

Report Title:	Windsor Neighbourhood Plan decision to proceed to referendum
Contains Confidential or Exempt Information?	No - Part I
Lead Member:	Councillor Coppinger Lead Member for Planning, Environmental Services and Maidenhead
Meeting and Date:	Cabinet - 17 December 2020
Responsible Officer(s):	Executive Director Place, Russell O'Keefe & Head of Planning Adrien Waite
Wards affected:	Castle Without, Clewer East, Clewer North, Clewer South (excluding the areas covered by Bray parish) and Eton and Castle (excluding the Eton Town Council and Park (excluding the area of the Central Windsor Neighbourhood Plan for Business Group).

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REPORT SUMMARY

1. This report seeks approval from Cabinet for the Windsor Neighbourhood plan to proceed to referendum at the earliest practicable opportunity.
2. The Neighbourhood Plan was formally examined by an Independent Examiner earlier this year. The Examiner recommended a number of modifications to ensure that the plan meets the basic conditions as laid out in legislation.
3. The cost of the examination and referendum can be claimed back from the Government up to a cap of £20,000 once the decision statement is published.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Confirms that the Plan meets the basic conditions test**
- ii) **Accepts the proposed changes to the Neighbourhood Plan as set out in appendix B**
- iii) **Agrees to put the modified Neighbourhood Plan to referendum.**
- iv) **Delegates authority to the Head of Planning to issue a Decision Statement and**
- v) **Delegates to the Head of Planning in consultation with the Electoral & Information Governance Services Manager and the Lead Member for Planning, Environmental Services and Maidenhead to decide on the date of the referendum.**
- vi) **Delegates to the Head of Planning in consultation with the Lead Member for Planning, Environmental Services and Maidenhead to make minor non material amendments to the neighbourhood plan prior to the referendum being announced.**

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

Options

Table 1: Options arising from this report

Option	Comments
1. Accept the modifications of the Examiner as accepted by the Windsor Neighbourhood Planning Forum; issue a decision letter to this effect and approve the Windsor Neighbourhood Plan to proceed to referendum This is the recommended option	This is the next step in the process of preparing a neighbourhood plan. The referendum will enable the local community as a whole to express their support (or otherwise) for the planned vision and management of growth within their area as set out in the draft neighbourhood plan.
Do not approve or delay approval for the Plan to proceed to referendum. This option is not recommended	This will delay or deny the opportunity for the local community to express their formal support (or not) of the neighbourhood plan, and risk loss of confidence in the neighbourhood planning process.

- 2.1 The National Planning Policy Framework (NPPF) and the Localism Act (2011) give local communities direct power to develop their shared vision for their neighbourhood and deliver the sustainable development they need. The formal making of the plan is the final stage of the neighbourhood plan production process.
- 2.2 The Royal Borough is encouraging neighbourhood planning. There are currently five neighbourhood plans which have been formally made and are part of the development plan: Ascot, Sunninghill and Sunningdale in 2014, Hurley and the Walthams in 2017, Eton and Eton Wick in 2018, Old Windsor in 2019 and Horton and Wraysbury 2020.
- 2.3 The Windsor Neighbourhood planning area was designated in August 2014 at the same time as the Windsor 2030 Business neighbourhood Planning Forum was designated and charged with producing a NP for the town centre and central riverside area. The Windsor NP area covers the majority of the residential areas of the town excluding the town centre, and a small area in the west which is in Bray Parish.
- 2.4 The Windsor Neighbourhood Planning Forum who produced the neighbourhood plan for the designated Neighbourhood planning area has placed a high value on community consultation, holding seven stages of consultation and extensive open discussions with the people and businesses of Windsor and other relevant organisations. The plan covers a planning period 2019-2034 which broadly fits with the plan period of the emerging BLP.
- 2.5 Prior to publication of the draft neighbourhood plan, the Borough Planning Officers undertook a screening assessment of the draft plan in order to

ascertain whether a Strategic Environmental Assessment (SEA) was necessary and concluded that in this case such an assessment should be carried out. The subsequent SEA concluded that the Windsor NP will lead to positive effects in terms for a wide range of sustainability objectives. In addition, a Habitats Regulation Assessment concluded that the plan was compatible with the EU Habitats Directive and therefore no Appropriate Assessment is required.

- 2.6 Following publication of the draft plan, the neighbourhood plan was scrutinised by an independent examiner. The examiner was appointed by the Royal Borough, with the agreement of the Forum. The examiner's report stated that subject to his recommendations the plan will meet the basic requirements and should proceed to referendum, subject to acceptance of the required modifications. These modifications (see Appendix A) were considered necessary by the independent examiner, to ensure the neighbourhood plan meets the Basic Conditions, as required by the Localism Act.
- 2.7 The Basic Conditions for neighbourhood plans that a draft neighbourhood plan must meet if it is to proceed to referendum are set in schedule 4B to the Town and Country Planning Act 1990.
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - The making of the neighbourhood plan contributes to the achievement of sustainable development.
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
 - The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
 - Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 2.8 The Forum have considered the Examiner's recommendations and have modified their draft plan to incorporate the examiner's recommendations. Borough Planning officers have subsequently reviewed the modified draft plan and have concluded that the plan will continue to meet the basic conditions as set out above. The examiner's report is attached at Appendix A and the consequent amended neighbourhood plan, incorporating amendments arising from the examiner's report, as agreed by the Forum are set out in the table neighbourhood planning SEA at Appendix B. Officers have reviewed the amended plan and consider it has sought to address the modifications requested by the examiner. There are some minor clarifications to resolve between the Local Planning Authority and the Neighbourhood Forum, however it is considered that recommendation vi provides adequate scope to deal with these matters and that resolution of these issues should not delay the main decision.
- 2.9 The Forum have asked that the Local Planning Authority agree to let the draft plan proceed to referendum at the earliest opportunity. Unfortunately, the date for a referendum will have to be deferred. The Local Government and Police

and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 were made in April. These new Regs have an effect on neighbourhood plan referendums and state that where an NPR is due to take place between 15 March 2020 and 5 May 2021, then the referendum date will take place on 6 May 2021.

- 2.10 In normal times an emerging neighbourhood plan is not given weight in decision making on planning applications in the area until it has passed at referendum. However, under the recent amendments to National Planning Practice Guidance (PPG) Paragraph 107 Reference ID 41-107- 20200407, in the light of delays to referenda because of Covid, a neighbourhood plan will be considered to have significant weight once a decision statement detailing its intention to send a neighbourhood plan to referendum has been published by the Local planning authority
- 2.11 Therefore, this report recommends that the give approval to the draft plan proceeding to referendum at the earliest practicable date. The Electoral & Information Governance Services Manager has advised that although the Minister had indicated that further legislation may be made to bring forward the polling date for local referendums to avoid congestion on 6th May 2021, to date this has not happened. It is intended for the referendum to take place on 6 May 2021. In the light of these considerations, if Cabinet is minded to give approval to the plan proceeding to referendum, delegated authority may be given to the Head of Planning in consultation with the Electoral & Information Governance Services Manager and the Lead Member for Planning, Environmental Services and Maidenhead to confirm a referendum date as soon as practicable.
- 2.12 The question used in the referendum is set in the Neighbourhood Planning (Referendums) Regulations 2012 and must be “Do you want the Royal Borough of Windsor and Maidenhead to use the neighbourhood plan for Windsor to help it decide planning applications in the area?”
- 2.13 If more than 50% of those voting in the referendum answer “Yes”, The plan would then form part of the Development Plan for the Royal Borough once it is “Made” (adopted) by the Royal Borough following a decision by Full Council.
- 2.14 Whereas in normal times an emerging neighbourhood plan is not given weight in decision making on planning applications in the area until it has passed at referendum, under the recent amendments to National Planning Practice Guidance (PPG) Paragraph 107 Reference ID 41-107- 20200407 a neighbourhood plan will be considered to have significant weight once a decision statement detailing its intention to send a neighbourhood plan to referendum has been published by the Local planning authority.

3. KEY IMPLICATIONS

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
A decision statement is published giving significant weight in decision making on planning applications in the area	Planning proposals that would not accord with the provisions of the emerging neighbourhood plan may be granted	The neighbourhood plan is given significant weight in planning application decision making ahead of the delayed referendum	Planning decisions are made with the support of the emerging neighbourhood plan	The wider aspirations of the neighbourhood plan can begin to be delivered ahead of the referendum	Not before 31 st December 2020
An adopted neighbourhood plan that delivers the wishes of the community.	Neighbourhood plan receives less than 50% of voters choosing "Yes"	Neighbourhood Plan receives 50-65% of voters choosing "yes".	Neighbourhood Plan receives 65-80% of voters choosing "yes".	Neighbourhood Plan receives 80%+ of voters choosing "yes"	Day of referendum
Development in accordance with policies of the neighbourhood plan.	Panel and appeal decisions do not give weight to the plan policies.	Planning applications and appeals are determined in accordance with the neighbourhood plan.	Majority of applications submitted comply with the policies of the neighbourhood plan.	All applications submitted comply with the policies of the neighbourhood plan.	

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The Council can claim a grant of £20,000 to cover the costs of the examination and referendum associated with this plan.
- 4.2 Under the terms of the recent Chief Planning Officer's Letter, in view of the delays in holding neighbourhood plan referenda due to the Covid regulations, the grant payment of £20,000 which is normally claimed after the referendum can be claimed as soon as the Decision notice is issued. The examination cost of £8,250 has already been paid through revenue budgets to date but will be reimbursed once the grant is received which will also cover the referendum costs up to the value of £20,000.

5. LEGAL IMPLICATIONS

- 5.1 The Localism Act (2011) and The Neighbourhood Planning (General) Regulations (2012) give power to Local Planning Authorities to approve a neighbourhood plan to proceed to referendum. Under the Neighbourhood Planning Act 2017 if the referendum results in a simple majority 'Yes' vote the Neighbourhood Development Plan will immediately form part of the Development Plan for the Royal Borough. Following this Act the Council should 'have regard to a post-examination neighbourhood development plan when dealing with an application for planning permission, so far as that plan is material to the planning application'.
- 5.2 The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales)

Regulations 2020 were made in April. These new Regs have an effect on neighbourhood plan referendums and state that where an NP Referendum is due to take place between 15 March 2020 and 5 May 2021 (as would normally be the case for the Windsor NP) then the referendum date will take place on 6 May 2021 or such other date to be identified later.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
The Health Emergency will require that the Coronavirus Regulations will be extended for longer, further delaying the referendum	Medium	Issue the Decision Statement to ensure that the emerging neighbourhood plan is given significant weight in planning application decisions as set out in Planning Practice Guidance.	Low
Community will not have an opportunity to guide development in their area.	Medium	Approve the neighbourhood plan to go to the public vote in a referendum.	Low
Risk of legal challenge if examiner's recommendations not accepted.	Medium	Accept the examiner's recommendations.	Low
Development in neighbourhood area may continue to receive significant levels of objection from residents and not meet some local needs.	High	Approve plan for referendum and if successful use in planning decisions.	Medium

7. POTENTIAL IMPACTS

7.1 Equalities.

The neighbourhood plan has been subject to examination by an independent examiner. One of the basic conditions that the examiner is required to be satisfied on is that the Plan is compatible with Convention Rights (Human Rights Act 1998). The examiner was satisfied that the plan was compatible.

"In regard to the above, I note that information has been submitted to demonstrate that people were provided with a range of opportunities to engage

with plan-making in different places and at different times. Various comments have been received in response to active community engagement during the plan making process. The consultation statement submitted alongside the Neighbourhood Plan provides a summary of responses to comments and resulting changes to the Neighbourhood plan.”

Officers have completed a EQIA screening report and conclude that the plan does not require a Equality Impact Assessment

7.1 Climate change/sustainability.

Another of the Basic Conditions is to contribute to the achievement of sustainable development. The neighbourhood plan was supported by a Strategic Environmental Assessment screening and report, that concluded that the plan would not trigger significant environmental effects. In addition to this, the Council has confirmed that it believes the plan meets the Basic Conditions, including in terms of sustainability. The NP declares that sustainability is a thread running through the plan and while some opportunities for further development within existing developed areas are identified, the character of the public realm and high calibre of natural spaces, including open space and biodiversity is considered key to the plan. A key sustainability objective for the NP is to work with Agencies to ensure that new development is co-ordinated and to take account of existing infrastructure needs in order to mitigate the effects of growth and climate change particularly in relation to water supply, drainage and flooding.

7.2 Data Protection/GDPR: A consultation has been carried out by the council prior to the examination and this was undertaken in accordance with the GPDR regulations and the statement on the way the planning policy team in the planning department handles personal data

7.3 The recommendation to approve the plan to go forward to referendum will involve the input of Electoral Services officers to prepare and run the referendum. Because this neighbourhood planning area is not contiguous with polling districts the arrangements for the referendum may require extra arrangements to be made. Planning officers are in discussion with electoral services officers to ensure that this can be done effectively and efficiently.

8. CONSULTATION

8.1 During the production of the Neighbourhood Plan the Forum undertook several consultations and engagement events with Local Stakeholders in the Neighbourhood Plan Area, including a dedicated website, press releases, leaflet distribution and drop-in sessions. After the draft Neighbourhood Plan was submitted to the Royal Borough a formal process of consultation was undertaken by planning officers and the results of this were forwarded to the independent examiner for their consideration during the examination process. The independent examiner concluded that the consultation process has met the legal requirements.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in table 2.

Table 2: Implementation timetable

Date	Details
Not before 31 st December 2020	Issue Decision Statement
6 May 2021	Hold referendum
Summer 2021 (or before)	If a majority vote “yes” in the referendum, “make” the plan if agreed by Full Council.

10. APPENDICES

- 10.1 This report is supported by 2 appendices:
- Appendix A – Examiner’s Report - The examiner’s report is appended for consideration and should be read in conjunction with the submission version of the neighbourhood plan which is available on the Council’s website at <http://www.rbwm.gov.uk/web/>
 - Appendix B – Referendum Version of the Neighbourhood Plan.

BACKGROUND DOCUMENTS

- 10.2 This This report is supported by 6 background documents:
- National Planning Policy Framework (NPPF) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
 - Localism Act (2011) <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
 - Neighbourhood Planning (General) Regulations (2012) <http://www.legislation.gov.uk/uksi/2012/637/schedule/1/made>
 - Neighbourhood Planning (Referendum) Regulations (2012) <http://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>
 - Neighbourhood Planning Act 2017 <http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>
 - The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 <https://www.legislation.gov.uk/uksi/2020/395/made>

11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Coppinger	Lead Member for Planning, Environmental Services and Maidenhead	08/12/20	09/12/20
Duncan Sharkey	Managing Director	08/12/20	09/12/20
Russell O'Keefe	Director of Place		
Adele Taylor	Director of Resources/S151 Officer	8/12/20	8/12/20
Kevin McDaniel	Director of Children's Services	8/12/20	8/12/20
Hilary Hall	Director Adults, Commissioning and Health	8/12/20	8/12/20
Andrew Vallance	Head of Finance		
Elaine Browne	Head of Law	08/12/20	09/12/20
Mary Severin	Monitoring Officer		
Nikki Craig	Head of HR, Corporate Projects and IT	8/12/20	8/12/20
Louisa Dean	Communications	8/12/20	
Karen Shepherd	Head of Governance	8/12/20	8/12/20
	Other e.g. external		

REPORT HISTORY

Decision type: First entered into the Cabinet Forward Plan: August 2020	Urgency item? No	To Follow item? No
Report Author: Adrien Waite, Head of Planning		

WINDSOR NEIGHBOURHOOD PLAN 2019-2034

Windsor Neighbourhood Plan Examination
A Report to the Council of the Royal Borough of Windsor and
Maidenhead

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

February 2020



EST. 2011

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1. Summary

- 1 Subject to the recommendations within this Report, made in respect of enabling the Windsor Neighbourhood Plan to meet the basic conditions, I confirm that:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

- 2 Taking the above into account, I find that the Windsor Neighbourhood Plan meets the basic conditions¹ and I recommend to the Council of the Royal Borough of Windsor and Maidenhead that, subject to modifications, it should proceed to Referendum.

¹ It is confirmed in Chapter 3 of this Report that the Windsor Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

2. Introduction

The Neighbourhood Plan

- 3 This Report provides the findings of the examination into the Windsor Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by the Windsor Neighbourhood Plan Forum.
- 4 As above, the Report recommends that the Neighbourhood Plan should go forward to a Referendum. At Referendum, should more than 50% of votes be in favour of the Neighbourhood Plan, then the Plan would be formally *made* by the Council of the Royal Borough of Windsor and Maidenhead. As part of the development plan, the Neighbourhood Plan would be used to determine planning applications and guide planning decisions in the Windsor Neighbourhood Area.

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

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help to deliver sustainable development...”

(Paragraph 29, National Planning Policy Framework)

- 6 As confirmed in Paragraph 1 of Section 3.0 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Windsor Neighbourhood Plan Forum is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan.
- 7 This first section of the Basic Conditions Statement also confirms that the Neighbourhood Plan relates only to the designated Windsor Neighbourhood Area and that there is no other neighbourhood plan in place in the Windsor Neighbourhood Area. In this regard, I note that the Old Windsor Neighbourhood Area and the Central Windsor Business Neighbourhood Area comprise separate Neighbourhood Areas.

- 8 The above meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2019²) and Planning Practice Guidance (2014).

Role of the Independent Examiner

- 9 I was appointed by the Council of the Royal Borough of Windsor and Maidenhead, with the consent of the Qualifying Body, to conduct the examination of the Windsor Neighbourhood Plan and to provide this Report.
- 10 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the Local Authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 11 I am a chartered town planner and have eight years' direct experience as an Independent Examiner of Neighbourhood Plans and Orders. I also have thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 12 As the Independent Examiner, I must make one of the following recommendations:
- that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
 - that the Neighbourhood Plan, as modified, should proceed to Referendum;
 - that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

² A replacement National Planning Policy Framework was published in July 2018 and amended in 2019. Paragraph 214 of the replacement document establishes that the policies of the previous National Planning Policy Framework apply for the purpose of examining plans, where those plans are submitted on or before the 24th January 2019. The Windsor Neighbourhood Plan was submitted to the Council of the Royal Borough of Windsor and Maidenhead after this date and consequently, it is appropriate to examine the policies of the Neighbourhood Plan against the most recent version of the National Planning Policy Framework.

- 13 If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether the Referendum Area should extend beyond the Windsor Neighbourhood Area to which the Plan relates.
- 14 Where modifications are recommended, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.

Neighbourhood Plan Period

- 15 A neighbourhood plan must specify the period during which it is to have effect.
- 16 The title page of the Neighbourhood Plan and Paragraph 1.8.3 of the document provide clear references to the plan period, which is 2019-2034.
- 17 There is a mistake in Section 3.0 of the Basic Conditions Statement submitted alongside the Neighbourhood Plan, which refers to the plan period covering 2018-2033. There is also a confusing reference in the Neighbourhood Plan and for clarity, I recommend:
 - **Para 3.2 change to "In 2034...The WNP intends that by 2034..."**
- 18 Taking the above into account, the Neighbourhood Plan meets the requirement in respect of specifying the period during which it is to have effect.

Public Hearing

- 19 According to the legislation, it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.
- 20 However, it is also the case that *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.
- 21 Further to consideration of the information submitted, I determined not hold a public hearing as part of the examination of the Windsor Neighbourhood Plan.
- 22 However, in order to clarify a number of points in respect of the examination, I wrote to the Qualifying Body and to the Council of the Royal Borough of Windsor and Maidenhead and this examination has taken the responses received into account.

3. Basic Conditions and Development Plan Status

Basic Conditions

- 23 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “*basic conditions*.” These were *set out in law*³ following the Localism Act 2011. Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 24 Regulations 23 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to above. Of these, the following basic condition, brought into effect on 28th December 2018, applies to neighbourhood plans:
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations.⁴

³ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

⁴ *ibid* (same as above).

- 25 In examining the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check whether the neighbourhood plan:
- has been prepared and submitted for examination by a qualifying body;
 - has been prepared for an area that has been properly designated for such plan preparation (under Section 61G of the Town and Country Planning Act 1990 (as amended));
 - meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that:
 - its policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 26 An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.⁵
- 27 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan. This sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

⁵ The Convention rights has the same meaning as in the Human Rights Act 1998.

European Convention on Human Rights (ECHR) Obligations

- 28 I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.
- 29 In the above regard, I also note that information has been submitted to demonstrate that people were provided with a range of opportunities to engage with plan-making in different places and at different times. Various comments have been received in response to active community engagement during the plan-making process. The Consultation Statement submitted alongside the Neighbourhood Plan provides a summary of responses to comments and to resulting changes to the Neighbourhood Plan.

European Union (EU) Obligations

- 30 In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In this regard, national advice states:
- “Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.”*
(Planning Practice Guidance⁶)
- 31 This process is often referred to as *“screening”*⁷. If likely environmental effects are identified, an environmental report must be prepared.

⁶ Planning Practice Guidance, Paragraph 027, Ref: 11-027-20150209.

⁷ The requirements for a screening assessment are set out in in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

32 The Council of the Royal Borough of Windsor and Maidenhead carried out a screening assessment of the Neighbourhood Plan and concluded that a Strategic Environmental Assessment was required.

33 A Strategic Environmental Assessment was subsequently undertaken and was submitted alongside the Neighbourhood Plan. This concluded that:

"...the WNP will lead to positive effects in terms of a wide range of sustainability objectives..."

34 The statutory bodies, Historic England, Natural England and the Environment Agency have all been consulted and none dissented from this conclusion.

35 In addition to SEA, a Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans and projects. This Assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information⁸. If it is concluded that there is likely to be a significant effect on a European site, then an appropriate assessment of the implications of the plan for the site must be undertaken.

36 In this regard, the Basic Conditions Statement submitted alongside the Neighbourhood Plan states that:

"The Plan is considered to be compatible with the E.U. Habitats directive. It is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010), either alone or in combination with other plans or projects."

37 Again, the statutory bodies have been consulted and none has provided a conflicting opinion nor evidence to the contrary.

38 I also note that, in April 2018, in the case *People Over Wind & Sweetman v Coillte Teoranta ("People over Wind")*, the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means if a likely significant effect is identified at the screening stage of a habitats assessment, an *Appropriate Assessment* of those effects must be undertaken.

⁸ Planning Practice Guidance Paragraph 047 Reference ID: 11-047-20150209.

- 39 In response to this judgement, the government made consequential changes to relevant regulations through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.
- 40 The changes to regulations allow neighbourhood plans and development orders in areas where there could be likely significant effects on a European protected site to be subject to an Appropriate Assessment to demonstrate how impacts will be mitigated, in the same way as would happen for a draft Local Plan or planning application. These changes came into force on 28th December 2018.
- 41 National guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations lies with the local planning authority:
- “It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)”* (Planning Practice Guidance⁹).
- 42 The Council of the Royal Borough of Windsor and Maidenhead has taken all of the above into account. It has expressed the concern that, unmodified, the Neighbourhood Plan Policy LEGO.01 may encourage development proposals which, taking a precautionary approach, are likely to require an appropriate assessment and as a consequence, it cannot be concluded that the unmodified plan will not create likely significant effects on European sites.
- 43 This is a factor that I have taken into account during the course of the examination of the Neighbourhood Plan. The recommendations within this Report include the deletion of Policy LEGO.01.

⁹ ibid, Paragraph 031 Reference ID: 11-031-20150209.

4. Background Documents and the Windsor Neighbourhood Area

Background Documents

- 44 In undertaking this examination, I have considered various information in addition to the Windsor Neighbourhood Plan.
- 45 Information considered as part of this examination has included (but has not been limited to) the following main documents and information:
- National Planning Policy Framework (referred to in this Report as "*the Framework*") (2019)
 - Planning Practice Guidance (2014, as updated)
 - Town and Country Planning Act 1990 (as amended)
 - The Localism Act (2011)
 - The Neighbourhood Plan Regulations (2012) (as amended)
 - The Saved Policies of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003) (referred to in this Report as "*the RBWM Local Plan*")
 - Basic Conditions Statement
 - Consultation Statement
 - Representations received
 - Strategic Environmental Assessment Report
- 46 In addition, I spent an unaccompanied day visiting the Windsor Neighbourhood Area.

Windsor Neighbourhood Area

- 47 The boundary of the Windsor Neighbourhood Area is identified on a plan provided on page 8 of the Neighbourhood Plan.
- 48 The Council of the Royal Borough of Windsor and Maidenhead designated the Windsor Neighbourhood Area on 21st August 2014.
- 49 This satisfies a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

5. Public Consultation

Introduction

- 50 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 51 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

Windsor Neighbourhood Plan Consultation

- 52 A Consultation Statement was submitted to the Council of the Royal Borough of Windsor and Maidenhead alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *regulations*¹⁰.
- 53 Taking the information provided into account, there is evidence to demonstrate that the Neighbourhood Plan comprises a "*shared vision*" for the Windsor Neighbourhood Area, having regard to Paragraph 29 of the National Planning Policy Framework ("*the Framework*").
- 54 Whilst the Neighbourhood Plan has made use of previous consultation associated with a different approach to neighbourhood planning in the wider area, the Neighbourhood Plan Forum was formed in May 2014 and consultation specific to the Neighbourhood Plan began from that date.
- 55 A Survey was undertaken during 2014, along with the creation of a dedicated website, press releases, Topic Group meetings and the publication of a newsletter. A Vision Survey Brochure was widely distributed and 330 responses were received.

¹⁰ Neighbourhood Planning (General) Regulations 2012.

- 56 Attendance at an event in March 2015 to raise general awareness of the emerging plan was followed by a presentation and attendance at consultations around the Neighbourhood Area. A Design and Views and Vistas Options consultation event was held at the beginning of 2016.
- 57 The draft Neighbourhood Plan was produced and underwent consultation between September and November 2016. A second draft plan was published and consulted upon between November and January 2019. Responses to this informed the submission version of the Neighbourhood Plan.
- 58 In addition to the dedicated website, public consultation was supported via press releases, leaflet distribution and Drop-In events. The Consultation Statement provides evidence to demonstrate that public consultation formed an important part of the plan-making process, that it was publicised and that matters raised were duly considered.
- 59 Taking all of the above into account, I am satisfied that the consultation process complied with the neighbourhood planning regulations referred to above.

6. The Neighbourhood Plan – Introductory Section

- 60 Paragraph 1.5 appears unnecessary, confusing and detracts from the clarity and concise nature of the Neighbourhood Plan. There is no need to set out the history of various Neighbourhood Plans that have and have not progressed and the information provided adds nothing of value to the Neighbourhood Plan itself and is, in any case, general information that is available elsewhere.
- 61 In addition to the contextual information provided, Policies in the Neighbourhood Plan are also preceded by bullet points under the heading "*Intent.*" Many of the bullet points appear vague and do not necessarily relate directly to the Policy that follows. The bullet points hold no Policy status and taking this and the above into account, they appear as a distraction from the Policy that follows and detract from the precise and concise nature of the Neighbourhood Plan.
- 62 Various words in the supporting text to the Policies are annotated in bold print. The approach in this respect appears random and detracts from the clarity of the Neighbourhood Plan. It is a matter addressed in this Report within the recommendations for each Policy.
- 63 I recommend:
- **Page 9, delete content of page including Figure 1**
 - **Page 11, delete reference to Figure 1 in Para 1.7**
 - **Delete Para 1.8.2, which has been overtaken by events and repeats information in Para 1.8.1**
 - **Para 2.4.6, delete the unnecessary text "This will continue to be the case."**
 - **Delete all "Intent" headings and related bullet points**

7. The Neighbourhood Plan – Neighbourhood Plan Policies

Natural Environment and Open Space

Policy OS.01 and OS.02: Open Space and Public Open Space

- 64 Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 99 of the Framework states that:

“The designation of land as a Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”

- 65 The Framework requires policies for the managing of development within a Local Green Space to be consistent with those for Green Belts (Paragraph 101, the Framework). A Local Green Space designation therefore provides for development management in a manner that is comparable to that for Green Belt land. Consequently, Local Green Space comprises a restrictive and significant policy designation.
- 66 Given the importance of the designation, it is appropriate that areas of Local Green Space are clearly identified in the Neighbourhood Plan itself. The Figures identifying each Local Green Space are small and provided on a poor quality map base. This makes the detailed identification of boundaries difficult and I make a recommendation in this regard, below.
- 67 The designation of land for Local Green Space must meet the tests set out in Paragraph 100 of the Framework.
- 68 These are that the green space is in reasonably close proximity to the community it serves; that it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and that it is local in character and is not an extensive tract of land.

