and doors on Victorian and earlier properties, such as on Mill Terrace, poorly deigned and positioned additions, and the loss of other external features such as original tiled entrance paths, is having a slow and incrementally negative effect on the character and appearance of The Conservation Area. The Council will consider the making of an Article 4 Direction for some of the less altered Victorian terraces to ensure that original features are retained or replicated, and also providing detailed design guidance for residents.

Churchyard

Many of the gravestones in St Andrew's Churchyard are in a state of disrepair, which creates a neglected appearance within the grave yard. The churchyard is owned by the Council and there is currently a management plan in place for the mowing and cutting of the grass. St. Andrew's Church also has an active volunteer group that carries out work parties every couple of months to remove self-sett suckers and overgrown vegetation from some of the older sections of the Church Yard.

A future emphasis on the maintenance of the head stones and locally important structures within the churchyard would further serve to improve the appearance of this historically significant area.

Boundary walls and frontages

Boundary walls are an important feature of the Conservation Area and these should be retained. A number are in poor condition, in particular, the listed boundary walls to The Limes and to north of The Moorings leading to The Coach House, which require repair. Other boundary walls to the modern properties to the north of the area have also been removed to facilitate car parking.

There are opportunities to establish maintenance plans for the continued preservation of these significant features within the Conservation Area and the Council will work with residents to seek achieve this. The Council will also consider drafting design guidance for residents to help create sustainable off road parking that encourages biodiversity and without damage to the

10.2 Threats, opportunities and managing change

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the appearance of the historic street scene in this sensitive location.

Boatyard

The Boat Yard because of its ad hoc appearance, in particular the rough fencing, unkept areas of grass, accumulation of rubbish, carelessly parked vehicles and poor quality temporary structures, is not considered to contribute positively to the appearance of the Conservation Area. Whilst the presence of a boatyard might add to the interest and vitality to a riverside area, the current poor state of this area is considered to detract from its appearance. The Council will take action to remove unauthorised uses and buildings.

Trees, open spaces and verges

The area is sensitive to change through any potential loss of the green character of the roads. The areas of open space and the trees within the Conservation Area are generally well maintained. Most of the private garden areas are also well cared for and attractive, but some are showing signs of neglect, or have become dominated by car parking. The grass verges also positively contribute to the green appearance of the conservation area.

There should be particular emphasis on maintaining structural vegetation (including mature trees in private gardens, the churchyard and adjacent to the river and stream banks) and planning for new tree planting to ensure continuity of tree cover and a diverse age structure. Planting opportunities resulting from new development may benefit from integration with sustainable urban drainproposals and should predominately include native species that would enhance links to the floodplain landscape setting, such as Willow, Alder, Poplar and Birch.

Some of the 20th Century residences could potentially accommodate small scale but cohesive planting such as the introduction of (or adding to) low level hedging or similar along the front boundaries, where the land has not already been given over to parking. The grass verges should be retained, grassed area mowing regimes continued and any further reduction or loss of these areas resisted.

Design guidance with regards to crossovers would need to be included with that for off street parking, this could be generic to the Borough. These measures will be subject to public consultation.



Fig. 84 the Boat Yard from White Lilies Bridge

11. Boundary review

The boundary of the Mill Lane Conservation Area has been reviewed as part of the appraisal process and no amendments to the boundary of the area are currently proposed. This may need to be revisited following public consultation on this document. The boundary currently remains as illustrated opposite.



Fig. 85 View into the church yard from the lych gate

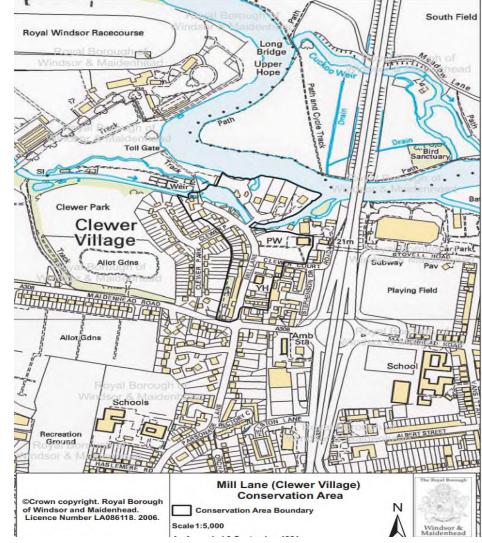


Fig.86 Map of the Conservation Area boundaries

Appendix 1: Heritage assets

Heritage assets

The National Planning Policy Framework 2021 (NPPF), notes that heritage assets are an irreplaceable resource and defines a heritage asset as :

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

In determining applications, that affect heritage assets local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

There is special provision under para 198 for statues

plaques, memorials and monuments, whether listed or not. For advice on submitting applications for works to heritage assets see page 48.

Designated heritage assets

Conservation Areas

Conservation areas were first introduced in the Civic Amenities Act of 1967. The provisions for Conservation Area designation and management are set out in legislation, that is the Planning (Listed Building and Conservation Areas) Act 1990. Government planning policy (as explained in the NPPF) and Government guidance (as described in the Planning Practice Guidance) provide further context on this. A Conservation Area is defined in the Act 1990 as an 'area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

Historic England advises that Conservation Area designation is a process that aims to protect the wider historic environment. Areas may be designated for a number of reasons, these may include the quality of the architecture of its buildings, their layout, the use of materials, or a particular historic use or designed landscape. These features are judged against local and regional criteria, rather than national requirements. Conservation Areas should be coherent areas in which buildings, streets and spaces create clearly identifiable townscapes that are of special interest.

Appendix 1: Heritage assets

The responsibility for designating Conservation Areas lies with the local authority. The NPPF advises that in designating Conservation Areas Councils should ensure that the area justifies such status through its architectural or historic interest. Local authorities also have a statutory duty under the 1990 Act to periodically review all their conservation areas and Historic England recommend that each area is reviewed every five years.

The Act also advises that it is the duty of local planning authorities to formulate and publish proposals for the preservation and enhancement of Conservation Areas and to consult the public in the area in question, taking account of any views expressed. In the exercise by local planning authorities of planning functions within the Conservation Area the Act requires that 'special attention shall paid to the desirability of preserving or enhancing the character or appearance of that area'.

The NPPF also advises that local planning authorities look for opportunities for new development within Conservation Areas 'to enhance or better reveal their significance'. And that 'Not all elements of a Conservation Area ... will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the Conservation Area as a whole' (paragraph 207). Conservation Area designation brings the demolition of most structures under the control of local planning authorities, limits permitted development rights for extensions and alterations and requires consent for certain works, such as cladding. Works to trees within Conservation Areas also require Council agreement.

Under the Town and Country Planning Act 1990 it is an offence in a conservation area to fail to obtain planning permission for the demolition of unlisted buildings with a volume of 115 cubic metres or more or to demolish any gate, wall or other means of enclosure with a height of one metre if next to a highway or two metres elsewhere (Section 196D). The Royal Borough of Windsor and Maidenhead has included policies in Chapter 11 of the Local Plan to help preserve the special character or appearance of the Borough's Conservation Areas and other Heritage Assets, these can be found at <u>Adopted local plan | Royal</u> <u>Borough of Windsor and Maidenhead (rbwm.gov.uk)</u>

Listed Buildings

Listed buildings are designated by the Government taking into account advice from Historic England. The principles of selection for listed buildings seek to ensure that all buildings up to 1700 surviving in anything like their original condition are listed, along with most buildings from 1700 - 1840. After this there was a significant increase in the number of buildings erected, and therefore, listed buildings from this period are less in number being limited to the best examples of particular building types.

Appendix 1: Heritage assets

Listed buildings are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 and consent is required for any works, demolition or alteration that would affect their 'character as a building of special architectural or historic interest'. It should be noted that curtilage structures in existence prior to 1948 are also counted as listed. When considering applications for works to a listed building, the Act requires local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

There are currently six listed buildings and structures within Mill Lane Conservation Area. Full details of each listed building can be found within Appendix 2.

Non-designated heritage assets

These buildings and features, although not statutorily listed, have been identified by the Council as having a significant level of local value and are considered to make a positive contribution to the special character of the Conservation Area. The full list of criteria for identifying these buildings can be found in Appendix 3 of this document.

Details of each proposed local building of interest in the Mill Lane Conservation Area, including the reasons for designation, can be found within Appendix 4. These buildings/features will be subject to public consultation as part of the appraisal process and each owner will be contacted for their views on the proposed designation. Once agreed they will be included along with designated historic assets on the Historic Environment Record, maintained by Berkshire Archaeology, and included in the Council's Geographical Information System (GIS).

Significance

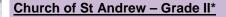
The NPPF defines significance as 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

It also advises that 'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites, which are internationally recognised to be of Outstanding Universal Value. These assets are a valuable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.

Applications for works to heritage assets

The Council will require applicants to describe the significance of any heritage asset affected, including any contribution to their setting, and to assess the impact of the proposed works on this. This will normally take the form of a Heritage Statement. It should be noted that deliberate neglect will not be taken into account in any decision. Where there is a likelihood of archaeological significance, a desktop assessment should be included.

Appendix 2: Schedule of Listed Buildings



Summary: Parish church, built in the early and later C12, C14 to C15, restored 1853-62 by Henry Woodyer, and in 1880-4. Refurbished 1967.

Reasons for Designation

The church of St Andrew, Clewer, built in the early and later C12, C14 to C15, restored 1853-62 by Henry Woodyer, and in 1880-4, is listed at Grade II* for the following principal reasons: * Architectural interest: in the evolution, stylistic development and decorative treatment of a C12 church and its extension in the C14 and C15; * C19 restoration and remodelling: primarily the work of the eminent church architect Henry Woodyer, for the High Churchman, Rev TT Carter; * Fixtures and fittings: ranging from the C12 font, the C19 ensemble by Woodyer, a good assemblage of C19 and early C20 stained glass, and memorials, including the reredos, unusually designed as memorial to the fallen of the First World War; * Historic interest: a church site dating from at least the C12, on the River Thames at the foot of the historic town of Windsor. The church of St Andrew, Clewer, dates from the early C12; the present south aisle and chapel were formerly the nave and chancel of the original church. Later in the C12 the current nave was added, forming a north aisle, before it in turn was modified to create a nave, with a west tower and chancel. A north aisle was added c.1180 and rebuilt or enlarged in the C14 or C15. Also during the C14 or early C15, the nave was heightened, adding the clerestory windows. The Brocas Chapel, built as a chantry chapel by Sir Bernard Brocas for his late wife Mary, was added in the C14, probably extending the original chancel. From 1844-80 the Rev Thomas T Carter, a High Churchman and supporter of the Oxford Movement was rector. It was during his incumbency that the church was restored between 1853 and 1862 by the architect Henry Woodyer, under whose auspices the chancel was rebuilt, roofs were replaced and a new rood screen, reredos and presumably the pulpit were installed.

Henry Woodyer (1815-96), having considerable private means, was a 'gentleman-architect' who based himself at Grafham, Surrey.

He was a pupil of the great church architect William Butterfield and established a strong reputation himself for his church work. The greatest concentration of his work is in Surrey and the adjacent counties. His masterpiece is often considered to be Dorking parish church.

In 1967 the church was refurbished by the architect Roderick Gradidge who introduced the current decorative scheme. The font was mounted in its present position at the west end of the south aisle, the rood screen was painted - or perhaps repainted – and the mural above it, depicting the Risen Lord, by Anthony Ballantine was commissioned.

Fig.87 View of the tower of St Andrew's Church

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The churchyard was extended westwards in the C19, and the earliest memorials are to the south and east of the church. Notable among these are two mid-C18 headstones to members of the Charlton family. The churchyard was probably extended in 1866, when the entrance lodge and lychgate (together listed Grade II), also designed by Woodyer, were built. A path flanked by yew and holly leads from the lodge to the south door, past a large memorial cross. Memorials of note include a vast granite slab to Daniel Gooch, railway pioneer (d.1889), who lived at Clewer Park; a poignant memorial to Owen George Allum, seventeen year old telegraph boy aboard the Titanic (d.1912) and memorial to Mary Anne Hull, nurse to Queen Victoria's children (d.1888). Within the churchyard are 22 scattered War Grave Commission headstones. 18 from the First World War and four from the Second World War. Details

Parish church, built in the early and later C12, extended C14 to C15, restored 1853-62 by Henry Woodyer and in 1880-4. MATERIALS: knapped flint with freestone dressings. The C12 piers are of chalk blocks or clunch. The spire is shingled; tiled roofs elsewhere.

PLAN: a three-bay south aisle, originally the nave, the former chancel rebuilt as a chantry chapel (Brocas Chapel) in the C14; C19 south porch. The nave is also in three bays, with a west tower with a broached spire and a chancel, the latter rebuilt in the mid-C19. The north aisle, originally in three bays, was extended eastwards in the late C19 to accommodate a chapel and organ chamber, with a single-storey vestry beyond it.

EXTERIOR: the exterior was largely refaced or repaired in the C19 but retains a number of its early door and window openings. The tower has diagonal buttresses and a chamfered plinth. Nearer the base the original rubble and flint fabric survives. On each face there is a single, narrow, round-headed C12 lancet light to the lower stage, and wider pointed arched lights above. The spire, restored in 1880 -2, has three tiers of quatrefoil timber openings on each face and is surmounted by a

small octagonal cupola and a weathervane. The west windows of the south aisle are a pair of C12 lancets: the south windows are of two cusped lights; most are flat headed, the third has a pointed arch. Set tightly against this window is a narrow, pointed arched doorway with a much eroded and restored roll moulded arch. The door has serpentine strap hinges, a ring handle on a star-shaped plate and an elaborate plate to the keyhole. The east window to the chantry chapel is of two ogival lights beneath a pointed arch. Above it is a single, slightly pointed lancet. The medieval south doorway (within the porch) has a pointed arch of multiple moulded orders. The C19 south porch has a wide. slightly bowed, arched entrance with robust chamfered mouldings and a chamfered impost band and plinth to each side. Small buttresses are set back on the returns. In the gable is a small recessed twolight window set in a cusped, recessed panel, surmounted by an integral stone cross. On each return is a small lancet light. Timber outer gates. have encircled quatrefoil panels above shafted, cusped arcades. Within the porch, the

roof is of exposed rafters. The chancel, rebuilt or heavily restored in the mid-C19, has angle buttresses and a three-light east window of plain panel tracery. The gable is in coursed stone. The west end of the north aisle has diagonal buttresses, a four-light next to it a blocked lancet with a slightly pointed head. The north wall was heavily restored in the C19. Between buttresses, windows are flat-headed with cusped lights beneath a blind quatrefoil panel. Between them is a cusped doorway in a plain surround; all are linked by a moulded cill band. It has a two-light east window with delicate cusped tracery. Beyond is a late C19 flat-roofed vestry with a rectangular east-facing window of four flush, cusped lights.

INTERIOR: the nave arcades have drum piers and responds and round arches. The piers in the south arcade have square abaci and simplified waterleaf capitals and moulded bases, some with leaf spurs, on square plinths, and an incised chevron band above the arcades on the nave side. The north arcade, of which the western respond appears least restored, has square abaci and chamfered

capitals, some with incised leaf ornament, and a continuous moulded band above the arches facing the nave.

The tower arch is tall with a pointed head flanked by piers with moulded abaci and bases similar to the north Aisle. An unmoulded arch, formerly the C12 chancel arch, leads from the south aisle to the chantry chapel. Although restored, a high proportion of the aisle, Brocas Chapel and tower windows retain elements of their original jambs, rear arches and tracery.

We lerestory windows, which are not visible externally, are of three cusped lights beneath three-centred arches, with moulded rear arches on engaged shafts.

The nave, chancel, south aisle and Brocas chapel have C19 panelled wagon roofs with quarter-moulded ribs, but in the nave, aisles and chapel appear to retain earlier moulded wall plates. The north aisle has a wind-braced, side purlin roof, with moulded tie beams and collars, braces to the collars and a deep moulded wall plate. The western three bays are original, the eastern two bays, one of which has cusped

braces, are later C19. The chancel was remodelled by Woodyer who created two-bay arcades of moulded. stilted arches to each side. On the north side the central pier has an elaborate carved capital; the entrance to the south has a figure head boss. The rood screen has traceried panels on moulded shafts and a pair of iron gates (now gilded) with guatrefoil traceried panels. The reredos, designed by Woodyer, sculpted by T Nicholls in marble and alabaster, depicts Christ in Majesty. Within the sanctuary are traces of wall painting comprising a repeated pattern of an encircled cross, with radiating beams at each guadrant, on a blue St Andrew's cross, superimposed on a grey linear grid resembling ashlar blocks. High up above the south arcade is a fragment of Gothic text.

The Brocas chapel: below the southeast window is an ogival-headed piscina with a projecting foliated basin. Next to it is a tomb recess with an ogival head, the apex curtailed by the C18 monument above, probably associated with Sir Bernard de Brocas (d.1396). The reredos, c.1920 by FE Howard, depicting the Crucifixion flanked unusually by St Michael, St George, St Nicholas and St Joan, is a war memorial, commemorating those fallen in the 1914-18 war. The drum font, probably C12, is decorated with a blind arcade of round arches beneath a chevron band and has a cable moulded base. The pulpit, probably also by Woodyer, is octagonal and of timber panels (now painted) on a stone base. There is a single late medieval pew with poppy head bench ends.

Glass: most of the stained glass is by Clayton and Bell, the clerestory windows by Hardman, the south chancel window by Morris and Co. The south-eastern aisle window is by Kemp (1902), the south eastern chantry chapel window by Sir Ninian Comper (1932). Monuments include: in the north aisle a neoclassical marble wall tablet to Earl Harcourt (d 1833) by Robert Sievier; a bronze wall tablet to TT Carter (d 1901) by W Bainbridge Reynolds; a tablet to GF Henson (1918) by TG Jackson and in the chantry chapel a large mid-C18 aedicular, pedimented wall monument in marble to the Jenvns family. Above the south aisle arch is 'Victory', a sculpted winged crucifix by Josephina de Vasconcellos, installed in 1967. Above the chancel

arch is 'The Risen Christ' of 1967, a wall painting by Anthony Ballantine.

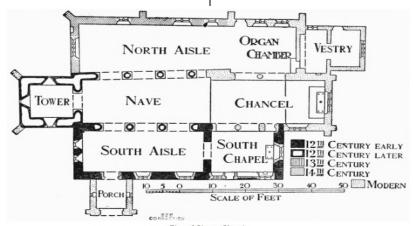


Fig.88 Source : British History on line





Fig.89 Lynch gate and lodge to St Andrew's Church



Lych Gate and Lodge – Grade II

Probably by Woodyer. Flint faced lodge with red brick and stone dressings. Hipped gable ends to tiled roof with roof of timber framed lych gate running in at right angle. Pointed arched doorway. Very narrow stone mullioned oriel to road with steep tiled pent spire roof.

Old Mill House – Grade II

C18 altered, 3 storeys, brick parapet with stone coping and hipped old tile roof. A 2-bay front with 2 slight projections carried up the full height, the left hand having one square sash window in an arched recess on the 2nd floor and one 3-light sash on 1st and ground floor. The right hand projection has a similar recessed window on the 2nd floor. French casement window to right hand of centre on 1st floor with C19 cast iron balcony and a single sash window on ground floor. To the left hand there is a later one storey porch with a 6-panelled door recessed. To the right hand is a later 2 storev extension with French casements on the 1st floor and a similar cast iron balcony and 1 window on ground floor.



Fig. 91 The Limes viewed from Mill Lane

Fig. 92 brick boundary wall

and gates to Edgeworth

The Limes – Grade II*

C17. 2 storeys, roughcast, old tile roof, 6 mullioned and transomed windows on the 1st floor. 5 similar windows on the ground floor, the 3rd from left hand is blocked. 1 halfglazed door to left hand. A small 1bay C18 addition to left hand. 2 storeys, colour-washed brick, string at 1st floor level, cut brick window heads, hipped old tile roof. Wing at back 2 storeys, timber framed with brick infilling old tile roof. Irregular windows with leaded upper lights. The rear of timber framed wing overhangs, 2 storey centre break with 3 light leaded wood mullioned casements. South rear wing late C17 or early C18.

