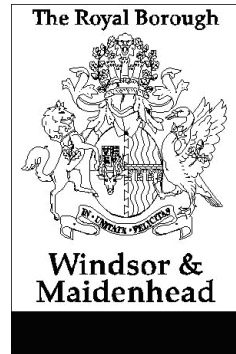


Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	NO - Part I
<b>Title</b>	<b>Poundfield Local Green Space - Petition for Debate</b>
<b>Responsible Officer(s)</b>	Russell O'Keefe, Strategic Director of Corporate and Community Services
<b>Contact officer, job title and phone number</b>	Simon Rowberry, Planning Policy Manager, 01628 796042
<b>Member reporting</b>	Cllr Wilson, Lead Member for Planning
<b>For Consideration By</b>	Council
<b>Date to be Considered</b>	23 February 2016
<b>Affected Wards</b>	Bisham and Cookham

### Report Summary

1. A petition with 706 signatures has been received, asking for Poundfield in Cookham to be designated as Local Green Space.
2. In response, it is proposed to designate Poundfield as Local Green Space within the emerging Borough Local Plan.

### If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which they can expect to notice a difference
Land that forms part of the character and identity of Cookham will be afforded further protection from development.	Date of adoption of the Borough Local Plan – anticipated late 2017

## 1. DETAILS OF RECOMMENDATIONS

### RECOMMENDED: That:

- (i) **Council endorses the proposed designation of Poundfield as Local Green Space in the emerging Borough Local Plan.**

## 2. REASON FOR DECISION AND OPTIONS CONSIDERED

2.1 A petition has been received with the following wording: "We the undersigned petition The Royal Borough of Windsor and Maidenhead to designate the Poundfield area in Cookham, including land adjacent to the Nursery School, as a Local Green Space in the new Local Plan." The petition was hosted on the RBWM website and, when it closed on 16 January 2016, had attracted 706 signatures.

The petition’s creator states that Poundfield is “a crucial green space which is part of the fundamental character of Cookham” and “our request [to designate as Local Green Space] is directed to safeguarding Cookham’s essential character.”

The land is considered to be an important open space within the Cookham area and worthy of protection from development. Although its existing designation as part of a conservation area affords some protection it is considered that further designation as Local Green Space would demonstrate the importance that the Council and local people attach to the land.

Local Green Space designation can only occur through Local Plans or Neighbourhood Plans. In the case of Cookham a neighbourhood plan is not currently being progressed so the Borough Local Plan offers the only avenue for designation.

The National Planning Policy Framework (NPPF) states at para. 77 that Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area 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
- where the green area concerned is local in character and is not an extensive tract of land.

It is considered that sufficient evidence has been submitted to show that Poundfield satisfies these three tests and is thus suitable for designation.

When the current Local Plan was adopted in 1999, Poundfield was designated as Green Belt. The landowner successfully challenged that designation in the High Court and the relevant part of the plan was quashed, thus the land does not currently form part of the Green Belt.

National Planning Practice Guidance (PPG) states that Local Green Space designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name. This is not considered to be the case for Poundfield, where the land is considered to satisfy the relevant policy tests for designation. The matter could only be fully tested by an Inspector at examination in public of the Borough Local Plan, or by a legal challenge to designation.

It is proposed to designate Poundfield as Local Green Space within the emerging Borough Local Plan. Designation would only take effect once the plan has been through Examination in Public and formally adopted as policy, which is currently anticipated to be in late 2017.

Option	Comments
Designated Poundfield as Local Green Space in the Borough Local Plan <b>This is the recommended</b>	The land is considered to satisfy the three national policy tests for designation, and designation would accord with the clearly expressed wishes of residents.

<b>option</b>	
Do not designate Poundfield as Local Green Space in the Borough Local Plan	This option would mean that the land was afforded less protection from development and would be contrary to residents' wishes.
Encourage Cookham Parish Council to designate Poundfield as Local Green Space in a neighbourhood plan for the parish	This would be the normal approach for designation of Local Green Space but is not possible in this case because a neighbourhood plan is not currently being prepared for Cookham.

### 3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Poundfield designated as Local Green Space by	Not Designated	Designated as Green Space	November 2017	October 2017.	December 2017.

### 4. FINANCIAL DETAILS

#### 4.1 Revenue Funding

There are no specific financial implications to the process of making a Local Green Space designation. Costs would be covered by existing Borough Local Plan budgets. As is the case with all proposals in a Local Plan, there is the possibility of a High Court challenge to the designation, which would incur extra costs.

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

#### 4.2 Capital Funding

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

### 5. LEGAL IMPLICATIONS

5.1 The landowner has previously mounted a successful High Court challenge to the designation of part of Poundfield as Green Belt. It is therefore possible that a designation as Local Green Space would be similarly challenged.

### 6. VALUE FOR MONEY

6.1 Not relevant as no extra costs incurred by designation.

## 7. SUSTAINABILITY IMPACT APPRAISAL

7.1 N/A

## 8. RISK MANAGEMENT

8.1 N/A

## 9. LINKS TO STRATEGIC OBJECTIVES

Relevant Strategic Objectives are:

- **Put Residents First**  
Designation as Local Green Space would accord with the expressed wishes of residents.

## 10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 No apparent implications.

## 11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 None.

## 12. PROPERTY AND ASSETS

12.1 No implications.

## 13. ANY OTHER IMPLICATIONS

13.1 None.

## 14. CONSULTATION

14.1 An online consultation between 29 June and 30 September 2015 asked residents' opinions on some planning policy questions. As part of this, residents were asked to nominate areas within the borough for designation as Local Green Space. Poundfield was the most popular area mentioned, being nominated 88 times (for context, 263 sites were nominated but only three sites were nominated by more than ten people).

## 15. TIMETABLE FOR IMPLEMENTATION

<b>Stages</b>	<b>Timescale</b>
Publish draft Borough Local Plan for consultation	April 2016
Publish pre-submission draft of Borough Local Plan	Summer 2016
Submit Borough Local Plan for examination in public	Late 2016
Examination of Borough Local Plan	Late 2016/Early 2017
Inspector's report received	Spring 2017
Borough Local Plan adopted	Late 2017

## 16. APPENDICES

16.1 None.

## 17. BACKGROUND INFORMATION

17.1 Link to online petition: <http://petitions.rbwm.gov.uk/Poundfield/>

## 18. Consultation (Mandatory)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Councillor Burbage	Leader of the Council	11.02.16	11.02.16	

### Report History

Decision type:	Urgency item?
Decision	No

Full name of report author	Job title	Full contact no:
Simon Rowberry	Planning Policy Manager	01628 796042