- 69 Part of Policy OS.01 designates twenty one areas of land as Local Green Space. Supporting evidence is provided (in the document "*Local Urban Open Spaces*") to demonstrate that each proposed Local Green Space meets the relevant national policy tests and is therefore appropriate for designation. I also note earlier in this Report that the Neighbourhood Plan has emerged through robust public consultation.
- 70 However, as presented in the Neighbourhood Plan, there is a lack of appropriate clarity in respect of the presentation of each designation. Local Green Space is an important and significant designation – on a par with Green Belt. It is therefore essential that each area of Local Green Space designated in the Neighbourhood Plan is clearly identifiable. The numbering and presentation of the areas of Local Green Space on the Figures provided is inappropriate and this is a matter addressed in the recommendations below.
- 71 With respect to the management of development in areas of Local Green Space, national policy is clear in stating that this should be consistent with that for Green Belts. Green Belt policy does not simply protect the Green Belt from development, but provides for appropriate forms of development, whilst preventing inappropriate development. This important nuance is not reflected in the Policy as set out and is also addressed in the recommendations below.
- 72 Away from Local Green Space, Policy OS.01 seeks to prevent any development whatsoever within a variety of areas referred to as "*existing areas of open space.*" In the absence of any substantive evidence, it is not clear upon what planning policy basis the Policy seeks to rule out any form of development. Consequently, this part of the Policy, which does not provide for the balanced consideration of a planning proposal and conflicts with the requirement for the Neighbourhood Plan to contribute towards the achievement of sustainable development, is unjustified and does not meet the basic conditions.
- 73 In the above regard, I note that there is no substantive evidence to demonstrate that the areas of public open space identified are under threat of disappearing, or that they are currently afforded no protection. I am mindful that, amongst other policies, the RBWM Local Plan Policy R1 "*Protection of Urban Open Spaces,*" affords protection to areas of open space and that Paragraph 97 of the Framework presents national policy to prevent existing open space from being built on.

- 74 Further to the above, the presentation of the various sites in Policy OS.01 is unclear. The sites listed in the Policy do not correspond directly to Map 5 (for example, no site 58 is listed, yet there are three sites labelled "58" on Map 5). The Maps referred to are unclear to the extent that it is not possible to identify the precise boundaries of specific sites. But, in any case, notwithstanding this, the first part of the Policy does not meet the basic conditions.
- 75 Policy OS.02 requires all residential development to provide "*adequate levels*" of Amenity Green Space on site. In the absence of clarity in respect of what is adequate, this is a vague requirement. Furthermore, there is no substantive evidence to demonstrate that this obligation has regard to Paragraph 56 of the Framework, which requires planning obligations to be necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development. There is nothing to show that the requirement would, for example, meet these tests in say, the case of a single dwelling.
- 76 The third part of Policy OS.02 does not provide information to demonstrate what "*encouragement*" would comprise. Further, it is not clear why this part of the Policy only requires major brownfield development to provide new public open space, as opposed to major development in general. There is no substantive evidence to demonstrate that such an approach is deliverable, or even desirable in respect of every major brownfield site, nor why brownfield land should be burdened in this way. Consequently, the Policy appears in conflict with Paragraph 117 of the Framework, which requires as much use as possible to be made of brownfield land. In the absence of evidence, Policy OS.02 as set out, could prevent brownfield land from coming forward for development.
- 77 No indication is provided in respect of how a decision maker might interpret the phrase "*in particular,*" in part iv. of the Policy. The Policy is ambiguous in this regard, contrary to national planning guidance, which requires planning policies to be clear and unambiguous¹¹:

"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared."

¹¹ Planning Practice Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

78 Much of the supporting text refers to elements of Policies OS.01 and OS.02 that are recommended for deletion and the recommendations below take this into account. Other parts of the supporting text effectively repeat earlier text and other parts, for example, reference to various Maps, are simply incorrect. This results in a Reasoned Justification that does not relate to the Policies as recommended, and which also appears long-winded and confusing.

79 I recommend:

- **Policy OS.01, delete first paragraph**
- **Change second paragraph to *“The areas listed below and identified on Map 7 and supporting plans are designated as Local Green Space, which will be protected in a manner consistent with the protection of land within the Green Belt.”***
- **Revise numbering of areas of Local Green Space from 1 to 21 (also removing the “A, B, C and D” references)**
- **Provide a new Map 7 (this will have a knock-on effect on the numbering of later Maps) entitled *“Local Green Space.”* This should show the 21 areas of Local Green Space. Provide additional plans as necessary – it is essential that the precise boundary of each individual area of Local Green Space is clearly identifiable.**
- **NB, the Local Green Space plan(s) should be provided within the Neighbourhood Plan. The Neighbourhood Plan is a long document and the provision of these important plans in an Appendix is not user-friendly.**
- **NB, there is no need for the inclusion of a Map showing “other areas of local space”**
- **Policy OS.02, delete part i. (“Given...required”)**
- **Change part ii. to *“...loss of on-site open space, proposals should be supported by...needed; and the provision of an equivalent...”***

- Change part iii. to “Allocation of new areas of open space will be *supported*. Should...” (Also, remove bold from text)
- Change part iv. to “...will also be supported, *including the following...*”
- Para 5.2.15, change to “*It is recognised that national and local policy supports the creation of and affords protection to, public open space. Policy OS.01 designates areas of Local Green Space that are demonstrably special to the community, where development will be managed as per in Green Belts and Policy OS.02 supports the protection of existing and the creation of new public open space.*”
- Delete Paras 5.2.16 to 5.2.19
- Change Para 5.2.20 to “...*certain criteria*). *This designation...policy designates Local Green Space. Appendix 3 explains...*”
- Para 5.2.21, change the last part of the sentence after the comma to “*and the WNP is supportive of this level of provision.*”
- Para 5.2.22, delete second and third sentences (“*See...areas.*”)
- Para 5.2.24, delete second sentence (which is not a Policy requirement)

Green and Blue Infrastructure and Biodiversity

Policy BIO.01 and BIO.02: Green and Blue Infrastructure Network

- 80 In general terms, Policy BIO.01 seeks to protect valued areas of biodiversity and provide for the enhancement of biodiversity, having regard to Paragraph 170 of the Framework, which requires planning policies to contribute to and enhance the natural and local environment by:

“...minimising impacts on and providing net gains for biodiversity.”

- 81 As set out, the Policy seeks to impose obligations on all forms of development, without reference to need or the relationship to the development proposed. Such an approach does not have regard to Paragraph 56 of the Framework, referred to earlier in this Report.
- 82 It is not clear, in the absence of information, what *“acceptable design considerations”* or *“appropriate trees”* comprise, who would judge this and on what basis, and this part of the Policy appears vague. Similarly, there is nothing to indicate when it would be appropriate for *“additional opportunities to access green spaces”* to be provided.
- 83 Policy BIO.02 encourages the creation and protection of a green route network and in general terms, this has regard to Paragraph 170 of the Framework, referred to above.
- 84 However, no substantive evidence has been provided in respect of how the green routes identified will be maintained or enhanced. Further, there is no detailed evidence to demonstrate that it will in all cases, as per the requirements of Policy BIO.02, be deliverable for any development facing a green route to provide green boundary treatments, established trees and green verges and habitats to facilitate the movement of wildlife. In addition, there is no substantive evidence to demonstrate that this requirement meets the tests set out in Paragraph 56 of the Framework, referred to earlier in this Report.
- 85 Similarly, there is no substantive evidence to demonstrate that all new development can enable the linkage of green areas together and it is not clear how it is possible, or deliverable, for an existing link to *“be designed to”* achieve all of the things described in part b) of the Policy.

- 86 In the absence of clarity around the phrase “*in close proximity*” or relevant deliverability-related information, part c) of the Policy appears vague and imprecise and does not have regard to Paragraph 16 of the Framework, which requires plans to be deliverable.
- 87 Similarly, the final part of the Policy appears vague and aspirational and it fails to have regard to matters in respect of deliverability and the national policy tests in relation to planning obligations.
- 88 Part of the supporting text does not relate directly to the Policies. Some of the text reads as though it comprises a Policy requirement, which it does not.
- 89 I recommend:

- **Change Policy BIO.01 to “*Development should minimise impacts on biodiversity and provide net gains in biodiversity where possible. The following will be supported: i) Provision of...gardens (NB remove bold text); ii) Planting areas for...walls; and iii) The retention, introduction and replacement of trees with species suited to the local area.*” (delete rest of Policy)**

- **Change Policy BIO.02 to “a) *The routes listed below and shown on the accompanying Map comprise Green Routes. Where development fronts these routes the provision of green boundary treatments with trees, vegetation and soft landscaping to sustain or improve air quality and visual amenity, and the safeguarding, provision and/or enhancement of habitats to facilitate the movement of wildlife, will be supported.*” LIST 1-21 here**

“b) The provision of new and the linking of existing green routes will be supported, as will improvements in access to the Neighbourhood Area’s blue infrastructure network. The recreation of river corridors and wetland habitats, and the reinstating of open waterways from river culverts will be supported.”

- **Remove bold annotation from supporting text**
- **Correct mis-labelling of Photos 1 and 2 on page 35**
- **Delete Paras 5.3.12 and 5.3.24**

- Para 5.3.13, delete “consideration” and “replacing greenery where it has been lost;”
- Para 5.3.14, delete “as a condition of planning permission,”
- Para 5.3.15, change last sentence to “*We wish to encourage alternatives to this.*”
- Para 5.3.17, delete last two sentences (“Proposals...maintained.”)
- Para 5.3.18, delete “as existing trees have...planting of trees.”
- Para 5.3.20, delete (as covered by our...02)” and change last sentence to “...period *is encouraged to capitalise on...*”
- Para 5.3.22, change last line to “...design solutions *which maximise green aspects are encouraged.*”
- Para 5.3.25, delete “BIO.02 d.”

Flooding and Drainage

Policy WAT.01 and WAT.02: Flooding and Water Supply

- 90 National planning policy seeks to prevent inappropriate development in areas at risk from flooding by directing development away from those areas at highest risk and where development is necessary in such areas:

"...the development should be made safe for its lifetime without increasing flood risk elsewhere."

- 91 Policy WAT.01 seeks to prevent flooding and in this way, has regard to national policy.
- 92 The Policy refers to capacity matters that are the responsibility of utility providers and no substantive evidence has been provided to demonstrate that, in all instances, having regard to deliverability and the national planning obligation tests, all refurbishment in the Neighbourhood Area can (or should) include flood resilience and resistance works.
- 93 Part d) of the Policy includes ambiguous requirements and seeks to impose onerous SUDs requirements upon all forms of development without regard to Paragraphs 16 and 56 of the Framework.
- 94 Policy WAT.02, as set out, supports the contamination of controlled waters so long as there is some form of mitigation. The Policy goes on to set a target water consumption regardless of the nature of the development proposed. The approach set out in WAT.02 fails to contribute to the achievement of sustainable development.
- 95 I recommend:
- **Change Policy WAT.01 to *"Development should be made safe from flooding and not increase the risk of flooding elsewhere. Drainage on site should separate foul and surface water flows. The use of Sustainable Urban Drainage Systems will be supported."* (Delete rest of Policy)**
 - **Delete Policy WAT.02**
 - **Remove bold annotation from supporting text**

- Para 5.4.8, delete second sentence (which is not the case)
- Change Para 5.4.10 to *"...Guidance establishes a sequential test to be applied in respect of flood risk. Development should be located..."*
- Change Para 5.4.11 to *"Sustainable Urban Drainage Systems (SUDS) help to provide flood resilience in a locally relevant, sustainable manner."*
- Change Para 5.4.12 to *"We strongly encourage the use of SUDS. Within the..."*
- Delete Para 5.4.13, which repeats information and is not a Policy
- Delete Paras 5.4.14 to 5.4.18

Heritage

Policy HER.01 and HER.02: Heritage Buildings and Features, and Local Heritage List

- 96 Chapter 16 of the Framework, “*Conserving and enhancing the historic environment,*” recognises that the nation’s heritage assets comprise an irreplaceable resource. Paragraph 184 of the Framework requires all heritage assets to:
- “...*be conserved in a manner appropriate to their significance...*”
- 97 Chapter 16 goes on to set out a detailed and carefully nuanced approach to the conservation of heritage assets.
- 98 Policy HER.01 seeks to protect heritage assets and to some extent, has regard to national policy. However, as set out, the Policy shortens and paraphrases national policy in such a manner that it results in a confusing and incorrect approach in respect of how public benefits should be considered, as well as introducing a vague “*where practicable*” approach to enhancement. It results in a Policy approach that is in direct conflict with national policy and fails to have regard to the Framework.
- 99 Part b of the Policy requires development to be in “*conformity*” with design guidance. Design guidance, by its very nature, provides guidance, not policy requirements. Also, whilst informative and helpful, the Windsor Neighbourhood Plan Design Guide appended to the Neighbourhood Plan does not comprise an adopted Supplementary Planning Document (SPD) and has not emerged through the same robust processes as an adopted SPD.
- 100 The third part of Policy HER.01 limits development to materials and features identified in the Neighbourhood Plan Design Guide and other documents. There is no substantive evidence to demonstrate that only materials and features within these documents would provide for sustainable development and as above, I note that the Design Guide provides guidance and not policy requirements.
- 101 Policy HER.02 goes well beyond national policy requirements in respect of non-designated heritage assets, but no substantive evidence is provided in justification of such an approach, which does not have regard to the Framework.

102 Whereas the Policy requires development to conserve the significance of any non-designated heritage asset, including *“the contribution made”* by its setting, and to justify harm on the basis of public benefits, national policy states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application...a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”
(Paragraph 197, the Framework)

103 In addition to the above, part of the supporting text includes unnecessary information relating to an emerging plan, is worded as though it comprises policy requirements and contains incorrect assertions.

104 I recommend:

- **Change Policy HER.01 to *“Development within Conservation Areas and their settings should conserve and/or enhance local character. Development should incorporate high quality materials and have regard to the relevant Conservation Area Appraisal and Townscape Assessment, as well as to the WNP Design Guide (Appendix 4).”*** (Delete rest of Policy)
- **Change Policy HER.02 to *“The effect of a development proposal on the significance of a non-designated heritage asset should be taken into account, having regard to the scale of any harm or loss and the significance of the heritage asset. A Local List of non-designated heritage assets is set out in Appendix 6.”***
- **Remove bold annotation from supporting text**
- **Change Para 6.2.2 to *“National policy requires the conservation of heritage assets in accordance with their significance. Many buildings....Crescent) and national policy provides for the conservation and/or enhancement of Conservation Areas.”***
- **Delete Para 6.2.3**
- **Delete Para 6.2.4**

- Change Para 6.2.5 to “*National policy requires applicants to...setting. To help achieve this, the Neighbourhood Forum is keen to encourage the use of the Windsor Design Guide. We wish...circumstances.*”
- Change Para 6.2.6 to “*National policy and guidance encourages the...place.*”
- Para 6.2.7, change line 6 to “...with a view to *their inclusion on a Local List of...*”
- Para 6.2.7, line 8, delete “*While it is...Eton Society.*”
- Para 6.2.7, delete last sentence (“*Developments...supported.*”)
- Para 6.2.8, delete all after second sentence (“*The judgement...setting.*”)

Character and Design

Policy DES.01 Appearance

105 National planning policy recognises that:

“Good design is a key aspect of sustainable development, creating better places in which to live and work and helps make development acceptable to communities.”

(Paragraph 124, the Framework)

106 Subject to the recommendations below, Policy DES.01 seeks to ensure that development provides for good design by taking important aspects of local character into account. This has regard to aspects of Paragraph 127 of the Framework, which requires planning policies to ensure that developments are:

“...sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)...”

107 However, as set out, Policy DES.01 requires all development to reflect everything contained in the guidance referred to. As well as being an onerous requirement, such an approach appears rigid and less flexible than that set out in national policy. Furthermore, guidance is precisely that – it provides helpful background information rather than a land use planning policy requirement. Requiring development to “*reflect all relevant evidence*” from guidance effectively raises the “power” of guidance to a level not commensurate with its status.

108 Also, the Windsor Neighbourhood Plan (NP) Design Guide and “*any relevant NP Area Design Guide*” do not form part of the Neighbourhood Plan but are appended to it. The guidance provides important local information to inform planning proposals, but it does not set out planning policy requirements.

109 The Windsor NP Design Guide refers to guidance produced by the Royal Borough of Windsor and Maidenhead and there is no need for the Policy to include direct reference to documents produced by the Royal Borough.

110 I recommend:

- **Change Policy DES.01 to “Proposals for development should demonstrate how they have taken account of design guidance, including the Windsor NP Design Guide. Development affecting any of the seven areas identified on Map 9 should also demonstrate how they have taken into account the relevant NP Area Design Guide.”**
- **Clarify Map 9 by providing a Key (the names of the Areas are difficult to identify)**
- **Para 6.3.10, line six, change to “...welcomed. *Our aim is to provide guidance to developers in respect of the kinds of development appropriate to different parts of the town, with the intention of helping them to “get it right...”* (retain final sentence of Para)**
- **Remove bold annotation from supporting text**

Key Views

Policy VIE.01: Key Views

- 111 As highlighted earlier in this Report, the Framework requires planning policies to ensure that developments are sympathetic to local character and history.
- 112 Generally, in identifying and seeking to afford some protection to key views, Policy VIE.01 aims to ensure that development is sympathetic to and does not detract from its surroundings. In this way, the Policy has regard to national policy.
- 113 As set out, the Policy appears vague. The phrase "*likely to compromise*" is subjective and further, the "*Viewing Corridors*" and "*Designated Views*" identified in the Policy stretch across large areas of Windsor and cover such a broad variety of land uses that they are difficult to understand in fine detail, such that it is not clear as to when a view "*could*" be affected and whether or not the Policy will apply.
- 114 Given that, as worded, the Policy requires all development that "*could*" (and which therefore, may not) have an impact to provide visualisations relating to the foreground, middle ground and background of designated views, the Policy is extremely onerous. Notwithstanding the above, no substantive evidence has been provided to demonstrate that the requirements of the Policy comprise "*the minimum needed to make decisions,*" in accordance with Paragraph 44 of the Framework. Further, there is no evidence to demonstrate that in every case, the requirements of Policy VIE.01 are:
- "...relevant, necessary and material to the application in question."*
(Paragraph 44, the Framework)
- 115 The Policy only supports development that makes a positive contribution to views. This goes well beyond any national or local policy and is considerably more onerous than for example, policy applying to Conservation Areas. This departure from national and local policy is not justified by substantive evidence.

116 Taking all of the above into account, I recommend:

- **Change Policy VIE.01 to “*Development proposals must respect the Designated Views and Viewing Corridors listed below and identified on Map 10 (further information is also included in Appendix 5): NB, LIST OF 11 VIEWS HERE.*” Delete rest of Policy**
- **Remove bold annotation from supporting text**
- **Para 6.4.2, change to “...taken into account *by* development. These...”**
- **Delete Paras 6.4.6 and 6.4.7**
- **Para 6.4.12, delete end of last sentence “..., and any development...appearance.”**
- **Para 6.4.14, change to “...policy *can be informed by* guidance in...This *provides guidance in respect of how a view can be treated and* managed. We...we will *seek to manage...forward.*”**

Getting Around

Policy CW.01: Cycling and Walking

117 Paragraph 98 of the Framework states that planning:

"...policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks..."

118 Policy CW.01 seeks to protect and enhance Windsor's cycling and walking network and in this way, it has regard to national policy and contributes to the achievement of sustainable development.

119 As set out, the first part of the Policy appears to afford protection to routes that are not necessarily public rights of way and in so doing, goes beyond the capabilities of the Neighbourhood Plan. A recommendation is made in this regard, in the interests of the precision of the Policy.

120 No substantive evidence has been provided in support of the requirement for all development to link to existing pedestrian and cycle networks. In the absence of evidence, it cannot be concluded that in respect of every development proposal in the Neighbourhood Area this obligation would be necessary to make the development acceptable in planning terms, be directly related to the development, or be fairly and reasonably related in scale and kind to the development. Consequently, this part of the Policy does not have regard to Paragraph 56 of the Framework, which sets out the tests that planning obligations must meet.

121 Whilst it sets out important local community aspirations, part b) of the Policy sets out a statement of support for various works. There is no substantive evidence to demonstrate that it comprises a deliverable land use planning policy, having regard to Paragraph 16 of the Framework:

"Plans should...be prepared positively, in a way that is aspirational but deliverable."

122 I recommend:

- Change Policy CW.01 a) to *“All public rights of way within the WNP area must be retained, or alternatives provided that offer equivalent or better functionality. Improvements to the pedestrian and cycle network, including the creation of more safe linkages, will be supported.”*
- Remove bold annotation from supporting text
- Delete part b) from the Policy, but move text to a new Para above Para 7.1.19, stating *“The Windsor Neighbourhood Forum strongly supports all practical opportunities...its tributaries.”*
- Change Para 7.1.19 to *“The Windsor Neighbourhood Forum supports improvements...”*
- Other than at Para 7.1.14, delete references to CW.01 in bold print at the beginning of Paras on pages 62 and 63
- Para 7.1.5, change to *“...cycle provision. The WNP seeks to improve conditions for walking, enhance the pedestrian experience and boost the provision...”*
- Para 7.1.6, change to *“In respect of traffic congestion, Section 11 of the WNP also highlights a number of projects that will be pursued.”*
- Change Para 7.1.7 to *“...Borough’s...”*
- Delete last sentence of Para 7.1.12 (“(However...night)”)
- Para 7.1.16, change last sentence to *“The Windsor Neighbourhood Forum hopes to see..”*
- 7.1.18, change second sentence to *“We wish to see new pedestrian and cycle routes incorporated...”*
- 7.1.20, change last sentence to *“Windsor Neighbourhood Forum would like to see developers ensure that it is...”*

Parking

Policy PAR.01 and PAR.02: Parking

123 Appendix 4 of the Neighbourhood Plan does not form part of the Neighbourhood Plan, but is appended to it. Whilst it includes guidance, this is informative and does not comprise land use planning policy. The content of Appendix 4 is not an adopted statutory document that has emerged through robust consultation.

124 Taking the above into account, it is inappropriate for Policy PAR.01 to require all residential development to “*comply with*” the parking design guide standards and “*any relevant*” design guides in Appendix 4.

125 However, I note that Appendix 4 provides helpful background information and this is a factor that is taken into account in the recommendations below.

126 In general terms, subject to addressing the ambiguous reference to supporting “*opportunities*,” Policy PAR.02 is supportive of increasing car parking capacity. In this way, together with the aims of PAR.01, the Policy contributes to the achievement of sustainable development by providing a framework to provide for safe and convenient parking, having regard to Paragraph 110 of the Framework, which requires development to:

“...create places that are safe, secure and attractive...”

127 I recommend:

- **Change Policy PAR.01 to “*New residential development should respect local character and provide for safe parking, having regard to the WNP parking design guide standards and where relevant, Area Design Guides (as set out in Appendix 4).*”**
- **Change Policy PAR.02 to “*The provision of increased car parking capacity at existing car parks will be supported, subject to development respecting local character, residential amenity and highway safety.*”**
- **Delete Para 7.2.7**

- Remove bold annotation from supporting text
- Para 7.2.11, change to “...In the *Windsor Neighbourhood Forum’s* view that this...”
- *Para 7.2.12, change to “...nearby and this is something the Windsor Neighbourhood Forum wishes to discourage, unless it...”*
- Delete 7.2.13 (once adopted, the standards will be a material consideration regardless of “WNP support”)
- Change Para 7.2.14 to “*Windsor Neighbourhood Forum will seek to discourage the use of dropped kerbs where they result...front garden parking and the Windsor Neighbourhood Forum will encourage applicants to use this.*”
- Footnote 49, delete “is the industry...developments.” (Building for Life 12 is not the “industry standard” for new housing developments, but provides guidance)

Recreation, Open Spaces and Community Facilities

Housing

Policy HOUS.01: Housing

- 128 There is no requirement for the Neighbourhood Plan to allocate land for development and it does not do so. However, the supporting text to Policy HOUS.01 considers opportunities for windfall development in the Neighbourhood Area. Taking this into account, the Policy seeks to support residential development above "*retail/commercial premises.*"
- 129 In many cases, the conversion, for example, of existing space above town centre shops to residential use comprises permitted development and does not require planning permission. Similarly, bringing an unused flat back into use is not something that requires planning permission.
- 130 However, Part b) of the Policy simply supports any form of conversion to residential use above retail and commercial space – regardless of location. Such uses can take very different forms across different locations and there is no information to demonstrate that the development supported by Policy HOUS.01 in this regard would contribute to the achievement of sustainable development.
- 131 Further, the first part of the Policy appears ambiguous, in that it not only supports, but seeks to grant permission for residential development over any form of low-rise retail or commercial premises. It is not clear, in the absence of substantive evidence, how such an approach would provide for the balanced consideration of development proposals and thus contribute to the achievement of sustainable development.
- 132 The phrase "*will be permitted*" runs the risk of pre-determining the application process and further, "*low-rise*" is not defined, thus adding to the ambiguous nature of the Policy.
- 133 The supporting text refers to residential development in gardens and the creation of offices/business uses on upper floors, contrary to the Policy.

134 I recommend:

- **Change Policy HOUS.01 to “*Proposals requiring planning permission for the conversion of premises above shops to residential use will be supported, subject to respecting local character, residential amenity and highway safety.*”**
- **Change Para 8.2.1 to “...includes above shops, which could support additional housing.”**
- **Delete Para 8.2.2 and 8.2.3**
- **Change Para 8.2.4 to “HOU.01 Areas where this policy may apply could include Deworth Road.” (delete rest of Para)**
- **Delete Para 8.2.5**

Residential Amenity

Policy RES.01: Residential Amenity

- 135 Providing for residential amenity has regard to Chapter 12 of the Framework, *“Achieving well-designed places.”*
- 136 As set out, Policy RES.01 requires the provision of *“appropriate and sufficient amenity space”* without stating what this comprises. This part of the Policy is imprecise and does not provide a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 16 of the Framework.
- 137 Similarly, it is not apparent for example, how much internal storage space for the separation of recyclable materials would be *“sufficient”* – or how this might be calculated and who by.
- 138 For clarity, I recommend:
- **Change Policy RES.01 to *“Residential development should provide external amenity space that appears in keeping with local character and which respects privacy. Residential development should provide for recycling, including space for screening and storage.”***
 - **Remove bold annotation from supporting text**
 - **Para 8.3.4, change last sentence to *“We recommend that development proposals consider good practice, as set out in Building...”***
 - **Change Para 8.3.5 to *“We would like to encourage developers to ensure that development does not result in unsightly and inappropriately placed bin and bike stores. Unsightly storage can harm both the amenity of neighbours and the street scene and we will seek to encourage appropriate bin and bike storage for all dwellings.”***
 - **Delete Para 8.3.6, which repeats 8.3.4**

Working and Shopping

Policy PUB.01: Public Houses

139 Chapter 8 of the Framework, "*Promoting healthy and safe communities,*" recognises the importance of social, recreational and cultural facilities. It states that:

"...planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as...public houses..."
(Paragraph 92, the Framework)

140 Policy PUB.01 seeks to protect pubs and has regard to the Framework.

141 As worded, the Policy is imprecise – for example, it requires a developer to "*prove that there is no viable use,*" which makes little sense. Further, in the absence of Policy direction or supporting information, it is not clear how various uses "*will be encouraged*" or how the Policy will prioritise community uses.

142 I recommend:

- **Change Policy PUB.01 to "*The loss of pubs to non-community uses will not be supported unless it can be demonstrated, further to 12 months open and active marketing, that it would not be economically viable or feasible to retain the pub in its existing use and that there is no reasonable economically viable prospect of securing an alternative community use of the land or premises.*"**
- **Delete last sentence of Para 9.1.6 ("It...P policies.")**
- **Para 9.2.3, end of line 4, delete "business"**

Policy RET.01: Retail and Small Business

- 143 Saved Policy S1 of the RBWM Local Plan, "*Location of shopping development*," seeks to ensure that new retail development does not harm the viability of existing centres.
- 144 National policy recognises the importance of local shops to the community and requires planning policies to:
- "...ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community..."*
(Paragraph 92, the Framework)
- 145 In general terms, Policy RET.01 seeks to resist the loss of shops to the community and in this way, it meets the basic conditions.
- 146 However, the first part of the Policy simply gives carte blanche support to any kind of retail development in vaguely described locations. There is no supporting evidence to demonstrate that such an approach would serve to protect the viability of existing centres, or would necessarily, in all circumstances, be appropriate to and contribute to the achievement of sustainable development within the general locations described.
- 147 Part b) of the Policy requires the number of A1 retail units to remain at 40%. There is no substantive evidence to demonstrate that the number of retail units in Local Centres (which it has to be assumed that the Policy is referring to) is 40%, or why any future figure must be 40%. As such, this requirement is not supported by appropriate evidence, having regard to national planning guidance, referred to earlier in this Report.
- 148 The Policy requires new shop fronts to "*conform*" to guidance. "*Conformity*" with guidance is considered elsewhere in this Report and is a matter addressed in the recommendations below.
- 149 The final part of the Policy refers to "*clustering*" and harm to "*retail vitality*" but the Neighbourhood Plan provides no detail in respect how these matters might be judged, who by, or on what basis. Consequently, this part of the Policy appears imprecise and ambiguous.