Front Wall Gateway to Edgeworth House – Grade II

Front wall gateway to Edgeworth House SU 97 NE 8/75A II 2. Red brick wall to garden has central gateway with square rubbed brick piers, stone caps and ball finials wrought iron arched scroll pyramid overthrew with central coat of arms. The arched gate is made up of square bars with enriched cross bar and dog rails. Scroll enriched panelled standards and finials.

House



Edgeworth House - Grade II*

1707. 2 storeys and attic rendered, string at 1st floor level, heavy wood moulded and modillioned cornice, old tile roof. Flanking chimneys. A 4bay front with half-glazed door in second bay from right hand with rectangular fanlight, semi-circular and radiating glazing pattern. Door case has architrave surround, flat brackets, plain frieze and enriched cornice and pediment. The house is set back with brick wall to road. Interior altered but retaining closed string dog leg staircase, turned balusters, turned pendant finials to newels.



Designation requirements

The Council's agreed criteria for identifying buildings or features of local importance advises that to be considered as locally important at least two of the following criteria should be met:

- 1. Has architectural interest or quality
- 2. Is a landmark feature
- 3. Has a relationship with adjacent designated heritage assets in age, materials or in any other historically significant way
- 4. Individually, or as part of a group, should illustrate the development of the local area
- 5. Has significant historic associations with features such as a historic road layout, a park or a landscape feature (designed or natural)
- 6. Has historic associations with important people or past events
- 7. Reflects the traditional functional character or former uses of the area
- 8. Contributes positively to the character or appearance of the area

(The same criteria have also been used in the Windsor



Fig.94 Lord Otho Fitzgerald's unusual grave stone in St Andrew's Church Yard

Appendix: 4 Schedule of Locally Important Buildings features

The Swan

Mid to late 19th century.

Two storey with attics and double gable slate roof. Red brick with painted bargeboards, window sills and timber framing on bay windows. Projecting sign reads "The Swan, Clewer Village"

Reasons for designation:

The Swan has architectural qualities as an attractive Victorian building with surviving features and it therefore contributes positively to the



Fig. 95 The Swan pubic house



<u>Mill Run</u>

Built in 1979 by Tony Monk of Hutchinson, Locke and Monk. Both house and garage built in a radial layout around a central Lime tree. Built with red stock brick.

Reasons for designation:

Within the Conservation Area Mill Run is the only modernist architecture. It uses modern design with sensitive red brick and is architecturally interesting due to its radial design. Although different from the other designated and non-designated heritage assets in the conservation area, Mill Run positively contributes as it shows what can be accomplished with considered modern design in a sensitive historic area. (1, 4 & 8)



Clewer Park Gate Piers (104 Maidenhead Road)

The two large stone gate piers at 104 Maidenhead Road are all that remains of the former Clewer Park. The square plan form stone gate piers retain a top iron gate hinge on the left pier and a part of the lock mechanism on the right pier. Gates are not original.

Reasons for designation:

The gate piers are all that remains of the once grand Clewer Park which shaped the Conservation Area and signalled the entrance to the long drive up to the house. (4,5,6&7) The piers are well detailed, although missing what appear to have once been a pair of urns set on pedestals. The gate piers retain the original gate hinges and part of the lock mechanism and are built of Portland stone which has remained in good condition. They contribute to the area as an interesting feature that are an echo of the past. (1& 8)



Fig.97 Gates to 104 Maidenhead Road

The Coach House boundary wall and gates

Original coach house to Clewer Park, now extended. Painted brick with hipped slate roof. Clock tower. Large one over one arched sash windows with stone surrounds and keystones. Tall painted brick boundary of wall with wrought iron double gate.

Reasons for designation:

The coach house is physically attached to Mill House (Grade II) and formed a part of the same estate (Clewer Park) for several hundred years, which was owned by Sir Daniel Gooch. (3,4,5,6&7). The building features a large boundary front wall with decorative gates and strong architectural features including the large clock tower. The building contributes positively to the area. (1 & 8)



Fig.98 frontage to The Coach House, Mill Lane

15-35 Mill Lane

Victorian symmetrical red brick terrace with Gothic design details. Some historic sashes, however many replaced. Striped burnt brick detailing and decorative tile hanging over street entrances. No 15 has been pebble dashed, which has detracted somewhat from its appearance.

Reasons for designation:

The red brick terrace retains original porches, floor tiling, burnt brick banding and arched sash windows which positively contributes to the area. (1 & 8) The terrace has a strong link to Sir Daniel Gooch as he built them as estate cottages in the 1860's (6). Together the terrace depicts the development of Mill Lane in a linear pattern.



Fig. 99 Victorian Cottages 15-35





Fig. 101 Riverside, Mill Lane

1,3,5,7 Mill Lane

1 Mill Lane, now painted grey. 2 and 5 set back from 1 and 7 with stone coat of arms and date stamp. "Fide et Virtute" Latin for Faith and Virtue with 1869 date. Workers cottages for Clewer Park built by Sir Daniel Gooch.

Reason for designation:

The short terrace has architectural qualities as an attractive Victorian terrace with survivng architectural features that contributes positively to the character and appearance of the Conservation Area (1,8). The terrace indicates the development of the Conservation Area in the 1800's as the group were built by Daniel Gooch, as estate cottages for the now demolished Clewer Park.

<u>Riverside</u>

Previously two lodge cottages to the lost dating to the 1870's. Red brick at ground floor with prominent red and burnt brick alternative banding at first floor.

Reasons for designation:

Interesting architectural details and use of local traditional materials, the building makes a positive contribution to the area.(1 & 8)



St Andrews Churchyard Cross

Four tiered stone hexagon with tall shaft with collar cross atop. Located where two paths cross. Meaning of the various carvings unknown. Commemorates joining of 2 cemeteries in 1866



Reasons for designation:

The cross is located centrally and is a landmark feature within the church yard.(2) It is an important and interesting feature and its size and age (circ.1833) make it a rare example.(1 & 8)

Fig. 102 Stone Cross to west of church

Anglesey and Findon, Clewer Court Road

Pair of late 19th Century two storey brick buildings with full height bay windows topped with dormer windows. Findon still retains its original arched front door way, Anglesey has a later gabled porch and has been painted cream. One over one arched sash windows over front doors. Findon exhibits red brick detailing over windows, front door and retains a red brick band between ground and first floor.

Reason for designation:

Architectural quality as a pair of Victorian buildings which contribute positively to the appearance of the area, despite the painting of Anglesey. (1 & 8)



Fig. 103 Anglesey and Findon



Fig. 104. Owen Allum grave



Owen Allum Grave

17 year old Windsor telegraph boy. Titanic victim (one of few bodies recovered) Large stone cross

Reason for designation:

Nationally important historic association with the world famous sinking of the Titanic. Very rare grave as only 340 bodies out of 1,500 were recovered after the Titanic sunk. (6)

Although not large this grave stone is a landmark feature in the Churchyard due to its importance. (2)

Hull Grave

Mrs Mary Anne Hull was nurse Maid to all Queen Victoria's nine children, grave paid for by Royal Children with their names engraved on it. Grave with recumbent cross overlaid with palm leaf

Reason for designation:

The grave has architectural interest due to its decorative stone features.(1)

The grave has strong links to the Royal family in Victorian times. (6)



Fig. 107 Vansittart

Thomas Thellusson Carter Grave

Important and controversial High Church rector of Clewer. Founded House of Mercy, St Andrew's Hospital, several schools and St Andrew's Almshouses

Reasons for designation:

The grave stone is of a decorative design and intricately carved with the same cross design as the Magdalen grave stones for the women from the House of Mercy he founded. (1 & 6)

Vansittart Tomb

Large stone tomb chest behind iron fencing.

Reasons for designation:

The Vansittart family were large land owners in and around Maidenhead and Windsor. A political family, they settled at one point in many of the large historic houses in the borough, including Bisham Abbey and Shottesbrook Park which remain today. (1 & 6

Lord Otho Fitzgerald Grave

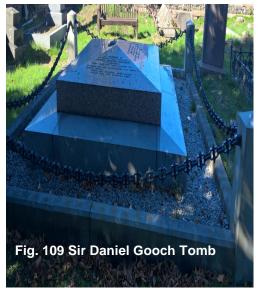
Red marble with stone crossed raised on five small Corinthian columns.

Reasons for designation:

Interesting design which indicates the status of Fitzgerald. Lord Otho Fitzgerald was a British soldier and Liberal politician who lived at Oakley Court in Bray from 1874 until his death in 1882. Similar red marble is used for other notable graves here. (1 & 6)



Fig. 108 Lord Otho Fitzgerald Grave



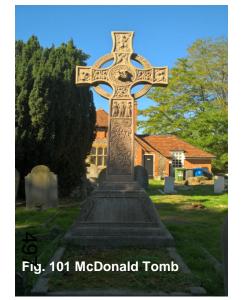
Sir Daniel Gooch Tomb

Large red marble ledger slab with iron chains. Patinated copper coat of arms.

Reasons for designation:

Sir Daniel Gooch is the most nationally famous resident of Mill Lane and had a huge influence on the Conservation Area that exists today having built much of the terrace on the western side of Mill Lane. The grave has architectural interest due to its use of red marble and copper coat of arms. (1 & 6)





McDonald Cross

Grave of John McDonald died 1891.Large granite stone Celtic cross stands next to the path from the Lych Gate to the Church.

Reasons for designation:

The cross is the tallest grave in the church yard and stands out in comparison as a definite landmark feature. (1 & 2). The cross is intricately carved in a Celtic design and there are rumours that it was brought by traction engine from Scotland. (8) A similar memorial to Mc Donald is located in Garlochhead Churchyard in Scotland.



Fig. 112 grave of General Sir Thomas Myddleton Bid dulph



Grave of Richard Barnes

Portland stone chest tomb of Quarter Master Richard Barnes officer in the Royal Regiment of Horse Guards. Noted by Pevsner.

Reasons for designation:

The tomb has architectural interest because of its fine detailing and carving of historic military equipment and a horse (1 & 5)

Fig. 111 two views of the chest tomb of Richard Barnes



Fig. 113 Headstone of Mary Ann Elizabeth Kellner

General Sir Thomas Myddleton Biddulph Grave

Reasons for designation:

The grave has architectural interest due to its decorative stone features, carving and three layered plinth.(1)

The grave has strong links to the Victorian Royal family as Biddluph was first made Master of the Household in 1851, received a knighthood in 1863, was made Major-General in 1865 and in 1866 was appointed joint Keeper of the Privy Purse. He died near Balmoral with Queen Victoria visiting him daily. (6)

Mary Ann Elizabeth Kellner

Simple stone head stone

Reasons for designation:

Mary Keller was the last lineal descendent of the English Branch of Martin Luther's family. The Kneller family are thought to have been court musicians. Martin Luther was a C16th monk who began the Protestant Reformation that spread across Europe and the world.

Appendix: 5 Legislation, policies and guidance

Relevant planning policy context

Statutory duties and National Planning Guidance

Town and Country Planning Act 1990 and Regulations Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulations

The Ancient Monuments and Archaeological Areas Act 1979 NPPF, July 2021, Section 16: Conserving and enhancing the historic environment

NPPG 10 April 2014, last updated 23 July 2019: Advises on enhancing and conserving the historic environment.

Borough Local Plan (BLP)

The Council's Borough Local Plan was adopted in February 2022 and Spis plan provides a long term strategy for the management of growth the Borough in a sustainable way until 2033. The plan and related documents can be found at <u>Adopted local plan | Royal Borough of Windsor</u> and <u>Maidenhead (rbwm.gov.uk)</u>

Chapter 11 of the plan addresses the Historic Environment and includes Policy HE1 and HE2 1.c that are relevant to the Mill Lane Conservation Area.

Windsor Neighbourhood Plan (WNP)

This was adopted by the Council in June 2021 <u>Windsor neighbourhood</u> <u>plan | Royal Borough of Windsor and Maidenhead (rbwm.gov.uk)</u> and aims to deliver the communities aims and objectives for the neighbourhood.

Chapter 6 of the WNP is particularly relevant and covers Appearance—heritage, character, design and views. It also includes polices that relate to these issues. Appendix 2 of this document includes historical information and design guidance for a wider area ,known as the Clewer Corridor. The Conservation Area falls to the north of the corridor. Appendix 4 incudes a list of non- designated heritage assets, which includes some of the buildings noted as being of Local Interest in this appraisal.

Historic England advice/guidance

Conservation Principles Policies and Guidance, April 2008 Managing Significance in Decision Making in the Historic Environment, Planning Note 2, 27th March 2015 Conservation Area Designation, Appraisal and Management : Historic England Advice Note 1, 25th February 2016 Local Heritage Listing Advice Note 7, 11th May 2016 Understanding Place: Conservation Area Designation, April 2017 Understanding Place: Historic Area Assessments, 7th April 2017 The Setting of Heritage Assets, Planning Note 3, 22nd December 2017. Historic England Living in a Grade I, Grade II* or Grade II Listed Building

Historic England Living in a Grade I, Grade II* or Grade II Listed Building | Historic England

Useful Contacts:

Berkshire Archaeology Berkshire Archaeology | Reading Museum Historic England <u>Contact Historic England</u> | Historic England SAVE Britain's Heritage <u>Home Page | SAVE Britain's Heritage</u> (savebritainsheritage.org) SPAB <u>Home | spab.org.uk</u> The Gardens Trust <u>The Twentieth Century Society – Campaigning for outstanding buildings (c20society.org.uk)</u> The Georgian Group <u>The Georgian Group | Promoting and protecting our</u> <u>Georgian heritage</u> The Victorian Society <u>The Victorian Society - Home | Facebook</u> The 20th Century Society <u>The Twentieth Century Society – Campaigning</u> for outstanding buildings (c20society.org.uk) The Windsor and Eton Society <u>Heritage & Environment - The Windsor</u> and Eton Society (wesoc.org.uk)

Appendix 6: Purpose of this document

Purpose and status of this draft character appraisal

Conservation is defined in the NPPF as "the process of maintaining and managing change to a heritage asset in a way that sustains and where appropriate, enhances its significance. Conservation area appraisals are a tool which can help local planning authorities to manage change within conservation areas.

The NPPG advises that a good appraisal will consider what features make a positive or negative contribution to the significance of a conservation area, thereby, identifying opportunities for beneficial change or the need for planning protection.

This Conservation Area character appraisal aims to:

- Identify the significance of the designated heritage asset, ie. the value of the asset to this and future generations because of its heritage interest (NPPF). This may be archaeological, architectural, artistic or historic interest. Significance derives not only from the assets physical presence but also from its setting.
- Increase public awareness and involvement in the preservation
 and enhancement of the area
- Provide a framework for planning decisions, in order to guide positive change and regeneration
- To review the conservation area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

• To highlight particular issues and features which detract from the character or appearance of the conservation area which offer potential for enhancement or improvement through positive management.

The Council will aim to review this document in 5 years time, and where possible, provide a detailed management plan for the area.



Appendix 7: References

Annals of Windsor, Tighe, Robert Richard; Davis, James Edward (1858).

Royal Borough of Windsor and Maidenhead Townscape Assessment Volume 2: Windsor Group (2010) RBWM

British History on line– A History of the County of Berkshire: Vol 3.

Historic England documents as noted on page 61

Sales Brochure for Mill Run, Savills 2019

The Buildings of Berkshire, Geoffrey Tyack, Simon Bradley and Nikolaus Pevsner, 2910

The Royal Windsor Forum

Ovictoria County History Sales Brochure for Mill Run, Savills 2019

Windsor Neighbourhood Plan,

Mill Lane, Clewer Village Conservation Area Appraisal DRAFT

September 2023

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Agenda Item 12

Report Title:	Article 4 Direction – removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential)
Contains	No - Part I
Confidential or	
Exempt Information	
Cabinet Member:	Councillor Bermange, Cabinet Member for
	Planning, Legal and Asset Management
Meeting and Date:	Cabinet, 13 December 2023
Responsible	Andrew Durrant, Executive Director of Place
Officer(s):	Services & Adrien Waite, Assistant Director of
	Planning
Wards affected:	All



REPORT SUMMARY

The report recommends that the Cabinet approves the preparation of an Article 4 Direction to remove the permitted development rights to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites within the Borough and to prepare and undertake a public consultation.

An Article 4 direction enables a local planning authority to withdraw specified permitted development rights across a defined area. Whilst this does not prevent the change of use or development in that location, it ensures that it requires full planning permission and therefore can be more robustly scrutinised by the local authority in relation to their planning policies.

Between 2013 and 2022, about 32,000 sqm of office floorspace (equivalent to about 2,300 jobs) was lost through permitted development rights in RBWM, with a pipeline of unimplemented prior approvals. The BLP states that the uncontrolled losses of highly accessible office sites cannot be sustained in the long term and commits to the early introduction of an Article 4 direction.

It is recommended that the Article 4 direction introduced is non-immediate and covers protected employment sites set out in BLP Policy ED2. The Article 4 Direction would be subject to public consultation and would, if subsequently confirmed by Cabinet, and subject to there being no intervention by the Secretary of State, come into effect one year after the initial notice is published (early 2025).

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

(i) Agrees a non-immediate Article 4 direction be made to remove the permitted development rights (within Schedule 2 of the General Permitted Development Order 2015 (as amended)) to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites as shown in Appendix B and to prepare and undertake a public consultation.

- (ii) Delegates authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management, to approve and publish any minor changes to the Article 4 direction and supporting documents, prior to its publication.
- (iii) Agrees that the Article 4 direction would be taken back to Cabinet after consultation following a review of the responses received, for a decision on whether it can be confirmed.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report.

Option	Comments
To consult on introducing a non-immediate Article 4 direction to remove the permitted development rights to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites. This is the recommended option	Non-immediate Article 4 directions take longer to put in place but avoid the risk of compensation having to be awarded to landowners of affected sites. The result of consultation will be reported back to Cabinet for a decision on whether to confirm the Article 4(1) direction.
To introduce an immediate Article 4 direction to remove the permitted development rights to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites. This is not recommended	Immediate Article 4 directions can be put in place more quickly but require councils to pay compensation to all landowners whose permitted development rights are restricted if they apply for planning permission for development that would have been allowed by the permitted development right for the first 12 months that the Article 4 direction is in place.
	The scale of the compensation that would be required is unknown but could be significant.
Do Nothing This is not recommended	Continued loss of loss of employment floorspace through the conversion of offices to residential (under prior approval).

- 2.1 The Government introduced provisions in 2013 to allow for conversion of offices to dwellinghouses under a prior approval process. From 2016 to 2021, this was known as Class O (office to residential) but in 2021, Class O was replaced by Class MA, which allows a wider range of commercial, business and service uses (Use Class E) to change their use to residential without the need for planning permission to be applied for.
- 2.2 Sites wishing to benefit from Class MA change of use rights still need to meet the qualifying criteria and requirements, including:
 - vacancy of at least three months,
 - cumulative floorspace below 1,500 sqm and
 - they must not be a listed building.
- 2.3 Between 2013 and 2022, about 32,000 sqm of office B1 (a) floorspace, equivalent to about 2,300 jobs if it was all re-used, was lost and 386 new dwellings have been completed through permitted development rights in the Royal Borough. There is a pipeline of unimplemented prior approvals totalling c. 31,000 sqm that would create 428 dwellings. Many councils have cited concerns over the delivery of poor-quality dwellings (often very small and lacking natural light), a lack of outdoor space and the failure to provide any affordable housing and vital infrastructure from such prior approval schemes.
- 2.4 The Borough Local Plan (BLP) states in paragraph 8.9.6 that "uncontrolled losses of highly accessible sites, suitable for high trip generating office uses, cannot be sustained in the long term" and commits to the introduction of an Article 4 direction "as soon as possible". The evidence produced for the BLP¹ explained that an Article 4 Direction to control future losses of office space via the permitted development route is justified because "the Council is reaching the point where further losses of stock would necessitate the allocation of new, greenfield and likely out of centre allocations to replace them." Although the BLP is now adopted, the continued loss of office floorspace on key employment sites would increase the amount of such land needed when the plan is next reviewed, and this is likely to necessitate greenfield allocations.
- 2.5 Therefore, it is recommended that an Article 4 Direction is introduced that would cover all key employment sites as defined in Policy ED2 of the BLP as these are the most important sites protected by the policy in RBWM. For avoidance of doubt this does not include any of the town centres. This is because the town centres cover a large area and a diverse range of uses. In addition, it is noted that Reading Borough Council recently attempted to introduce an Article 4 Direction that covered much of their Town Centre, but the Secretary of State intervened and removed part of this on the basis that it did not take a sufficiently targeted approach.