150 For clarity, I recommend:

- **Change Policy RET.01 to “*Local shops provide an important community function and proposals that will support the vibrancy and vitality of Local Centres and retail parades whilst respecting local character, residential amenity and highway safety will be supported. The loss of shops and small-scale commercial units will be resisted unless it can be demonstrated, further to twelve months open and active marketing, that retention in their current use is not economically viable. Proposals for new shop fronts should have regard to guidance set out in the Windsor Design Guide shop front section (see Appendix 4c).*”**
- **Remove bold annotation from supporting text**
- **Para 9.3.6, change to “*In some circumstances, national policy...situation where businesses struggle to find premises...*”**
- **Para 9.3.8, second line, change to “*...demand for the...*”**
- **Delete Para 9.3.10 along with references to RET.01d) and RET.01e) in Paras 9.3.11 and 9.3.14**
- **Para 9.3.12, delete from fourth line to end of Para (“The general...access”) which reads as a Policy, but which is not**
- **Delete Paras 9.3.14 to 9.3.16. The Policy does not set out an approach to such uses that has regard to national policy or guidance**

Place Policies

Policy DR.01: Dedworth Road

151 National policy requires Plans to:

"...be prepared positively, in a way that is aspirational but deliverable..."
and "...contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals."

Paragraph 16, the Framework

152 In addition, as noted earlier in this Report, it is a requirement of national policy, as set out in Paragraph 56 of the Framework, that planning obligations must be necessary to make development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind to the development.

153 Policy DR.01 fails to have regard to national policy. It reads as a general wish-list, regardless of the need for deliverability, clarity, precision and the tests for planning obligations. It sets out vague requirements for development *"to utilise opportunities, where relevant"* without providing necessary information in respect of what these are and why and when and/or why they will be *"relevant."*

154 Further references to *"where appropriate...where possible...where it is possible to do so...where relevant"* add to the ambiguous nature of the Policy.

155 The Policy sets out requirements for enhancement and the provision of various facilities without any indication of how these will be paid for and delivered in a manner that has regard to Paragraph 56 of the Framework. The Policy also sets out a requirement for various works relating to the public highway without evidence that these are deliverable. I am mindful in this respect that, generally, highways works tend to fall under the responsibility of the highways authority and outside the scope of a Neighbourhood Plan.

156 Whilst I note that there is some local concern over how future development might impact on the Dedworth Road area, the Neighbourhood Plan does not tackle this in a manner which has regard to the basic conditions, resulting in the recommendation below.

157 I recommend:

- **Delete Policy DR.01**
- **Para 10.1.1, change to *“The following place-based policy provides for a key place within the WNP area.”***
- **Delete Paras 10..1.1 to 10.2.8 inclusive**
- **Delete “10.1 Introduction”**
- **Delete Map 11**

Policy IH.01: Former Imperial House and Police Station Quarter

- 158 Policy IH.01 has, to some significant degree, been overtaken by events. Part of the site referred to by the Policy was granted planning permission in May 2019¹², further to an appeal.
- 159 Policy IH.01 does not allocate a site but seeks to provide some policy direction for development relating to land identified on Map 12. In this respect, I am mindful that no substantive evidence has been provided to demonstrate the deliverability of a comprehensive redevelopment proposal for all of the land identified on Map 12 and that planning permissions exist for development that does not require a comprehensive approach.
- 160 Whilst I note that the Qualifying Body would be prepared to withdraw Policy IH.01, I am mindful of representations suggesting changes that would enable Policy IH.01 to provide for a positive planning framework at the neighbourhood level.
- 161 Given the above, I recommend:
- **Change Policy IH.01 to “a) *Future development proposals featuring both the site of the former Imperial House and Police Station site should include a masterplan to show how...appearance criteria.* b) Any revised proposals for redevelopment should have regard to: *safe and secure pedestrian and cycle connectivity; local character, including the green character of Alma Road and the scale and massing of neighbouring buildings; and the scope for “feature” buildings to create articulated views from St Mark’s Road to Alma Road.*”**
 - **Para 10.3.2, change to “brownfield site in”**
 - **Para 10.3.4, change to “...site is in employment use and RBWM has identified the site...”**
 - **Delete Para 10.3.5**

¹² Appeal Reference: APP/T0355/W/18/3203764.

- **Para 10.3.6, delete text and replace with “*A mixed use development at part of the site was recently approved on appeal.*” (And provide footnote to this sentence, referencing APP/T0355/W/18/3203764)**
- **Delete Para 10.3.7 and 10.3.8**
- **Para 10.3.10, change to “*a Business Area*”**
- **Delete Paras 10.3.12 to 10.3.19, inclusive**

Policy LEGO.01: Legoland

- 162 Rather than present a clear land use planning policy, Policy LEGO.01 sets out a list of statements. As set out, these appear vague and are unsupported by up to date, detailed information.
- 163 Notwithstanding this, the Council of the Royal Borough of Windsor and Maidenhead has commented that the Policy supports development whilst failing to make appropriate reference to statutory designations. For example, it is not clear how the Policy has regard to the requirement to meet Green Belt requirements.
- 164 Also, the area referred to is located in close proximity to the Windsor Park Special Area of Conservation (SAC). The Policy does not refer to this and consequently, it is not clear how unfettered support for "*continued investment at the resort within the current development boundary*" (wherever that may be) will, in all circumstances, contribute to the achievement of sustainable development. As referred to earlier in this Report, the Council of the Royal Borough of Windsor and Maidenhead is concerned that the inclusion of this Policy would result in the Neighbourhood Plan being incompatible with European obligations, contrary to the basic conditions.
- 165 Further to all of the above, in the absence of any substantive evidence, it is not clear how the various statements in the Policy will (or can) be delivered, or whether this can be achieved in a manner that contributes to the achievement of sustainable development.
- 166 As an aside, I note that, in respect of this and the following Policy, the Qualifying Body has, in response to my letter of clarification, suggested that I make revisions in order to enable the Policies to meet the basic conditions. However, in the case of Policies LEGO.01 and RAC.01, this would go well beyond the scope of my role as Independent Examiner.
- 167 For the reasons set out above, Policy LEGO.01 does not meet the basic conditions and I recommend:
- **Delete Policy LEGO.01**
 - **Delete pages 92 to 95, inclusive**

Policy RAC.01: Royal Windsor Racecourse

168 Similarly to the preceding Policy, Policy RAC.01 comprises a list of statements. It sets out a series of works that are “*supported*,” but provides no substantive evidence to demonstrate that all of the matters supported by the Policy can be delivered within the requirements of the Green Belt designation covering the whole of the area.

169 Also, in the absence of any substantive evidence, there is no clarity in respect of how the various statements in the Policy will (or can) be delivered, or in what way the Policy contributes to the achievement of sustainable development.

170 Policy RAC.01 does not meet the basic conditions. I recommend:

- **Delete Policy RAC.01**
- **Delete Pages 96-98 inclusive**

Policy CIL.01: CIL and S106 funding

171 Policy CIL.01 states that CIL or Section 106 Agreement funding will be used to deliver policies and projects according to the community's wishes and priorities, as set out in Table 1.

172 However, no information is provided in this section of the Neighbourhood Plan (or anywhere in the Neighbourhood Plan), to demonstrate how Policy CIL.01 has regard to Paragraph 56 of the Framework, referred to earlier in this Report.

173 Consequently, in the absence of, for example, any idea of what development might provide CIL or S106 funding, it is simply not possible to understand how planning obligations that meet the appropriate tests will (or can) be used to deliver the priorities set out in Table 1. Policy CIL.01 is imprecise and is not supported by appropriate evidence. It does not meet the basic conditions.

174 Notwithstanding the above, I am mindful that the provision of relevant information in the Neighbourhood Plan in respect of CIL is helpful and I recommend:

- **Delete Policy CIL.01**
- **Create a new Para below Para 11.1.1 "*Windsor Neighbourhood Forum will seek to use Community Infrastructure Levies and/or, if applicable, Section 106 funding, to deliver policies and projects in accordance with the community's wishes and priorities, as set out in Table 1 below.*"**
- **Delete Para 11.1.2 and title**
- **The Neighbourhood Plan cannot impose requirements on the Local Planning Authority. Para 11.1.5, delete from second line to end of Para (" , liaising...herein")**
- **Change last line of Para 11.1.6 to "...policies are *deliverable.*"**
- **Para 11.1.7, change last sentence to "*They will also monitor the success of the policies.*"**
- **Table 1 will require updating, to take into account the recommendations in this Report**

8. The Neighbourhood Plan: Other Matters

175 The recommendations made in this Report will also have a subsequent impact on Contents, including Policy, paragraph and page numbering.

176 I recommend:

- **Update the Contents and where necessary, Policy, paragraph and page numbering, to take into account the recommendations contained in this Report**

9. Referendum

177 I recommend to the Council of the Royal Borough of Windsor and Maidenhead that, subject to the recommended modifications, **the Windsor Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

178 I am required to consider whether the Referendum Area should be extended beyond the Windsor Neighbourhood Area.

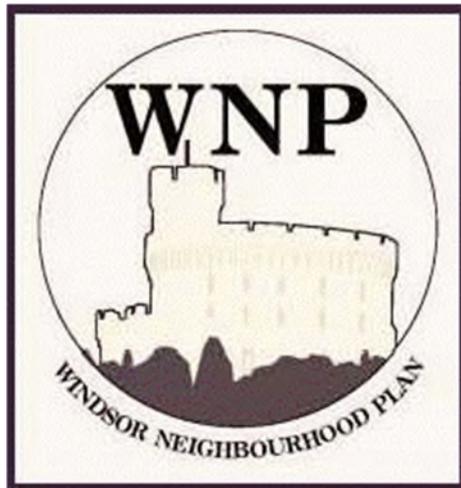
179 I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

180 Consequently, I recommend that the Plan should proceed to a Referendum based on the Windsor Neighbourhood Area approved by the Council of the Royal Borough of Windsor and Maidenhead on the 21st August 2014.

Nigel McGurk, February 2020
Erimax – Land, Planning and Communities



EST. 2011



WINDSOR NEIGHBOURHOOD PLAN 2019-2034 REFERENDUM VERSION



Published by The Windsor Neighbourhood Forum.

FOREWORD

Under the government's localism agenda, local communities have been given the opportunity to develop a neighbourhood plan for their area.

This is the Final Version of the Windsor Neighbourhood Plan and is submitted to The Royal Borough of Windsor and Maidenhead for Referendum.

Signed

John Bastow and Claire Milne Co-Chairs

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A THANK YOU TO ALL OF OUR SUPPORTERS

The WNP would not have been possible without the contribution of the Forum members and hard-working and determined volunteers. The chairs particularly sincerely would like to thank Committee members Jane Carter, Theresa Haggart, Alison Logan, Helen Price and Susy Shearer, all of whom have made an invaluable contribution to produce the plan, and Cori Mackin for help with our website. We would also like to thank Forum members for their dedicated support, and officers from the Royal Borough of Windsor and Maidenhead for dealing with us and our many questions with patience.

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HOW TO USE THIS DOCUMENT

This document is a statutory plan, the policies and projects contained within it aim to deliver the community's vision and objectives for our neighbourhood.

Sections 1 - 4 Introduces the Neighbourhood Plan and its context locally and in the planning system, the issues, opportunities and constraints, vision and objectives

Sections 5 - 9 Contains the **GENERAL POLICIES** apply across the whole area

Section 10 Contains the **PLACE POLICY** which applies to the former Imperial House site.

Section 11 Explains how the polices and projects will be delivered and implemented

GLOSSARY OF TERMS

APPENDICES Further detail can be found in the **Appendices**.

1 Open Space

2 Design Guidance

3 Non-Designated Heritage Assets List

4 Local Viewing Corridors

5 Windsor Extracts from RBWM Townscape Assessment

The **Evidence Base, Consultation Statement and Basic Conditions Statement, and Strategic Environmental Assessment/Sustainability Appraisal** are all available on our website

www.windsorplan.org.uk

1 INTRODUCTION

1.1 What is a Neighbourhood Plan?

- 1.1.1 A Neighbourhood Plan (NP) allows local people to develop a shared vision for their neighbourhood and to help decide where new developments should go and what they might look like. NPs are a statutory planning document made possible through the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. The broad purpose of the NP is to plan for sustainable development on three dimensions; economic, social, and environmental, and to make planning policies that will be used to help inform and determine future planning applications in the area. Once approved, the NP becomes a legal planning document which must be taken into account when making planning decisions. In addition, the NP can act as a prospectus and tool to bring together local stakeholders to help deliver change.

1.2 What it can and can't do

- 1.2.1 A NP can guide decisions on planning applications within the neighbourhood area. This means that some of the most important issues which face us in the Windsor Neighbourhood Plan (WNP) area are not directly within the scope of neighbourhood planning, such as traffic congestion, public transport, the provision of public services and major land use decisions defined as “strategic” (as covered in Local Plans produced by Local Planning Authorities¹). Also excluded are developments allowed as “permitted development”. Nevertheless, the knowledge and experience gained through the process of developing the NP shall inform and influence decisions that are not within scope of planning regulations, and some issues of concern to the community can be progressed as “projects” in partnership with others. Possible “Projects” are identified in Section 11 of this plan.

1.3 Sustainability

- 1.3.1 Sustainable development is a golden thread that runs through the WNP. Development which is sustainable and enhances the local area is welcomed. The WNP has no obvious new “greenfield” sites available within the urban area, but areas have been identified where development could include extra housing and employment opportunities at the same time as enhancing the local environment, particularly around Key Local Shopping Areas along Dedworth Road. Additional development at LEGOLAND and Windsor Racecourse has also been supported which could under certain circumstances sustain and enhance employment opportunities.
- 1.3.2 The historic and natural environments are a key part of Windsor’s character, and WNP policies encourage development to enhance these aspects. A Strategic Environmental Assessment has been prepared alongside the production of this plan to assess the potential cumulative effects of the WNP’s policies. The WNP has an opportunity to meet local concerns and to encourage the following sustainable development:
- enhance the appearance of new housing and employment developments in the town, improve community facilities and key facilities to the west, improve local shopping possibilities

- maintain/improve open spaces and the environment, and the enhancement and preservation of heritage.
- support the continuing success of local businesses providing important jobs for local people and generating expenditure in the local economy.
- consider possibilities for the location of more housing and open space
- enhance sustainable transport infrastructure

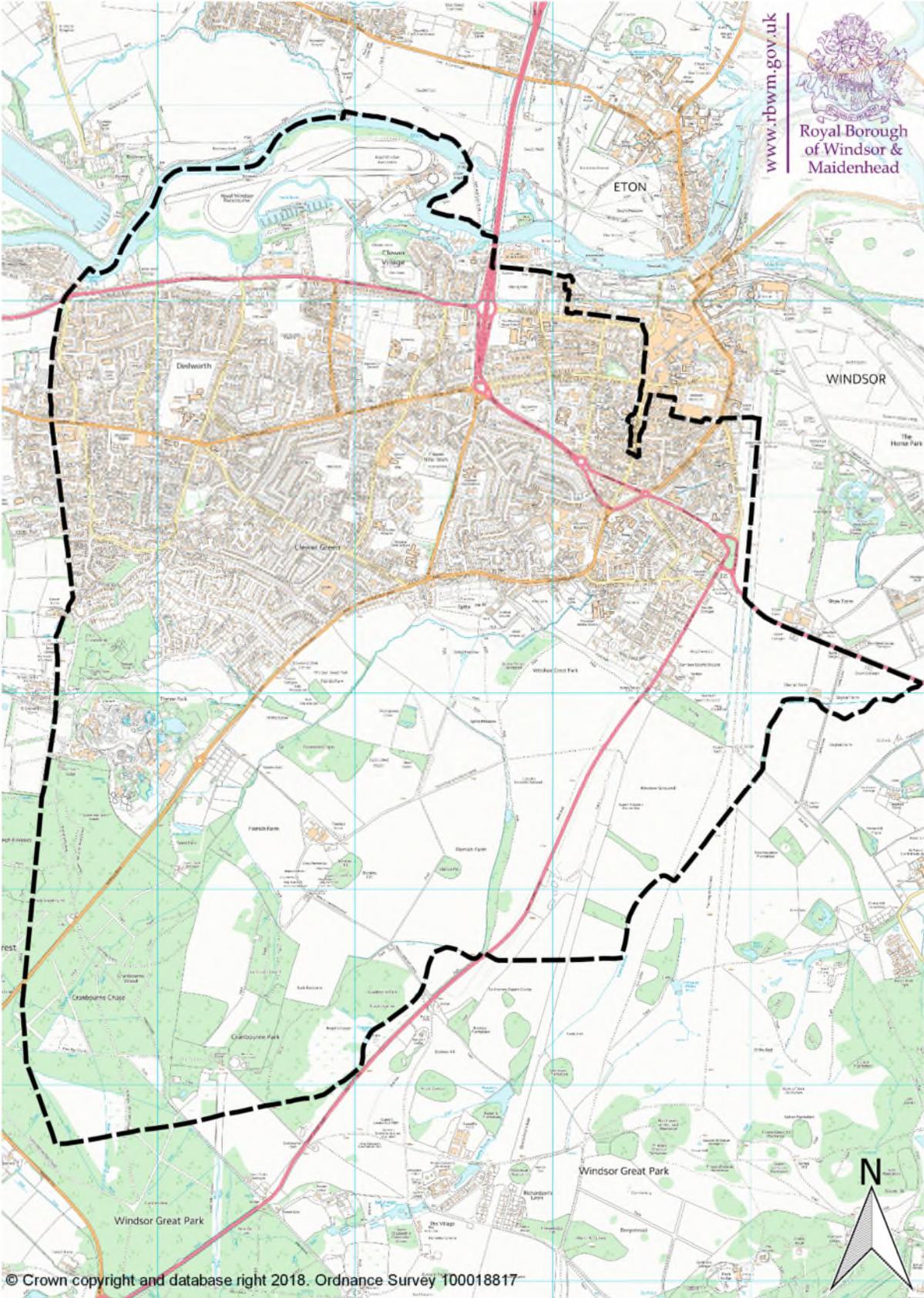
1.4 The Neighbourhood Plan Area

- 1.4.1 The Windsor NP (WNP) Area (see **Error! Reference source not found.** overleaf) covers the majority of the residential areas of the town but excludes the town centre (including the Castle and Home Park and the riverside area around the Leisure Centre, Alexandra Gardens and The Goswells) and a small area in the west which is in Bray Parish. The WNP includes the pre-2019 electoral wards² of Park, Clewer East, Clewer South together with most of Castle Without and Clewer North.

¹Planning Practice Guidance - General conformity with the strategic policies contained in the development plan (Paragraph: 074 Reference ID: 41-074-20140306 Revision date: 06 03 2014). Accessed at: <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies>

² The same WNP designated area will still apply after the new Ward Boundaries come into effect at the May 2019 local elections, so if the WNP is made it will apply across the new ward boundaries.

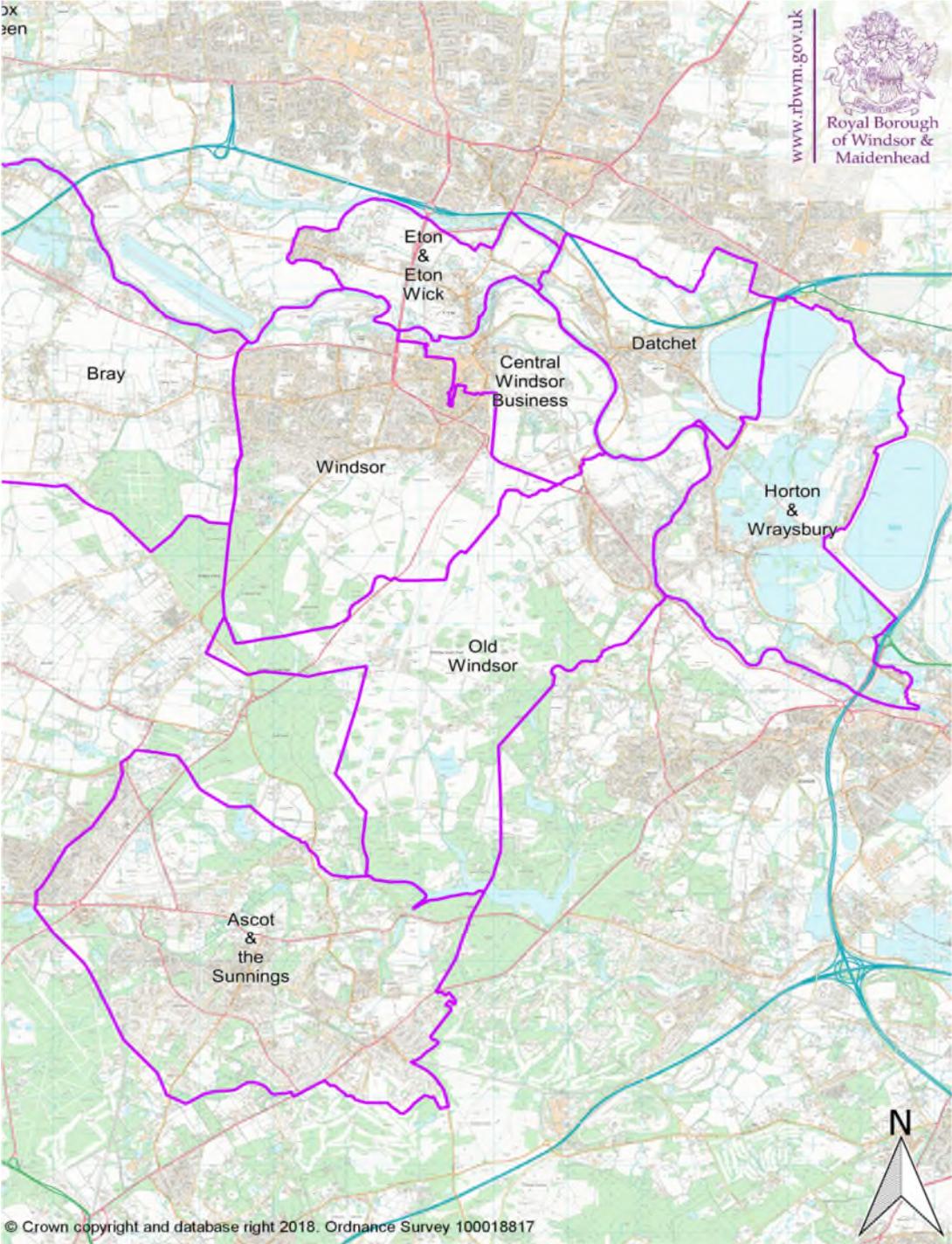
Map 1 The WNP Area



1.5 The History of Neighbourhood Planning in Windsor

1.5.1 The Windsor Neighbourhood Forum was designated by the Royal Borough of Windsor and Maidenhead (RBWM) in August 2014. At the same time, the “Windsor 2030” Business Neighbourhood Forum was formed, designated and charged with producing a NP for the town centre and central riverside area. (See **Error! Reference source not found.**). Production of the WNP has involved keeping a dialogue with adjacent groups (see Consultation Statement for further information).

Map 2 Adjoining WNP Areas



1.6 How we developed the Plan

- 1.6.1 The WNP has been developed through extensive and open consultations with the people and businesses of Windsor as well as other NP groups and other relevant organisations. The WNP has been through **seven** stages of consultation in total. For further details on all of the consultations undertaken see the Consultation Statement. All NPs have to follow a set legal process through a series of stages from the initial designation of a body to developing the plan, up to a local referendum to decide whether or not to adopt the plan.
- 1.6.2 Once made the WNP shall cover the plan period 2019-2034. This time frame broadly fits with the RBWM planning cycle as the emerging BLP is intended to apply from 2013 to 2033.

2 ABOUT THE WNP AREA

- 2.1.1 This section contains an overview of the opportunities and constraints of the whole town, how the WNP area fits within it, and what makes it special. In order to plan the town's future, we must understand the area, the issues facing it, and the problems and opportunities that the plan could address, as well as any constraints.
- 2.1.2 Windsor is internationally famous as the home of Royalty and has international significance as a major heritage site and showcase for the UK. Nearly 7 million tourists visit the town every year, mostly on day trips, to the Castle, River, LEGOLAND, Racecourse and Great Park. The 2018 Royal Wedding was viewed by 2 billion people worldwide and attracted over 100,000 visitors on the day. The town's appearance and heritage are therefore extremely important.
- 2.1.3 Its historic attractions and royal links, its location in the South East of England and commutable proximity to London and the Thames valley, along with good external transport links make it a small/medium sized town that punches above its weight in terms of facilities for residents and tourists. The 32,000 or so residents consequently have access to many more amenities than would normally be expected of a town of similar size, and people as a result aspire to live here. It is the main shopping town for the Royal Borough of Windsor and Maidenhead, and attracts shoppers from a wide area, and visitors nationally and internationally.
- 2.1.4 It has traditionally been a mixed "working" town, generally prosperous with numerous businesses, low unemployment and with residents from a wide range of socio-economic levels, a variety of business types and buildings of varied architectural periods and forms. The WNP area is encircled by Green Belt and special landscapes, although set within this Green Belt are two tourism businesses, LEGOLAND and Windsor Racecourse, which are important for the local economy. The economy is not wholly tourism though, and has always been mixed with several major health and military institutions, some medium sized commercial offices and some small- scale light industry, and small businesses scattered through the area.
- 2.1.5 The town's popularity brings considerable pressures on housing, parking, on movement of both pedestrians and vehicles, and on the green and open spaces, parks and gardens that are within and surround it, as well as on businesses and essential employment land. The pressure for development sometimes means that areas are facing increasing urbanisation in a way that could, if not sympathetically controlled, lead to a deterioration of the attractions of the town.
- 2.1.6 Surrounded by Metropolitan Green Belt, geographically the urban area of Windsor is a rectangular shape, with Windsor Castle and the town centre in one corner. Sandwiched between the River Thames and Windsor Castle and Great Park, the town has of necessity grown out westwards.

2.2 The WNP area and the Town Centre

- 2.2.1 The town centre and central riverside are not in the WNP area (they are in the W2030 area which intends to do a business-led Neighbourhood Plan) but there is large degree of interdependence between the two areas. The WNP area depends upon all of the amenities³ in the central Windsor area, and vice versa.

2.3 What makes the WNP area special?

- 2.3.1 The WNP area comprises the mostly suburban part of the town. It is socially, economically and architecturally mixed with the majority being family housing with gardens. There are higher density Georgian and Victorian terraces mostly in the inner suburbs and mostly low- density family housing with gardens in the outer suburbs along with an increasing number of flats⁴ on re-developed plots. There are historic pockets mixed with assorted 20th century suburbs, (some of which are more attractive than others), some wealthy areas of private housing, some social housing, and one area of above average deprivation, and the majority is everything in between.
- 2.3.2 House and land prices have increased to around fourteen times average incomes, and redevelopments mean the town is becoming increasingly dense. At present there are still green surroundings, from the green belt all around the town, as well as gardens, parks and green pockets and tree lined streets in the urban area, although the urban greenery is under pressure particularly through the need for parking and more homes.
- 2.3.3 The town centre and suburbs are separated by busy “A” roads, some of which are dual carriageways (A308, A332) and “B” roads (B3022, B3173) which are through roads. This configuration leads to issues for people and businesses who live and work here as the distance between the town centre and southern and western suburbs are a long walk, bike or car journey away and the issues are exacerbated by the underpasses, busy roads and traffic congestion and parking pressures.
- 2.3.4 The immediate population close to the town centre is relatively small⁵, with relatively more being in the middle and outer suburbs where there are fewer facilities within walking distance. Community facilities are also under pressure and these will become increasingly important as densities increase. The total Windsor population was 30851⁶ at the 2011 census having increased by just under 10% since 2001. At the same growth rate, it is estimated that the current population is around 32500.

⁴Based on 2011 census data www.rbwm.gov.uk/public/jsna_ward_profiles the most common housing types are as follows;

⁴Based on 2011 census data www.rbwm.gov.uk/public/jsna_ward_profiles the most common housing types are as follows; Park Ward; Detached 37.74%, Castle Without Ward 35.78% terraced, Clewer East Ward Flats 33.02% Clewer North Ward Semi Detached 41.49%, Clewer South ward not available

⁵ Castle Without ward in 2011 census had a population of 6952, Clewer North 7728, Clewer South 5341, Clewer East 5450, Park 5290.

⁶ Excluding Eton and Castle Ward had 2748 in 2011 of which it is estimated that 800 are in the Windsor2030 area.

- 2.3.5 The area economy is changing as it is losing offices and small business premises including light industrial which are being redeveloped to housing both through RBWM policy as well as under Permitted Development Rights. Small and growing businesses are finding it hard to find space to operate.

2.4 Neighbourhood Area Constraints

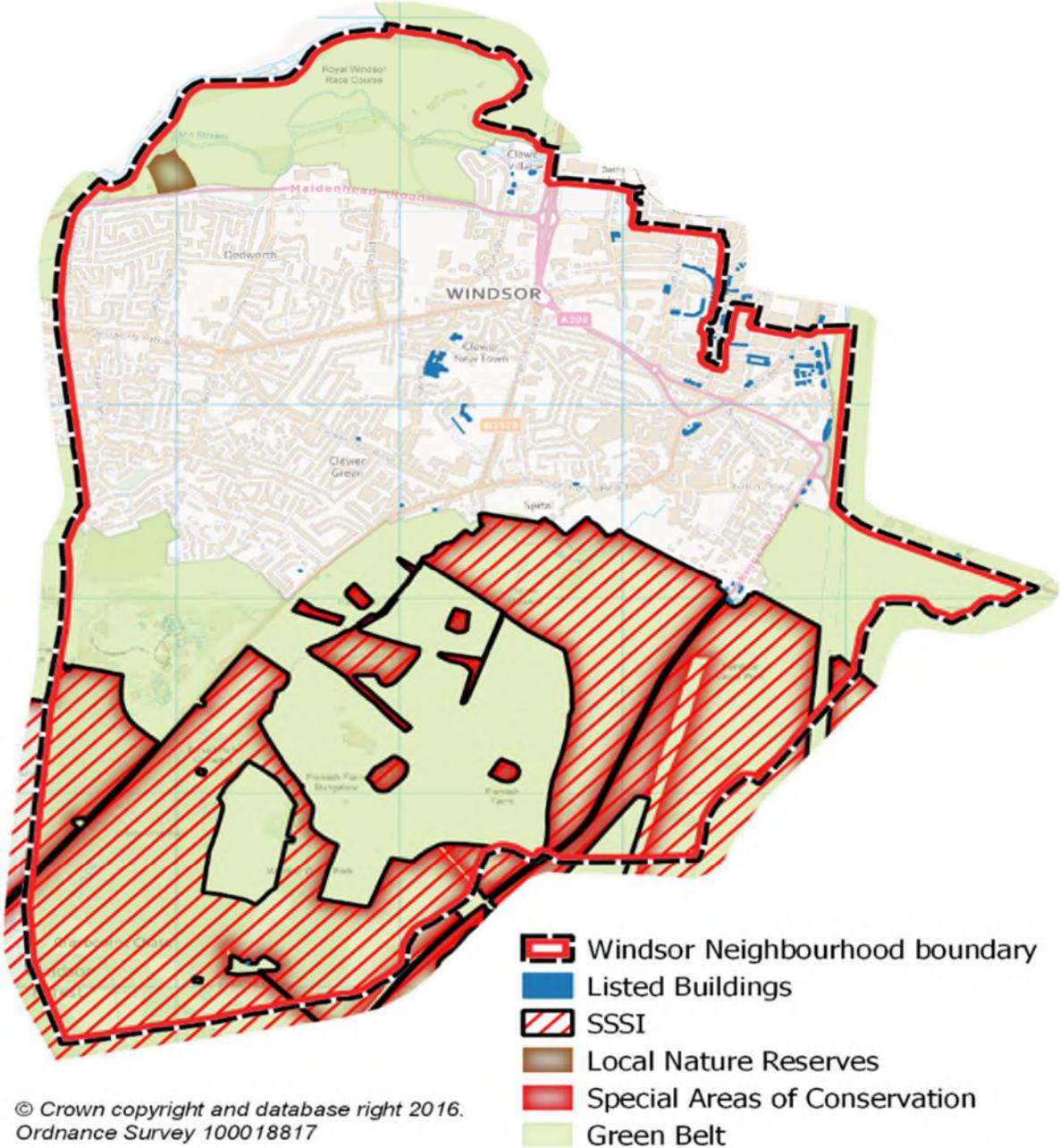
- 2.4.1 Under the NPPF there is a presumption in favour of sustainable development and this is a thread that runs through the NP, however it is important to understand any limitations for development around the WNP area. There are a considerable number of constraints discussed below.
- 2.4.2 **Green Belt** The built area of Windsor is totally surrounded by Metropolitan Green Belt, not all of which is publicly accessible, (although not all) and this green feel defines the surround of the town and much of the suburban area.
- 2.4.3 Within this Green Belt is **Windsor Great Park** to the south and east of the town which has been under Crown ownership for over 800 years and is very environmentally and historically important. This parkland, farmland and forest is on the Register of Parks and Gardens of special historic interest in England⁷. Parts are also internationally designated (EU) as a Special Areas of Conservation (such as Windsor Forest) and have national **biodiversity and landscape designations** such as Sites of Special Scientific Interest, and areas of Special Landscape Importance. These are recognised in the Conservation of Habitats and Species Regulation 2010, and the Wildlife and Countryside Act 1981.
- 2.4.4 **The Crown Estate** manages Windsor Great Park which is designated under the Crown Estate Act and as such cannot be sold. The Crown also owns the freehold of urban land and buildings in the eastern and southern fringe of the urban area of the town. Their historically cautious approach to development is likely to continue, limiting development in these areas.
- 2.4.5 The Crown Estate allows public access to some parts of the Great Park and this is extremely important for recreation for the people from the WNP area as well as for the whole region. However large parts of the Great Park are private. As population increases across the whole region RBWM and the Crown Estate consider that the edges of the Great Park are deemed at increasing threat from change and potential environmental stresses from public access. Where there are some more sensitive areas access is “permissive⁸” and there are a limited number of on-foot only access points (such as off Winkfield Road where a footpath runs through Crown farmland) and limited nearby parking capacity at those access points.
- 2.4.6 **Tourist businesses in the Green Belt.** LEGOLAND to the south and Windsor Racecourse and Windsor Racecourse Marina sites are to the north in the Area. All are “washed over” by the Green Belt so any development on these sites is subject to national and local Green Belt policy. This will continue to be the case.

⁷ The Register of historic parks and gardens is managed by Historic England

⁸ To the right of the Crown and can be withdrawn at any time.

2.4.7 **The Thames River Corridor** runs to the north of the WNP and is protected for its landscape value and is a RBWM designated Green Corridor. It includes **Sutherland Grange Nature Reserve** (also designated by RBWM).

Map 31 Green Belt and Special Landscapes and Listed Buildings in the WNP area



- 2.4.8 A large part of the north of the Area is within **areas of flood risk** (flood risk zones 2 and 3). Policies to protect the area from flood risk are covered at National and Borough level, and the town benefits from the Jubilee River Flood Protection scheme, and the Bourne Ditch embankment and sluice gate, next to Stag Meadow. Many other streams and “river ditches” cross the area although are not always visible, such as beside Imperial Road and under Hatch Lane and its adjoining roads.
- 2.4.9 There is still a growing flood risk from climate change, from both river, surface water, and ground water levels, and there is also risk to a critical drinking water catchment area which is spread across part of the area.
- 2.4.10 **Green and Community Infrastructure.** Open Spaces within the urban environment are valuable community resources which underpin the quality of life. Various urban open spaces, including parks, natural and semi natural areas, amenity green spaces, allotments, school playing fields, sports pitches, and play areas are relied on by the population. RBWM Open Space Study 2019 and the earlier Open Space Audit 2008 identified that there are shortages of some types of open space against established standards and they are unevenly distributed.
- 2.4.11 Windsor is generally well provided with various Community Centres, Sports and Recreation and Leisure facilities, and churches, which provide essential facilities and support an active leisure, recreation and community life in the WNP area⁹. Many leisure and sports facilities are along the riverside or in the Home Park east of the town centre, (W2030 area) so some distance from peoples’ homes, particularly for those in the west of town.
- 2.4.12 **Heritage.** Protecting Windsor’s heritage and enhancing the wider overall setting for Windsor Castle (probably the most recognised and important castle in the country and a designated Ancient Monument) is of the utmost importance for Windsor. There are four designated **Conservation Areas** in Windsor, three of which are in the WNP area (**Inner Windsor, Mill Lane/Clewer village, Trinity Place/Clarence Crescent**) and around 70 Listed buildings are spread across the WNP area, mostly in the Clewer Corridor, Clewer Village, on the fringe of the town centre and on the edge of the Great Park. (See Map 3 p19). There are also many more in the centre of town in the neighbouring Windsor2030 NP area. There are also a considerable number of buildings that are not listed but that are locally significant, and which enable an appreciation of Windsor’s history including churches and churchyards.

2.5 Neighbourhood Area Opportunities

- 2.5.1 Our consultations with local people and SWOT analysis showed that the area is generally well served with community and leisure facilities, and the main planning concerns centre around the appearance of the town, fewer facilities in the west of the neighbourhood area, the threats to and gradual erosion of heritage, preserving community facilities, open spaces, employment and shopping, Green Belt, and dealing with increasing traffic congestion. The need for affordable housing was also a concern. Each of these challenges presents opportunities to make a positive change via the WNP.

- 2.5.2 Our investigations have shown that there are no obvious or substantial greenfield or brownfield sites within the WNP which do not already have permission within the area boundary or are not covered by existing Borough plans or by Green Belt or other designations restricting developments. We therefore predict that we will see new housing or business development mostly consisting redevelopments of “windfall sites”, (that is as yet unknown sites which will be put forward for development by their owners), or infill between them, or attempts to use of some existing open spaces against community wishes, and some increased development in already-developed Green Belt business sites such as LEGOLAND and Windsor Racecourse.
- 2.5.3 We have therefore concentrated mostly on the design aspects to help to shape any future windfall redevelopments which will inevitably come forward. We have an opportunity to influence the design of redevelopments and infill to improve the appearance of the town and the way it functions, and to direct developments to where local people want to see them. The WNP approach is to create policies and projects which can help to deal with the increasing densities in a way that is acceptable to the community through better design that is more aligned with the wishes of the community.
- 2.5.4 The plan sets out what would be permissible in terms of design and character, and also gives some suggestions as to general locations where development could occur both for housing and retail sites. It is very difficult to be specific on what densities should be¹⁰ in a town where character is so diverse as what might be appropriate in St Leonards Hill will not be in central Windsor¹¹. The appropriate quantum of development would be based on professional judgements on a case by case basis guided by strategic policies in the Borough Local Plan.
- 2.5.5 The WNP has tried to avoid repeating policies which are already covered in the adopted and emerging BLP, while at the same time being aware of the likely time lag between the WNP and BLP adoption timetable.
- 2.5.6 The WNP is required to generally conform to the strategic policies of the BLP, whilst it has to take into account evidence on the allocated strategic sites. It can seek to influence some aspects such as design and detail through its policies.

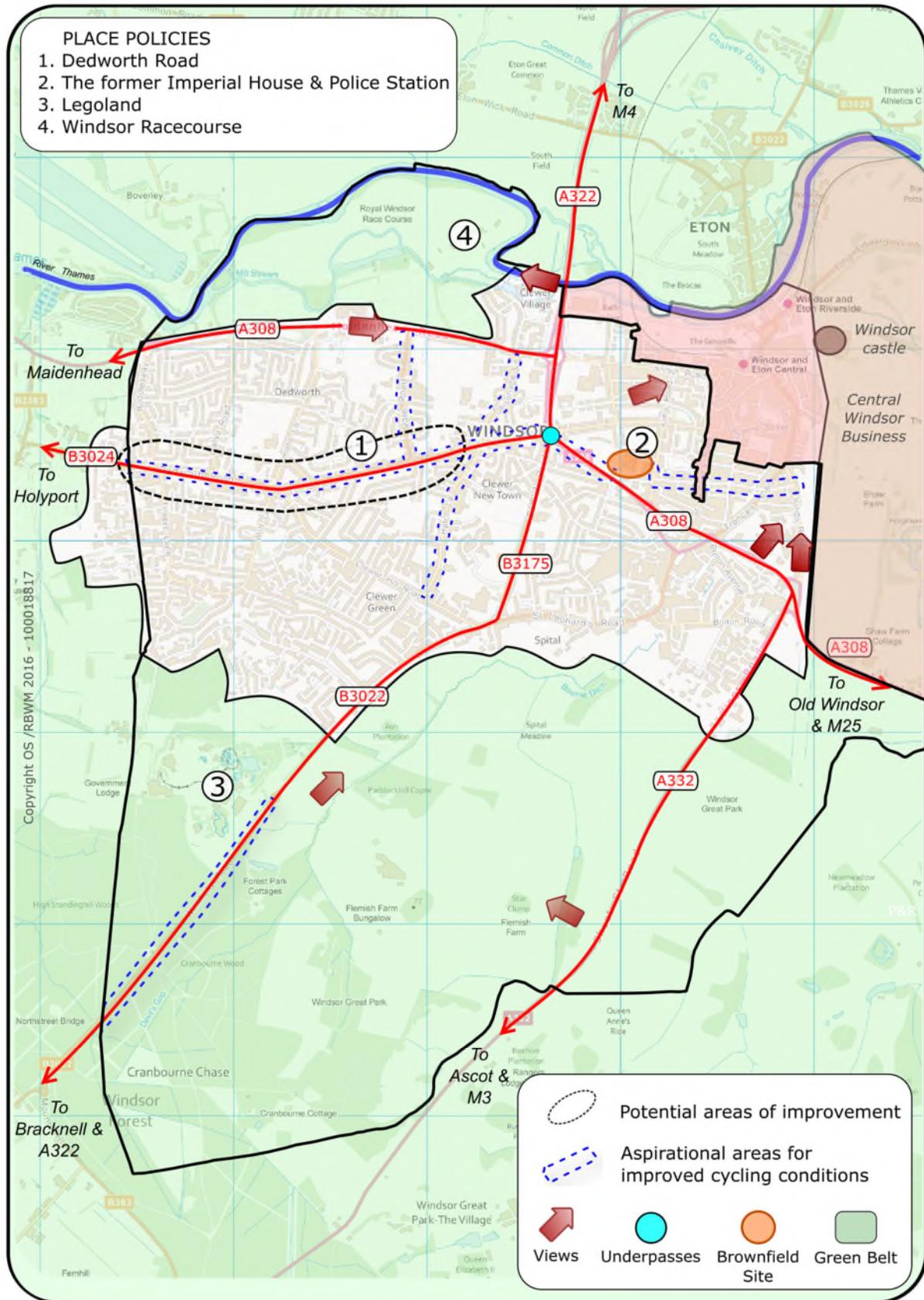
The **opportunities** for specific places are summarised overleaf (*Map 4 p19*).

Map 4 Main Area Opportunities

⁹ See the WNP website Evidence Base for the list of community facilities

¹⁰RBWM emerging BLP suggests minimum of 30 dwellings per hectare across the Borough.

¹¹ AECOM (The Former Imperial House and Adjacent sites Masterplanning and Design Advice) estimates housing density in central Windsor (terraced streets of Queens Road/St Marks Road) as 52 dwellings per hectare



3 VISION and OBJECTIVES

3.1.1 The Vision Statement and objectives encapsulate how we believe people want to see the area develop. The vision and objectives are the touchstone for all future development. Applicants should reflect the objectives within their proposals in order to contribute to the realisation of the WNP vision.

3.2 Vision Statement

In 2034 developments in the WNP area have provided a more attractive and a better place to live, work and visit. It has protected and enhanced the character of the area as part of the wider historic (market) and royal town of Windsor. The primarily suburban area has conserved local heritage, while developing a modern character fit for the future. This sustainable green and leafy urban environment has benefited from the delivery of new green and blue infrastructure, including improved pedestrian and cycle links to the Thames, Great Park and local green spaces. These in turn have supported the businesses and attractions that are important to the local economy and met the needs of residents.

The WNP intends that by 2034

- i) The historic nature of the town and its key views have been preserved and enhanced by the conservation of heritage and through attractive new development that is sympathetic to the town's distinctive and historic character.
- ii) There is a green and leafy feel to the town, with a linked network of green and open spaces, and with new developments throughout the NP area contributing green boundaries and attractive front garden landscaping to "bring nature in".
- iii) The Parks and Gardens and Green Belt surrounding the urban area are protected but accessible
- iv) The outer suburbs have been enhanced through attractive new developments which have been thoughtfully designed to sustain and develop locally important character areas such as the Hatch Lane /Parsonage Lane/Mill Lane (Clewer) corridor and the Laing Estate.
- v) The WNP area Windsor is a cohesive, diverse and family friendly community where everyone has good access to shopping, community and leisure facilities, including a new health centre in West Windsor, a range of local pubs and restaurants.
- vi) There are attractive and flexible new homes in a mix of sizes and types which provide a good level of amenity space and adequate and well-designed parking.
- vii) Residents and visitors can move around easily and safely using both local public transport and a convenient and well linked network of improved footpaths and cycleways, and have easy access to the town centre and suburbs from the south and west using well linked safe and convenient underpasses and footways
- viii) There is a vibrant and diverse economy and sustainable facilities for business. The area maintains a sizeable and stable business and commercial sector housed in high quality premises and providing a range of jobs for local residents. Controls are in place to prevent the casual loss of some businesses including public houses.
- ix) Leisure opportunities have been widened through a new footbridge across the Thames allowing easier access to the Thames paths and other attractions on the north side of the

river.

3.3 Key Objectives

- 3.3.1 Below are a series of key objectives grouped under the themes that emerged from comments received during our community consultation. The WNP is structured under the themes. Each objective includes accompanying aims that should be considered as integral to achieving the stated objective. The policies, projects and monitoring indicators are directly informed by the objectives.

Natural Environment (including Open Space)

OBJECTIVE 1: Protect the environment and enhance the green and blue infrastructure network and the safe access to it

Aims

- i. Keep Windsor green and enhance and expand the green infrastructure
- ii. Maintain and improve biodiversity, the green feel of the town and the green network.
- iii. Encourage the re-greening of areas of the town where street trees and front garden landscaping have been lost.
- iv. Protect and increase the quantity and quality of green space and the safe access to it.
- v. Improve flood resilience, drinking water sustainability and water supply and sewerage infrastructure

Appearance (including Character, Heritage, Design and Views),

OBJECTIVE 2: Conserve local character and encourage high quality design

Aims

- i. Strengthen protection for heritage buildings and features
- ii. Improve the overall appearance of the town with development “In keeping” with the character and street scene
- iii. Enable new development of high quality of design, which enhances its surroundings
- iv. To preserve and enhance areas of special local character
- v. Preserve key views

Getting Around,

OBJECTIVE 3: Encourage sustainable modes of transportation

Aims

- i. Reduce the impact of traffic.
- ii. Improve opportunities for walking and cycling within the area
- iii. Improve and protect parking for residents and businesses

Housing and Community

OBJECTIVE 4: Support the delivery of new housing and community facilities

Aims

- i. Find space for new homes on brownfield sites
- ii. Ensure that each new or enlarged dwelling is provided with adequate internal and external amenities.
- iii. Protect and enhance community and health facilities

Working and shopping

OBJECTIVE 5: Grow the local economy and enhance commercial areas for the benefit of business, workers, shoppers and tourists

Aims

- i. Protect public houses from inappropriate development
- ii. Support improvement of appearance, shop fronts and public realm in local retail areas
- iii. Support healthy balance of retail uses including independent retailers
- iv. Support businesses uses and facilities
- v. Support small and independent business
- vi.

Place policies

OBJECTIVE 7: Enable redevelopment in an area (Imperial House, Alma Road) which includes a stalled major site in accordance with the vision and objectives of the plan.

Aims

- i. Enhance the public realm, street scene and sense of place.
- ii. Improve movements (including traffic flows) within the local area and encourage sustainable modes of transport
- iii. Maintain and enhance green and blue infrastructure (including buffering)
- iv. Support mixed uses to maintain vitality and viability in commercial/retail areas

Community Infrastructure Levies

OBJECTIVE 10: Direct the use of Community Infrastructure Levies and Section 106 Agreement funds in line with community priorities

Aims

- i. To steer the use of available funding towards community priorities.

- 3.3.2 Planning applications are decided on the basis of the statutory planning policies. When the WNP is made, it will form part of the Development Plan along with the Borough Local Plan. In instances where policy is silent, the decision maker should take into account the WNP's vision and objectives as a material consideration in their decision taking.

4 POLICIES and PROJECTS

4.1 Introduction to the WNP policies

4.1.1 In the previous Section 3 we have set out the overall Vision for the WNP area as a whole. This Section 4 covers the policies through which we will deliver the Vision and which will apply to the whole area. In the main, they are general policies which cover common **THEMES** and key objectives across the whole WNP area. These are followed by policies for a specific **PLACE**.

4.1.2 The **THEMES** are:

- Natural Environment (including Open Space),
- Appearance (including Character, Heritage, Design and Views),
- Getting Around,
- Housing and Community,
- Working and shopping

4.1.3 The **PLACES** policies are specific to particular sites, and they also interpret our general policies and show how they will apply to that site.

4.1.4

- The former Imperial House Alma Road

4.1.5 Each policy chapter is laid out in the same way for ease of understanding as follows:

- **OBJECTIVE:** reference to applicable key objectives
- **CONTEXT:** an introduction to the issues or opportunity the policy seeks to address
- **POLICY:** the policy wording that shall apply to planning applications
- **REASONED JUSTIFICATION:** this sets out the rationale for the policy approach and cites relevant evidence and guidance to aid the applicant and decision maker.

PROJECTS: where issues or opportunities cannot be addressed through planning policy, this plan identifies in Section 11 (Delivery and Implementation Plan) some separate projects and infrastructure items which might be followed up during the plan period.

5 NATURAL ENVIRONMENT AND OPEN SPACE

5.1 Introduction

- 5.1.1 The special character of Windsor’s public realm plays a vital role in Windsor’s success as a place in which to live and work, and as an appealing destination for visitors. Conserving a very high calibre of natural environment as part of that public realm is essential to our health and quality of life as well as to environmental sustainability, including climate change. Local people have identified a number of key aspects relating to the green infrastructure including open space and biodiversity that we can improve. The fundamental importance of safe access to appropriate amounts of high-quality open space and areas of natural environment cannot be overestimated, its wide-ranging benefits having been confirmed in both formal research and policy¹².

5.2 Green Infrastructure including Open Space

OBJECTIVE

Protect the environment and expand and enhance the green and blue infrastructure network and the safe access to it.

¹²RBWM Local Plan 2003; RBWM Open Space Study/Audit 2008; RBWM Open Space Study 2019, RIBA City Health Check 2011; “Creating the Right Environment for Health” The Annual Report from the Director of Public Health RBWM July 2018.

CONTEXT

- 5.2.1 The RBWM Open Space Audit 2008 has been used as evidence to develop the WNP policies, supplemented by the RBWM Open Space Study 2019¹³. These list the open spaces under various typologies¹⁴ and make recommendations on quality quantity and accessibility standards , although the latter does not include spaces under 0.2 hectares in size,.
- 5.2.2 The RBWM Open Space Study 2019 uses the Fields in Trust¹⁵ 2015 (FIT) standards for Open space for people living in towns and cities as well as the Thorpe Report on Allotments¹⁶ (1969) and these are somewhat different from the earlier standards from Natural England and PPG17. These new standards can be more flexibly applied but could also risk a decline in the amount of open space which is supplied principally by the Borough.
- 5.2.3 The standards used by the RBWM are;

	Known as	Typology	RBWM 2008 (Natural England, PPG17) ha/1000 pop	RBWM 2019 (FIT) ha /1000 pop
Parks & Gardens	P&G	1	0.27	0.80
Natural & Semi Natural Green Space	NSN	2	5.40	1.80
Amenity Green Space	AGS	4	0.59	0.60
Provision for Young People and Children		5/6	0.45	0.25
Allotments		8	0.325	0.20
Cemeteries and Churchyards		9	No guideline	No guideline

¹⁴Open Space typologies include Parks and Gardens; Natural and Semi Natural Green Space; Provision for Children and young people ; Recreation Grounds and Outdoor Sports facilities (e.g. Pitches, athletics tracks, bowling greens, tennis courts); Amenity Green Space near housing areas (for informal recreation); Green Corridors or links (which provide important human and wildlife access routes); Cemeteries and Allotments also provide open space.

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¹⁵ The RBWM have adopted Fields in Trust standards which have superseded the former quantity and accessibility Natural England standards from the 1990s, and in the case of Parks and Gardens and Natural and Semi Natural green space recommend higher quantities of open space, and in the case of Provision for Children and Young People, lower quantities, Amenity Green Space about the same.

¹⁶ 1968-69 Cmnd.4166 Report of a Departmental Committee of Inquiry into Allotments (Chairman: Professor H.Thorpe) (Allotments) House of Commons.

5.2.4 and the FIT accessibility standards⁴:

		Typology	metres	Walking time
Parks & Gardens	P&G	1	720	10 mins
Amenity Green Space	AGS	4	480	6 mins
Local Areas for Play (very young children)	LAPs		100	2 mins
Locally Equipped Areas for Play (children who can go independently)	LEAPs		400	5 mins
Neighbourhood Equipped Areas for Play (older children)	NEAPs		1000	15 mins

5.2.5 The 2019 study concludes as follows:

	<i>RBWM Open Space Study 2019 summary Windsor Conclusions</i>
<i>Parks & Gardens</i>	<i>Few deficiencies (mainly due to Windsor Great Park). Need for better signage and more seating.</i>
<i>Natural & Semi Natural Green Space</i>	<i>Few deficiencies (mainly due to Windsor Great Park) Better signage and seating would be an Improvement. Green corridors to connect open spaces required</i>
<i>Amenity Green Space</i>	<i>Need for additional AGS as part of growth allocations, and to the south of the town, where distances to AGS are beyond accessibility standards.</i>
<i>Provision for Young People and Children</i>	<i>Need for more LAPs at local level in Windsor (except N). Provision required for more LEAPs and NEAPs in the west of the town.</i>

- 5.2.6 On the face of it the town has lots of open space, and the green character of the area is one of its defining features.
- 5.2.7 However, the quantity of open space per head is declining as population increases, and not all WNP open space is accessible to the public by reason of ownership, opening times, distance and facilities, so generally accessible public open space is more limited than first appears¹⁷.
- 5.2.8 The 2008 and 2019 studies both identified high levels of satisfaction regarding access to Parks and Gardens and Natural and Semi Natural space in the Windsor and Eton Area, probably due in part to the proximity of Windsor Great Park and access to Sutherland Grange Nature Reserve by the River Thames and Clewer Park. There are lower satisfaction levels with the quantity and quality of Amenity Green Space, probably reflecting the uneven spread and some quality deficiencies.
- 5.2.9 WNP consultations also have revealed some dissatisfaction with facilities for children and young people particularly in West Windsor.
- 5.2.10 . *Appendix 1* gives the detailed typologies of all of the open spaces in the WNP Area.
- 5.2.11 The listing and mapping of typologies is complex because open spaces often perform multiple functions so there are overlapping typologies for one space. For instance, a Park may contain equipped play areas for young or older children or young people as well as Natural or Semi Natural green space. Children may use Amenity Green Space (unequipped) as play areas. The amount and distribution of open spaces therefore has to be seen within the context of the whole area. In terms of quality, the 2008 study recommends the need to improve and update the type of provision for young people (13 and over) with informal playable spaces, Multi Use Games Areas (MUGAs) and facilities such as skate parks and bike tracks and grass pitches.
- 5.2.12 Most of Windsor Great Park is outside of the recommended 10-minute walking distance for much of West Windsor. Likewise, the access to the Thames path on the north bank of the Thames is limited to two crossing points in Windsor, which are the Royal Windsor Way Bridge and Windsor & Eton Bridge. These access points are a considerable distance from some parts of Windsor.
- 5.2.13 Recent and future expected population increases (through a higher number of, or density within, developments) during the Plan period indicate that more public open space will be required to maintain both quantitative and qualitative standards for local communities, and that overall provision of areas of open space are falling behind what is needed to keep up with population growth.
- 5.2.14 Under the FIT standards RBWM will require an additional 6 hectares of Amenity Green Space and 30 ha of space for Children and Young People between 2011 and 2031. Finding such additional spaces is very difficult and will need imaginative solutions. Without such additional urban spaces, the pressure on Windsor Great Park and its environmentally sensitive and special landscapes and Natural and Semi Natural Green spaces (as well as other edge of town open spaces) will increase even more, and threaten greater environmental degradation.

- 5.2.15 Therefore, the WNP will support the protection of existing spaces, and where possible will seek to improve accessibility, to encourage all new developments to imaginatively add to public and private open space and at the same time to improve other green infrastructure and acquire new areas of open space

¹⁷ Most school playing fields are not usually open to the public unless through a club, allotments are usually open to members only, there are also some substantial private gardens (for example at Longbourn on Imperial Road and Clarence Crescent Gardens) and much Green Belt open space around the town is private and protected landscape sections of Windsor Great Park (e.g. Windsor Forest), or accessible only to users of Windsor Racecourse and Legoland. Some is allocated highways land, or has “permissive” access which can be withdrawn in future (some Crown Estate areas and footpaths). Some have specified opening times (Convent Public Park open space).