3. KEY IMPLICATIONS

¹ Employment Land Needs in RBWM October 2019 Topic Paper (Peter Brett Associates)

3.1 The key positive implication of introducing an Article 4 Direction is that it would ensure that the Council keeps a greater level of control over employment floorspace on the highest quality sites. The continued loss of such floorspace is of concern given the highly constrained supply of development land within the Borough. As stated above, further losses of employment floorspace would likely necessitate the allocation of new, greenfield sites to replace them when the BLP is next reviewed. There would, however, be a reduction in the number of (albeit poor quality) dwellings being delivered on such sites. The planning application process would provide more control over design (and living conditions of future occupiers) than a prior approval application.

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Making of non- immediate Article 4 direction	non- immediate Article 4 direction not made	non- immediate Article 4 direction made in January 2024	n/a	n/a	January 2024

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 With regards to financial implications, there would be a loss of fee income from prior approval applications on sites within the Article 4 area, although this is likely to be partially or fully offset by an increase in planning application fee income on such sites. Also, a planning application for new dwellings will require financial contributions to be made through CIL and S106 agreements and provision of affordable housing (likely to be 30% of the total units, depending on site threshold). Developments subject to prior approval do not make financial contributions for either on-site or off-site infrastructure provision or affordable housing.
- 4.2 There would be some modest financial costs for progressing with the Article 4 Direction. These would include placing local advertisements (c. £2,000.) Depending on the outcome of the consultation, there may be a need to strengthen the evidence base/justification, which could involve the use of specialist consultants. There would also be resource implications in terms of officer time, potentially resulting in other work (such as SPDs) taking longer to produce.

5. LEGAL IMPLICATIONS

5.1 The Town and Country Planning (General Permitted Development) (England)Order 2015 (as amended) (known as the GPDO) grants planning permission to a number of specified forms of development. The forms of development for which permission is granted are set out in Schedule 2 of the GPDO.

- 5.2 Article 4 of the GPDO allows the local planning authority to make a direction that removes specified permitted development rights within a defined area if those rights would be prejudicial to proper planning of their area or constitute a threat to the amenities of the area. Schedule 3 of the GPDO describes the process by which these Article 4 directions are made. Paragraph 1 of Schedule 3 deals with non-immediate directions.
- 5.3 The Town and Country Planning Act 1990 is also relevant. Section 108 deals with compensation arrangements and is applicable to a situation where permitted development rights are removed. Section 108(3C)(c) states that at least 12 months' notice of the withdrawal is required to avoid the ability for compensation claims to be made.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Threat or risk	Impact with no mitigation s in place or if all mitigation s fail	Likelihood of risk occurring with no mitigation s in place.	Mitigations currently in place	Mitigations proposed.	Impact of risk once all mitigation s in place and working	Likelihood of risk occurring with all mitigation s in place.
The Secretary of State has the power to modify or cancel an Article 4 Direction and may require further evidence and justification.	Major 3	High	The evidence base produced for the BLP can be used.	Actions set out in recommenda tion	Minor 1	Low
An immediate Article 4 would put the Council at risk of claims for compensatio n.	Major 3	High	A non- immediate Article 4 is recommend ed	Actions set out in recommenda tion	Minor 1	Low

7. POTENTIAL IMPACTS

7.1 Equalities. An Equality Impact Assessment is available as Appendix A.

- 7.2 The approval of the non-immediate Article 4 will have a positive impact in relation to protecting employment sites and a reduction in the number of poor quality dwellings being delivered.
- 7.3 Data Protection/GDPR. The consultation on the non-immediate Article 4 will be undertaken by the council in accordance with the Data Protection Act 2018 and the General Data Protection Regulation. There are not anticipated to be any impacts.

8. CONSULTATION

- 8.1 The process of adopting an Article 4 direction includes a formal consultation for a minimum of 21 days with those most likely to be affected and statutory consultees, including the Secretary of State. A public notice must be published by local advertisement. The regulations require that the council serve notice on the owner and occupier of every part of the land within the area or site to which the direction relates, unless this impracticable which is likely to be the case here.
- 8.2 Following this consultation (which will run for 4 weeks in accordance with the council's consultation guidance), all responses would be carefully considered, and a report would be taken to Cabinet with a recommendation to either confirm the direction or not to do so. If the direction is confirmed, the Secretary of State must be notified and this must be publicised, along with the date that the direction would come into force. The Secretary of State can order the Article 4 direction to be cancelled or amended at any point (even after it has come into effect). The Secretary of State has in some cases previously intervened to prevent blanket Article 4 direction, and therefore the extent of the approach needs to be considered and justified.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: January 2024. The full implementation stages are set out in table 4.

Date	Details
January 2024	Publish Notice of Article 4 Direction for at least 21 days
	consultation and notify Secretary of State and others
Spring 2024	Review consultation responses and take a report back
	to Cabinet with recommendation on whether to confirm
	the Article 4 Direction or not.
January 2025	If confirmed in Spring 2024, Article 4 comes into effect
-	12 months after initial Notice published.

Table 4: Implementation timetable

10. APPENDICES

- 10.1 This report is supported by 3 appendices:
 - Appendix A Equality Impact Assessment
 - Appendix B Draft Article 4 Direction (including plans)

 Appendix C – Report on the justification for introducing an Article 4 Direction

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by 3 background documents:
 - Royal Borough Windsor and Maidenhead Borough Local Plan 2013-2033 <u>Adopted local plan | Royal Borough of Windsor and Maidenhead</u> <u>(rbwm.gov.uk)</u>
 - Employment Land Needs in RBWM Topic Paper (Peter Brett Associates, October 2019)
 - National Planning Policy Framework (NPPF)
 <u>National Planning Policy Framework GOV.UK (www.gov.uk)</u>

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	Statutory Officer (or deputy)	36111	returned
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	7.11.23	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	7.11.23	14.11.23
Deputies:			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	7.11.23	22.11.23
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	7.11.23	
Mandatory:	Equalities Officer – to advise on EQiA, or agree an EQiA is not required		
Ellen McManus- Fry	Equalities & Engagement Officer	10.11.23	17.11.23
Other consultees:			
Directors (where relevant)			
Stephen Evans	Chief Executive	7.11.23	22.11.23
Andrew Durrant	Executive Director of Place	7.11.23	22.11.23
Assistant Directors (where relevant)			
Adrien Waite	Assistant Director of Planning	7.11.23	23.11.23
External (where relevant)			
N/A			

Confirmation relevant CabinetAdam Bermange, Cabinet Member for Planning, Legal and Asset ManagementYesMember(s) consultedAsset ManagementYes	
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Cabinet report:	No	No
Key decision		
First entered into		
the Cabinet		
Forward Plan:		
06/07/2023		

Report Authors: Ian Motuel, Planning Policy Manager & John Maniscalco, Senior Policy Planner

Appendix A - Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact <u>equality@rbwm.gov.uk</u>



1. Background Information

Title of policy/strategy/plan:	Article 4 Direction – removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential)
Service area:	Planning
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The report recommends that a non-immediate Article 4 Direction restricting PDR for Class E to residential conversions on all protected employment sites be pursued and to prepare and undertake a public consultation.

The Consultation will be delivered by Planning Policy Officers.

This is a new proposal.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

Yes, the public consultation will directly impact people and the local community throughout the Borough as they will all have the opportunity to provide comment on the non-immediate Article 4 Direction restricting PDR for Class E to residential conversions on all protected employment.

The Article 4 Direction itself will also directly impact people and the local community throughout the Borough. The principal purpose of the Article 4 is to protect designated employment areas in RBWM.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff

The Article 4 Direction is aimed at the Protected Employment sites (BLP Policy ED2) therefore, the occupants and businesses will be affected.

The proposal will also benefit the whole community (including potential occupants of development) by ensuring that developments that would result in new dwellings are subject to a planning application process that ensures that impacts on the amenity of the area are considered.

Council Planning Officers will also be affected as planning applications received will be subject to the planning permission process. This will consider all of the many impacts on the amenity of the area and on the potential residents.

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) **disproportionately represented?** For example, compared to the general population do a higher proportion have disabilities?

The adopted Borough Local Plan was subject to Equality Impact Assessments in 2017 and 2019, which did not identify any negative impacts for any group with protected characteristics.

The Article 4 Direction provides further protection on the application of policies in the Borough Local Plan. It does not create new policy.

Future planning applications will need to comply with Borough Local Plan policy. There is nothing in the Article 4 Direction which is considered to disproportionately impact on any particular individual or group.

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

No previous engagement has taken place. This Report recommends holding a 4-week public consultation. The results of this consultation and engagement will be reported at a future Cabinet meeting.

What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

The Council's parish profiles and the Council's Equalities Evidence Grid.

4. Equality Analysis

Please detail, using supporting evidence:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	The Article 4 Direction provides further protection on the application of policies in the Borough Local Plan. It does not create new policy.	Not applicable.	
	There is nothing in the Article 4 Direction which is considered to disproportionately impact on any particular individual or group in terms of age.		
Disability	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person with a disability.	Not applicable.	
	The introduction of an Article 4 direction will give better control over the standard of residential units being created and will therefore be easier for the council to ensure that appropriate accessibility standards are met for new developments.		
Sex	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person on the basis of their sex.	Not applicable.	
Race, ethnicity and religion	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person on the basis of their race, ethnicity or religion.	Not applicable.	
Sexual orientation and gender reassignment	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person on the basis of their sexual orientation or gender.	Not applicable.	
Pregnancy and maternity	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person who is pregnant or a mother.	Not applicable.	
Marriage and civil partnership	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person on the basis of their marital status.	Not applicable.	

Armed forces community	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person who is in the armed forces community.	Not applicable.
Socio-economic considerations e.g. low income, poverty	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person on the basis of their socio-economic situation.	Not applicable.
Children in care/Care leavers	There is nothing within the Article 4 Direction which is considered to disproportionately impact or discriminate against a person who is in care or a care leaver.	Not applicable.

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group This Report recommends a 4-week public consultation with Local Stakeholders and the members of the community. The results of this consultation and engagement will be reported at a future Cabinet meeting.

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

• For planned future actions, provide the name of the responsible individual and the target date for implementation.

Where persons with protected characteristics are adversely affected, this would increase the likelihood of the consultation not picking up all issues within the local area. However, the proposal for an Article 4 direction will provide more certainty through the planning process. Potential developments will not detrimentally impact the quality of life and physical and mental health. Potential developments could also contribute to Affordable housing and mitigate infrastructure impacts.

How will the equality impacts identified here be monitored and reviewed in the future? See guidance document for examples of appropriate stages to review an EQIA.

If the Article 4 direction is approved, residents will have further opportunity to comment on future planning applications as part of the normal planning application determination process.

<u>6. Sign Off</u>

Completed by: John Maniscalco	Date: 07/11/2023
Approved by: Adrien Waite	Date: 23/11/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by: Ellen McManus-Fry	Date:

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD COUNCIL

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

DIRECTION MADE UNDER ARTICLE 4(1)

WHEREAS the Royal Borough of Windsor and Maidenhead ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015, are satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on the land shown edged red on the attached plans and described in Schedule 2, unless planning permission is granted an on application made under Part III of the Town and Country Planning Act 1990 as amended,

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

This Direction shall come into force on

if confirmed.

SCHEDULE 1

The Direction applies to development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A of Schedule 2 to the Town and Country (Use Classes) Order 1987 (as amended) to a use falling within C3 (dwellinghouses, used as sole or main residence) of Part 3 of Schedule 1 to the Town and Country (Use Classes) 1987 (as amended) being development comprised within Class MA of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and not being development comprised within any other Class.

SCHEDULE 2

List of areas affected by the Article 4 Direction:

Vanwall Business Park, Maidenhead

Land at Norreys Drive, Maidenhead

Foundation Park, Cox Green

Windsor Dials, Windsor

Centrica, Millstream

Land at Alma Road, Windsor

Land at Stafferton Way, Maidenhead

Whitebrook Park, Maidenhead

Land at Tectonic Place, Maidenhead

Furze Platt Business Centre Park and The Switchback, Maidenhead

Woodlands Business Park, Maidenhead

Cordwallis Business Park, Maidenhead

Howarth Road Estate, Maidenhead

Prior's Way Industrial Estate, Maidenhead Vansittart Road Industrial Area, Windsor Fairacres Industrial Area, Windsor Ascot Business Park, Ascot Queens Road Industrial Estate, Sunninghill Manor House Lane Employment Estate, Datchet Baltic Wharf, Maidenhead Boyn Valley Industrial Estate, Maidenhead Reform Road, Maidenhead DTC Research, Belmont Road, Maidenhead Shirley Avenue (Vale Road Industrial Estate), Windsor Maidenhead Office Park, Maidenhead Ashurst Manor, Sunninghill Lower Mount Farm, Cookham Ditton Park, Riding Court Road, Datchet Horizon Building, Honey Lane, Maidenhead Grove Park, Business Park, White Waltham Silwood Park, Sunningdale

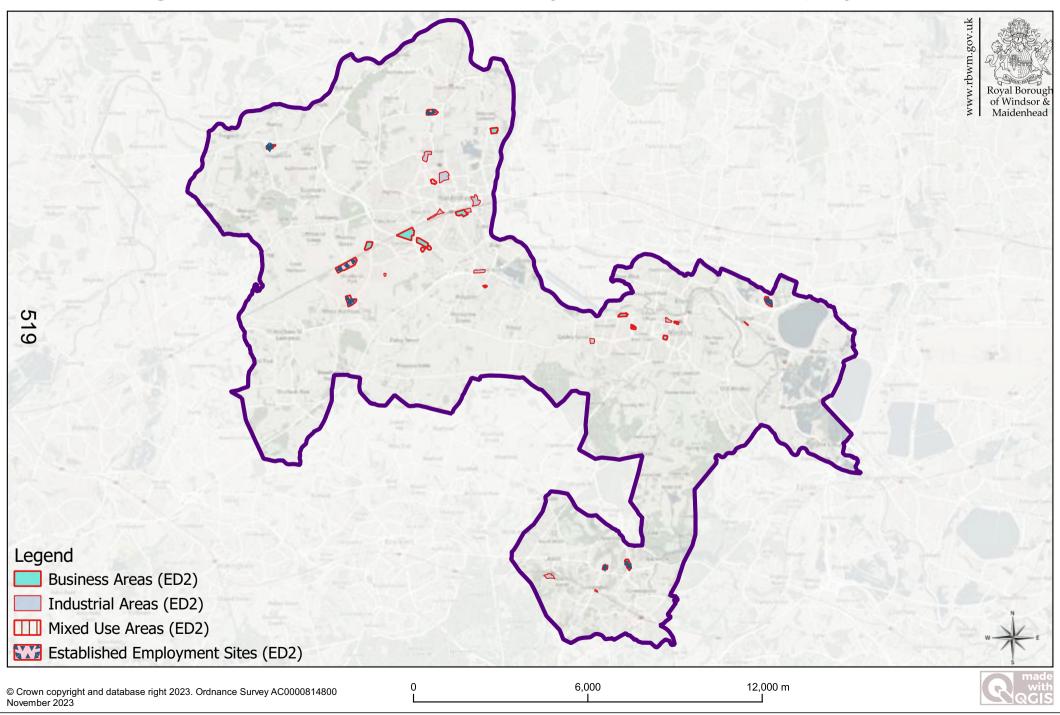
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OF WINDSOR AND MAIDENHEAD was)
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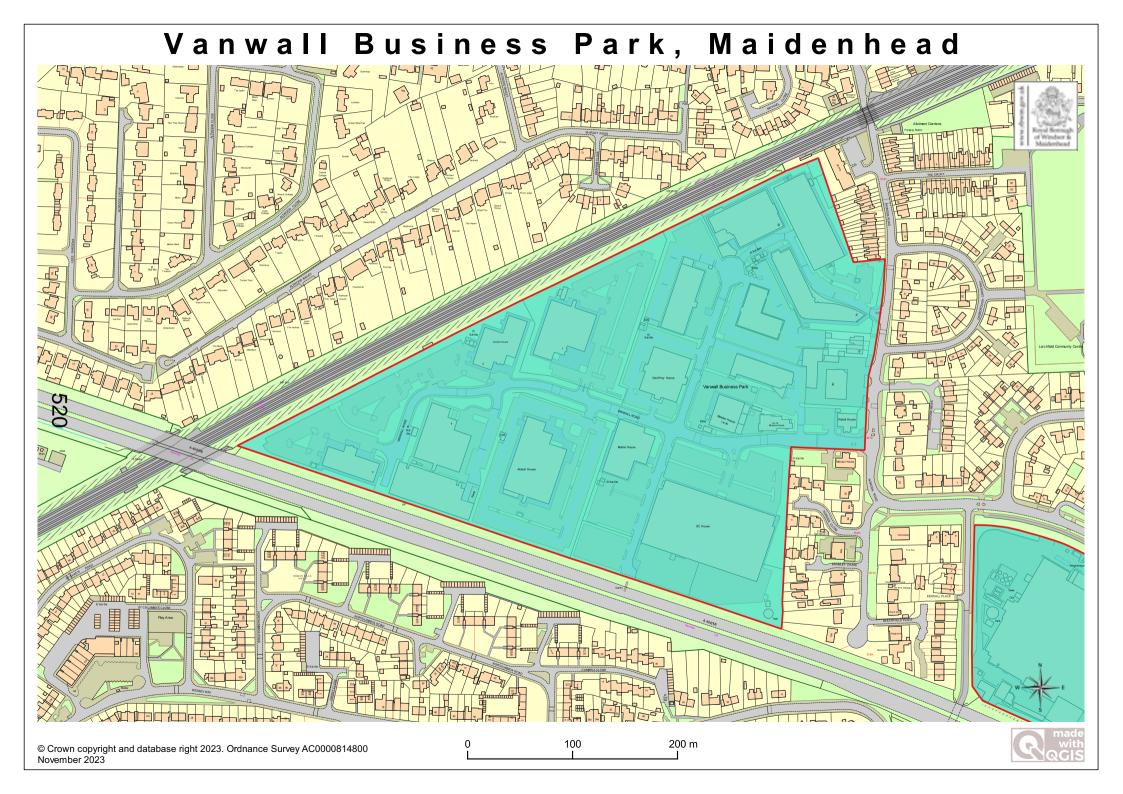
Authorised signatory