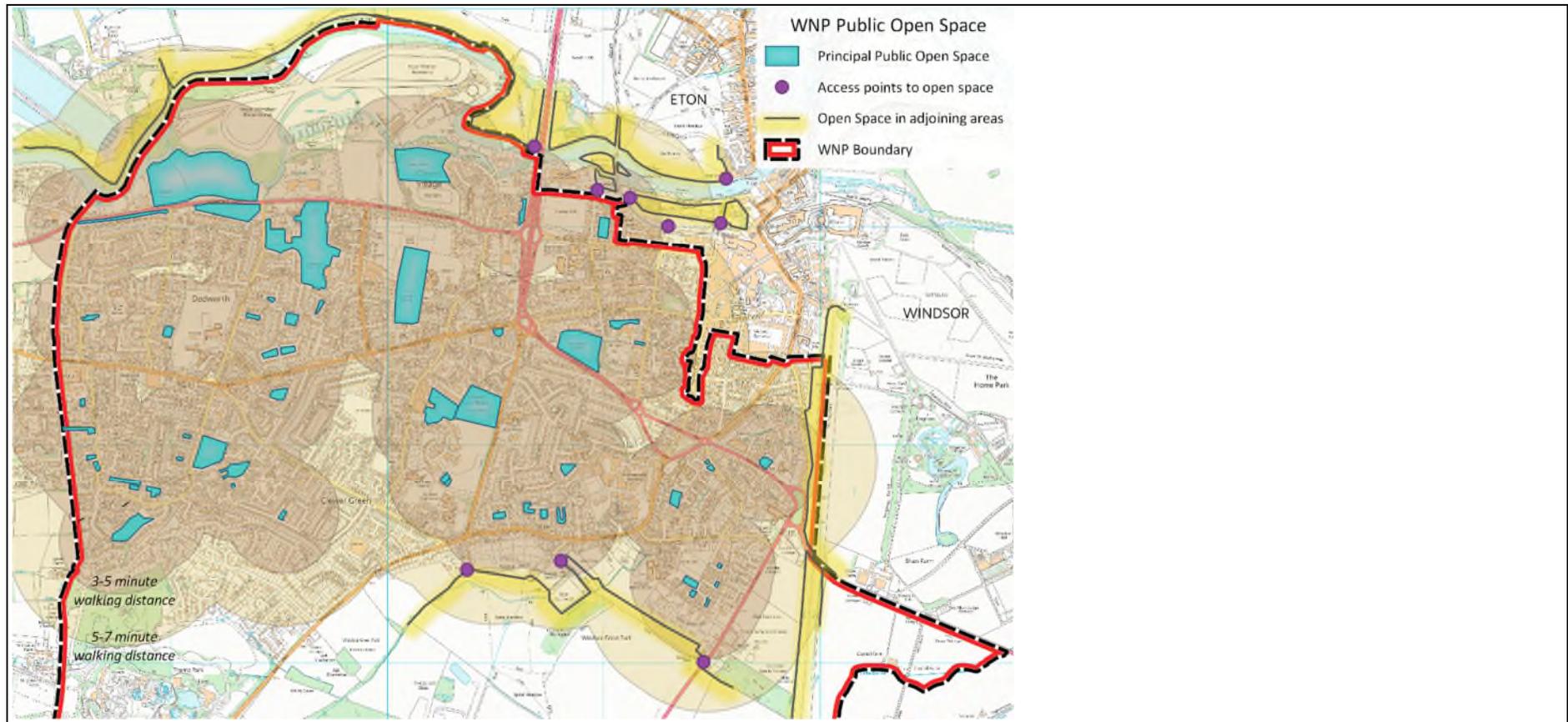
Windsor Neighbourhood Plan.

Map 4 All Open Spaces in the WNP area.

Map 5 Principal Public Open Space in the WNP Area

Map 6 Walking distances to the Principal Public Open Spaces in the WNP Area.

Map 5 WNP Area Open Spaces walking distances



INTENT

POLICIES—Open Space

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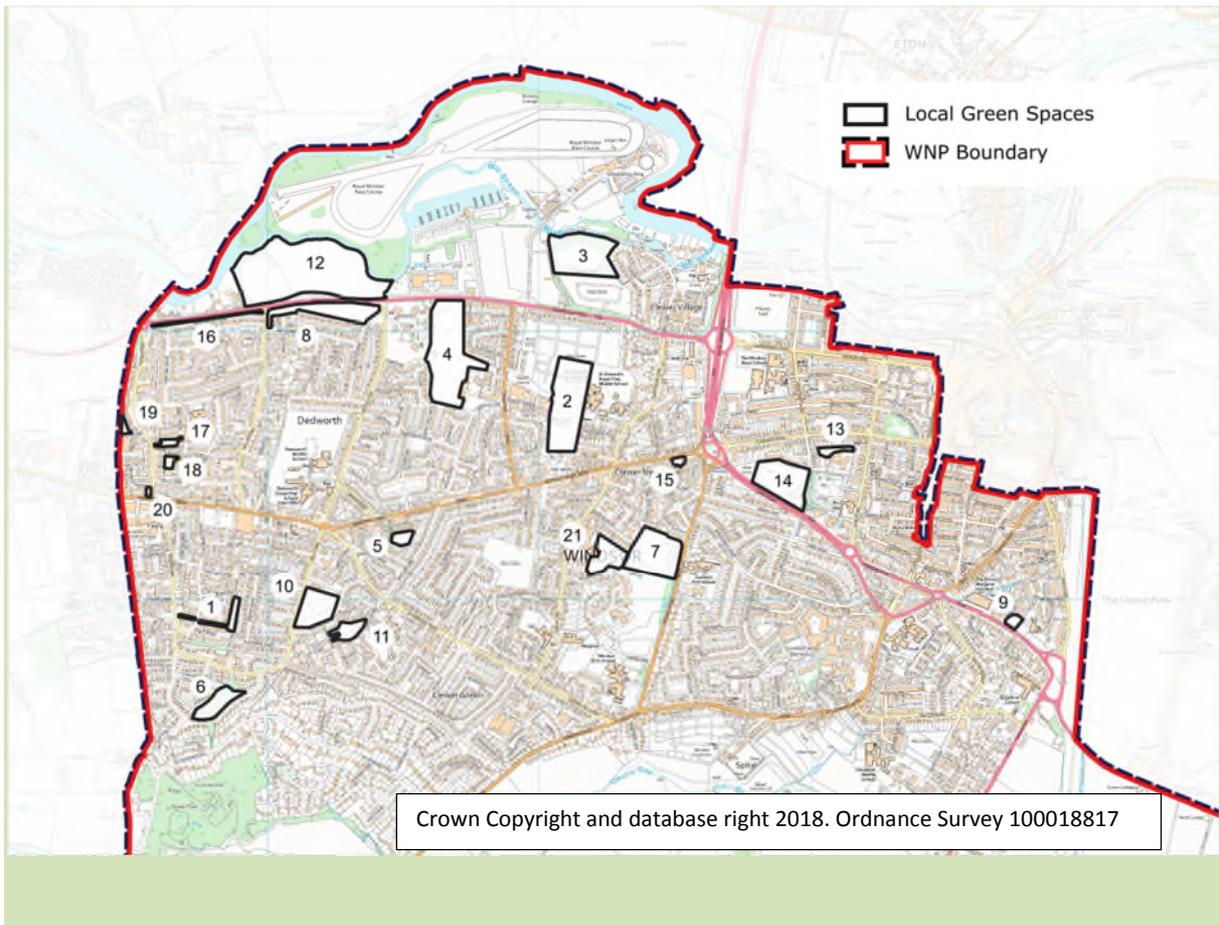
i. .

The spaces listed below and numbered as per Map 6 and identified in Appendix 1 as LGS are to be designated as “Local Green Spaces” and shall be protected from development in accordance with national policy.

1. Castle Farm Spinney
2. Clewer Memorial Recreation Ground
3. Clewer Park
4. Dedworth Manor and Sawyers Close
5. Greenacre
6. Hemwood Dell
7. Imperial Park
8. Maidenhead Road AGS 2
9. Osborne Road-Chaucer Close
10. Osgood Park
11. Park Corner
12. Sutherland Grange
13. Trinity Wildlife Garden
14. Vansittart Recreation Ground
15. Clarence Road Gardens
16. Maidenhead Road AGS 1
17. Reed Way/Birch Grove

18. Reed Way/Holly Crescent
19. Willows Path NSN/AGS
20. Dedworth Road/Ruddlesway/Newberry Crescent
21. Convent Public Park

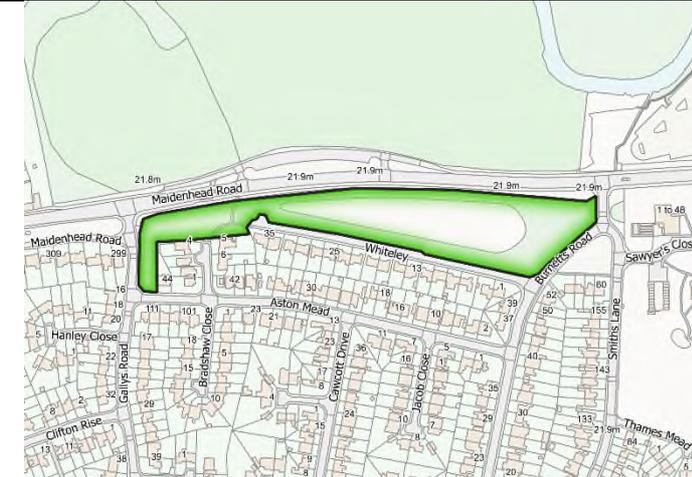
Map 6 WNP Area- Designated Local Green Spaces



Designated Local Green Space Maps All maps Crown Copyright and database right 2018. Ordnance Survey 100018817	
<p>1.</p> <p><u>Castle Farm Spinney:</u> Castle Farm Spinney runs north to south to the west of Priors Road starting from Burnham Close to the north and finishing just short of Wyatt Road to the South. A narrow green corridor with path links the spinney to White Horse Road and across to Tinkers Lane, and Basford Way.</p>	
<p>2.</p> <p><u>Clewer Memorial Recreation Ground</u> Clewer Memorial Recreation Ground is located on Dedworth Road between the Three Elms junction and St. Andrews</p>	

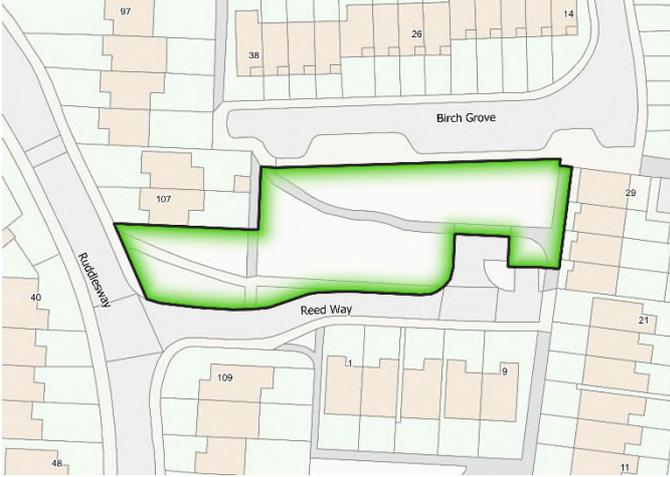
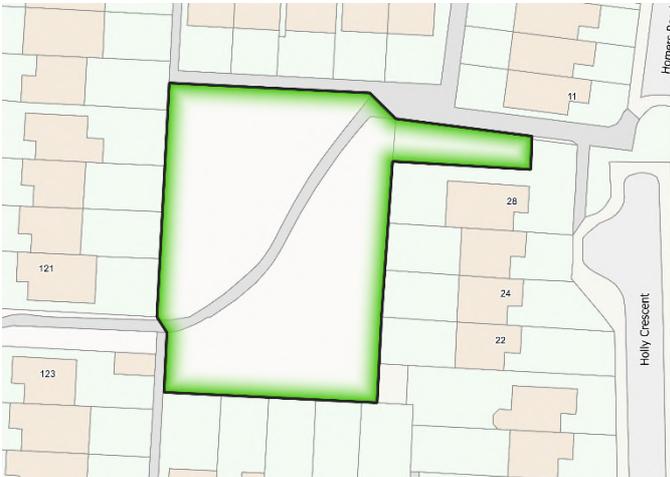
	<p>Avenue, it has both car and pedestrian access (not shown on map).</p> <p>Pedestrians are also able to enter the park from Oak Lane, East Crescent and Shirley Avenue.</p>	
<p>3.</p>	<p>Clewer Park is in Clewer Village near St. Andrew's Church and behind the residential area off Mill Lane (also called Clewer Park). It is 3.9 hectares.</p>	
<p>4</p>	<p>Dedworth Manor and Sawyers Close Between Maidenhead Road, Sawyers Close and Hanover Way, Dedworth Manor open space houses playing fields, a childrens play area and many trees and saplings.</p>	

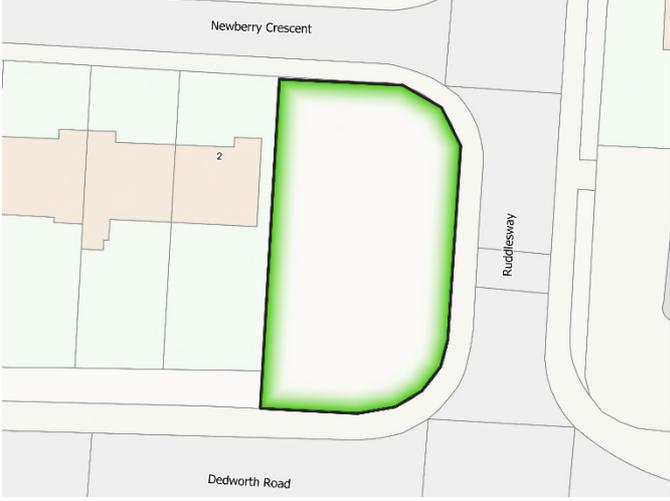
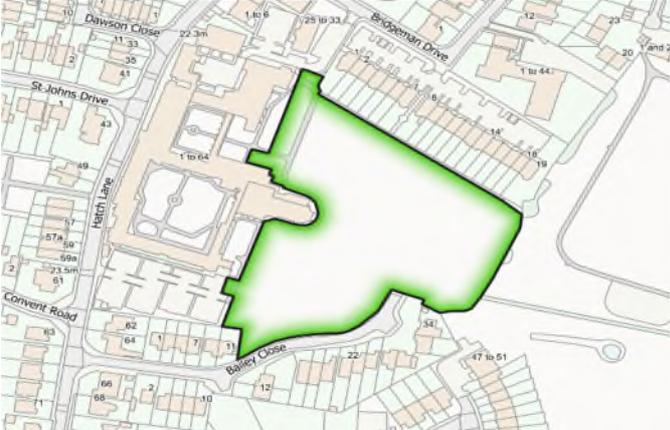
<p><u>5</u></p>	<p>Greenacre This AGS abuts Greenacre to the East.</p>	
<p><u>6</u></p>	<p>Hemwood Dell Mostly wooded area located between Wolf Lane/Benning Close, Franklyn Crescent/Hemwood Road, it is accessed from all of those roads via footpaths.</p>	
<p><u>7</u></p>	<p>Imperial Park The Park is located on the western side of Imperial Road, which provides pedestrian, cycle and car access to the site with an additional pedestrian/cycle access from Clewer New Town. It can also be accessed from the eastern side of Imperial Road by the pedestrian bridge.</p>	

<p><u>8</u></p>	<p>Maidenhead Road AGS2 This is located south of the A308 Maidenhead Road between Gallys Road and Smiths Lane. To the south of the space is the residential road, “Whiteley”.</p>	
<p><u>9</u></p>	<p>Osborne Road-Chaucer Close Open Green Space at the entrance to Chaucer Close and Local Equipped Play Area on Osborne Road</p>	
<p><u>10</u></p>	<p>Osgood Park This is located between Wolf Lane, Fuzzens Walk and Foster Avenue</p>	

<p><u>11</u></p>	<p>Park Corner This is surrounded by Burton Way, Park Corner, Keeler Close, Camm Avenue and Foster Avenue</p>	
<p><u>12</u></p>	<p>Sutherland Grange Sutherland Grange Nature Reserve is located on the Maidenhead Road (A308) across from Whiteley (no. 21, WNP Appendix 3) between the egresses of Smiths Lane and Gallys Road.</p>	
<p><u>13</u></p>	<p>Trinity Wildlife Garden Trinity Wildlife Garden (0.39 ha) lies on the boundary of the Trinity Place / Clarence Crescent CA. Accessed from the back of Clarence Rd Medical Centre carpark, off Vansittart Road (NCN4) due south of Clarence Rd/ Vansittart Rd junction immediately NE of Vansittart Recreation Ground.</p>	

<p><u>14</u></p>	<p>Vansittart Recreation Ground Vansittart Recreation Ground is a roughly rectangular parcel of ground, about 2.5 hectares in area, between Goslar Way and the south end of Vansittart Road which is closed to motor traffic. There are access points from Vansittart Road where there is a small car park and off Goslar Way. Footpaths give access to Alma Road and under Goslar Way to Green Lane.</p>	
<p><u>15</u></p>	<p>Clarence Road Gardens This is at the front of the Trevelyan development immediately west of the Clarence Road Roundabout.</p>	
<p><u>16</u></p>	<p>Maidenhead Road AGS 1 This space is located on the south side of the A308 Maidenhead Road, between Ruddlesway and Gallys Road. There are two parts to this – a narrow strip parallel to the Maidenhead Road and a small square at the end of Redford Road. To the south of the space is the separate residential road, having the “Maidenhead Road” address.</p>	

<p><u>17</u></p>	<p>Reed Way/Birch Grove</p> <p>This Amenity Green Space (AGS) is to the North of Reed Way, adjoining Birch Grove (56A)</p>	
<p><u>18</u></p>	<p>Reed Way/Holly Crescent</p> <p>This space is to the South of Reed Way with access by footpath from Reed Way and Holly Crescent. Access is also possible via footpath between 121 & 123 Ruddlesway (56B).</p>	
<p><u>19</u></p>	<p>Willows Path NSN/AGS</p> <p>This NSN and AGS is a triangle of green space located on the Western side of the Laing Estate. It lies on the Willows Path (which connects Maidenhead Road to Dedworth Road) and immediately to the rear of Nos. 28-36 Ruddlesway. A public footpath and green verge connects to Ruddlesway.</p>	

<p><u>20</u></p>	<p>Dedworth Road/Ruddlesway/Newberry Crescent</p> <p>This area is on the NW corner of the junction of Dedworth Road and Ruddlesway (Southern end), occupying open land between Dedworth Road and the entrance to Newberry Crescent.</p>	
<p><u>21</u></p>	<p>Convent Public Park</p> <p>Convent Public Park is located behind the Convent Court, Grey Court and Cloisters residential developments (formerly the Convent of St. John the Baptist, Chapel and grounds) between Bridgeman Drive, Hatch Lane and the back of Imperial Park. Access is from Bridgeman Drive, off Hatch Lane.</p>	

OS.02

i.

ii. In existing residential developments, open space which has already been provided through previous planning permissions should be retained in order to protect and ensure sufficient amenity on these sites. Where additional development is proposed which could result in the loss of on-site open space, proposals should be supported by-

a. an open space assessment to demonstrate that the open space is no longer needed, **and the provision of** an equivalent or better alternative provision to be made nearby, since open space must be located close to the residential area it serves.

iii. Allocation of new areas of open space will be encouraged. **Should any major site be redeveloped during the plan period a new public open space should be provided within the development.**

iv. Proposals which improve the quality of public open space will also be supported, and in particular the following provision of facilities in appropriate locations:

- a. Multi-Use Games Areas (MUGAs);
- b. Outdoor Gym facilities in suitable locations within designated open space;
- c. Sports Pitches, including artificial surfaces, in accessible locations and on suitable sites particularly to the west of the town centre.

REASONED JUSTIFICATION

- 5.2.16 It is recognised that national and local policy supports the creation of and affords protection to, public open space. Policy OS.01 designates areas of Local Green Space that are demonstrably special to the community, where development will be managed as per in Green Belts and Policy OS.02 supports the protection of existing and the creation of new public open space. OS 01 ii) The NPPF (Para 100) allows communities to nominate some green areas as “Local Green Space” (as long as they fulfil certain criteria) . This policy designat “Local Green Space”. Appendix 1 explains how each identified space meets LGS criteria.¹⁸.
- 5.2.17 OS.02 Existing Local plan standards oblige developments to provide 15% AGS, and the WNP is supportive of this level of provision.
- 5.2.18 Amenities such as children’s play areas and facilities for young people are scattered through the area. Clearly there is scope for more particularly for young people and in the west of town. Particularly to help compensate for the fact that most formal sports facilities are at Windsor Leisure Centre and in the Home Park in the centre riverside and east of town and a substantial distance from people’s homes.
- 5.2.19 This policy aims to encourage best practice in Open Space provision¹⁹ and to reinforce the standards to be applied in the emerging BLP, to maintain the standards in our area. As already discussed, an expected rise in the number of residents in the WNP area of around 20% by 2030 in the WNP area will place increasing pressure on all current resources and infrastructure.
- 5.2.20 Designing developments imaginatively to maximise the opportunity for open space within the site can help, for example with gardens on top of parking areas, or green rooftop gardens and balconies.
- 5.2.21 Accessibility is not just about distance. Users have commented that some of our open spaces have no toilet facilities, limiting the amount of time people can use them, and few bins and benches. Providing facilities increases the number of people who can use them and the length of time they can be there, thereby widening access. If there were another crossing point²⁰ of the River Thames nearer resident’s homes in the west of Windsor giving access to the Thames Path National Trail (on the north bank of the Thames) then recreation possibilities would be improved. However, it has not been possible to find a site for this within the WNP area, but the aspiration remains for the future.
- 5.2.22 Project: Bins and benches (See section 11).

¹⁸ NPPF para 77, lists criteria for LGS that is it is of particular importance and is i) demonstrably special and holding particular local significance because of beauty, historic significance, recreational value, tranquillity or richness of its wildlife, ii) close to people’s homes, and iii) not an extensive tract of land. We have retained the use of and reference to the established typologies. Each space needs to be treated according to its merits

5.3 Green and Blue Infrastructure and Biodiversity

OBJECTIVE 1

Protect the environment and enhance the green and blue infrastructure network and the safe access to it.

Photo 1 Corner of Hatch lane Green Route



Photo 2 Parsonage Lane Green Route



Photo 1 Imperial Road-Green Route



¹⁹Under RBWM standards of 4.3 hectares of publicly accessible open space for every 1,000 residents in the local area, a population of for example 36,000, would require an overall quantity of around 154 hectares.

²⁰ Current crossing points are at the Elizabeth Bridge and several miles to the west in Bray

CONTEXT

- 5.3.1 The presence of Green infrastructure and biodiversity is a requirement for environmental sustainability and the health of ecosystems. The NPPF²¹ encourages healthy green networks and linkages between them, and the recent emerging Borough Design Guide 2019 also encourages a healthy green infrastructure.
- 5.3.2 Windsor has been historically blessed by many tree lined streets, verges and gardens, hedgerows, and parks which together create a green character and feel, as well as providing a network that enables the opportunity for wildlife and biodiversity to thrive.
- 5.3.3 Combined with important biodiversity areas around the fringes of town²², these form the green infrastructure.
- 5.3.4 Increasingly dense development may lead to loss of biodiversity as well as a loss of green character, spaciousness and visual amenity and to the loss of green links. Individual developments in themselves may only have small effects on biodiversity and character but cumulatively can cause disruption to a network and contribute to significant declines in biodiversity and ultimately in extinctions.
- 5.3.5 Green Corridors provide important links between areas in a network. There are only two officially RBWM designated “Green Corridors”²³ (See Glossary²⁴) in the WNP area- one is the River Thames, and the other is the Willows Path (between Ruddlesway and Wyevale Garden Centre on the edge of West Windsor). Green Corridors require strips of land alongside pathways or roads. It is often not feasible in a largely urban area to provide new strips of land alongside existing roads and paths. However, we want to recognise that hedgerows verges and trees often on private land function as part of the green infrastructure network and to encourage greening and re-greening, not just within the limited definition of Green Corridors.
- 5.3.6 Many suburban and through roads can be described as “green routes” owing to their largely green character, with street trees, verges, and green shrubs and trees in gardens and plot boundaries. As well as providing insect & wildlife habitats and vegetation these also act as connectors to other green areas and help form a green network. Examples are Winkfield Road, Imperial Road and Goslar Way, Osborne Road and Alma Road, Sheet Street Road and Kings Road, Maidenhead Road, and the Royal Windsor Way, Bolton Ave, Vale Road, Hatch Lane Parsonage Lane and Mill Lane. The through roads particularly also set the scene for the experience of the town as people arrive and transit through it, or as they head towards the centre. They also help to provide the wider attractive setting for Windsor Castle and Great Park.
- 5.3.7 There is strong pressure on all green aspects from development. Linkages between green spaces are gradually lost and long standing and naturally occurring biodiversity is often badly damaged when new developments are built. Flooding is made worse by loss of vegetation. Fencing and walling often creates barriers to wildlife access.

²¹ NPPF Chapter 15 Conserving and enhancing the natural environment. RBWM Borough wide design guide Reg 13 Consultation Draft Feb 2019.

- 5.3.8 The need for parking space is particularly acute, so that trees & green front boundaries or gardens are often lost when front gardens are converted for parking and increasingly dense developments are built. Bigger buildings obviously take up more land and loss of greenery creates a more urban feel. Some people feel that street trees are a nuisance, resulting in them not being replaced in some places when they die.
- 5.3.9 RBWM already has a programme of replacing street trees where they have been lost, as well as tree protection, and we would like this to be prioritised on all roads where there are gaps but particularly on through roads. We also wish to encourage developers to consider the green aspect more.
- 5.3.10 The WNP seeks to strengthen the network of roads with a substantially green appearance, with the intention that these “Green Routes” to maintain and enhance the links between green areas and improve the ultimate function of the green infrastructure both on the edge of town and through town. This will help maintain wildlife and biodiversity as well as character and help to bring nature in to the town to mitigate losses caused by more dense development.

POLICIES Green and Blue Infrastructure Network

- i) **BIO.01** Development proposals should minimise impacts on biodiversity and provide net gains in biodiversity where possible. The following will be supported: Provision of wildlife friendly planting and “in the ground”²⁵ soft landscaping and planted boundary treatments, particularly at front and front-side boundaries, front garden parking areas and communal gardens;
- ii) planting areas for residents, edible planting, communal gardens (where private gardens are not feasible), green roofs and green walls.
- iii)

The retention introduction and replacement of trees with species suited to the local area.

BIO.02: Green Routes

a) The routes listed below and shown on the accompanying Map comprise Green Routes. Where development fronts these routes the provision of green boundary treatments with trees, vegetation and soft landscaping to sustain and improve air quality and visual amenity, and the safeguarding, provision and/or enhancement of habitats to facilitate the movement of wildlife, will be supported.

²²as identified in RBWM Landscape Character Assessment 2004. Biodiversity areas include Special Areas of Conservation, Windsor Ancient Forest, Great Park Areas of Special Scientific Interest.

²³ RBWM Landscape Character assessment

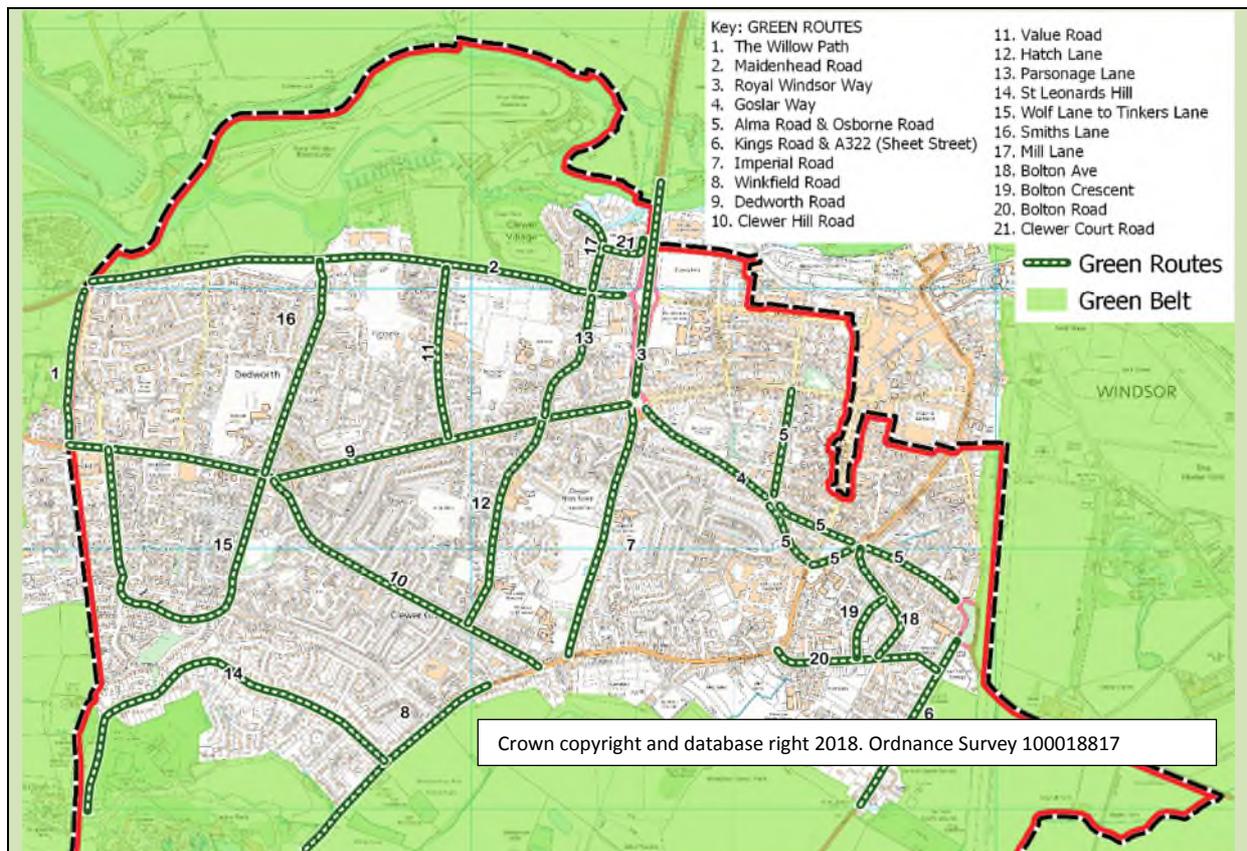
²⁴ The OSA (p168, para 12.17) states that, “Green Corridors provide opportunities close to people’s homes for informal recreation, particularly walking or cycling, as part of everyday activities. The development of a linked green corridor network within and beyond the Borough boundary will help to provide opportunities for informal recreation and improve health and well-being of the local community.” and (para 12.19) suggests that the future development needs to encompass linkages between the larger areas of open space in the Borough, thus creating a network of Green Infrastructure.

²⁶ Royal Horticultural Society Front Garden Guide

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1. The Willows Path (Ref RBWM Public Rights of Way Map 5 route 4)
2. Maidenhead Road (A308)
3. Royal Windsor Way
4. Goslar Way
5. Alma Road and Osborne Road
6. Kings road and A322 (Sheet Street Road)
7. Imperial Road
8. Winkfield Road
9. Dedworth Road (except parts in policies DR.01a-c)
10. Clewer Hill Road
11. Vale Road
12. Hatch Lane
13. Parsonage Lane
14. St Leonards Hill
15. Wolf Lane to Tinkers Lane
16. Smiths Lane
17. Mill Lane
18. Bolton Avenue
19. Bolton Crescent
20. Bolton Road
21. Clewer Court Road

Map 7 -WNP Area Green Routes



b) The provision of new and the linking of existing green routes will be supported, as will improvements in access to the Neighbourhood Area's blue infrastructure network. The recreation of

river corridors and wetland habitats, and the reinstating of open waterways from river culverts will be supported.

c) New developments and future Green Corridor improvement work in close proximity to the River Thames and other ordinary watercourses/water bodies, should be designed to integrate and improve access to the blue infrastructure network

d) Proposals should explore opportunities to recreate river corridors and wetland habitats in urban areas through:

i. the design of site layouts; setting development back, allowing space for water, habitat, wildlife and recreation;

ii. reinstating the natural open waterway within existing culverted reaches of the river(s).

REASONED JUSTIFICATION

- 5.3.11 Taken together these policies should a) help to consolidate the Green and Blue Infrastructure, providing good safe access for human beings, wildlife, and wider elements of biodiversity to and through open spaces and the natural environment. We wish to encourage best practice in greening the town.
- 5.3.12 BIO.01 These policies aim to preserve and enhance Biodiversity and the green feel of the town in new developments thereby maintaining character, and improve the appearance of the streets including parking in front gardens. We also wish to encourage the addition of trees where appropriate.
- 5.3.13 Edible planting (except where this would be undesirable on main roads because of pollution) is good for wildlife and humans. We wish to encourage landscaping and replacement of green boundaries, as well as the maintenance of such landscaping.
- 5.3.14 Frequently recent developments have completely paved over front driveways and made no or only cursory provision for greenery by planting in pots which are not maintained, and have thereby damaged the street scene and area character. We wish to encourage alternatives to this.
- 5.3.15 Recent Royal Horticultural Society reports²⁶ have shown how it is possible to improve the look of off-street parking with lots of planting, and this approach is endorsed by the WNP. Green treatments need not take up much space in order to play a meaningful environmental role.
- 5.3.16 Planting that contributes to the biodiversity of the area and supports the establishment of green routes is particularly encouraged.
- 5.3.17 Retention of trees on development sites is covered by Borough policy. Trees help mitigate drainage and flooding issues, retaining and absorbing water, so they are particularly useful on sites where surface water drainage can be a problem such as along Hatch lane, although it is recognised that high water seeking varieties should only be used only where flood risk is an issue.
- 5.3.18 Where mature trees cannot avoid being lost, we wish to encourage developers to replace them with trees chosen from varieties appropriate to the setting. Recommendations for suitable planting can often be found in the Townscape Assessment.
- 5.3.19 BIO.02a) We wish to encourage and maintain a strong green infrastructure with a network of linked green and quiet routes and spaces, so that nature has a chance to thrive despite being in an urban area that is becoming more densely built up. We wish to encourage and maintain green routes as links between green spaces, including urban open spaces. Enhancing links between open spaces is as important as the development of new sites. Development over the plan period is encouraged to capitalise on opportunities to increase and enhance the network creating links between open spaces and local residents.

- 5.3.20 The routes we have chosen are important as they are part of the existing green infrastructure and form part of the essential green character and historic fabric of Windsor. These routes are often busy roads and are already at least partially tree lined or partially green and are edged by hedges and trees in gardens or verges or are bounded by substantial green open spaces and gardens on one or both sides in parts. Many are gradually having their green feel eroded through development which has taken out or is expected to take out greenery within them or on their boundaries, so eroding their network function as well as historic character. Some such as Dedworth Road and Clewer Hill Roads currently have less current greenery than others and possibly less scope for it, but we aspire to improve them where possible.
- 5.3.21 Encouraging the retention and re-establishment of greenery particularly will help to join and maintain links between the open Green Belt areas which surround Windsor to the parks, Thames and areas of informal green space or cycle routes within it, particularly if fencing or walls between them are designed with this in mind. Ditch banks can be managed in such a way to maintain their natural aspects and quality. Developments fronting onto roads, can allow for wildlife friendly boundary treatments and planting, and streets can include trees and grass verges where there is space. Where there is a conflict between proposed uses, such as between foot or cycle paths or parking and green spaces and boundaries, design solutions which maximise green aspects are encouraged..
- 5.3.22 There are some green spaces which provide vital links in the green network. One such important link that we would like to see maintained is the buffer zone between LEGOLAND and the residential areas of St Leonards Hill. This is already Green Belt and has the dual function of connecting the Area of Special Landscape Importance at the top of St Leonards Hill to Winkfield Road and the rest of the Great Park on the other side of Winkfield Road, as well as providing its buffer functions for nearby residential areas.**BIO.02 c.** Proposals which improve access to the Thames, the Thames Path National Trail and other riverside areas and water bodies shall be supported where they make provision for the day to day enjoyment of the river by means of bridges, footpaths, cycle ways and cycle parking and new rights of way, including a new footbridge across the Thames.

²⁶ Royal Horticultural Society Front Garden Guide
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5.4 Flooding and Drainage

OBJECTIVE 1

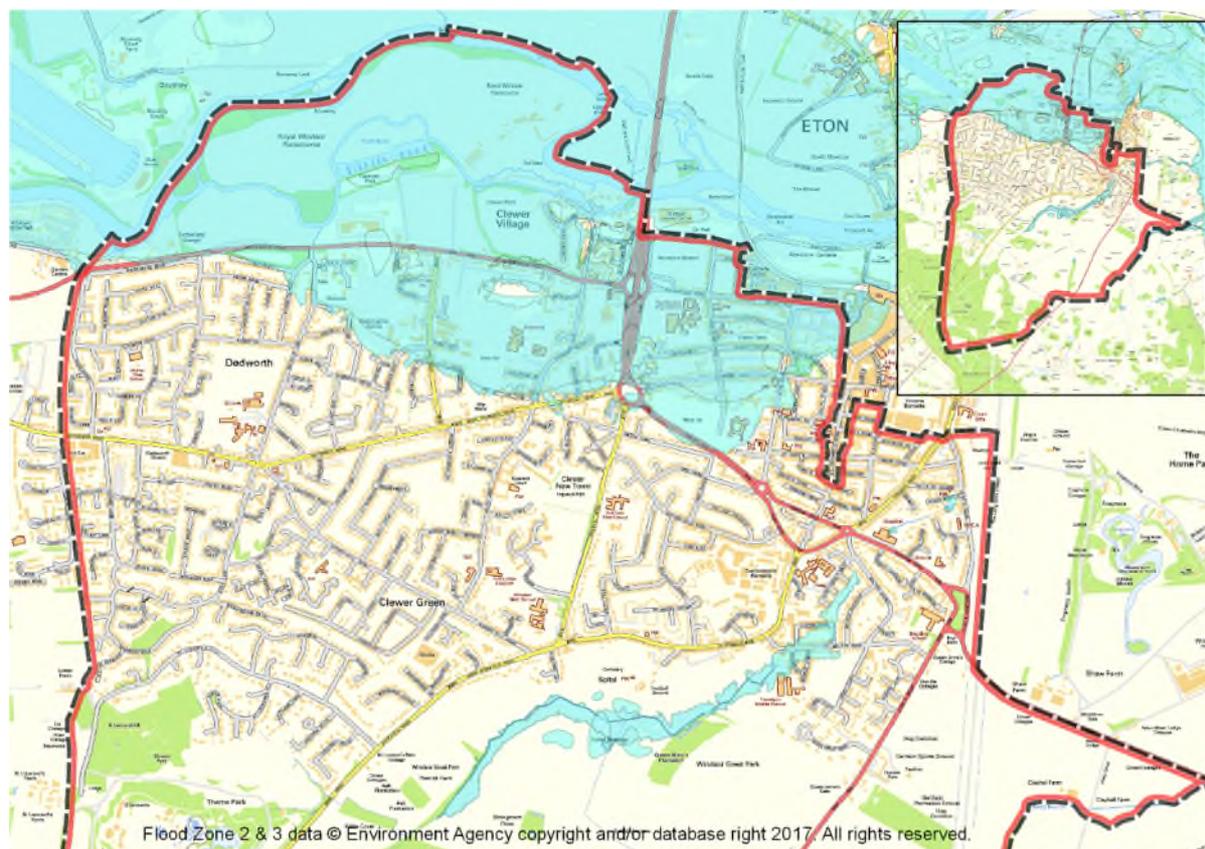
Enhance the Blue Green Infrastructure and the safe access to it

CONTEXT

- 5.4.1 The NP area is affected by Flood Zones 2 and 3, defined in the NPPF and NPPG as having a medium to high risk of flooding, from both the Thames and some of its tributaries, as well as from ground and surface water flooding. The water table is high in much of the area, and the underlying geology particularly clay soil conditions exacerbate surface drainage problems in some places.
- 5.4.2 Windsor has been protected by the Jubilee River flood relief scheme (since 2002) and the Bourne ditch embankment and sluice gate near Stag Meadow (since 1995) which have helped to mitigate against flooding. However, the Environment Agency still deems there to be a risk as rainfall events are likely to become more extreme in future, with 1 in a 1000 year flood events becoming 1 in a 100 year events, particularly in Critical Drainage Areas²⁷.
- 5.4.3 Surface water flooding from run off is an increasing issue as areas that are hard paved increase with more development and speeds up runoff and exacerbates flooding.
- 5.4.4 A key sustainability objective for NPs is for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure.
- 5.4.5 Both the Environment Agency and Thames Water have recommended that the WNP considers flooding and water supply issues in order to mitigate the effects of population growth and climate change.
- 5.4.6 Old Windsor which is downstream from Windsor receives all of Windsor drainage, and has a very serious risk of flooding.
- 5.4.7 Windsor's sewage system relies on processing downstream at Ham Island Old Windsor and there is believed to be limited processing capacity for increased sewage volume from any source. Sustainable development in Windsor is therefore more important.
- 5.4.8 According to the Environment Agency, the WNP area also is part of the principal Water Supply Aquifer for the area and there are Groundwater Source Protection Zones (SPZ) within the area.

Map 8- WNP Flood Risk Zones 2&3 from river flooding

²⁷ A **critical drainage area** is defined in the Town and Country Planning (General Development Procedure) (Amendment) (No. 2) (England) Order 2006 a **Critical Drainage Area** is "an **area** within Flood Zone 1 which has **critical drainage** problems and which has been notified... ..the local planning authority by the Environment Agency".



POLICIES – Flooding and Water Supply

WAT 01: Flooding

Development should be made safe from flooding and not increase the risk of flooding elsewhere. Drainage on site should separate foul and surface water flows. The use of Sustainable Urban Drainage Systems will be supported.

REASONED JUSTIFICATION

- 5.4.9 **WAT 01** There is a medium to high flood risk across parts of the WNP area (see Map 8). Evidence comes from Environment Agency Flood Risk Maps of River and Surface water flooding.
- 5.4.10 The National Planning Policy Framework and National Planning Policy Guidance establishes a sequential test to be applied in respect of flood risk. Development should be located first where there is a lower risk of flooding, avoiding therefore areas of higher risk.
- 5.4.11 Sustainable Urban Drainage Systems (SUDS) help to provide flood resilience in a locally relevant, sustainable manner.
- 5.4.12 . We strongly encourage the use of SUDS. Within the WNP area subsoils vary, and where subsoils are clays SUDS may not be suitable so developers will need to take advice on this.

6 APPEARANCE (HERITAGE, CHARACTER, DESIGN AND VIEWS).

6.1 Introduction

- 6.1.1 Improving and protecting our area’s appearance and character was identified as of one of the highest priorities in our Vision Survey. Making Windsor more attractive is a key objective and core principle of our NP.
- 6.1.2 Two messages which came through particularly strongly from our consultations were firstly that new developments are often “out of keeping” with the town’s heritage and character through over development and unsuitable design, and secondly that the replacement of heritage and other characterful buildings by inappropriate structures is demonstrably eroding the character of our streets. It is also true that there are examples of excellent new developments in the town which can act as a guide so that future developments fit in better. Recent evidence²⁸ corroborates this approach.
- 6.1.3 Our general policies are intended to cover a range of eventualities. We mention specific sites where there is an identified issue.

Photo 2 Kings Road



Photo 3 Essex Lodge Osborne Road



²⁸Policy Exchange “Building More- Building Beautiful” report suggests that 85% of people want new development to blend in with what is there and people prefer Georgian terraces and Victorian mansions to concrete blocks. Other research from social enterprise group Create Streets shows that local opposition to new housing drops sharply when residents are presented with traditional human scale architecture.

6.2 Heritage

OBJECTIVE 2

Conserve local character and encourage high quality design

CONTEXT

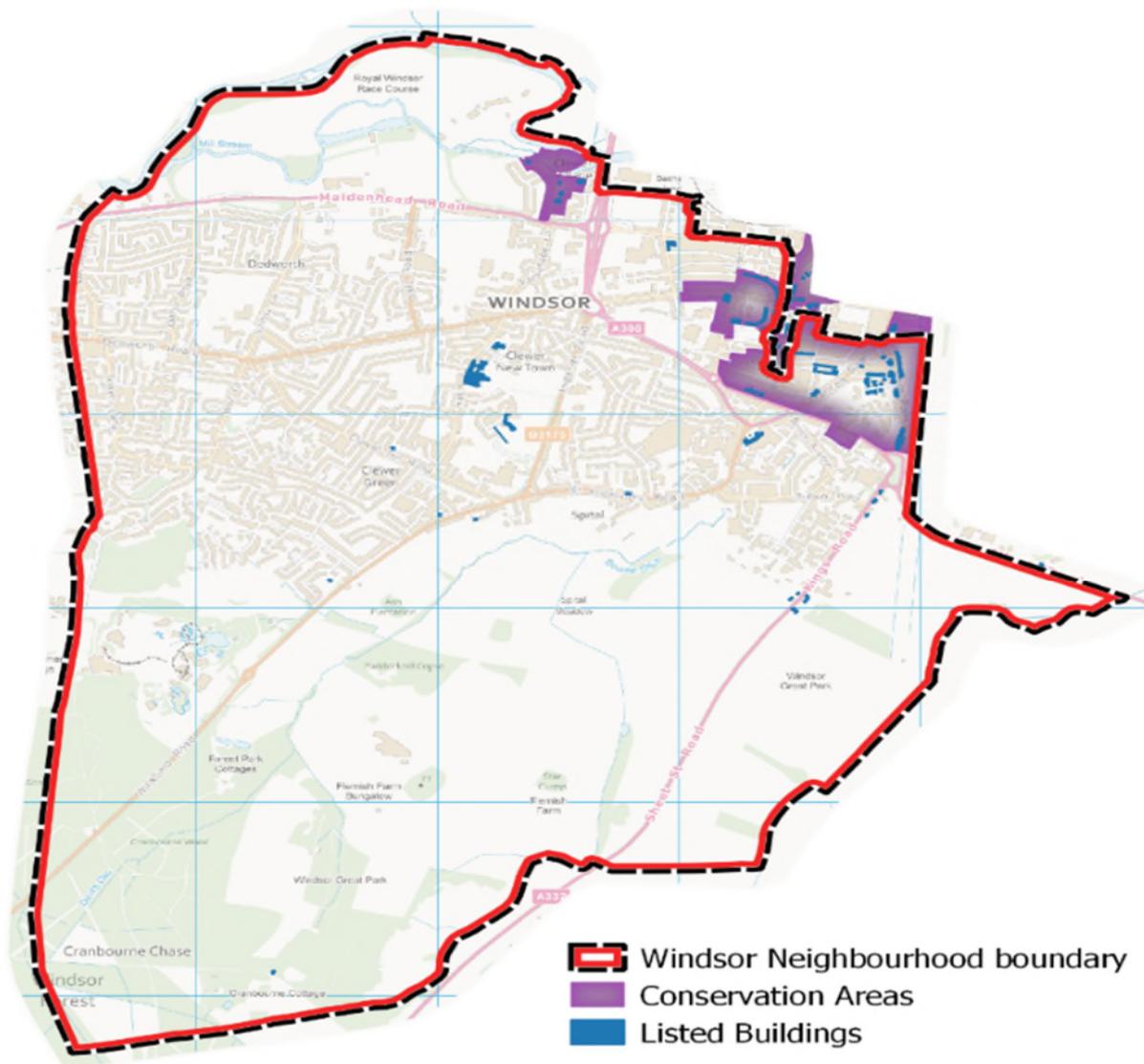
- 6.2.1 History and heritage is the main reason why visitors come to Windsor and our survey identified its preservation and enhancement as a key concern. The WNP area provides part of the wider setting for Windsor Castle and Great Park.
- 6.2.2 National policy requires the conservation of heritage assets in accordance with their significance.²⁹ Many buildings in our area, particularly nearer the town centre, are “Listed”³⁰ as being of historic importance and this status gives them and their settings a significant degree of protection from inappropriate development. There are also three Conservation Areas within our WNP area (Inner Windsor, Mill Lane /Clewer Village, Trinity Place/Clarence Crescent), and national policy provides for the conservation and/or enhancement of Conservation Areas.

²⁹ 1990 Planning Act (Listed Buildings and Conservation Areas) Para 72 General Duties for Planning authorities and the NPPF

³⁰ Historic England Grade I or Two Listed status

Map 9 Conservation Areas & Listed Buildings in the WNP area

Conservation Areas L-R are 1) Mill Lane (Clewer Village), 2) Trinity Place/Clarence Crescent, 3) Inner Windsor



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Ordnance Survey 100018817

POLICIES –Heritage Buildings and features

HER.01

Development within Conservation Areas and their settings should conserve and/or enhance local character. Development should incorporate high quality materials and have regard to the relevant Conservation Area Appraisal and Townscape Assessment, as well as to the WNP Design Guide (Appendix 2).

HER.02– Local Heritage List

The effect of a development proposal on the significance of a non-designated heritage asset should be taken into account, having regard to the scale of any harm or loss and the significance of the heritage asset. A Local List of non-designated heritage assets is set out in Appendix 4.

Photo 4 An Example from the Non-Designated Heritage Asset List



Typical late Victorian houses of wealthy businessmen or courtiers. The design is reminiscent of a French Chateau. These grand villas on the South side of Osborne Road contribute greatly to a sense of opulence and spaciousness along this stretch of the road.

REASONED JUSTIFICATION

- 6.2.3 We wish to ensure that all developments within the Conservation Areas use our Design Guide. National policy requires applicants to describe the significance of any heritage assets affected by proposed development, including any contribution made by their setting. To help achieve this, the Neighbourhood Forum is keen to encourage the use of the Windsor Design Guide. We wish to not only stop degradation of our historic environment but to enhance it while at the same time ensure that design can, in some instances, respond to very localised circumstances.
- 6.2.4 HER.02-National policy and guidance encourages the identification of buildings and structures of local value which, although they may not meet the criteria for National Listed status, and may or may not be in Conservation Areas, do justify special attention as they help to define the sense of place.
- 6.2.5 These assets are called Non-Designated Heritage Assets (NDHAs). They may be “buildings, monuments, sites, places, areas or landscapes identified by local planning authorities as having a degree of significance meriting consideration in planning decisions”³¹ and can include amongst other things Churches, and churchyards, pubs, houses. The Windsor & Eton Society, with the help of the Borough Conservation Officer, have identified a number of such buildings and structures in Windsor and is currently processing these with a view to their inclusion on a Local List of NDHAs. It is intended that this Local List will be developed and added to over the next few years.. The developing list contains all the Heritage Assets identified by Conservation Area Appraisals together with other assets identified by the community..

The NPPF (2018) para 197 requires that a balanced judgement be taken in respect of NDHAs whether in or out of a Conservation Area. Properties deemed to be NDHA are defined on the Local List Appendix 4 of this plan, or any subsequent amendment thereof

³¹ Historic England Advice note 7 Local Heritage Listing. (May 2012)

6.3 Character and Design

OBJECTIVE 2

Conserve local character and encourage high quality design

CONTEXT

- 6.3.1 Windsor is an important historic tourist town, and its appearance is key to its success. Residents and businesses are proud of it and have strong views about preserving the most attractive areas and improving those which are less attractive. Up until now, there has been little specific existing guidance for the 20th century modern suburbs that make up much of Windsor and that many people would like to see improved in terms of design and architecture.
- 6.3.2 Visitors should have a good experience of the town as they enter and leave and explore around, not just in the vicinity of the Castle. The more attractive the town the more people will be inclined to linger.
- 6.3.3 National policy³² encourages the NP to establish a strong sense of place, to seek to enforce local distinctiveness and integrate new development into the locality through “good” design. Design guides and codes and policies developed with local communities are encouraged.

Photo 7 New Houses off Vansittart Road demonstrating local architectural features



Photo 8. Alma Road. New infill house on the left In- keeping with but not the same as its neighbours



³²NPPF- Section 12 achieving well designed places para 125, 126

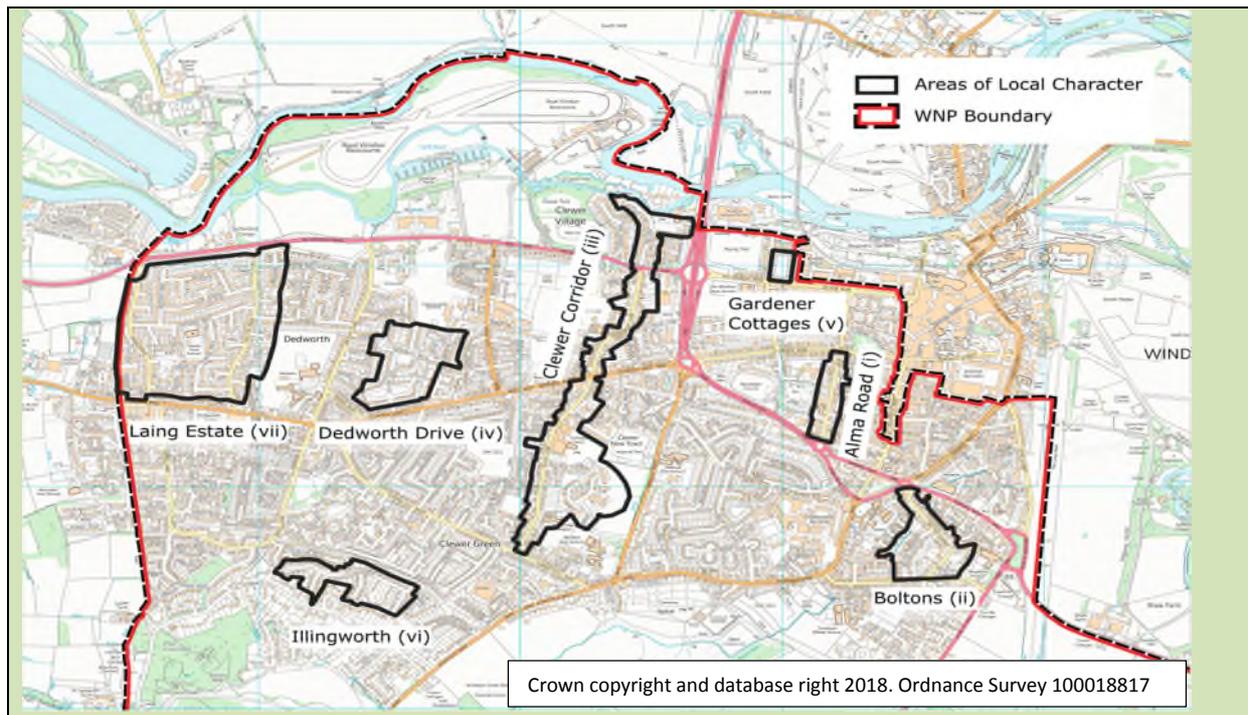
- 6.3.4 RBWM has recently published and is consulting on a Draft Design Guide SPD (Feb 2019). It already has an approved “Townscape Assessment” (TA) and “Landscape Character Assessment” (LCA) which may be used for planning decisions and demonstrate the wide historical and architectural mix in the area, but these can be complex and difficult to use. The TA has a section on Windsor which divides the town into a large number of different character areas and provides helpful guidance for developers on appropriate design for each distinct area, but it does not fully capture all the diverse character features and areas which the NP would wish to highlight. In order to make the advice in the TA easier for developers to access and to supplement it with specific localised advice, the WNP has extracted information relevant to our area and presented it in a chart alongside some additional advice to cover areas and conditions omitted from the TA (see *Appendix 5 Townscape Assessment WNP extracts*).
- 6.3.5 The WNP has identified particular pockets of distinct local character which residents have said they wish to maintain and in conjunction with the community has developed Area Character Assessments and Area Design Guides (*See Appendix 2b*) for these distinctive neighbourhoods.

POLICIES-Design

DES.01:

Proposals for development should demonstrate how they have taken account of design guidance, including the Windsor NP Design Guide. Development affecting any of the seven areas identified on Map 10 should also demonstrate how they have taken into account the relevant NP Area Design Guide.

[Map 10 Area design guides-indicative areas](#)



REASONED JUSTIFICATION

- 6.3.6 The WNP Design Guides aim to ensure that development proposals take into account what local people consider to be good design. The guides have been developed with the help of local architects who advise RBWM and were the subject of community consultations in Jan 2016.
- 6.3.7 DES.01 The WNP Design Guide Appendix section 2a aims to advise applicants to take account of locally specific circumstances and encourages the use of specific additional NP guidance, the RBWM Townscape and Landscape Character assessments and Conservation Area Appraisals.
- 6.3.8 The guide now provides a realistic framework for developers which will also help to meet community design aspirations.
- 6.3.9 New development can have a positive impact on the character and appearance of the town but past developments have too often aroused negative feelings. The pressures on land, especially in the inner suburbs can lead to “crammed in” developments and the lack of design guidelines has resulted in several “ill fitting” developments spoiling the look of local areas. Our aim is to help developers to come forward with good quality developments which are likely to be welcomed. Our aim is to provide guidance to developers in respect of the kinds of development appropriate to different parts of the town, with the intention of helping them to “get it right”. The Design Guides give positive examples and are not prescriptive, so allow for good modern design and ensure that design can, in some instances, respond to very localised circumstances.
- 6.3.10 Specific Design Guides for individual areas/streets have been created by our group, with local community involvement, based on specific Area Character Assessments in areas where there are known issues with threats to the area from cumulative impacts of developments eroding their special character, which might be for example a relatively homogenous architecture, or particular special qualities of public realm, or local historical significance.
- 6.3.11 We would also like to see and encourage smaller development proposals to show clearly the relationship of the proposed building in relation to neighbouring properties with accurate plan dimensions and elevations and street scene and a clear diagrammatic scale, as sometimes the information given is poor and makes accurate judgement of the impact difficult.