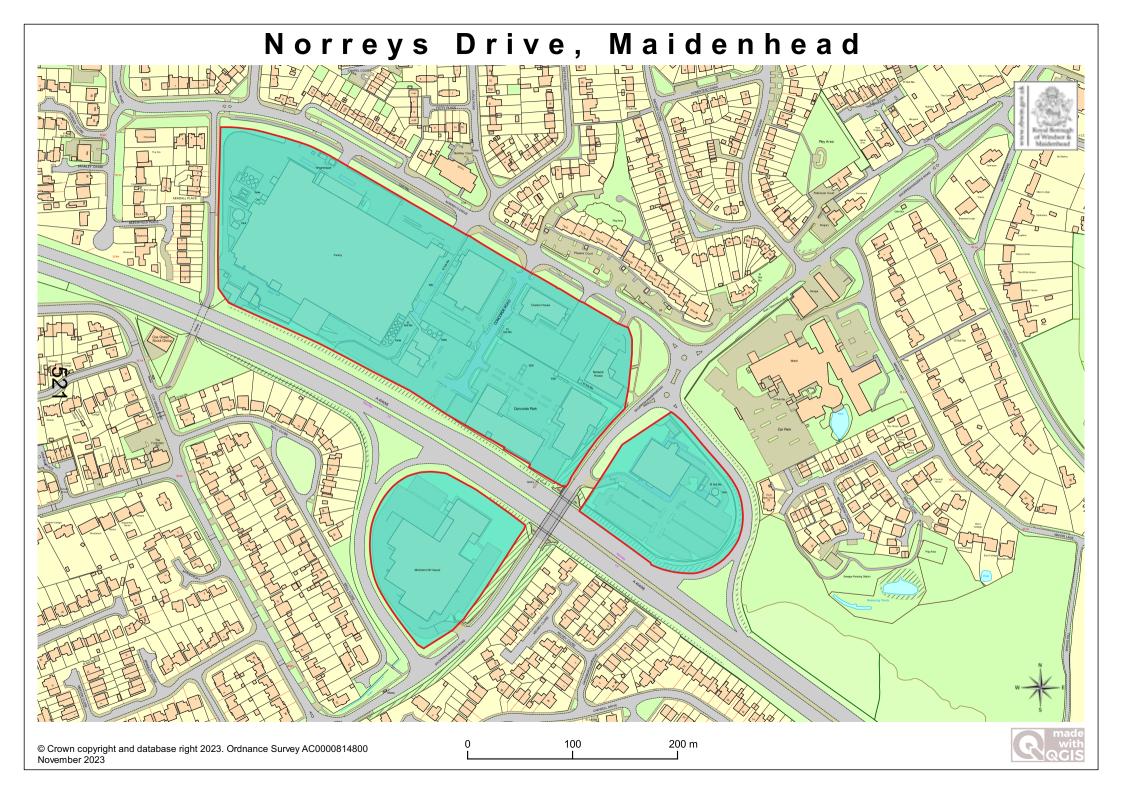
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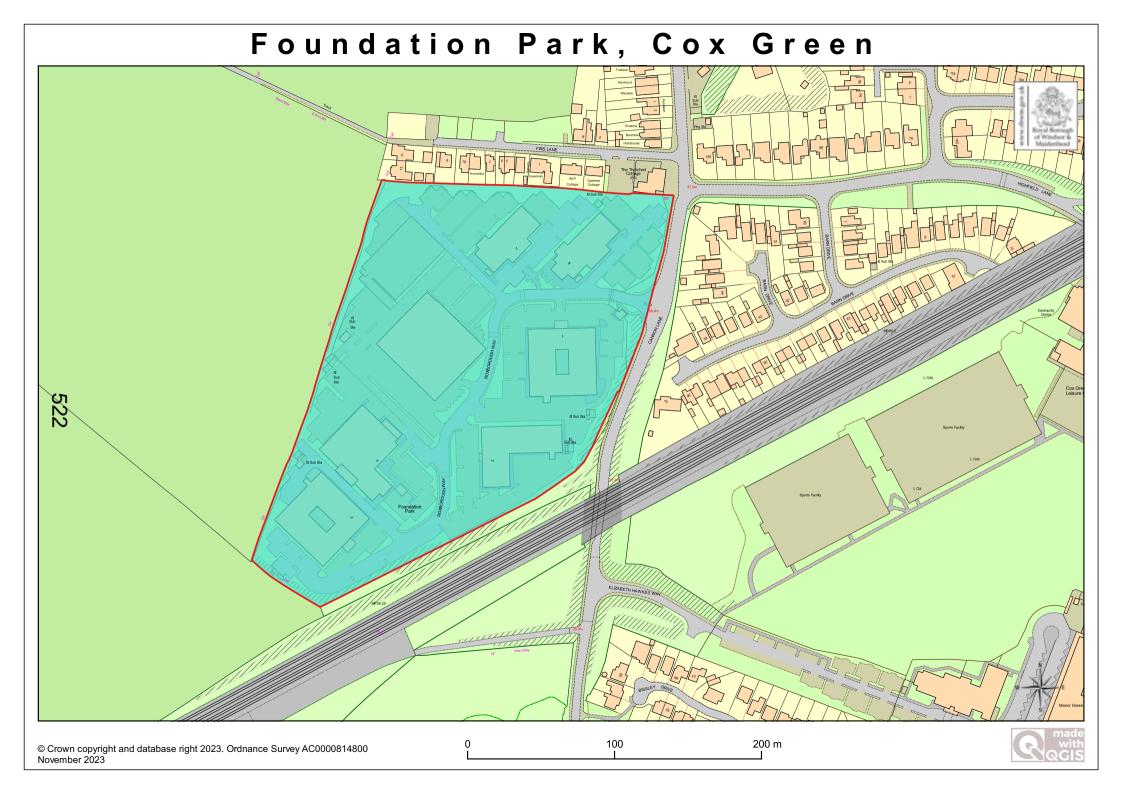
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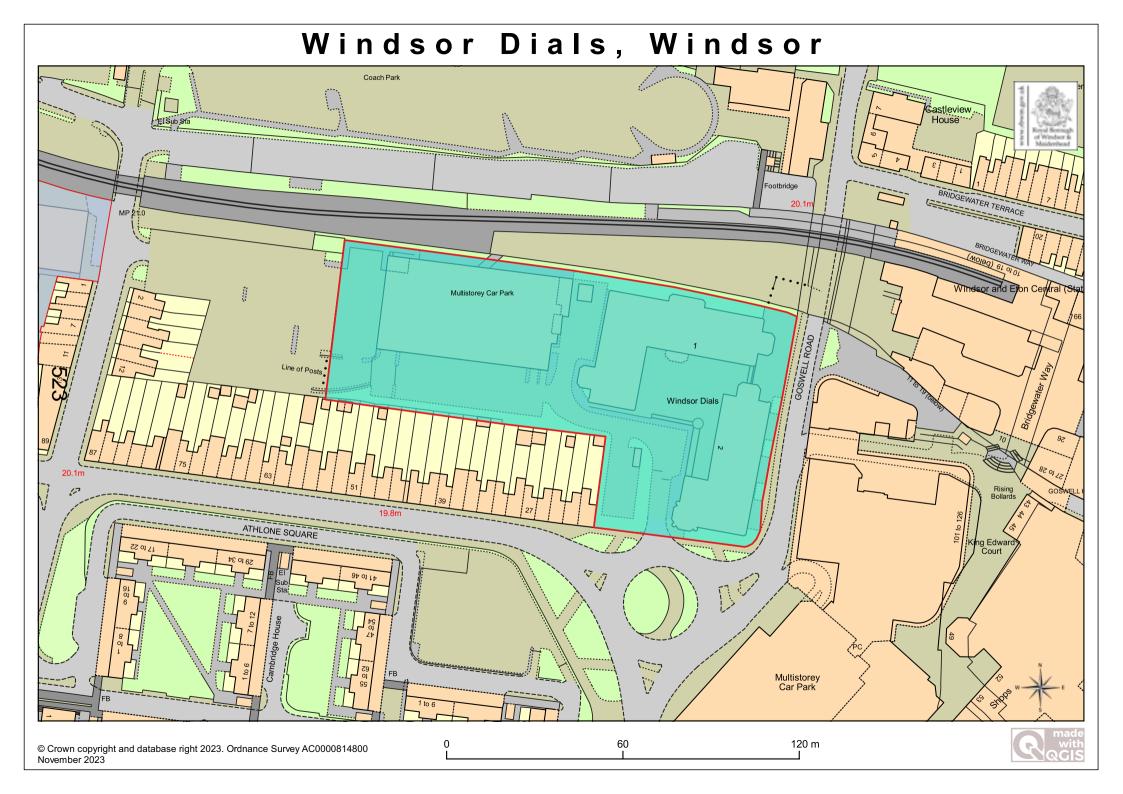
Borough Local Plan 2013-2033 - Policy ED2 Protected Employment Sites