6.4 Key Views

OBJECTIVE 2

Conserve local character and encourage high quality design

Photo 5 River Thames from Royal Windsor Way Bridge



Photo 7 Windsor Castle from Osborne Road/ Chaucer Close



CONTEXT

- 6.4.1 Windsor Castle is a strategically important landmark and the view of it creates a focus for the image and character of the whole area and providing a distinctive sense of place. Views of the silhouette and panorama of the town and castle from the approaches to Windsor create a sense of excitement at arriving at a historically important place. Our landmarks and built environment encourage visitors to come here and remind us why we like to live here.
- 6.4.2 The RBWM Townscape assessment³³ recognises the importance of views and identifies three key views through parts of our WNP area which should be taken into account by development. These are
- In to the Castle along the Maidenhead Road.
 - In to the Castle along the Long Walk,
 - Out from the Castle along the Long Walk.
- 6.4.3 However, it is not only panoramic views and the silhouette of the castle that are important. For residents within the town, occasional glimpses of this landmark, the River Thames and other local landmarks also add to its appeal.
- 6.4.4 Existing Local Plan policies say that developments must retain important views in and out of sites³⁴. The Emerging BLP requires consideration of character and design including the Townscape and Landscape Character Assessment and of views³⁵.

³³(Urban Structure and Landscape setting of Windsor)

³⁴ RBWM saved policy H10

³⁵RBWM BLP Reg 19 Policy SP3 d and e

- 6.4.5 Best practice³⁶ has informed the methodology followed for the WNP areas which considers only PUBLIC views, that is views in and out of PUBLIC areas. The approach helps us to understand and protect important Panoramas, Linear views, River Prospects, and Townscape views that are available to from public places.

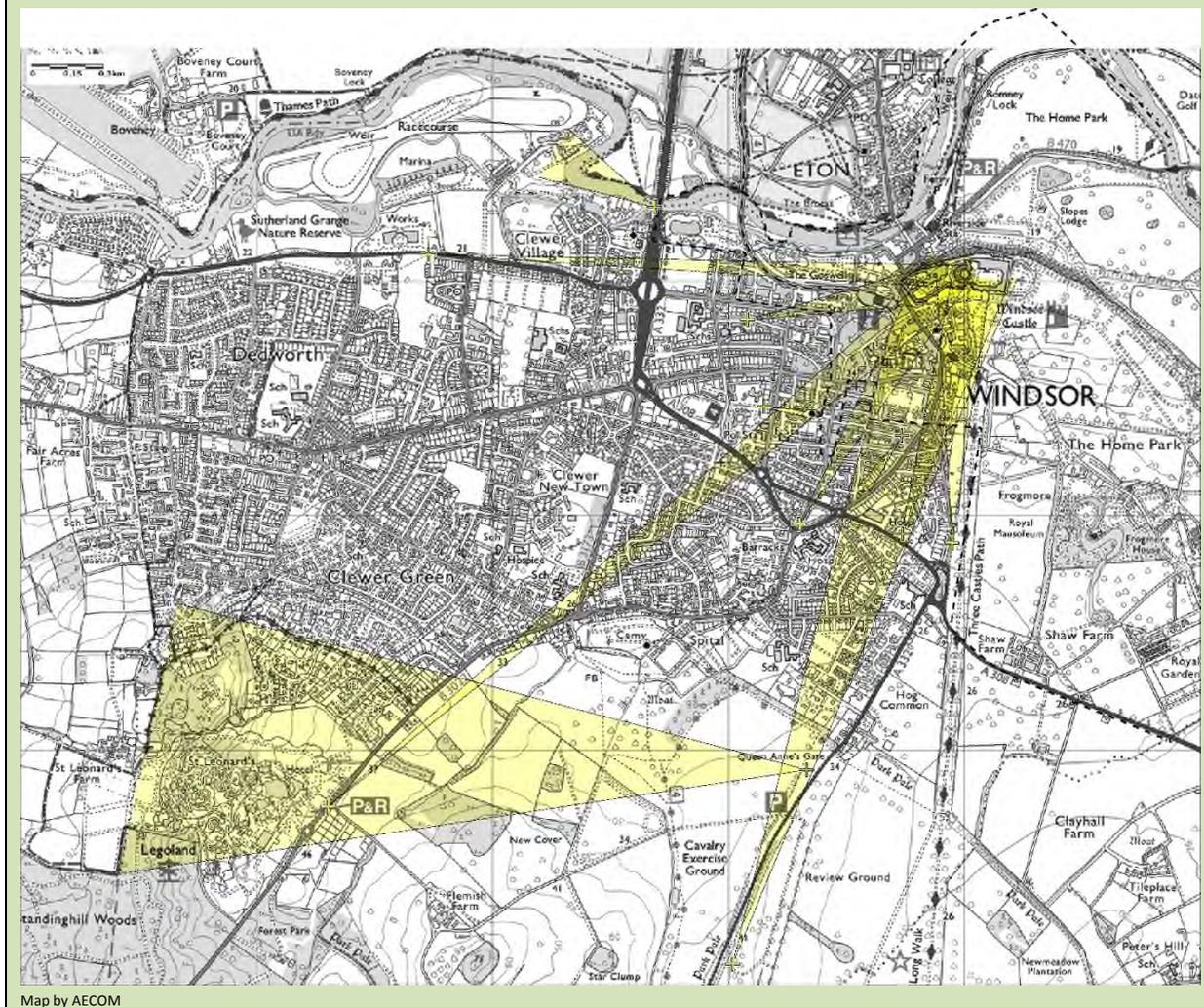
POLICIES-Key Views

VIE.01: Development proposals must respect the Designated Views and Viewing Corridors listed below and identified on Map 11 (further information is also included in Appendix 3):

1. The river and Racecourse from Windsor Way Bridge (River prospect)
2. Windsor Castle from Duke Street (Landmark linear view)
3. All Saints Church from Helena Road (Landmark linear view)
4. Windsor Castle from Maidenhead Road (Landmark linear)
5. Holy Trinity Church from Clarendon Road (Landmark linear)
6. St Georges Chapel from Knights Place (Landmark linear).
7. Windsor Castle from Chaucer Close green space (landmark linear)
8. Windsor Castle from Kings Road (Landmark)
9. Windsor Castle from the entrance to LEGOLAND (Landmark)
10. Windsor Castle from the A332 Lay-by (Landmark panorama)
11. The St Leonards Hill landscape from across the Great Park (Landscape Panorama)

³⁶ London View Management Framework <https://www.london.gov.uk/priorities/planning/supplementary-planning-guidance/view-management>

Map 11 Key Views-Local Viewing corridors



REASONED JUSTIFICATION

- 6.4.6 The Key View List and associated Local Viewing Corridors *Appendix 3* identifies only views which are visible from public viewpoints at street level as opposed to “Private Views” from private land or buildings.
- 6.4.7 Views are selected according to the London View Management Framework criteria. That is, views must be from public places and make aesthetic, cultural or other contributions to the town, or which contribute to the viewer’s ability to recognise and appreciate the authenticity, integrity, significance, and outstanding universal value of the town’s heritage.

- 6.4.8 These locally important views really help to define the sense of place and are all the more important for their scarcity within the WNP area. These views change with the seasons and some can be partly obscured by trees and greenery in the summer months but become even more important in the winter when they are more obvious.
- 6.4.9 Views of Windsor Castle and River Thames are critical to the town's sense of place.
- 6.4.10 The view from The Great Park from Sheet Street Road towards the whole of St Leonards Hill is significant in enabling a walker or visitor to the park to experience completely green surroundings from a large part of the Great Park, away from an urbanised setting. This view is visible from a whole area including along Sheet Street Road from Queen Anne's Gate up to and slightly past the parking area overlooking the Cavalry Exercise ground. (Incidentally St Leonards Hill can also be seen as a view out from the Castle and more widely from across the Thames Valley although the aspect is different from the WNP defined view). The whole of St Leonards Hill has a blanket woodland tree protection order and the intention is to preserve the forested appearance of the whole landscape.
- 6.4.11 Landscape management should enable the view to be fully seen and appreciated - prudent management of trees along the viewing corridor that may otherwise obscure landmarks and any other important elements will be reviewed with key partners.
- 6.4.12 The application of this policy can be informed by guidance in the WNP Key Views/Local Viewing Corridors *Appendix 3*. This provides guidance in respect of how a view can be treated and managed. We also discuss in our Delivery and Implementation Plan *Section 11* how we will seek to manage the views going forward.

7 GETTING AROUND

7.1 Introduction

- 7.1.1 The WNP Vision survey confirmed that traffic management (congestion, provision for cyclists, parking) is of the highest priority if not the greatest single issue within and around the Area. The combination of regional through traffic and large visitor numbers give Windsor a particular problem with congestion and air quality on many main roads in the NP Area at particular times.
- 7.1.2 However, most highways, traffic infrastructure and bus and train operational initiatives are outside the main scope of NPs (whose focus is what should be given planning permission), except indirectly insofar as they are concerned with land use.
- 7.1.3 Likewise, Park and Ride initiatives are impossible to progress within the WNP area as there are no suitable sites beyond those at LEGOLAND and Home Park, which are already in use³⁷. Also, although traffic congestion from through traffic between the M3 and M4 and M25 is a huge issue, alternative north/south routes to bypass Windsor would have to be outside the WNP area.
- 7.1.4 There is also a lot of subjective opinion around the issue, and we have sought to establish the factual evidence to inform the WNP. The Traffic Report in our Evidence Base File explains the detailed WNP research findings.
- 7.1.5 Therefore, we have considered other small initiatives which can help to improve the way people get around the area and make sustainable transport choices though increased footpath and cycle provision. The WNP seeks to improve conditions for walking, enhance the pedestrian experience and boost the provision and improvement of cycle infrastructure.
- 7.1.6 In respect of traffic congestion, Section 11 of the WNP also highlights a number of projects that will be pursued.

Cycling and Walking

OBJECTIVE 3

Encourage sustainable³⁸ modes of transportation

³⁷RBWM has recently stopped funding the Centrica P&R which is likely to cease to exist. The potential Windsor Racecourse 400 space Park and Ride is still in the emerging BLP Infrastructure Plan, although we understand that the planning permission which was renewed in 2013 will now have lapsed.

³⁸ Sustainable transport is transport that minimizes harmful effects on the environment and the depletion of natural resources, such as walking, cycling, and fuel-efficient public transport, and hence can be sustained in the long term.

CONTEXT

- 7.1.7 Footways line most of the Borough's urban streets and so pedestrians are well provided for, although pedestrian crossings and dropped kerbs at junctions and crossroads for those using wheels are not always where they are most convenient.
- 7.1.8 Windsor's relatively flat townscape makes cycling a good way for residents and commuters and schoolchildren to get around. There is clearly growing demand for better cycling infrastructure, and National and local Planning Policy³⁹ encourages improvements to cycling and cycling infrastructure.
- 7.1.9 However, it is not easy to find space in the narrow streets which are often lined with cars, and cyclists and pedestrians frequently have to share paths. Existing cycle paths do not always follow a direct route between town and suburbs. Cycle paths peter out. Local neighbourhood shopping centres make little provision for cyclists. Cycling is often not seen as safe, and many children told us it was unsafe to cycle to school. Many residents dislike sharing footways with cyclists (especially the elderly and those with physical disabilities).
- 7.1.10 The Royal Windsor Way and Imperial Road through-route, as well as Goslar Way, effectively cut the NP Area into separate parts and the underpasses are unappealing and present a barrier to the safe passage of cyclists and pedestrians across the Area. In the long-term it would benefit the town and particularly the residents to the west, to address this barrier, although it is recognised that there would be significant cost involved.
- 7.1.11 National Cycle Route 4 crosses into the town from the Great Park to the river but is relatively unknown and follows a South-North route from the Great Park, along Bulkeley Avenue, York Avenue and through the underpass to Vansittart Road, to cross the Thames via Royal Windsor Way. It is relatively poorly connected to other local cycle paths and the signage doesn't really give a sense of the whole system.
- 7.1.12 The special environmental and ownership status of much of Windsor Great Park limit the potential for additional cycle routes through it. New cycle paths towards Ascot and Bracknell have not been possible for these reasons.
- 7.1.13 Public Rights of Way (PROW) There are a range of different Rights of Way throughout the area and these are protected by National and Local policy. The Countryside and Rights of Way Act 2000 places a duty on all local highway authorities to publish and review a Rights of Way Improvement Plan for their area. The current RBWM plan is set out under cover of the "Public Rights of Way Management and Improvement Plan 2016-2026". This plan lists three (3) routes for additional rights of way within the WNP area. There are some paths within the area used by the public which are as yet not on the PROW list and which provide small links and cut-throughs for walkers and cyclists. Their loss would damage the way people are able to move around the town. Expected changes to PROW Legislation in the next decade may put existing PROWs at risk.

POLICIES -Cycling & Walking

CW. 01

a) . All public rights of way within the WNP area must be retained, or alternatives provided that offer equivalent or better functionality. Improvements to the pedestrian and cycle network, including the creation of more safe linkages, will be supported.

REASONED JUSTIFICATION

7.1.14 CW.01 (a) This policy supports the maintenance of existing foot paths and consideration of new official PROWs around Windsor, including where there are some existing paths used at present but which are not currently designated as official PROWs. Occasionally small but important link paths are threatened by adjacent developments or attempts by nearby residents to change their boundaries. Recognition of these important paths will help to protect them from encroachment.

7.1.15 We would also support new paths south of the river were this possibility to arise on the Windsor Racecourse site.

7.1.16 Expected changes in PROW legislation⁴⁰ will potentially transform the position around existing rights of way. On 1st Jan 2026 the government intends to close the definitive maps to the claim of historic paths which existed before 1949 [section 53 of the Countryside and Rights Of Way Act 2000 (CROW Act)] with the aim of providing certainty to landowners about what highways exist on their land. The result may be that existing ROWs will be lost to the community, particularly within housing estates. Most estate footpaths, even those later than 1949 are taken for granted and do not appear on Definitive Maps. They remain unrecorded as Rights of Way. RBWM has also lost most of their historic records on this. The Windsor Neighbourhood Forum hopes to see all existing such links protected.

7.1.17 The existing RBWM Public Rights of Way Map 5 dated 1st January 2016 does not record either; the E-W Clewer Fields footpath, although the intersecting N-S link is included as Route 15) or the Hatch Lane to Longbourn footpath. We wish to see both of these footpaths recorded and retained.

7.1.18 The WNP supports all practical opportunities to improve pedestrian crossings/underpasses, footpaths and/or cycle routes at the following key locations:

- 1) Under and around the Royal Windsor Way Roundabout.
- 2) This will include taking advantage of opportunities to improve footpaths lighting and widening of the tunnels or provision of new tunnels, also supporting a more direct linkage to National Cycle Route 4 (which runs down Vansittart Road/York Road via an underpass under Goslar Way).
- 3) Goslar Way underpass at Vansittart Road/York Road
- 4) Goslar Way and Alma Road
- 5) Albert Road at the Long Walk crossing and Western end of Albert Road;

³⁹ NPPF Ch 9 Paragraph 104 (provide for high quality walking and cycling networks), and Para 110c (minimise the scope for conflict between pedestrians, cyclists, vehicles).

⁴⁰ the Deregulation Act 2015

- 6) The entrance to the Great Park at Queen Anne's gate; and
- 7) The River Thames and its tributaries.
 - 7.1.19 WNP wants to encourage linkages between green areas and new pedestrian and cycle paths can help this. We wish to see new pedestrian and cycle routes incorporated within new developments where appropriate.
 - 7.1.20 The Windsor Neighbourhood Forum supports improvements and new routes at specific sites, some of which have already been under consideration by RBWM, although we recognise that at many sites there are no easy solutions.
 - 7.1.21 The Cycling Action Plan 2018-2028 has been produced by the CAP Task and Finish Group on behalf of the RBWM Cycle Forum. It was approved by the Highways, Transport and Environment Overview and Scrutiny Panel prior to adoption by Cabinet on 31st January 2019. The WNP supports its aims, strategies and priority schemes. Windsor Neighbourhood Forum would like to see developers ensure it is taken into account in the design of new housing and business areas and associated infrastructure.
 - 7.1.22 The "fountain" roundabout at the junction of the Royal Windsor Way/Clarence Road/Imperial Road is a major barrier for cyclists and pedestrians between the west and centre of town. The roundabout is dangerous for cyclists, with a cluster of 4 cycle accidents around this roundabout in the last five years⁴¹. The tunnels are also a barrier as they are narrow, badly lit, and unappealing, there are no footpaths at ground level. Cyclists and pedestrians have to share the space, and cyclists have to dismount, and all are forced underground. Many school children use it and many people avoid having to use it, particularly in the dark.
 - 7.1.23 The only current cycle paths from Dedworth Road and the western suburbs towards the centre are via Green Lane/Vansittart Road or to the north of Clewer Village via the tunnel past the Leisure Centre and along the river. These cycle routes use quiet links to National Cycle Route 4 which goes along Vansittart Road and south of the river but are very indirect to get to the town centre.
 - 7.1.24 The Goslar Way dual carriageway is also a barrier for pedestrians and somewhat unappealing and dangerous, and any practical improvements to this tunnel will be supported.
 - 7.1.25 Crossing the Goslar Way dual carriageway near Alma Road can be challenging on foot. A pedestrian crossing is not feasible as the 40mph speed limit exceeds the 30mph limit required for a pedestrian crossing. Pedestrians will need to use the Vansittart Road underpass for the foreseeable future.
 - 7.1.26 Crossing improvements of the Long Walk at the Albert Road are already being considered by RBWM in conjunction with the Crown Estate.

⁴¹ Source of road accident statistics -crashmap.co.uk

Windsor Neighbourhood Plan.

7.2 Parking

OBJECTIVE 3

Encourage sustainable modes of transportation

CONTEXT

- 7.2.1 Car parking is the most frequently mentioned issue in our consultations. It is a problem for residents, business owners and employees. National⁴² and Borough⁴³ policies allow parking policies which consider local conditions.
- 7.2.2 There is a high level of car ownership in Windsor especially in suburban areas where there is less access to public transport and a large proportion of visitors to Windsor travel by car.
- 7.2.3 There are not enough official car parks in the Town Centre area and its environs for all of the users. Park and Rides (Centrica, LEGOLAND) have limitations in size and location, and a 400 space P&R at Windsor Racecourse has not been taken forward yet and the planning permission has lapsed. Commuter and visitor cars compete with residents for on and off-street parking spaces in both Neighbourhood Plan Areas. Residents parking schemes have spread to provide parking near homes. The approval of a Residents Parking Scheme tends to push the problem outwards across the area and causes extra problems for business related parking.
- 7.2.4 In residential areas the parking problem is becoming worse as population and residential densities increase, particularly where existing properties are subdivided into Houses in Multiple Occupation, and new ones built without sufficient provision, leading to an increase in the number of cars without a commensurate increase in the number of car parking spaces, as well as pressure on amenity land and neighbourhood parking disputes. Front gardens are often converted into parking spaces with detrimental effects on the appearance and character of the area and loss of greenery.
- 7.2.5 Dropped kerbs allow front gardens to be used for parking, and although this may be more convenient for the householder concerned, it often leads to the loss of on street communal parking spaces and some damage to the character of the area. In/out driveways particularly can result in the loss of more street parking spaces. These often diminish the quality of the street scene, especially if done badly. However, it is a trade-off between having places for people to live and enough space to park.
- 7.2.6 There is some hope that new technology such as Uber and Car Club schemes and provision of alternative transport modes (cycling, buses trains) will reduce the need for individuals to keep cars, although the need will continue for the foreseeable future particularly in suburban areas which are further from transport nodes.
- 7.2.7 The emerging Borough wide Design Guide does include Parking Design, although this is not yet completed.

⁴²NPPF para 105 and 106,

⁴³ Emerging BLP Policy IF2

Photo 6 Dropped kerb and sympathetically done front garden parking



POLICIES-Parking

PAR. 01:

- a) New residential development should respect local character and provide for safe parking, having regard to the WNP parking design guide standards and where relevant *Area Design Guides (as set out in Appendix 2)*

PAR.02

- b) The provision of increased car parking capacity at existing car parks will be supported, subject to development respecting local character, residential amenity and highway safety.

REASONED JUSTIFICATION

7.2.8 PAR.01 Is a parking Design policy based on Building for Life principles, and seeks to encourage best practice and ensure that parking with dwellings is designed to be useable.

7.2.9 All new developments should provide enough spaces for residents and visitors, including disabled, and anticipate parking demand, taking into account location availability and frequency of public transport and car ownership locally. Sometimes developments have provided insufficient spaces which are not well designed or practical to use, which increases the impact of developments on the amenity of nearby residents as it increases the need to park nearby. The use of design solutions is suggested in research such as “Space to Park” 44.

⁴⁴ “Space to Park” by David Rudlin and John Sampson with help from Susanne Gallenz and Sangeetha Banner of URBED (Urbanism, Environment and Design). The report has been produced as part of the Space to Park research project. First Published: November 2013 ISBN: 978-0-9573

- 7.2.10 Some recent conversions have been allowed with NO parking provided or insufficient parking for the number of occupants on the assumption that the occupiers will use public transport. It is the Windsor Neighbourhood Forums view that this exacerbates the parking problem as the assumption that people living in the town centre will not use cars is not realistic at present. This is borne out by research which demonstrates that providing insufficient parking spaces in suburban estates doesn't result in people using public transport instead
- 7.2.11 Where existing parking problems exist, then conversion of garages into habitable rooms increases the pressure on parking spaces nearby, and this is something the Windsor Neighbourhood Forum wishes to discourage unless it can be demonstrated that there are adequate spaces nearby.
- 7.2.12 Windsor Neighbourhood Forum will seek to discourage the use of dropped kerbs where they result in the loss of an on-street space and there is no net gain of parking spaces. They often involve parking dominating the front garden, and loss of on street parking spaces, and are damaging to the look of an area, unless they are well designed and landscaped. Our Parking Design Guide (*Appendix 2 part C*) shows good practice in the design and landscaping of front garden parking and the Windsor Neighbourhood Forum will encourage applicants to use this.
- 7.2.13 PAR.02 This policy is designed to increase the supply of car park spaces. For example, the two hospitals in Windsor might be able to expand parking for public use subject to design and landscaping considerations.
- 7.2.14 The Crown Estate has some proposals to alter car parking arrangements on the edge of the Great Park near Queen Anne's Gate. We support additional car parking subject to satisfactory design and landscaping consideration as this would help improve access to the park and could be considered as Very Special Circumstances which outweigh the harm to the Green Belt

8 HOUSING AND COMMUNITY

8.1 Introduction

- 8.1.1 We have a national housing crisis due to a growing population, changing demographics and lack of housing supply. RBWM states that housing need projections based on population growth indicate a need to supply 712 new homes per year (over the next 15 years across the whole Borough)⁴⁵. The Borough is struggling to find sites for these homes, particularly in and around Windsor where there are many constraints.
- 8.1.2 The WNP has found no new sites for housing development beyond those that the Borough has already identified in its Borough Local Plan proposals. Some major areas have been suggested during our research such as Sawyers Close and Ward Royal but after investigations we have eliminated these, as research has shown they are unlikely to be available for development during the life of the NP.
- 8.1.3 The main source of new housing developments in the WNP area will be “Windfall” sites (that is ones that are hard to predict) which will be infill and replacements which develop existing areas more densely. The NPPF states that there is a presumption in favour of such development and there are some areas where this is most likely to occur in Windsor, particularly where there are larger plots and houses and gardens without other constraints such as heritage or flood issues. These redevelopments are predicted to occur at roughly the average rate for recent years of roughly 40 units per year⁴⁶ in Windsor based on past trends. WNP Policies on Open Space (Section 5) and Design (Section 6) are intended to ensure that the sites that do emerge are developed in a way that enhances the town and avoids some of the pitfalls of increasing density.
- 8.1.4 It is very difficult to be specific on what densities should be. This plan sets out what would be permissible in terms of design and character and gives some suggestions as to general locations where development could occur. The appropriate quantum of development would be based on professional judgements on a case by case basis guided by strategic policies in the Borough Local Plan.
- 8.1.5 Affordable Housing - Our consultations showed that there was concern about the affordability of housing in the area and the difficulty for people even on average incomes have buying or renting homes. House prices are now around 14 times average incomes and at a historic high due to the imbalance between demand and supply of housing and high land prices. Existing Borough policies have not delivered the required numbers of affordable housing, and the emerging BLP recognises the need to deliver 435⁴⁷ new affordable homes across the Borough every year.

⁴⁵ RBWM Housing and Employment Land Availability Assessment

⁴⁷ Paragraph 7.7.3 of the emerging BLP submission Version.

8.2 Housing

OBJECTIVE 4

Support the delivery of new housing and Community facilities

CONTEXT

- 8.2.1 Redevelopment opportunities exist where buildings are not using land efficiently, such as to the optimum height or density. This includes above shops, which could support additional housing .

POLICY Housing

HOUS 01

Proposals requiring planning permission for the conversion of premises above shops to residential use will be supported, subject to respecting local character, residential amenity and highway safety.

REASONED JUSTIFICATION

This policy applies particularly (but not exclusively) to single storey premises along Dedworth and Arthur Road. Allowing the space above shops to be used more effectively as covered by an NPPF objective⁴⁸ of making “ *effective use of land...*” could incentivise this.

- 8.2.2 HOU.01 Areas where this policy may apply could include Dedworth Road.

⁴⁹The Borough Wide Design Guide recently published for Consultation(March 2019) deals with Residential Amenity and may negate the need for these policies (if it goes through unchanged as it covers Residential Amenity).

8.3 Residential amenity

OBJECTIVE 4

Support the delivery of new housing and community facilities

CONTEXT

- 8.3.1 Local people have expressed concerns that some recent developments display poor standards of amenity for residents, both when new homes have been built and existing buildings have been converted. Existing Local Plan and emerging Local Plan policies already refers to the provision of adequate standards of residential amenity⁴⁹, and conversions are allowed where adequate amenity space is provided.⁵⁰
- 8.3.2 National Planning Policy now allows conversion of offices into flats through Permitted Development rights, Local Plans have limited control and NPs have no control over such conversions, even where residential amenity can be poor (e.g. no bin, bike, garden or parking space).
- 8.3.3 We feel that the pressure on land here is so great, especially in inner Windsor, that it is attractive for developers to bring forward schemes which pare space to the absolute minimum, reducing the interior and exterior amenity quality of developments, and overdeveloping plots. This has an impact on the quality of life of those inside as well as outside the development for example by forcing bin or bike storage to the front, providing inadequate parking, and creating a cramped appearance. (Our General Policies on Character and Design, are also relevant here).

POLICIES –Residential amenity

RES 01

Residential development should provide external amenity space that appears in keeping with local character and which respects privacy. Residential development should provide for recycling, including space for screening and storage.

⁴⁹The Borough Wide Design Guide recently published for Consultation(March 2019) deals with Residential Amenity and may negate the need for these policies (if it goes through unchanged as it covers Residential Amenity). Emerging Local Plan policies BLP3 Design, deal with Residential Amenity as follows 3.2i Landscaping and Amenity, 3.2.1 storage refuse and recycling space and 3.2.g public realm. Also BLP19 Housing Layout and Design, BLP20 Housing Density BLP 24 Residential Amenity (propose that all residential development new and extended-should display high standards of Layout and Design and adequate levels of residential amenity. This includes space for bins, storage, outside space for gardens and recreation, and other amenities for residents. The Borough’s Supplementary Planning Note - Sustainable Design and Construction (2009)Para 3.106) states that all developments are expected to have access to appropriate facilities for the storage and collection of waste. Planning Practice Guidance (Para 040) asks local authorities to ensure that enough discreetly designed and accessible storage is provided for all the different types of bin used in the local authority area.

⁵⁰Existing Local Plan policies (H12) allow the conversion or subdivision of larger residential dwellings into smaller units under certain conditions. Emerging BLP policy (BLP 7.9 p78 Preferred Options consultation) has a similar approach, provided it does not harm the character and appearance, provides adequate amenity, car parking, garden space, etc. Conversion of two story dwellings into smaller units is regarded as less acceptable.

REASONED JUSTIFICATION

- 8.3.4 We feel that developments should provide good quality exterior amenity space, so that people have access to appropriately sized gardens and recreation spaces close by. Many new developments, especially conversions from former offices have been allowed with very limited amenity space. Most people prefer private amenity space, although we accept that in some circumstances communal may be better, for example when private spaces would be so small they would be unworkable. We recommend that development proposals consider good practice as set out in Building For Life 12 (published by the Design Council CABI) in the design of their proposals.
- 8.3.5 We would like to encourage developers to ensure that development does not result in unsightly and inappropriately placed bin and bike stores.. Unsightly storage can harm the amenity of neighbours and the street scene and we will seek to encourage appropriate bin and bike storage for all dwellings.
- 8.3.6 Where there are existing identified problems we will support the community to find appropriate and innovative solutions and we will support the use of CIL funds. Underground bin stores, communal bin or bike areas, and other ideas are used elsewhere and can be explored.