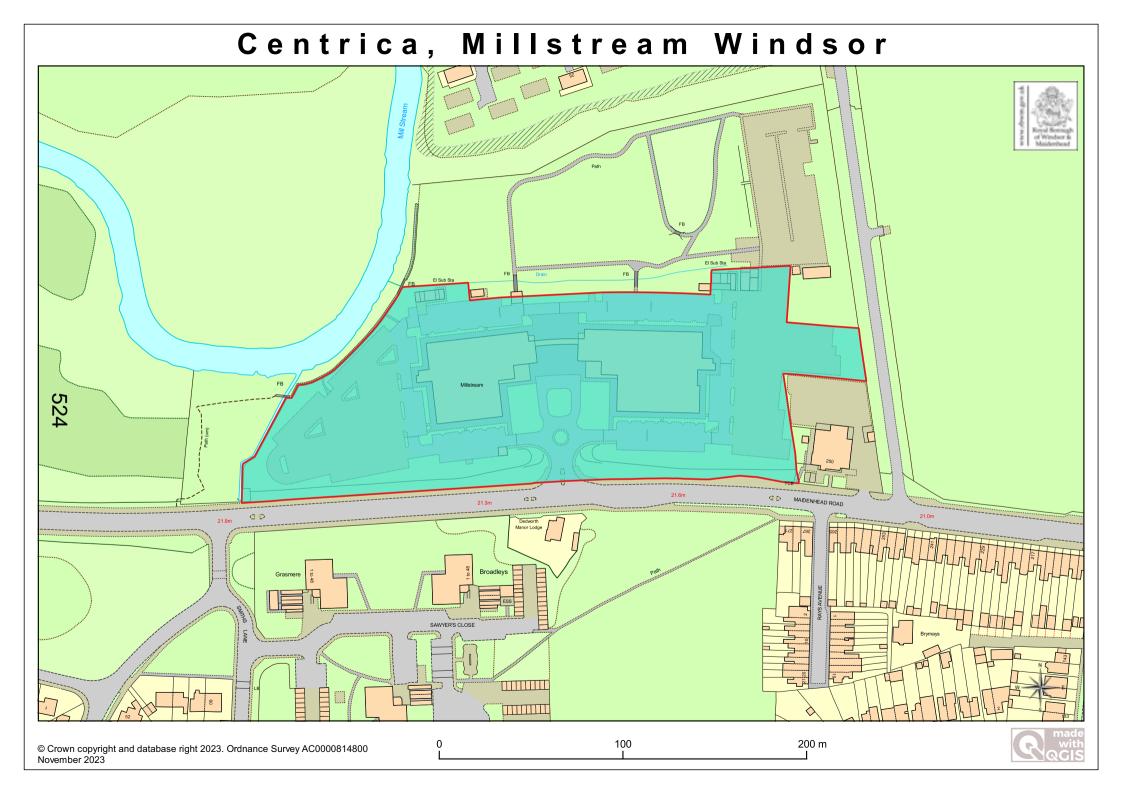


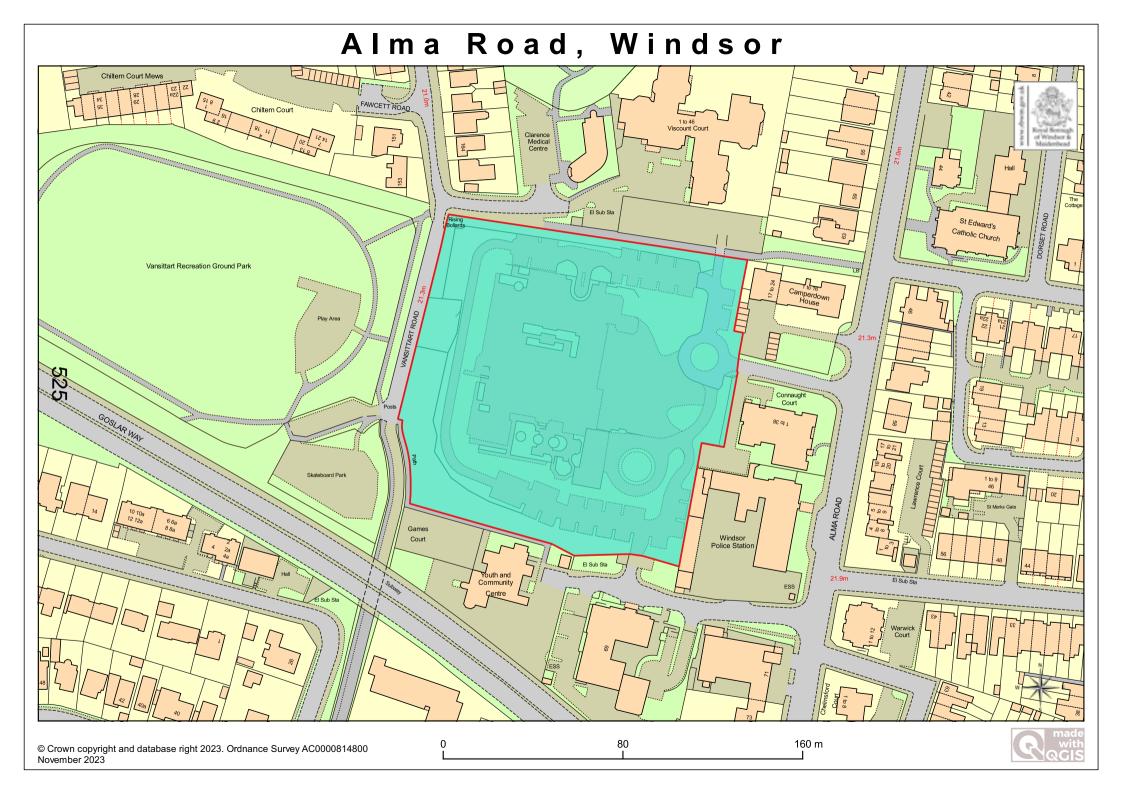






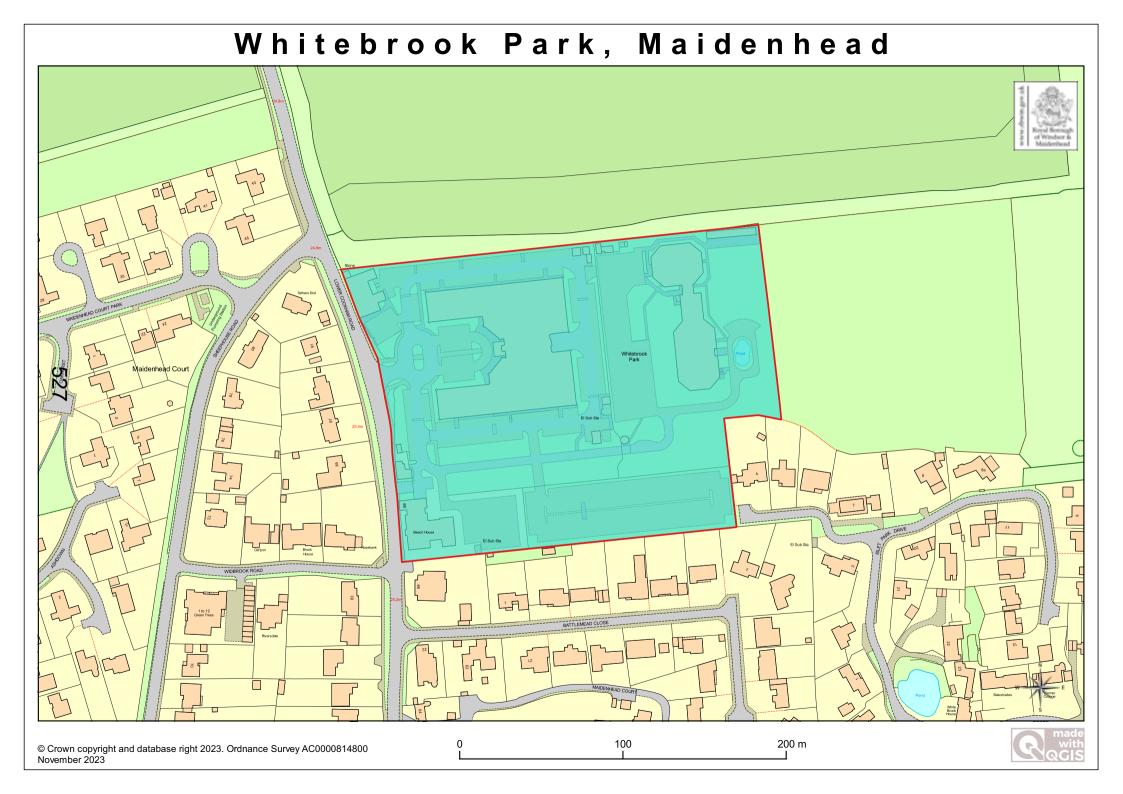


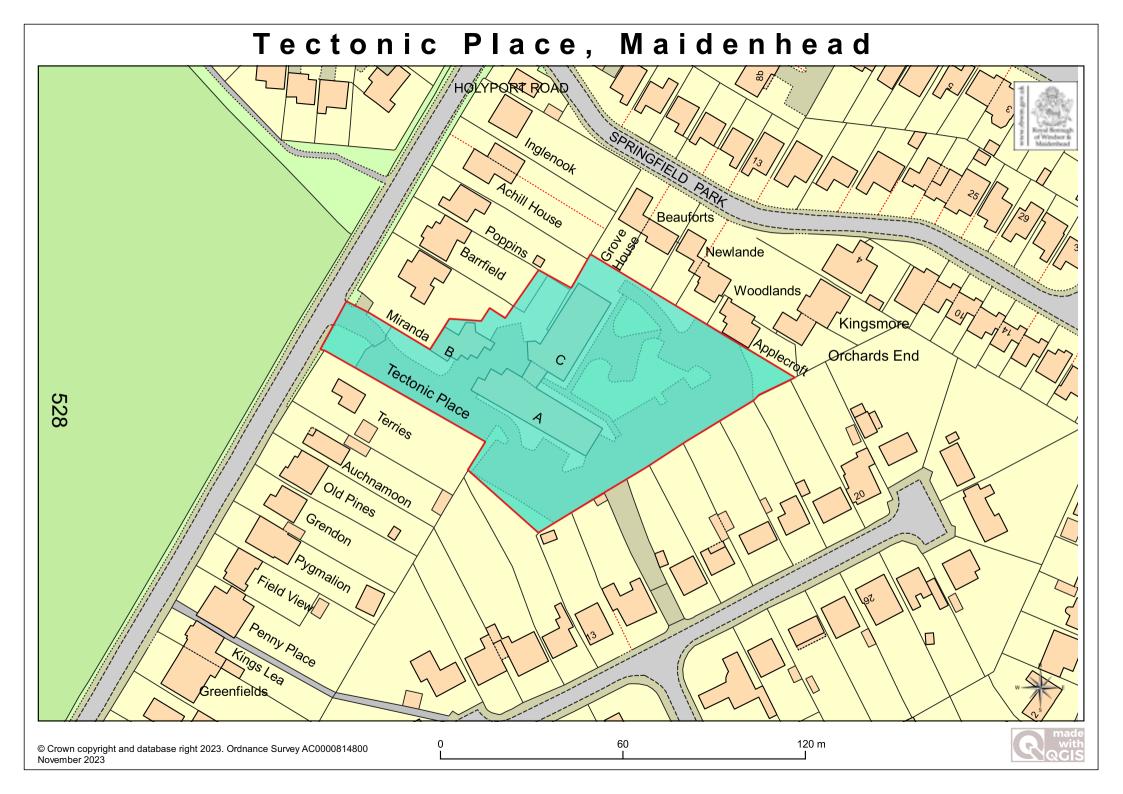


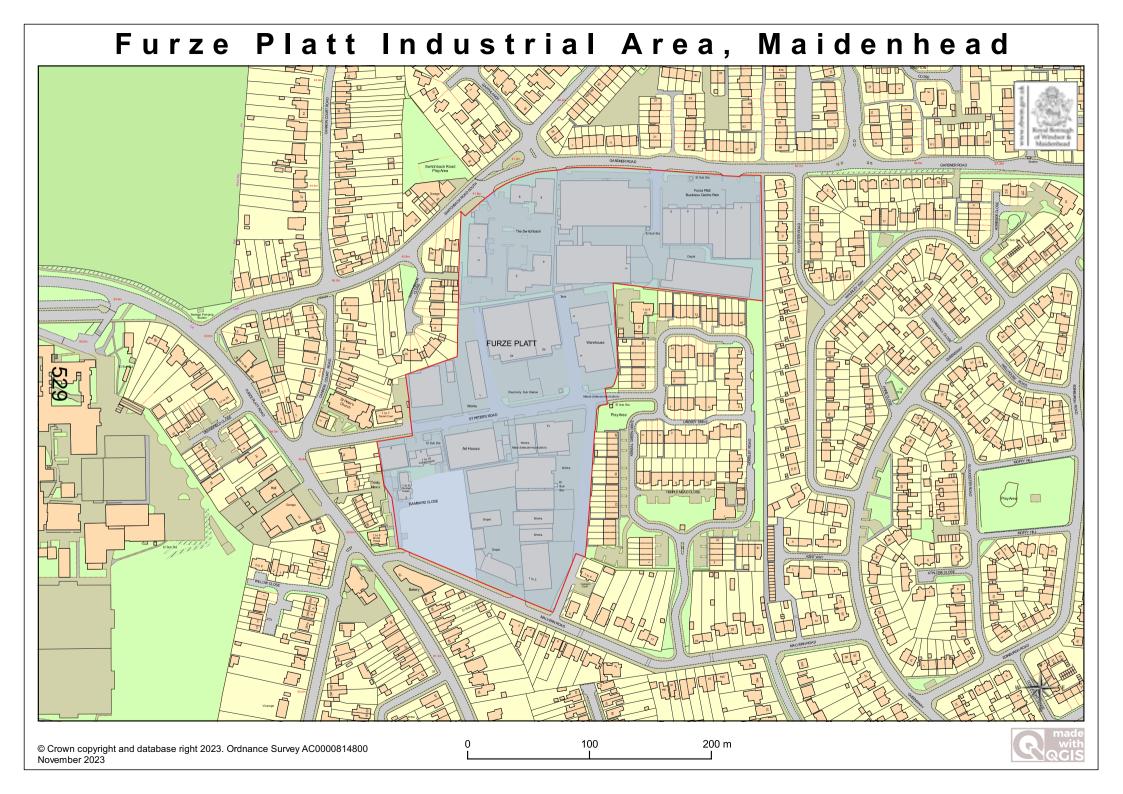


Stafferton Way, Maidenhead





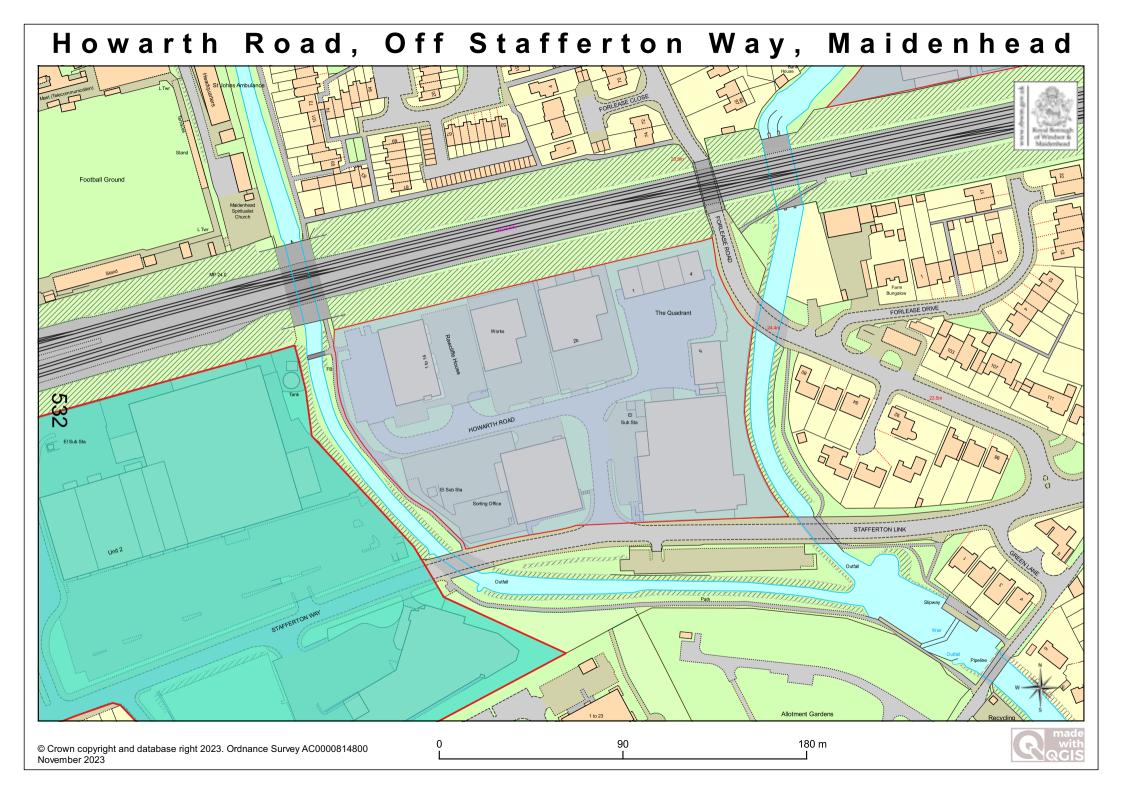


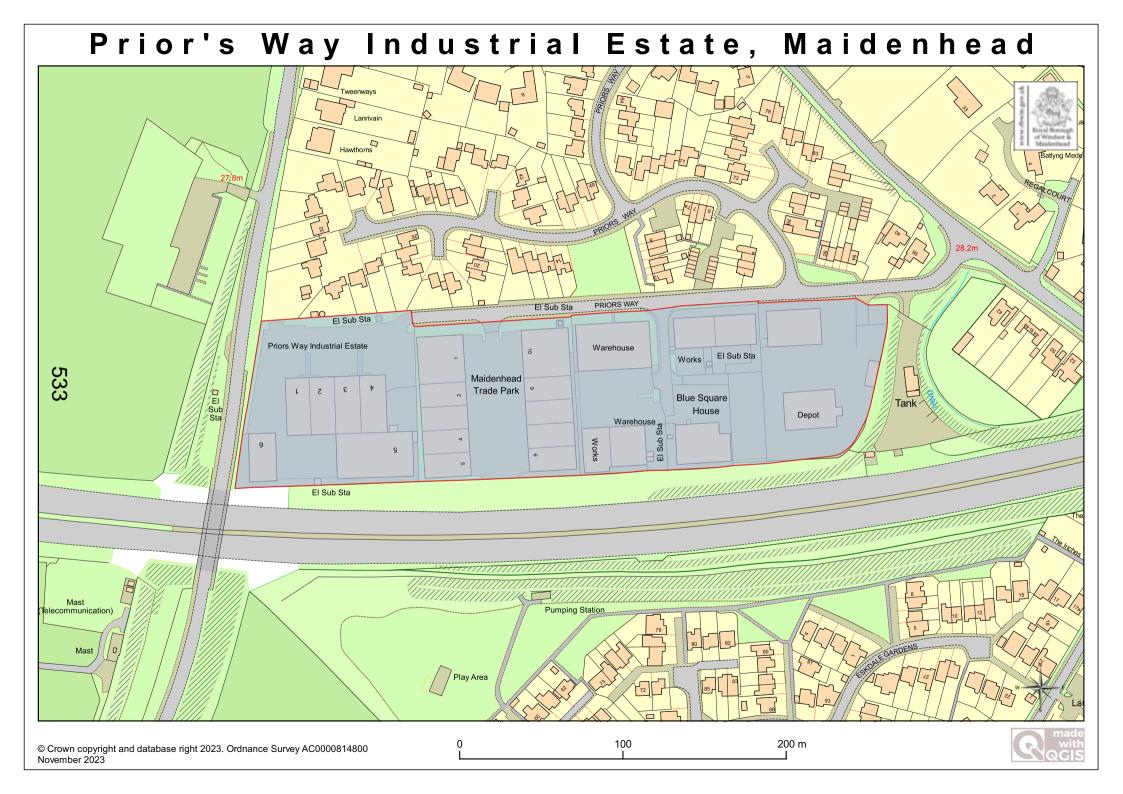






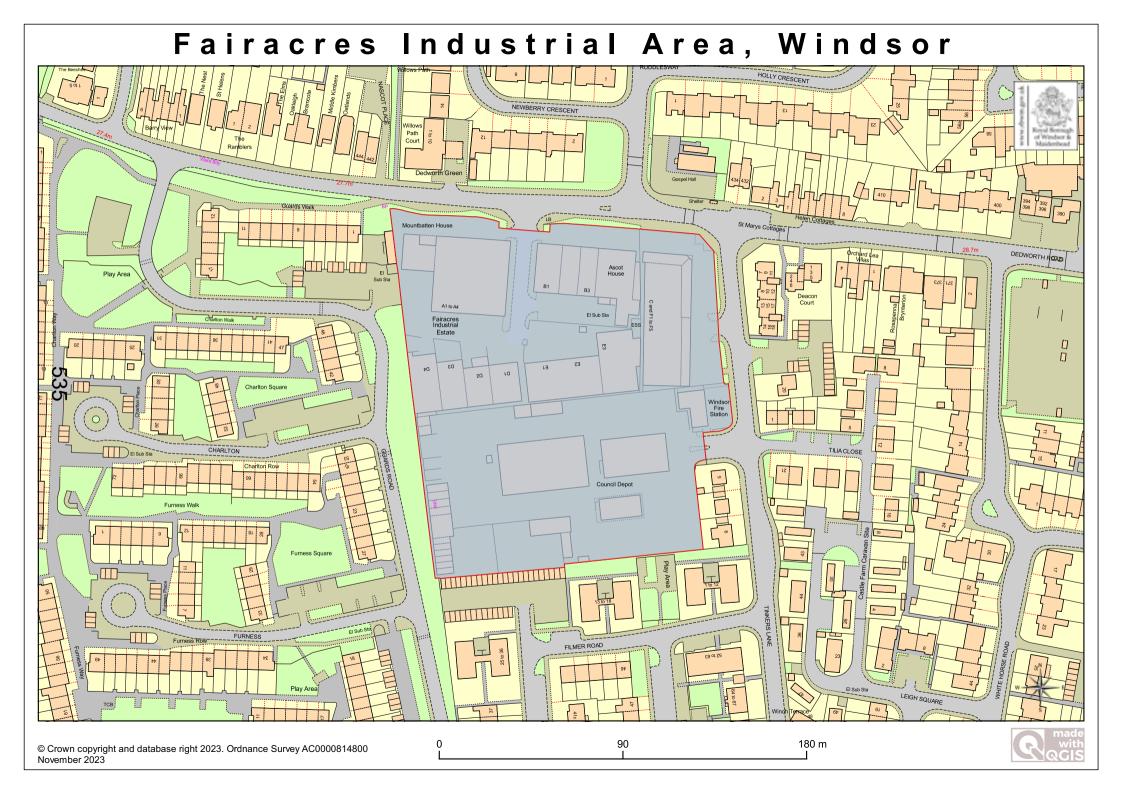




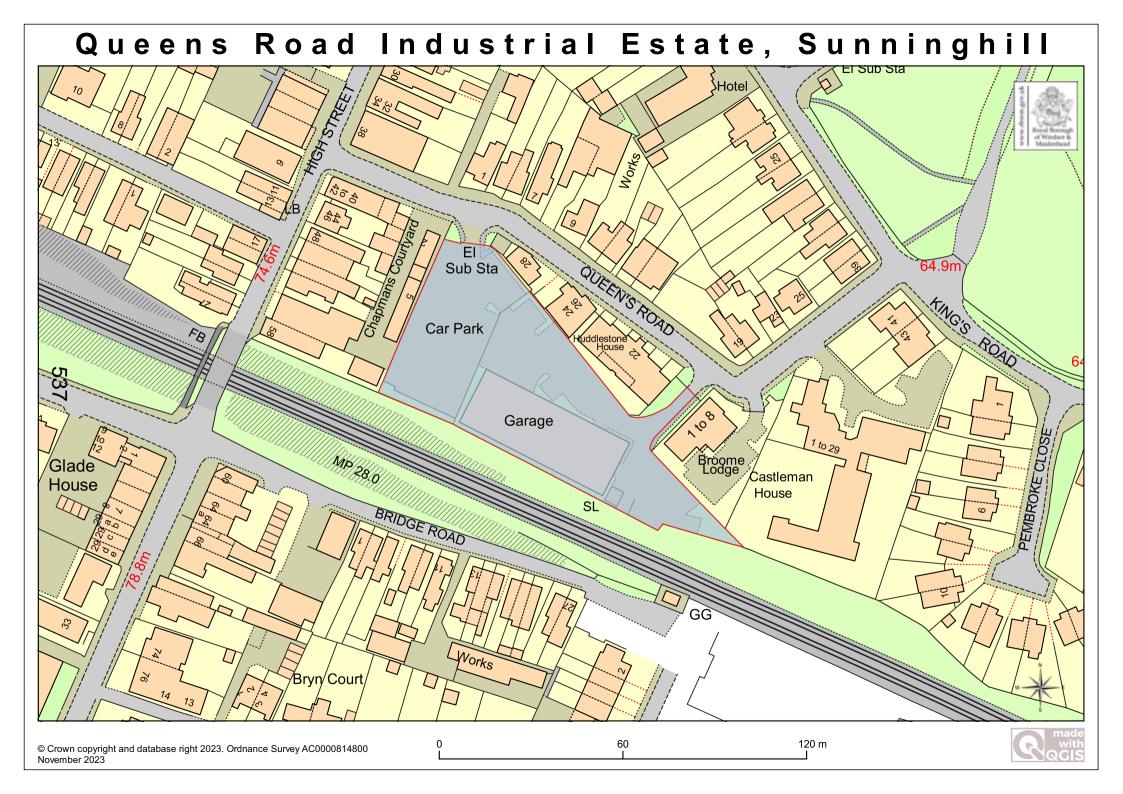


Vansittart Road Industrial Area, Windsor

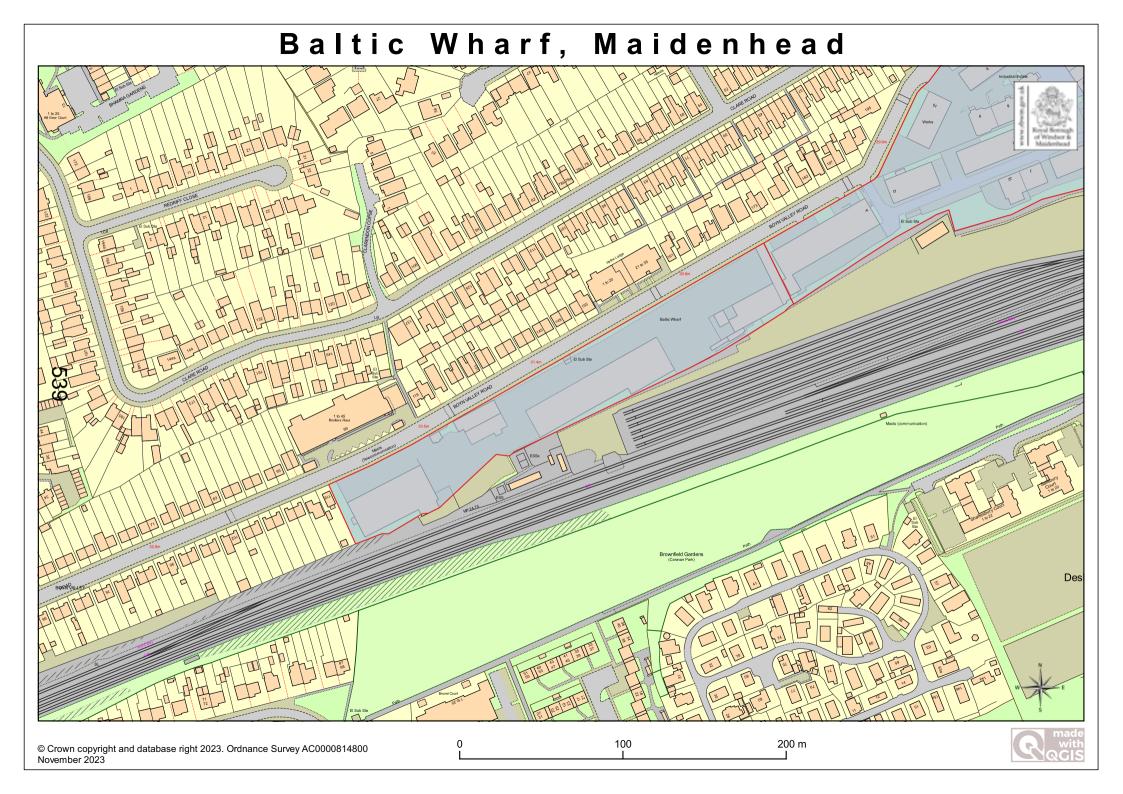


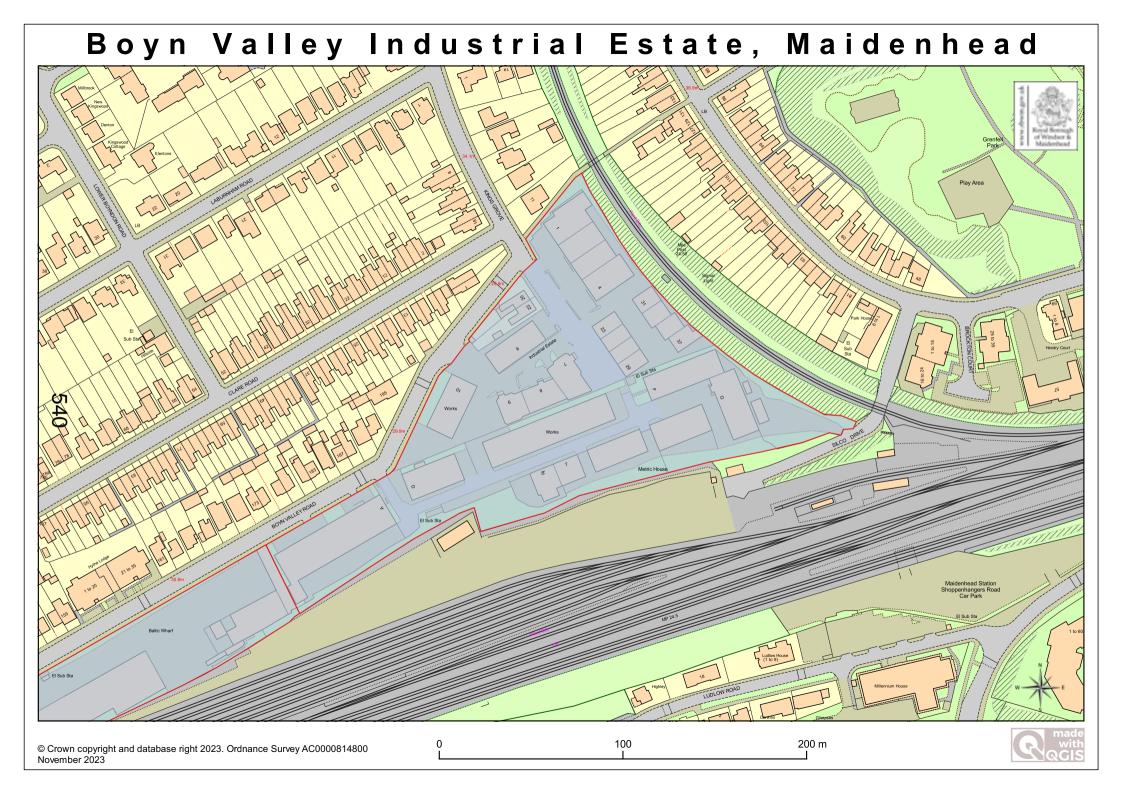


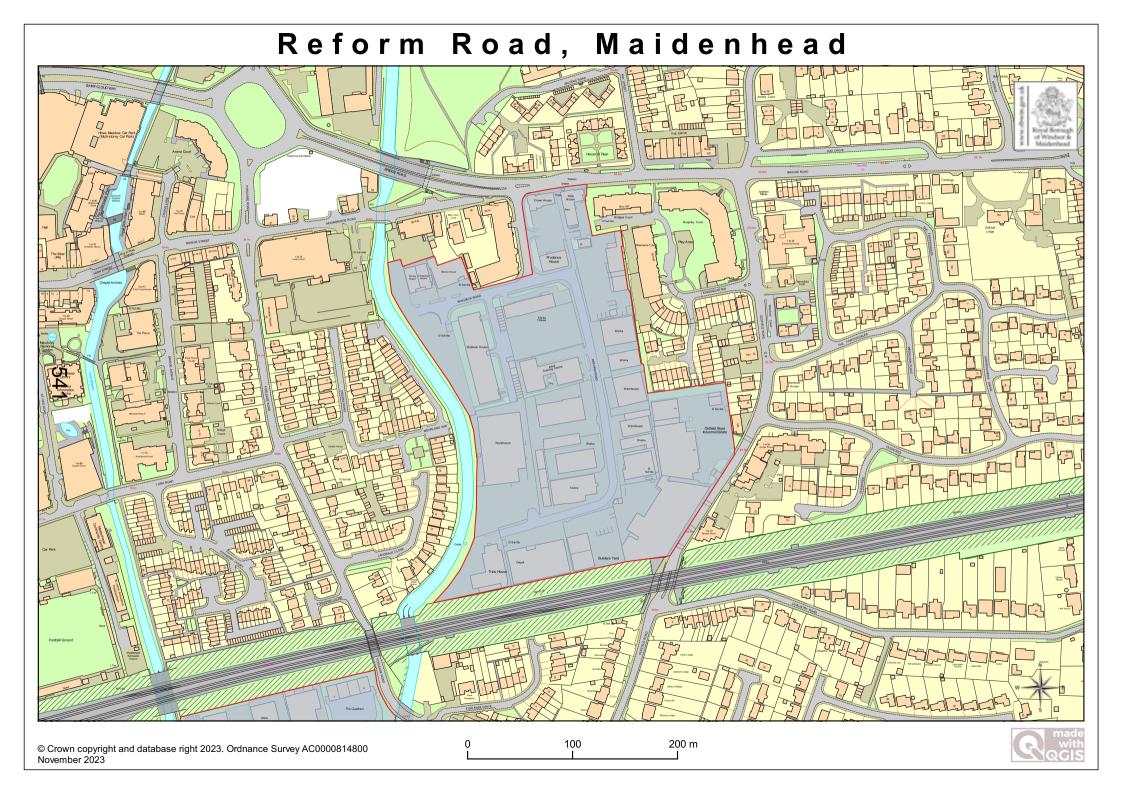


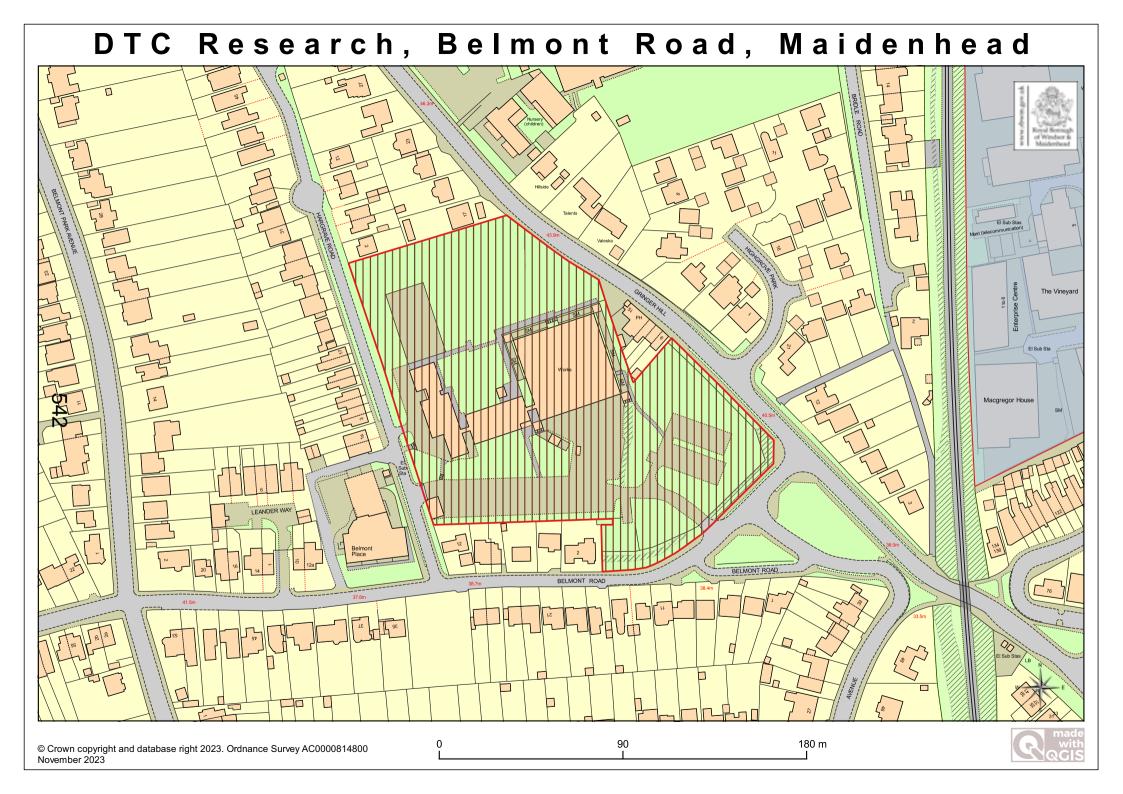


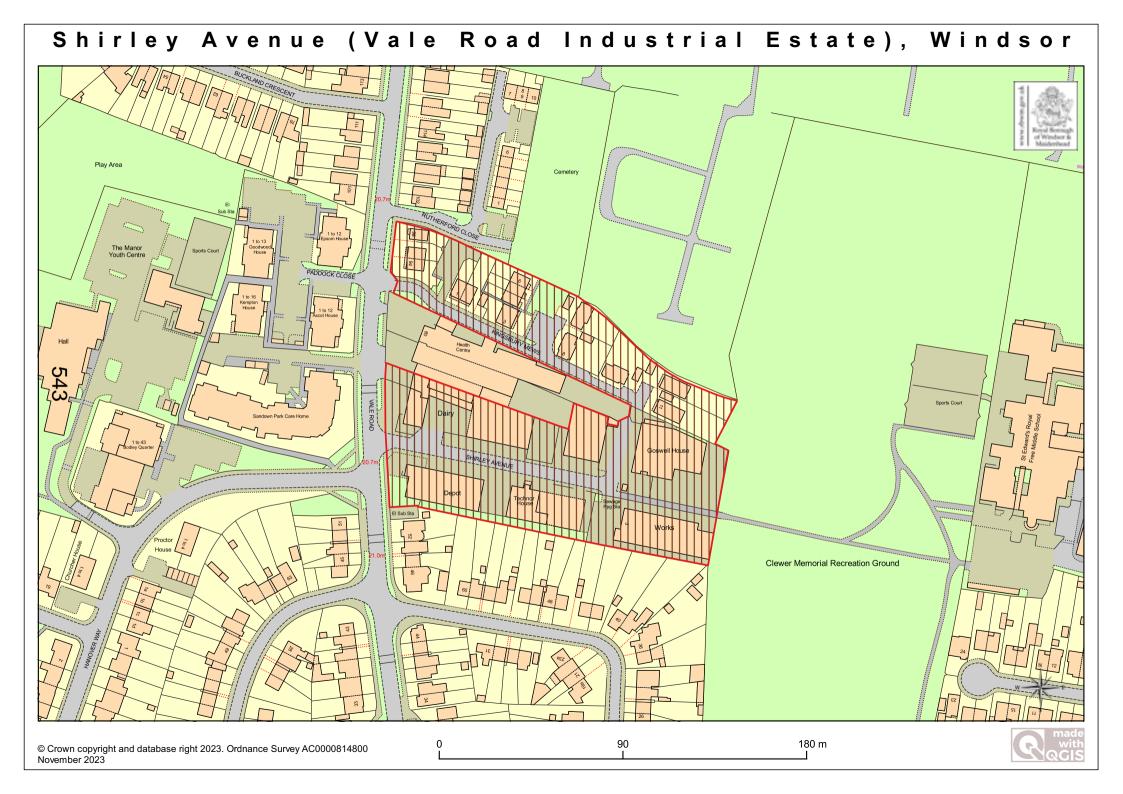
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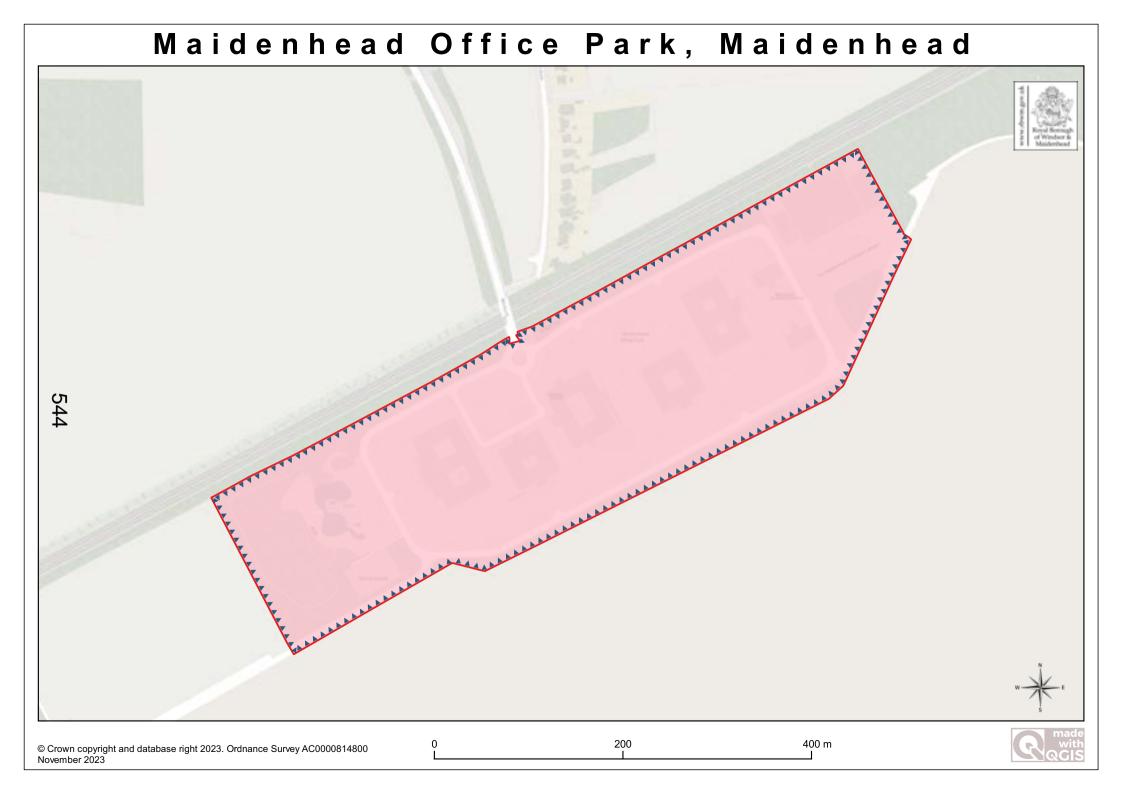