9 WORKING AND SHOPPING

9.1 Introduction

Photo 7 Tesco's store Dedworth Road



- 9.1.1 During our community consultations, we heard concerns about working and shopping issues. The loss of public houses, too many betting shops, the loss of offices and jobs, and need for provision for small business, the loss of essential shops and range of shops were all mentioned as local issues.
- 9.1.2 Current Borough policy⁵¹ is to concentrate larger businesses in designated employment areas as well as to continue to support individual business sites⁵². National Policy supports building a strong and competitive economy⁵³ and ensuring the vitality of town centres, although it also allows unused commercial buildings to be converted into residential dwellings under Permitted Development Rights and this policy has resulted in the loss of much office space in Windsor in recent years and is outside the scope and control of an NP.
- 9.1.3 The major Borough designated employments sites in the WNP area are.
- Centrica, Maidenhead Road
 - Fairacres Industrial Estate, Dedworth Road
 - (the former) Imperial House, between Alma and Vansittart Roads
 - Vale Road/Shirley Avenue Industrial Area (now mixed use in the emerging BLP)

⁵¹(LP E1 & Emerging BLP 25 9 Economic development) 26 (defined Employment Sites) 27 (other sites and loss of employment uses) 28 (Retail Hierarchy) 30 (District and Local centres) 31 (shops and parades outside of defined centres) 33 (Visitor development (including hotels))

⁵²Any changes of use for these individual sites (that are outside of permitted development rights) must apply for planning permission.

⁵³ NPPF Ch 6, NPPF Ch 7

- 9.1.4 The other major commercial sites in the WNP area are LEGOLAND, Windsor Racecourse (dealt with in our PLACE policy sections 10.4 &10.5), Keeler and Tesco but there are other small businesses scattered throughout the area, including shops, workshops, a considerable number of employees in Health and Military institutions, and many people working from home.
- 9.1.5 Retailing (A1 retail use class) is going through major adaptations to changing markets⁵⁴ due to the internet and changing shopping patterns. This potentially can lead to the loss of retail provision in peripheral centres like the neighbourhood centres and parades in the WNP area, (as well as in Windsor town centre). There is pressure to convert shops into other types of retail uses (A2/A3) such as fast food, betting shops, beauty parlours etc. These parades can now also be converted into housing as allowed under specific circumstances by Permitted Development Rights, and so they are increasingly vulnerable. This can be particularly an issue in the western suburbs of Windsor which depend upon those neighbourhood shops more due to their distance from the town centre.
- 9.1.6 There are no known spare sites in the WNP area where new industry or offices can go. The plan therefore has looked at where it might be possible to intensify neighbourhood shopping areas without losing the essential character of the area, and to consider the issue of pubs which act as both businesses and community facilities.

⁵⁴ RBWM Retail Review June 2015

9.2 Public houses

OBJECTIVE 5

Grow the local economy and enhance commercial areas for the benefit of business; workers; shoppers and tourists

Photo 8 The Black Horse pub Dedworth Road



CONTEXT

- 9.2.1 Public houses⁵⁵. Loss of public houses has been a strong theme in our research. Some public houses, have been sold for housing despite an ongoing demand as a viable business or community facility. Particularly in areas where there are few other eating and drinking opportunities, they can be a real loss to the community and affect its sustainability.

POLICIES –Public houses

PUB. 01 The loss of pubs to non-community uses will not be supported unless it can be demonstrated, further to 12 months open and active marketing, that it would not be economically viable or feasible to retain the pub in its existing use and that there is no reasonable economically viable prospect of securing an alternative community use of the land or premises.

REASONED JUSTIFICATION

- 9.2.2 PUB.01. There are three issues around the loss of public houses.
1. Loss of viable pub businesses
 2. Loss of Community facilities (pubs act as community living and dining rooms and meeting places)
 3. Loss of buildings full of local and often historical character.

⁵⁵In England the listing of a public house as an asset of community value will trigger a temporary removal of the national permitted development rights for the change of use or demolition of those public houses that communities have identified as providing the most community benefit. This will mean that in future where a public house is listed as an asset of community value, a planning application will be required for the change of use or demolition of a public house. This then provides an opportunity for local people to comment, and enables the local planning authority to determine the application in accordance with its local plan, any neighbourhood plan, and national policy. The local planning authority may take the listing into account as a material consideration when determining any planning application.”

- 9.2.3 Issue 1: Although this is covered by RBWM business policy, this has not saved some public houses which were valued by the community, so we can also seek to protect viable pub businesses in our policies. We wish to protect business uses and also community uses by asking for a viability test and ensuring that replacement uses consider community uses first.
- 9.2.4 Issue 2: This has now been addressed by national policy. The loss of public houses has evidently been a national concern as there has now been a change in national policy to enable these valuable facilities to be better protected. In April 2015 legislation was brought in so that future public houses which have been listed as Assets of Community Value (ACV) will no longer be demolished or allowed to change use without a planning application and a chance for the community to comment. This is a welcome change for Windsor, (but too late to save many), and any public houses which are not ACVs will still be vulnerable. In many cases there are now alternatives to pubs which can serve a similar community function, such as coffee shops.
- 9.2.5 Issue 3: This is covered by heritage building and character policy. Our policies under Character and Heritage (including Non- Designated Heritage Assets) should help to protect any valuable buildings which remain.

9.3 Retail and small business

OBJECTIVE 5

Grow the local economy and enhance commercial areas for the benefit of businesses, workers, shoppers and tourists

CONTEXT

- 9.3.1 The WNP area does not cover the town centre, so shopping in the WNP area is confined to Dedworth Road Local Centres, Neighbourhood Parades, and some individual local stores. These act as a focus for essential service and convenience uses, with very little “comparison” shopping. The two popular garden centres on the edge of West Windsor are outside the WNP area, (within Bray NP area), one which has already closed and the site allocated in the BLP for housing (BLP site HA11).
- 9.3.2 Our consultations showed concern from local people about this local shopping and loss of essential services, and these are happening despite it being Local Plan policy to support local shopping parades and centres⁵⁶. Concerns included; the appearance of shopping parades and the public realm around them; maintaining a good balance of independent retailers; and maintaining essential shops. Recent loss of a popular DIY store (Mahjacks) in West Windsor has concerned many as there is little alternative provision in Windsor and this affects sustainability of the town. Concerns about the number of fast food takeaways and betting shops were also expressed, and there has been some evidence of clustering of these around Dedworth Road.
- 9.3.3 Local parades are also now vulnerable from being changed to housing because changes of use from A1 & A2 (financial and professional services) to C3 (dwellings) is now permitted development. These small parades are quite vulnerable as the loss of one shop in a small parade can lead to smaller footfall and the subsequent loss of the whole parade.
- 9.3.4 Shop fronts can also contribute to the attractiveness of an area and act as a draw to customers. Existing RBWM shop front policies relate only to the town centre, and do not extend to neighbourhood parades where architecture tends to be undistinguished twentieth century design. External security shutters are not normally permitted in RBWM but have crept in in places.
- 9.3.5 People want to see independent retailers thriving in their area, and we wish to encourage planning applications from independent retailers.

⁵⁶Existing Local Plan policy⁵⁶ supports the role of local shopping parades and centres and resists change of use to non-retail (Use Classes A2 or A3) unless it is required to maintain vitality where retail use can no longer be sustained. The emerging BLP policy R5 supports development proposals within Local Centre and TR7 Shops and parades outside of defined centres, allowing change of use that support community functions and also requires appropriate marketing evidence for change of use.

- 9.3.6 In some circumstances, national policy allows offices and commercial premises to be changed into homes through Permitted Development Rights and the NP and Borough are unable to stop this happening⁵⁷. This is creating a situation where businesses struggle to find premises in the WNP area.
- 9.3.7 The high level of start-ups in RBWM indicate a need for micro and small business provision yet there is little such space available unless a house is converted to business use.
- 9.3.8 Provision of sufficient employment space is the responsibility of the Borough, and the Employment Land Review⁵⁸ and other later evidence assesses business demand for the need for such space. The evidence suggests that the need for employment space within the Borough can largely be met through intensification and redevelopment leading to more efficient use of existing sites.
- 9.3.9 Current Local Plan policies⁵⁹ restrict development for business uses to existing centres of employment and town centres but allow small scale developments (Under 100m²) outside of these areas. These small-scale sites are essential in the WNP area where there is little alternative land available for business, and the existing neighbourhood retail areas are important in this regard as there are often other small businesses clustered with them.

POLICIES- Retail And Small Business

RET 01

Local shops provide an important community function and proposals that will support the vibrancy and vitality of Local Centres and retail parades whilst respecting local character, residential amenity and highway safety will be supported. The loss of shops and small-scale commercial units will be resisted unless it can be demonstrated, further to twelve months open and active marketing, that retention in their current use is not economically viable. Proposals for new shop fronts should have regard to guidance set out in the Windsor Design Guide shop front section (see Appendix 42c).

⁵⁷ Except through an Article 4 direction.

⁵⁸ RBWM Employment Land Assessment 2009 & Housing and Employment Land Availability Assessment 2017

⁵⁹ Local Plan policy E1

REASONED JUSTIFICATION

- 9.3.10 Improvements to appearance through general public realm improvements and shop front improvements along with appropriate and essential shop uses help to attract customers and encourage them to stay longer. Recent public realm improvements in West Windsor have been welcome. Some shops do not make the best use of their shopfronts and metal roller shutters have crept in, resulting in damage to the public realm and “dead” frontages. This can produce a perception that a Neighbourhood area is unsafe. Enhancements to whole parade frontages to improve appearance of whole areas would be welcomed and could be encouraged by small grants funded by CIL money.
- 9.3.11 The RBWM Town Centre shop front design guide (from the 1990s) doesn’t cover the WNP area and is very old, so we have produced a WNP area Shop Front section within the Design Guide (Appendix 2 c) with some good general principles and positive examples which are suitable for the type of suburban area local shopping parades we see in our area.
- 9.3.12 The objectives are; To support retail architectural features of merit, well-proportioned frontages, to use appropriate materials, to ensure accessibility, to create attractive window displays, integrate security features, signs canopies and awnings in proportion, make maximum use of the forecourt and best use of colour. For more details and examples see Appendix 2c.

10 PLACE POLICY The former Imperial House and Police Station quarter.

OBJECTIVE 7

To enable redevelopment in an area (Imperial House, Alma Road) which includes a stalled major site in accordance with the vision and objectives of the plan.

CONTEXT

- 10.1.1 The following place-based policy provides for a key place within the WNP area.
- 10.1.2 This site was the home of the former Imperial House office block (demolished in 2013) and it is next to the Police Station site (which may be decommissioned during the plan period). The area has the Trinity Conservation Area sitting on its north-east edge, and Vansittart Road and the Vansittart Recreation Ground with the skate park and children's play area to the West, and Alma Road to the east, and The Alma Road Youth and Community Centre and Hovis Court Office block to the south.
- 10.1.3 The Imperial House site is the only current major brownfield site in the WNP area and has now been vacant for more than ten years.
- 10.1.4 The Police Station building has been discussed for redevelopment for housing, although it may not be available.
- 10.1.5 The Imperial House site is in employment use and RBWM has also identified the site with potential for intensification in their emerging BLP.
- 10.1.6 ⁶⁰.A mixed use development at part of the site was recently approved on appeal

Vision for the former Imperial House and Police Station quarter

- 10.1.7 In 2029, the Alma Road and Goslar Way site has been redeveloped to provide a new quarter of the town. The development is of high-quality design which meets the needs of both Borough strategic issues and local residents, with generous green spaces and improved linkages to the neighbouring park and retail area, as well as new commercial space.

POLICY

IH.01:

- i) Future development proposals featuring both the site of the former Imperial House and Police Station site should include a masterplan to show how the development interfaces with the wider area. Should any of the other neighbouring sites become available all the sites together should be viewed as an integrated whole in terms of (1) supporting infrastructure; (2) design and appearance criteria.
- ii) Any revised proposals for redevelopment should have regard to: safe and secure pedestrian and cycle connectivity; local character, including the green character of Alma Road and the scale and

⁶⁰ Planning Appeal Reference APP/TO355/W/18/3203764

massing of neighbouring buildings; and the scope for “feature” buildings to create articulated views from St Mark’s Road to Alma Road.

REASONED JUSTIFICATION

- 10.1.8 **IH.01** a) The council has allocated Imperial House as a Business Area in the emerging BLP.
- 10.1.9 The WNP policy is NOT a formal site allocation but relates to building design and the function of the place, including integration with the wider neighbourhood.

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Map 12 Map of identified potential sites between Vansittart and Alma Roads. The former Imperial House site in Blue and Police Station in Green.



11 DELIVERY AND IMPLEMENTATION

11.1 Community Infrastructure Levy (CIL) Funding

OBJECTIVE 10

Direct the use of Community Infrastructure Levies including section 106 agreement funds

CONTEXT

11.1.1 The CIL is a charge levied on developers which is used to fund Infrastructure improvements. Once a Neighbourhood Plan is “made” (approved by Referendum) 25% of the total generated within the Neighbourhood Plan Area must go towards Local Infrastructure in that area. In the absence of a Parish Council this money can be held by the Local Authority on behalf of the NP Forum. The NP Delivery Body is able to steer the use of the funds. Regulations allow NPs a much wider range of uses of CIL funds than is allowed the Local Authority. (Section 106 funds can now only be used for site specific mitigation).

Windsor Neighbourhood Forum will seek to use Community Infrastructure Levies and/or, if applicable, Section 106 funding, to deliver policies and projects in accordance with the community’s wishes and priorities, as set out in Table 1 below.

Delivery Mechanisms

11.1.2 This section describes the proposed Delivery and Implementation mechanisms and monitoring indicators and projects.

Delivery Body

11.1.3 A WNP Delivery group will be formed that will meet at least annually when the Infrastructure Delivery Plan is renewed to agree delivery using Community Infrastructure Levy funds, as well as monitor the progress of the plan using the monitoring indicators in section 11.4 below.

Implementation

11.1.4 The WNP policies will be implemented by the RBWM who are the Local Planning Authority, (who determine planning applications in the area).

Development Management

11.1.5 Most of the polices described in the WNP will be delivered by landowners and developers making Planning Applications which will be decided upon by the RBWM Development Control Panel and Planning Officers in the usual way. In making the Plan care has been taken to ensure that the WNP policies are deliverable.

The WNP Delivery Group

11.1.6 The Delivery Group will also use the Plan to guide them in making representations to RBWM Development Control on planning applications that have been submitted in respect of such planning applications that give them concern. They will also monitor the success of the policies.

11.2 Neighbourhood Infrastructure and Community Projects

11.2.1 The WNP Forum proposes the following infrastructure priorities for allocation of funds from the future CIL and other sources. Also included within the list are a series of community projects either underway or identified as necessary to pursue. (Not all WNP policies will require application of such funds as they will be dealt with through the planning process).

Table 1 Neighbourhood Infrastructure and Community projects

Whole	What? <i>Physical / Green / Social Infrastructure OR Community Project</i>	Where? <i>Address / Area / Whole Neighbourhood</i>	When? <i>Now / Soon / Later / Whole plan period</i>	Who? <i>Partners involved in delivery</i>	How? <i>CIL / Community volunteers / Public / Private / Third Sector</i>	Cost <i>Estimate of costs where applicable</i>	Policy <i>Cross reference to relevant WNP policies</i>
Natural Environment and open space							
1. Open space access improvement schemes <i>This project remains an aspiration should conditions change and such a large project sum become available</i>	Footbridge over Thames	Thames	later	Eton College RBWM	CIL	£10m	OS.02
2. Open space facilities improvement schemes	Outdoor Gyms	Any suitable urban open space	Now	RBWM	CIL	£3 x 10k= 30K	OS.02 iii
3. Open space maintenance	Community project volunteers	Convent Open Space and any others, Trinity wildlife area	Now	RBWM and Residents Associations, libraries	CIL	£5k	OS.02
4. Biodiversity. Green Routes improvements e.g. Roadside Tree planting, verges re-instatement	Green	All Green Routes	Soon and Whole	RBWM	RBWM Tree planting budget	tbc	BIO.02
5. New benches and bins at all Local Green Spaces.	All Local green Space	Maidenhead Road end of Dedworth Manor Park	Soon	RBWM	CIL	£1k per installation	OS.02iii

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6. Toilet facilities	Physical	Vansittart Recreation ground	Soon	RBWM	CIL	£10K	OS.02iii
Appearance							
7. Heritage. Advice for householders	Community project	Whole neighbourhood	Soon	RBWM Planning W2030	CIL	£6k	DES.01
8. Views. Viewing corridors maintenance/improvement	Physical/ Benches at viewpoints	Any viewing corridor. Dedworth Manor at Maidenhead Road end. Osborne Road Open Space. Winkfield Road near LEGOLAND.	Soon	RBWM	CIL	£1k per bench	VIE.01
Getting around							
9.							
10. New Public Rights of Way.	Physical	a) Along the River Thames and its tributaries, behind Centrica (RBWM #39), b) Windsor Racecourse riverbank c) Extend Bridleway 11a -St Leonards Hill to Winkfield Road	Now	RBWM, Landowners	CIL	££	CW.01

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11. Formalise existing footpath as Public Rights of Way	Physical	<ul style="list-style-type: none"> a) Footpath from Hatch Lane to Longbourne b) Alma Rd to Vansittart Rd via the college overflow carpark c) Clewer Fields running W-E from Vansittart Rd to Alma Road 	Now	RBWM	CIL	None	CW.01
12. Getting Around. Underpasses/cycle paths/footpaths improvement <i>Can't widen ramps/tunnels without great expense-but keep a dialogue on improvement opportunities and feasibility</i>	Physical	Under Royal Windsor Way roundabout, and Goslar Way and Vansittart Road underpass, Goslar Way.	Later	RBWM	CIL/Highways/Grant?	££	Para 7.1.17
13. Footpath improvements <i>This has implications for Crown Estate /Castle views and therefore very sensitive</i>	Physical	Albert Road and Long -walk crossing Wndsor Great Park	Now	RBWM/Crown Estate	Public	£	Para 7.1.17
14. Additional traffic measuring points.	Physical	B3022 Winkfield Rd west of LEGOLAND	Soon	RBWM Highways	Public	£	Section 7.1
15. Wayfinding system (inc National Cycle Route 4)	Physical signage	Key footpath and Cycle Path through	soon	RBWM Cycle Forum	CIL	£15k	CW.01

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		points -Stag Meadow, Bulkeley Ave/St Leonards Rd, Vansittart Underpass, Leisure Centre, Maidenhead Road		RBWM		<i>This budget is on top of the existing Cycle Forum budget 2018 which is already allocated</i>	
Housing and community							
16. Innovative Bin Solutions- Gardner Cottages	Community	Gardner Cottages Green space Vansittart /ArthurRd/Duke St	Later	RBWM	CIL	£5k	RES.01
17. Additional West Windsor GP surgery	Community	West Windsor	Later	RBWM NHS Clinical Commissioning Group Vale Road Surgery	n/a	n/a	n/a
Working and shopping							
18. All Neighbourhood parades -shop fronts	Physical, Shop front improvement grants.	All neighbourhood Parades	Now	Shop owners. RBWM	CIL	£1k per shop	Ret.01d
Places policies							

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19.							
20. Improvements to the public realm in small Neighbourhood shopping parades	Physical	Neighbourhood shopping parades at 1.Clewer Hill Road 2.Springfield Road 3.Clarence Road (corner of Parsonage Lane next to the Shell Garage) 4.Arthur Road	Soon	RBWM	CIL	£50k	RET.01

11.3 Monitoring indicators

Natural Environment and Open Space

- 11.3.1 Number and amount (Ha) of public open space lost
- 11.3.2 Number and amount (Ha) of new public open space gained
- 11.3.3 Number and type of facilities gained/lost in new/existing open space
- 11.3.4 No of developments affecting Green Routes given Planning Permission and green areas and green boundaries lost (metres)
- 11.3.5 Number of street trees planted

Appearance

- 11.3.6 Heritage: No of applications concerning Local Heritage List, approved/rejected
- 11.3.7 Design: Number of applications citing conformity to WNP general/Area, Parking/shopfront design guides
- 11.3.8 Views: Number of applications citing consideration of designated view

Getting Around

- 11.3.9 Creation of new cycle routes (number/length)
- 11.3.10 Creation of new cycle facilities (number/type e.g. Bike racks, bike stores)
- 11.3.11 Improvements made to existing cycle paths/footpaths/underpasses
- 11.3.12 Parking. No of developments with given PP with inadequate parking

Housing and Community

- 11.3.13 Number of dwellings gained/lost

Working and Shopping

- 11.3.14 Pubs: Numbers of pubs lost/ what use changed to.
- 11.3.15 Retail: Number of shop fronts restored
- 11.3.16 Retail: Number of new dwellings above commercial premises provided
- 11.3.17 Retail: No of local shops lost, and what use changed to.
- 11.3.18 Betting shops and fast food takeaways opened /closed

PLACE Policies

- 11.3.19 **Imperial House and Police Station Site.** The WNP will aim to review progress on this site in conjunction with RBWM at yearly intervals. Should no development be forthcoming within 5 years a major review will be sought. Measures of progress: Pre-letting by developers, pre-construction work starting, construction starting. Number of housing units/employment space created
- 11.3.20 **CIL /S106** spending. Funds available, funds allocated and funds spent in the WNP area

GLOSSARY

Acronym	Definition
ACV	Asset of Community Value
BLP	Borough Local Plan
CIL	Community Infrastructure Levy
DCLG	Department of Communities and Local Government
HMO	House in Multiple Occupation
LCA	Landscape Character Assessment
LGS	Local Green Space
MUGA	Multi Use Games Area
NDHA	Non Designated Heritage Asset
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
OSA	Open Space Audit 2008
P&R	Park and Ride
PPG	Planning Policy Guidance
PRS	Private Rented Sector
RBWM	Royal Borough of Windsor and Maidenhead
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SWOT	Strengths Weaknesses Opportunities Threats
TA	Townscape Assessment
TG	Topic Group
WNP	Windsor Neighbourhood Plan

General Terms	
Allotments	These provide opportunities for those people who wish to do so to grow their own produce as part of the long-term promotion of sustainability, health and social inclusion. This may also include urban farms.
Amenity Green Space	AGS is most commonly but not exclusively found in housing areas . This includes informal recreation green spaces and village greens . It includes green areas in close proximity to home or work which enhances the appearance of residential or other areas. It forms a visual/physical “buffer” (e.g. verges) between parking, paved and built areas. It provides wildlife

	habitats terrestrial biodiversity, supports air pollution control, drainage and soil / water biodiversity It ensures preservation of historic fields, boundaries, sites, woodlands and routes.
Cemeteries and churchyards	This relates to cemeteries and churchyards which still contain space for new burials and also includes disused churchyards and other burial grounds. Primary purposes (RBWM Open Space Audit) -Burial of the dead -Quiet contemplation Additional functions (WNP Open Space TG / Public Consult) - Social cohesion - Historic record and heritage - Environmental sustainability through support for wildlife habitats.
Charette	A public meeting or workshops devoted to a concerted effort to solve a problem or plan the design of something.
Civic spaces	These are hard surfaced areas which are usually located within town or city centres. Primary purposes (RBWM O S Audit) - Community events -Social interaction and cohesion -Community development and heritage -Important sites which can also be located within other open space areas.
Conservation Area	A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (Section 69 of The 1990 Planning (Listed Buildings and Conservation Areas) Act).
Development	This is where neighbourhood planning policies determine what development can take place and where.
Excluded development	Excluded development is <ul style="list-style-type: none"> a) A county matter (schedule 1 of 1990 ACT) i.e. relating to minerals b) Any operation or class of operation relating to waste development, Development that falls within Annex 1 to Council Directive 85/337/EEC i.e. Oil refineries, power stations, radioactive waste disposal, iron and steel smelting, asbestos operations, chemical installations, motorways, airports, ports and toxic dangerous waste disposal. c) Development consisting wholly or partly of a national infrastructure project.
Green Corridors	These are a thin strip of land that provides sufficient habitat to support wildlife often within an urban environment thus allowing the movement of wildlife along it. Common green corridors include roadside grass verges, towpaths along canals and riverbanks, cycle ways, rights of way and railway embankments.
Green and Blue Infrastructure	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. (PPG 2012). Blue Includes rivers, streams, ponds. Blue-green infrastructure brings water management and the natural landscape together. It is a description of what land is, but also reflects what the land does. . Component elements include parks, private gardens agricultural fields, hedges, trees, woodland, green roofs and green walls, rivers, and ponds. The term covers all land containing these features regardless of its ownership, condition, or size. Benefits include 1) reducing flood risk 2) improving

	psychological health and wellbeing 3) boosting local economic responsiveness, 4) providing a habitat for wildlife. The REAL benefit to planning is that it can help deliver other local regional and national policy OBJECTIVES, not just those related to green space.
Highway Land	Highway land briefly defined in two examples: <i>Highway boundaries. The public highway is an area that the public have a right to pass and repass. The highway includes the road-side verge and footways as well as the carriageway.</i> <i>Highway land refers to an area of land, where the public have the right to use to 'Pass and Repass without hindrance'. With very few exceptions highway land that we maintain is not owned by the council. A highway boundary enquiry defines the area that is maintainable at public expense by the highway authority.</i>
Natural & Semi-Natural (NSN) Green Spaces	These areas include publicly accessible woodlands, urban forestry, scrub, grasslands (examples: downlands, commons and meadows), wetlands and wastelands. Primary purposes –Wildlife conservation, Biodiversity and Environmental education. Other purposes - As areas of informal open space, many of these will be suitable for walking, picnics and quiet contemplation. - Some areas may also be suitable for cycling and / or mountain biking.
Open Space	“Open space” means any land, whether enclosed or not, on which there are no buildings or of which not more than 1/20 part is covered with buildings, and the whole or the remainder of which is laid out as a garden or is used for purposes of recreation, or lies waste and unoccupied. It includes all open space of public value, irrespective of ownership, including not just land, but areas of water such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can also act as a visual amenity. Public open space is defined as public parks, commons, heath and woodlands and other open spaces with established and unrestricted public access. Formal Open space is pitches, courts, greens, tracks. Informal Open space is for passive recreation.
Outdoor sports facilities (2)	These are natural or artificial surfaces either publicly or privately owned and used for sport and recreation, including: outdoor sports pitches, tennis courts and bowling greens, golf courses, athletics tracks, playing fields (including school playing fields) Primary purposes (RBWM Open Space Audit) - Facilities for formal sports participation
Parks and Gardens	These include urban parks, formal gardens and country parks which usually contain a variety of facilities and may have one or more other open space types within them. (Sports and formal recreational activities, cycling, boating, etc Children’s / Young people’s facilities and activities.)
Permitted Development Rights	Development that is permitted automatically under planning laws. The only circumstances when an NP can have an impact on this issue is where a local

	authority has issued an Article 4 Direction to remove permitted development rights for a given area and so require planning applications to be submitted.
Planning conditions	These are requirements that have to be met by the applicant. Examples might be the retention of trees or limiting use of a site to daylight hours.
Provision for children	These areas are designed primarily for play and social interaction involving children below age 12. Whilst it is recognised that a wide variety of opportunities for children exist as per PPG17, this typology considers only those spaces specifically designed as equipped play facilities (LEAPs
Provision for young people	These areas are designed primarily for play and social interaction involving young people age 12 and above. Whilst it is recognised that a wide variety of opportunities for young people exist (incl. youth clubs and open spaces not specifically designed for this purpose), as per PPG17, this typology considers only those spaces specifically designed for use by young people, e.g.: teenage shelters; skateboard parks; BMX tracks; and Multi-Use Games Areas (MUGAs
Strategic Policy	Strategic policies ⁶¹ will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations: <ul style="list-style-type: none"> A. whether the policy sets out an overarching direction or objective B. whether the policy seeks to shape the broad characteristics of development C. the scale at which the policy is intended to operate D. whether the policy sets a framework for decisions on how competing priorities should be balanced E. whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan F. in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan G. whether the Local Plan identifies the policy as being strategic
Urban Open space	Open space areas for "parks", "green spaces", and other open areas. The landscape of urban open spaces can range from playing fields to highly maintained environments to relatively natural landscapes. They are commonly open to public access, however, urban open spaces may be privately owned. Areas outside city boundaries, such as state and national parks as well as open space in the countryside, are not considered urban open space. Streets, piazzas, plazas and urban squares are not always defined as urban open space in land use planning." Public space in general is defined as the meeting or gathering places that exist outside the home and workplace that are generally accessible by members of the public, and which foster resident interaction and opportunities for contact and proximity.[3] This definition implies a higher level of community interaction and places a focus on public involvement rather than public ownership or stewardship.

ENDS

Windsor Neighbourhood Plan.

The following Appendices are in separate documents.

APPENDIX 1 Open Spaces

APPENDIX 2 WNP Design Guide (Includes General, Areas, Shop fronts, Parking)

APPENDIX 3 Local Viewing Corridors

APPENDIX 4 Non-Designated Heritage Assets List