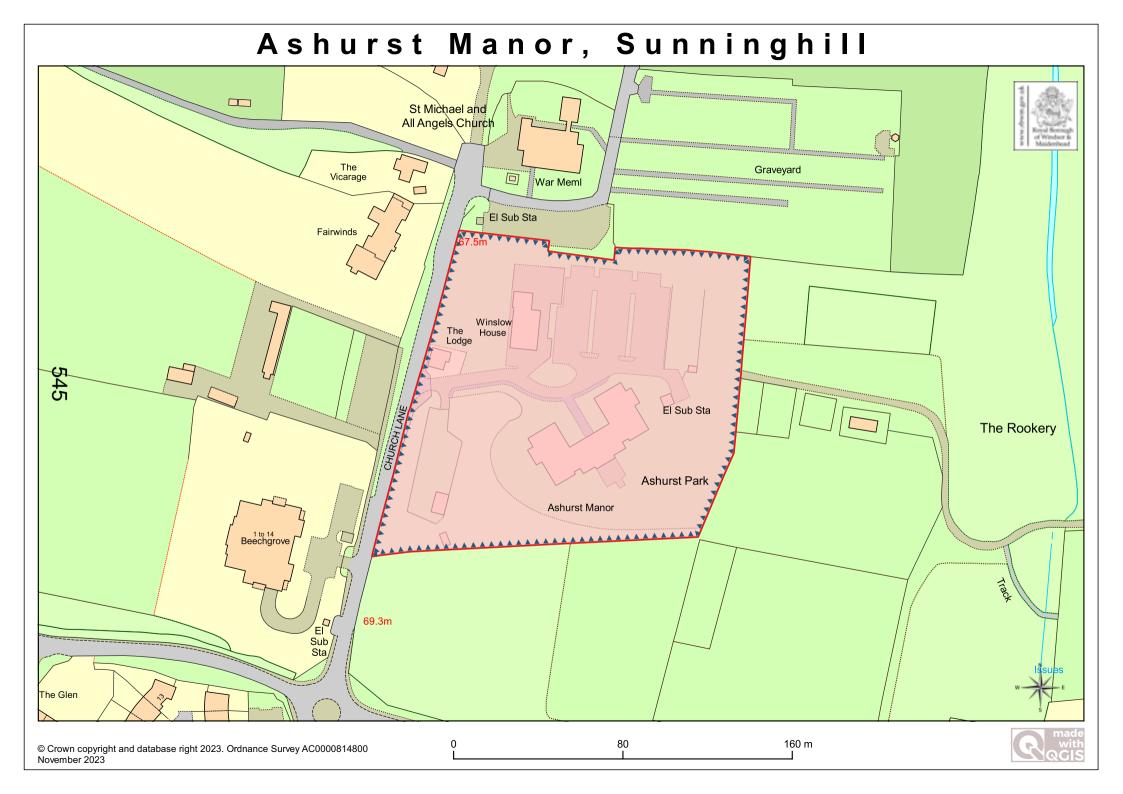


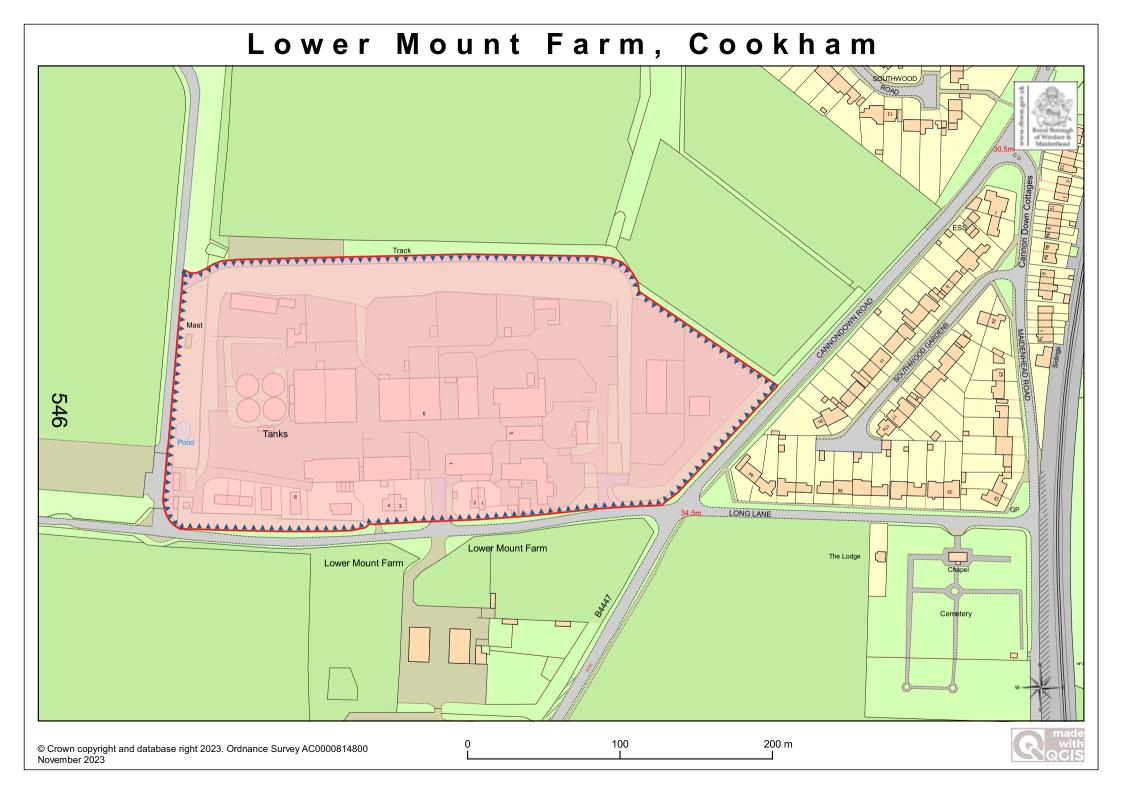


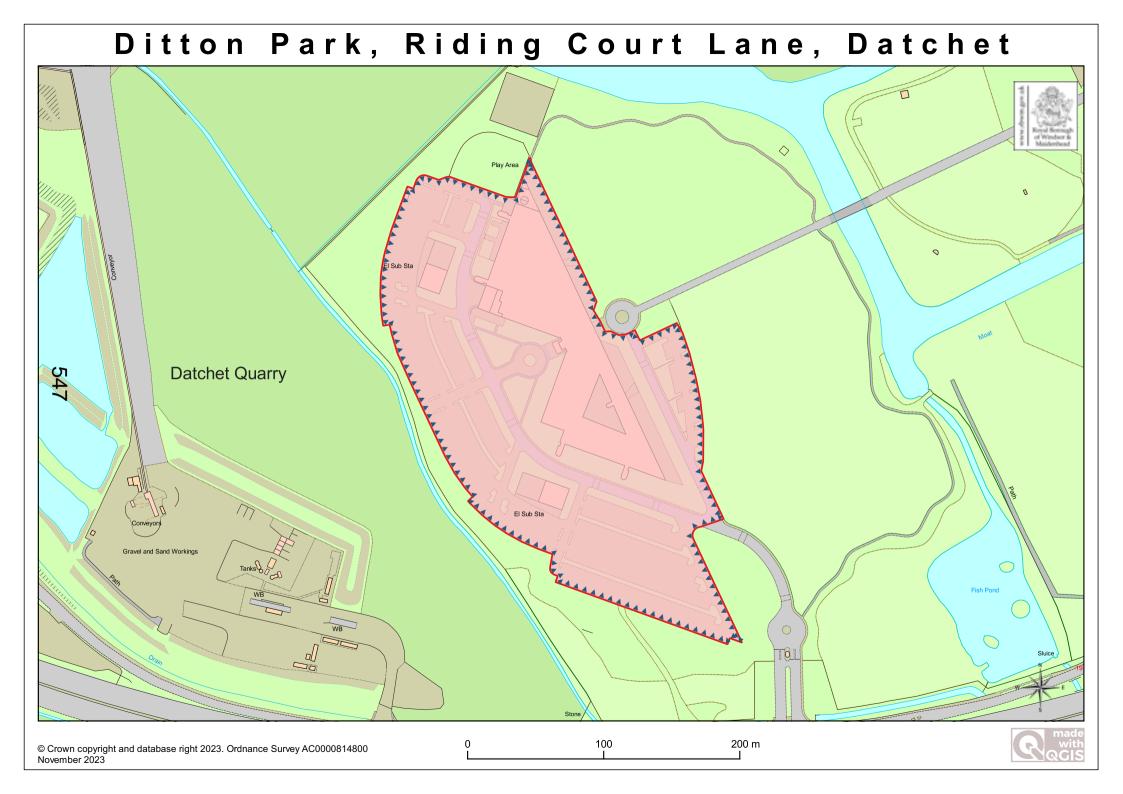


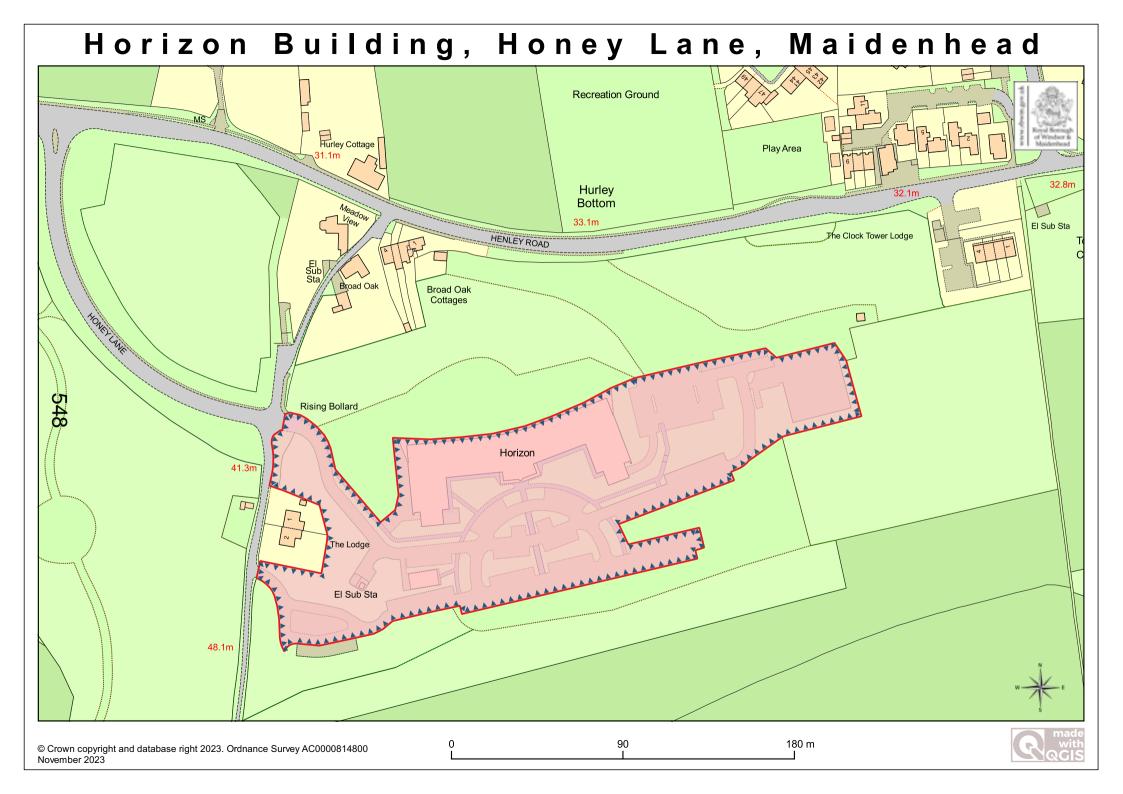


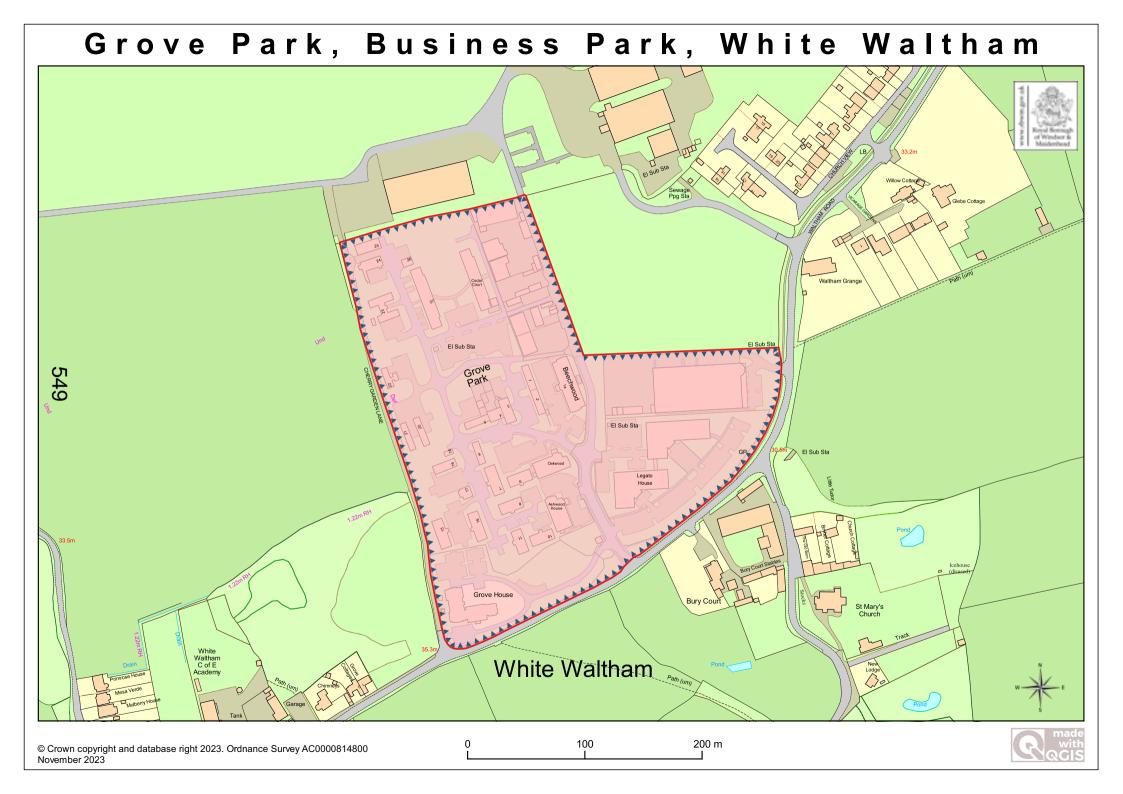


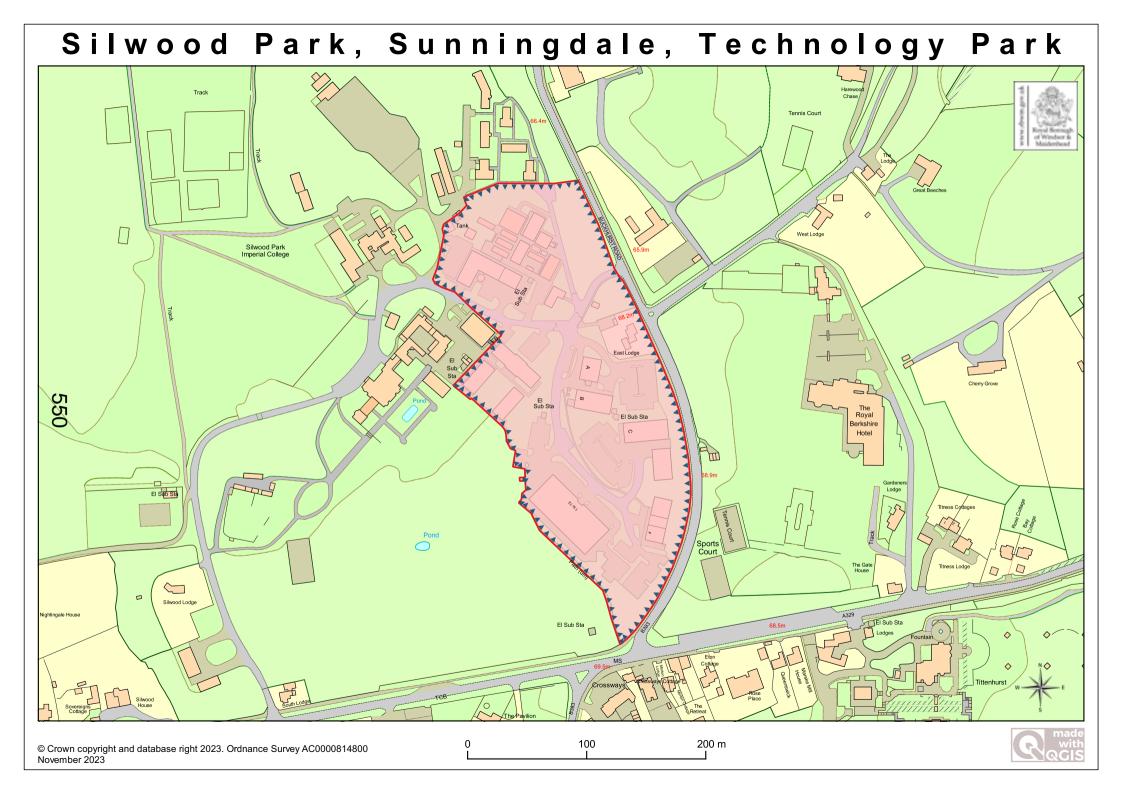














Royal Borough of Windsor and Maidenhead

Justification for Introducing an Article 4 Direction

for removal of permitted development rights to change from Class E (commercial class) to C3 (residential) on key employment sites

November 2023

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1. Introduction

The council is proposing a non-immediate Article 4 Direction for the removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential) on protected employment sites. This report sets out the:

- planning policy context
- forms of harm caused by permitted development rights for office to residential conversions
- evidence to justify the introduction of an Article 4 Direction on key employment sites

1.1 Permitted Development Rights

In 2013, the Government introduced Permitted Development Rights (PDR) to enable offices to be converted to residential use and create new dwellings (Class J), initially for a temporary period of three years. Since that time several substantial additions have been made to PDR, both facilitating further sources for the creation of new dwellinghouses, whilst also introducing additional standards and prior approval criteria requiring consideration, such as compliance with national space standards and daylight/sunlight assessment.

The expansion of PDR has been pursued by central Government as a way to cut red tape and fast track the approval process, whilst boosting the delivery of homes and jobs in the construction sector.

Many councils have been less enthusiastic about PDR, citing concerns over the delivery of poor-quality dwellings, lack of outdoor space and failure to provide affordable housing and vital infrastructure.

The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (known as the GPDO) grants planning permission to a number of specified forms of development, known as permitted development rights (PDR). Class J was restated as Class O and in May 2016 it was made permanent. Increasingly, since 2013, PDR have been used to cover a number of other forms of development that would result in new dwellings, such as conversion to residential from retail and related uses and storage and distribution.

On 30 March 2021, the government amended the General Permitted Development Order (GPDO) to introduce a new 'Class MA' (Mercantile to Abode) permitted development right allowing changes of use from a use falling within commercial, business and service (Class E) to residential. Class MA effectively expanded upon, and replaced, Class O. This means that provided the requirements and conditions of Class MA are satisfied, it is possible to make a change of use from a Class E use to a Class C3 (residential) use without the need to apply to the local planning authority for planning permission. This permitted development right became available from 1 August 2021.

Previously, the Class O prior approval allowed a change of use from office (revoked B1(a)) to residential. The class MA PD right now allows the conversion of a range of

high street uses, including offices, restaurants, shops, and professional services, in the class E commercial use class into housing without the need for a planning application.

Sites wishing to benefit from Class MA still need to meet the qualifying criteria and requirements:

- including vacancy of at least three months,
- cumulative floorspace below 1,500 sqm and
- they must not be a listed building.

An application for Prior Approval still requires assessment of a number of technical considerations. In this context, local authorities can still refuse proposals under Class MA PDRs.

1.2 What is an Article 4 Direction?

An article 4 direction is a direction under <u>article 4 of the General Permitted</u> <u>Development Order</u> which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area. An article 4 direction cannot be used to restrict changes between uses in the same use class of the Use Classes Order.

Whilst this does not prevent the change of use or development in that location, it ensures that it requires full planning permission and therefore can be more robustly scrutinised by the local authority in relation to their planning policies.

2. Policy Context

2.1 Employment evidence for BLP

The evidence base to support the identification of economic development needs for the Borough draws on the Central Berkshire and Eastern Berkshire Economic Development Needs Assessments (EDNAs) produced by Nathaniel Lichfield and Partners (NLP) in 2016. The studies were carried out by NLP in accordance with the Planning Practice Guidance to provide an assessment of future business needs and requirements for employment land and floorspace within Functional Economic Market Areas (FEMA), focusing on the group of 'B Class' sectors. However, the Council recognises that not all jobs fall within these use classes; growth in the service industry, retail, leisure and tourism is also expected to provide further economic growth.

The evidence from the studies helped to inform the economic policies for the Borough Local Plan (BLP). The outputs of the EDNAs include jobs forecasts and projections, and B Class floorspace requirements for the need arising from the Borough. The analysis used three scenarios for future economic growth to 2036 based on labour demand, past trends of completion of employment space and labour supply.

The <u>Employment Topic Paper (2019)</u> provided further justification of the BLP Economic Development policies.

The document provided confirmation of the employment floorspace and land needed to accommodate 11,200 jobs for the plan period 2013-2033. However, nearly 4,500 jobs have been delivered since the start of the plan period. Therefore, to meet the Royal Borough's minimum job target, provision for 7,000 net additional jobs is needed, of which 4,000 are expected to be within the E(g) and B use classes¹.

Ref	Site	Estimated additional office space (sq. m)
AL1	Nicholsons Centre, Maidenhead	15,000 (net additional)
AL7	Maidenhead Railway Station	4,000 (net additional)
AL8	St Cloud Gate	3,500 (net additional)

Policy ED1 allocated the following sites to meet the Borough's office needs:

Table 1 Sites to be allocated to meet the Borough's office needs

2.2 Borough Local Plan

The <u>Borough Local Plan</u> (BLP) (adopted in February 2022) specifies the intention of introducing an Article 4 direction. See text extracts from the BLP below:

"8.2.16 To address this gap a number of new allocations are proposed as set out in Table 14 (in Policy ED1). Whilst there are around enough sites either permitted or allocated in this plan a cautious approach is still justified – especially, to control losses of viable to occupy stock. The scale of future permitted development losses is

 $^{^1}$ E(g) use class: offices, research and development and industrial processes. B use classes: B2 general industrial. B8 storage and distribution

unknown and could rapidly erode any remaining flexibility in the market. The Council intends to apply selective Article 4 directions in our town centres and major office sites, but these will take time to implement. To provide additional contingency the Council will work to secure a stronger pipeline of new office space within the town centres with any redevelopment site first seeking to maximise net additional office space – in line with market evidence at the time."

"8.9.6 The Council intends to introduce Article 4 directions, withdrawing permitted development rights to convert offices to homes as soon as possible. In the long term, uncontrolled losses of highly accessible sites, suitable for high trip generating office uses, cannot be sustained." (Emphasis added).

Town centres are excluded from the proposed Article 4 Direction as these areas are expected to contain mixed use growth through employment and housing. Higher density development takes advantage of employment, sustainable transport links, walking and cycling routes and the wider town centre environment.

The BLP's spatial strategy (Policy SP1) identifies three sustainable growth areas focussing on the existing urban areas of Maidenhead, Windsor and Ascot which together contain the largest concentration of housing and employment opportunities in the Borough. The growth areas are well serviced by transport links, lie outside of locations subject to severe flooding (functional floodplain) and avoid nationally significant natural and heritage resources.

The BLP strategy is to promote and maintain a range of uses within town centres, and define a hierarchy of centre including a strong, central core of retail and allied uses, to support their vitality and viability and promote customer choice. Therefore, it is not proposed to introduce an Article 4 Direction within Maidenhead town centre and the other town centres at this time.

Under BLP Policy ED2, the Council sought to ensure that employment "space is not unnecessarily lost from its existing portfolio of sites. For many occupiers, new space may not be affordable and so substitutable for the space lost. Where sites are lost the Council may be required to release additional greenfield land as part of the next plan review to ensure the ED1 objectives are met over the whole plan period. There are, therefore, strong grounds to resist the loss of space wherever possible." The Council "will look to apply at least 'nil net loss' principle when managing the portfolio of sites identified in policy ED2, with a preference to increase business use class floorspace". The Policy ED2 Protected Employment sites are shown in Appendices 1 and 2 (Map).

2.3 Housing Size and Mix

Policy HO2 sets out that an appropriate mix of dwelling types and sizes should be provided, in accordance with the evidence in the <u>Strategic Housing Market</u> <u>Assessment</u> (SHMA) 2016, or successor documents, unless an alternative mix is more appropriate. Many of the sites delivered in the Borough (and particularly in Maidenhead) since 2013 have been urban sites that are best suited to high density flatted schemes.

The NPPF states that Local Planning Authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community. It also says that they should identify the size, type, tenure and range of housing that is required in particular locations reflecting local demand.

The Borough seeks to deliver a wide variety of high quality homes that will provide the tenures, types and sizes of housing to meet the needs and demands of different people in the community. This will include housing for older people, people with disabilities, the travelling community and others in the community with specialist housing needs. The provision of new dwellings will take account of local need to allow for a genuine choice of housing options and the creation of sustainable, balanced and mixed communities.

Table 2 (table 12 in paragraph 7.5.4 of the Borough Local Plan) shows the mix of housing recommended across the whole housing market area in the 2016 SHMA. The policy for a mix of homes should be able to react to changing circumstances and ensure that it contributes to the mix of both the wider area as well as the development site itself. Therefore, the policy for a mix of homes does not prescribe the size of homes. Developers will be expected to have regard to the Borough-wide housing mix target set out in the 2016 SHMA (and subsequent successors) as a starting point when bringing forward proposals for individual sites.

	1 bed	2 bed	3 bed	4+ bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

Table 2 Housing Size Mix by tenure set out in 2016 SHMA for Eastern Berks & South Bucks HMA

The housing units completed under prior approval applications do not reflect the recommended housing mix. This is further demonstrated in section 3.3 of this document.

In addition, Policy HO3 in the BLP, contains requirements for affordable housing on qualifying sites. This matter is considered further below in Section 3.4.

2.4 National policy and guidance

Paragraph 53 of the <u>National Planning Policy Framework (NPPF) 2023</u> sets out that the use of Article 4 directions to remove national permitted development rights should - where they relate to change from non-residential use to residential use - be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts. In all cases, be based on robust evidence, and apply to the smallest geographical area possible.

Paragraph 038 of the <u>Planning Practice Guidance</u> section titled 'When is permission required?' sets out that the NPPF advises that all Article 4 Directions should be applied in a measured and targeted way and that they should be based on robust evidence, and apply to the smallest geographical area possible. It also sets out that where an

Article 4 Direction relates to a change from non-residential use to residential use, it should be limited to situations where an Article 4 Direction is necessary to avoid wholly unacceptable adverse impacts. In addition, it sets out that the potential harm that the Article 4 Direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to the protected employment sites.

3. Evidence to support the Article 4 Direction

This chapter explores the forms of harm caused by permitted development rights for office to residential conversions and sets out the evidence for the harm caused or could be caused in the protected employment sites.

3.1 Office Floor Area Lost and Potential Loss

The Council monitors net change in floorspace in different use classes on an annual basis and is published in the Authority Monitoring Report. Table 3 shows the annual net change in floorspace from office to residential PDR through Class O prior approval permissions in the Royal Borough since the start of the BLP plan period.

The data shown in Table 3 reveals that for the early years of the plan period there has been a continuing loss of office floor space across the Borough. This is in part attributable to the recycling of older and less economically attractive employment floorspace that no longer meets the needs of modern office occupiers. It was in order to facilitate this kind of recycling to prevent long term vacancy of such buildings and to bolster the supply of residential units that the Government introduced permitted development rights to change from office to residential under a prior approval process. However, it is now considered that in RBWM, the amount of employment floorspace being converted to residential under the prior approval process is impacting on the capacity to provide sufficient employment land given the pressures on developable land within our constrained Borough. As shown in Table 3, the majority of these losses have occurred in areas outside of the town centres.

Year	Maidenhead Town Centre	Windsor Town Centre	Other Areas in Maidenhead & Windsor	Rest of Borough	Total
2013/14	0	-565	0	0	-565
2014/15	-1,083	-2,309	-341	-1,257	-4,990
2015/16	-120	0	-4,073	-3,691	-7,884
2016/17	0	0	-510	-60	-570
2017/18	-3,418	0	-393	-247	-4,058
2018/19	-588	0	-3,993	-183	-4,764
2019/20	-257	-189	-160	-313	-919
2020/21	-358	0	-2,743	0	-3,101
2021/22	-5,264	0	0	-219	-5,483
Total	-11,088	-3,063	-12,213	-5,970	-32,335

Table 3 Floor space change for office to residential conversions under PDR (completed developments in m² GIA)

Table 4 indicates that there remains significant further potential loss of office floorspace to residential conversions from extant unimplemented prior approvals from 41 sites. The pool of potential conversions is distributed across the Borough. The largest schemes in the pipeline are for Mattel House ² and Thames House, both in Maidenhead, and all of which are for the conversion of whole buildings.

² The prior approval for Mattel House (21/02067/CLASSO has been superseded by a full planning permission (22/01391/FULL) allowed on appeal but is still extant.

Maidenhead Town Centre	Windsor Town Centre	Other Areas in Maidenhead & Windsor	Rest of Borough	Total
-8,231	-3,770	-10,614	-8,247	-30,862

Table 4 Potential office floorspace loss through prior approvals not started or under construction as at 31 March 2022 (m2 GIA)

The loss of office floorspace has been more prevalent in the protected BLP Policy ED2 Employment sites (Cordwallis Industrial Area, Vanwall Business Park and Ascot Business Park) and Maidenhead Town Centre.

In addition, the following protected Employment sites have current prior approvals at Grove Business Park White Waltham and Tectonic Place, Maidenhead.

The continued unconstrained loss of employment floorspace through the conversion of offices to residential is considered likely to adversely impact the capacity of the BLP Policy ED2 to meet the requirement to provide sufficient employment floorspace in the future.

It is recognised that bringing residential development into town centres can bring some additional footfall and vitality into these centres, particularly the upper storeys of retail units. These are less likely to threaten the health of high streets.

3.2 Dwelling Completions and Commitments

Between 2013 and 2022, in the Royal Borough of Windsor and Maidenhead, 386 new dwellings have been completed through permitted development rights (PDR).

The following major developments with prior approvals were completed in protected employments sites up to 31 March 2022:

- Globe House Clivemont Road 74 units
- Maiden House, Vanwall Road 36 units

There was a total of 428 net dwellings with Class O prior approvals up to 31 March 2022 of which 379 net dwellings had not yet started, and 49 net dwellings were under construction. Table 5 shows the areas of the Royal Borough where the Class O prior approvals have been granted:

Maidenhead	Maidenhead	Windsor	Windsor Town	Rest of	Total
Area	Town Centre	Area	Centre	RBWM	
140	61	11	39	177	428

 Table 5 Potential net dwellings through prior approvals not started or under construction as at 31 March 2022

Included in the above total, there are 207 net dwellings (almost half of the total prior approvals) in the following developments that have Class O prior approvals in protected employment sites as of 31 March 2022:

- Mattel UK Mattel House Vanwall Road Maidenhead 28 units
- Marandaz House, Clivemont Road Maidenhead 40 units
- Grove Business Park White Waltham 15 Class O applications 93 units
- Ascentia House Lyndhurst Road Ascot 18 units
- Tectonic Place Holyport Road Maidenhead (Bray) 28 units

Whilst it is recognised that Class O has delivered 386 new homes up to March 2022 with further homes in the pipeline, the following sections highlight the impacts of these new dwellings including types of homes and their quality.

3.3 Housing Mix

There are a limited number of brownfield sites in existing settlements that can provide a mix of housing that will support a balance of housing types and tenures required, and relying solely on previously developed sites risks housing supply being weighted too heavily towards delivering 1-2 bed properties in higher density flatted schemes.

The delivery of new dwellings from prior approvals has not reflected the mix needed. Table 6 shows the number of dwellings that have been completed through permitted development rights in the last three years.

Net Dwellings	Houses	Flats	1 bed	2 bed	3 bed	4 + bed
110	4	106	77	28	1	4

Table 6 Housing completions from 2019-2023 dwelling types and number of bedrooms through change of use from Office to Residential

Table 7 shows the housing and bedroom mix of Class O prior approvals that started and not yet started (commitments):

Net Dwellings	Houses	Flats	1 bed	2 bed	3 bed	4 + bed
428	1	427	261	159	4	4

Table 7 Housing commitments as at 2021/22 dwelling types and number of bedrooms through change of use from Office to Residential

As shown from the above tables, almost all of the dwellings created from prior approvals have been flats, with the vast majority one-bedroom flats. Also, Table 2 in section 2.3, also shows that only 5-10% of the market housing need from the SHMA was for dwellings of this size.

The housing register shows a high need for 2 and 3 bed properties for those in priority need. Consequently, the evidence points towards there needing to be more emphasis on delivering houses rather than flats.

3.4 Affordable Housing

Under permitted development rights, there is no requirement for the provision of affordable housing. Affordable housing contributions or units are secured through a S106 agreement. The prior approval process does not require developers to contribute any affordable housing.

The housing need evidence underlying the Borough Local Plan Policy HO3 is the Berkshire Strategic Housing Market Assessment (SHMA) (2016). It indicates a high level of need for affordable housing in the Borough.

The Borough Local Plan Policy HO3 requires affordable housing on the following sites:

- Developments for 10 dwellings gross or more than 1,000 sqm of residential floorspace
- Within designated rural areas, developments of between 5 and 9 dwellings will also be required to provide affordable housing
- As prior approval sites are brownfield sites, the level of affordable housing that would have been sought would be 30% of the total number of units on the site

Only 12% of the total housing units delivered from the start of the BLP plan period (2013/14) to 2021/22 were for affordable units, and the percentages achieved were particularly low from 2015/16 to 2018/19. This is the same period in which completions from Class O prior approvals began to come on stream.

The extent of the impact of prior approvals on overall affordable housing delivery is not possible to conclusively demonstrate, and it is likely that other factors may well have played a role such as changing viability conditions and national policy on viability assessments. However, as an example, there were 13 sites with an extant Class O prior approval that had not commenced development at 31st March 2023 that were for 10 or more dwellings and would, therefore, normally trigger an affordable housing requirement. The total dwelling capacity of these sites was 274 dwellings. If the 30% policy requirement was applied to these sites this would, subject to viability considerations, have yielded 82 affordable dwellings. It is a fact that Class O prior approvals significantly affected the proportion of residential developments that were able to make an affordable housing contribution. It is therefore clear that the introduction of prior approval rights has at the very least contributed to a decline in affordable housing delivery.

Given the scale of the identified affordable housing needs in RBWM, it is of considerable harm to the planning of the area that so many private developments are not required to contribute towards affordable housing.

3.5 Quality of Dwellings

The housing figures in paragraph 3.3 demonstrate that dwellings granted through prior approvals are mainly 1-bedroom dwellings (over 70%). This does not reflect the identified need for family housing demonstrated in the evidence base prepared for the BLP.

Dwellings delivered through prior approvals are also often very small in terms of floorspace, with many being studio flats, but it is accepted that this issue has been largely addressed by the introduction in April 2021 of minimum <u>national space</u> <u>standards</u> for prior approval created dwellings. There is also a requirement for adequate natural light for habitable rooms. However, a number of issues regarding the standards applied to new dwellings remain. This includes the lack of outdoor amenity space and no access to private or communal outdoor space. Dwellings without windows remains a concern, with natural light potentially only being provided by a rooflight. In addition, there is a more general locational concern relating to the introduction of new homes within commercial areas, for example the protected employment sites, where there are quality of life issues such poor air quality and noise. This is considered further in the sections below.

Local Plan standards around accessibility and adaptability and sustainable design, with the latter an essential element of responding to the climate emergency, cannot be required through prior approvals, undermining the aims of policy HO2 of the BLP.

Accessible and adaptable dwellings under part M4(2) of the building regulations, and wheelchair accessible and adaptable dwellings under part M4(3) are also a requirement of policy HO2 (1c.) for proposals of 20 or more dwellings. The mechanism by which they can be applied to a specific development is by planning condition. Without such a planning condition, there is no ability to require compliance with these standards, and a planning condition cannot be applied to a prior approval as accessibility and adaptability are not matters that can be considered in a prior approval.

3.6 Sustainable design and construction

In June 2019, the Royal Borough declared an environment and climate change emergency, and in February 2021, adopted the <u>Environment and Climate Strategy</u> 2020-2025. This strategy cross references the key objectives and policies on the environment and climate change set out in the BLP and provides a wider strategic framework and 'plan of action' to achieve the target of net zero carbon emissions by 2050.

As part of the adopted BLP, the Council introduced new expectations for the sustainability of new developments, and these are considered an essential part of the response to the climate emergency. The design of developments therefore needs to more carefully consider matters such as shading, insulation and ventilation, surface water runoff and storage and the use of appropriate tree and other planting and set out in Policy SP2 Climate Change. If planning permission was required for conversions in the proposed Article 4 Direction areas, then the required standards would be secured by planning condition, but these requirements cannot be secured through a prior approval application.

Therefore, homes delivered under prior approvals within protected employment sites are likely to continue to represent an obstacle to the vital objective of achieving a target of net zero carbon emissions in the borough by 2050.

3.7 Air Quality

Whilst some other environmental impacts, in particular noise and contamination, are matters that can be taken into account in considering prior approval applications, air quality is not among them. Poor air quality can have a serious impact on human health and on the natural environment.

Environmental protection policies are linked with Borough Local Plan (BLP) objectives to minimise impact of development on climate change and the environment and requiring new development to provide environmental improvements. The Borough is committed to protecting existing environmental quality and where possible reducing adverse effects on the local and natural environment as a result of changes in activities or from new development.

Consideration through the planning application process allows for the impacts to be considered, with reference to a submitted Air Quality Assessment where necessary, and, if required, mitigated. Such mitigation can be incorporated into a development's design from the outset, such as through its layout, for instance set backs from the road, or through ensuring windows to habitable rooms are located away from facades that are in close proximity to the source of poor air quality. Planting can also help to mitigate impacts, as can certain types of paving. Mitigation measures could also include mechanical ventilation systems which enables residents to keep their windows closed and which draw air from away from the areas of poorest air quality. None of these mitigation measures can be secured without a planning application being submitted.

3.8 Noise and Disturbance

It is considered that the location of residential prior approvals within the protected employment sites has clear potential for unacceptable noise impacts on residents. The lack of a planning application will mean that measures to provide mitigation, which would normally be secured by condition, will not be possible. Whilst it may be possible to consider noise from commercial premises within the conditions of some prior approval applications, noise from other sources such as outdoor events or road noise, particularly with high levels of HGV traffic, cannot be considered. The high levels of noise to which residents would be exposed would directly impact their quality of life. The importance of securing and improving people's quality of life is directly stated in the BLP vision and objectives, and such impacts would therefore represent wholly unacceptable adverse impacts.

3.9 Infrastructure Contributions

Again, under the prior approval process for permitted development rights, there is no requirement for the completion of a Section 106 agreement to secure infrastructure contributions.

Infrastructure contributions for education, highways and transport, open space and others, may be secured by a S106 agreement. However, since the adoption of the <u>Community Infrastructure Levy</u> (CIL) in September 2016, most contributions towards

infrastructure projects have been collected this way. S106 agreements are still used for site specific infrastructure such as local highway and junction improvements, and to provide affordable housing.

CIL is charged in pounds per square metre on the net additional increase in floorspace of liable developments. Developments with prior approvals are not in theory excluded from paying CIL, however, if there is no net additional floorspace added then there is no liability. Also, developers can fulfil the requirement to demonstrate that a building has been partly occupied in lawful use for six months within the last three years. An Article 4 direction would not change this situation because the CIL rules would apply in the same way to planning applications. However, for particularly large developments, or developments with specific impacts on infrastructure, the option to address this in a Section 106 agreement is lost through permitted development rights.

The BLP Policy IF1 expects new development proposals to deliver infrastructure to support the overall spatial strategy of the Borough. This includes making contributions to the delivery of all relevant infrastructure projects included in the Infrastructure Delivery Plan (IDP) in the form of financial contributions or on site provision. Infrastructure required as a result of new development is not funded by the developments with prior approvals. The infrastructure required would need to be addressed by public funds. Without an Article 4 direction, developments with prior approvals will continue to take place without making necessary contributions to infrastructure.

4. Process and Approval of the Article 4 Direction

The National Planning Policy Framework (NPPF), as well as Planning Practice Guidance (PPG), sets out expectations for when these directions can be used, and of particular note are recent changes to the NPPF that require that any Article 4 direction that restricts changes of use to residential be limited to situations where an Article 4 direction is necessary to avoid "wholly unacceptable adverse impacts".

The process of adopting an Article 4 direction is as follows:

- Apply an immediate (confirmed within 6 months of being made) or nonimmediate (implemented 12 months following the decision) Article 4 direction by publishing a notice which needs to be publicised.
- Carry out a public consultation for a minimum of 21 days with those most likely to be affected and statutory consultees.
- Take into account responses received during the consultation period and decide whether to confirm or not confirm the article 4 direction.

If a decision is made to confirm the article 4, the Secretary of State must be notified, and he or she can intervene to amend or remove an article 4 direction should he or she see fit. The Secretary of State has in some cases previously intervened to prevent blanket article 4 direction, and therefore the extent of the approach needs to be considered.

Government's existing planning guidance on Article 4 Directions is clear; the potential harm that the Direction is intended to address must be clearly identified, and in this instance, there will need to be a particularly "strong justification" as there are already prior approval powers available under the <u>Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021</u> to control PDR Class MA (Use Class E to residential) applications.

The Secretary of State (SoS) also has the power to modify or cancel an Article 4 Direction, and may indicate to the Council that the SoS is not willing to accept the Article 4 Direction as originally made.

In the case of an immediate Article 4 Direction, The Council can be liable under section 108 of the Town and Country Planning Act 1990 (as amended) to pay compensation to those whose Permitted Development Rights (PDR) have been withdrawn but only if, within 12 months of the effective date of the Article 4 Direction, the Council

- 1) Refuses planning permission for development which would otherwise have been permitted development, or
- 2) Grants planning permission subject to more limiting conditions than the General Permitted Development Order 2015

A non-immediate Article 4 Direction would remove the risk of compensation claims.

5. Conclusion

The Council intends to introduce a non-immediate Article 4 direction covering all protected employment sites (BLP Policy ED2).

Once a non-immediate Article 4 direction has taken effect it will remove the freedoms offered under Class MA of the GPDO and mean that planning permission will be required for changes of use of E class uses to residential within such sites. The 12-month delay before it takes effect avoids the Council being liable for compensation for any loss of value to the relevant property arising from a refusal of planning permission for development that would otherwise have been permitted under Class MA.

The National Planning Policy Framework sets a high bar for councils seeking to secure Article 4 Directions. It requires authorities to provide more robust evidence to justify introducing them and requires them to be applied to the smallest geographical area possible (i.e., avoiding blanket Article 4 Directions). The proposal to restrict the Article 4 Direction to Class MA (Class E to Class C3) conversions within the most important protected employment sites complies with this requirement.

The aim of the Article 4 direction is not to prevent all changes of use. The direction will enable the Council to consider relevant planning issues relating to change of use applications and to protect floorspace in commercial use within the Borough's protected employment sites to ensure that they retain an attractive and viable core.

The direction will allow other planning matters to be considered, for example, affordable housing and amenity space provision, as well as infrastructure requirements, which would otherwise not be possible with prior approval applications considered under permitted development. Taken together, the adverse impacts of prior approvals in the areas proposed for an Article 4 Direction are wholly unacceptable and warrant the introduction of an Article 4 Direction in these areas.

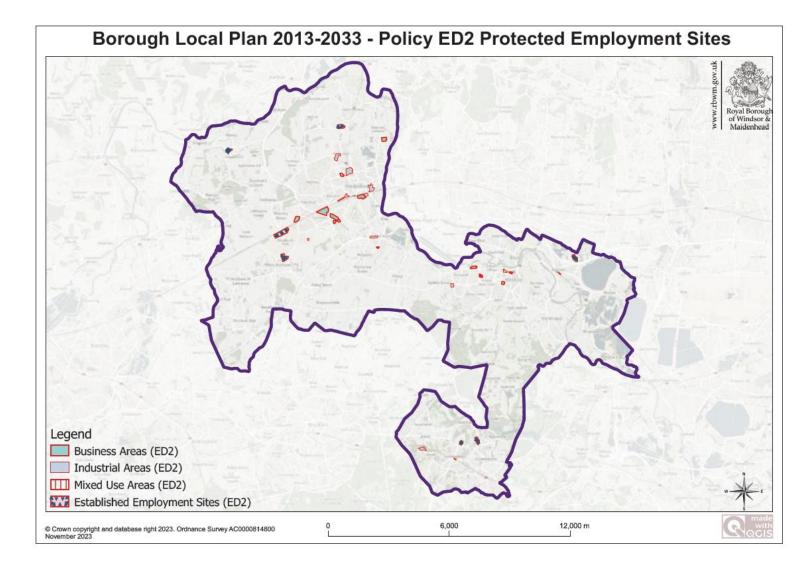
6. Appendices

Appendix 1. Policy ED2 Protected Employment Sites

Policy ED 2

Protected Employment Sites

- 1. The BLP will retain sites for economic use and employment as defined on the Policies Map:
 - Office stock within the town centres of Maidenhead, Windsor and Ascot will be protected and, in line with ED1(5) & (6), where redeveloped the Council will look to secure net additional office space where possible.
 - Outside the above town centres the Employment sites listed below are defined on the Policies Map as Business Areas:
 - a. Vanwall Business Park, Maidenhead
 - b. Norreys Drive, Maidenhead
 - c. Foundation Park, Cox Green
 - d. Windsor Dials, Windsor
 - e. Centrica, Millstream Windsor
 - f. Alma Road, Windsor
 - g. Stafferton Way, Maidenhead, Employment Uses only
 - h. Whitebrook Park, Maidenhead
 - i. Tectonic Place, Maidenhead
 - iii. Employment sites listed below are defined on the Policies Map as Industrial Areas:
 - a. Furze Platt Industrial Area, Maidenhead
 - b. Woodlands Business Park, Maidenhead
 - c. Cordwallis Industrial Area, Maidenhead
 - d. Howarth Road, Off Stafferton Way, Maidenhead
 - e. Prior's Way Industrial Estate, Maidenhead
 - f. Vansittart Road Industrial Area, Windsor
 - g. Fairacres Industrial Area, Windsor
 - h. Ascot Business Park, Ascot
 - i. Queens Road Industrial Estate, Sunninghill
 - Manor House Lane Employment Estate, Datchet
 - k. Baltic Wharf, Maidenhead
 - I. Boyn Valley Industrial Estate. Maidenhead
 - m. Reform Road, Maidenhead
 - iv. The sites listed below are defined on the Policies Map as Mixed Use Areas:
 - a. DTC Research, Belmont Road, Maidenhead
 - b. Shirley Avenue (Vale Road Industrial Estate), Windsor
 - v. The sites below are defined on the Policies Map as Established Employment sites in the Green Belt:
 - a. Maidenhead Office Park, For E(g) and industrial Uses
 - b. Ashurst Manor, Sunninghill, For E(g) use
 - c. Lower Mount Farm, Cookham, for Industrial Uses
 - d. Ditton Park, Riding Court Lane, for E(g) uses
 - e. Horizon Building, Honey Lane, Maidenhead, for E(g) Uses
 - f. Grove Park, Business Park, White Waltham, Mixed Uses
 - g. Silwood Park, Sunningdale, Technology Park / Educational Uses



Appendix 2. Map Policy ED2 Protected Employment Sites

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Agenda Item 14

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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