

Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	West Street Supplementary Planning Document
Responsible Officer(s)	Russell O' Keefe, Strategic Director Corporate & Community Services
Contact officer, job title and phone number	Chris Hilton, Director of Planning, Development and Regeneration, 01628 68 3811
Member reporting	Clr Derek Wilson, Cabinet Member for Planning Clr Philip Love, Deputy Lead Member for Maidenhead Regeneration
For Consideration By	Cabinet
Date to be Considered	28 th July 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. The West Street Opportunity Area Supplementary Planning Document (SPD) provides detailed guidance that will influence the strategic use of land and the quality of design within the West Street Opportunity Area. This report recommends that the amended West Street Opportunity Area SPD is adopted. Upon adoption, the SPD will form part of the Council's Local Development Framework and will be formally considered in the determination of planning applications.
2. The draft document was recently subject to a six week statutory public consultation. As part of the consultation, comments were received from several stakeholders and as a result minor amendments have been made to the draft SPD which is set out in the Consultation Statement Report (Appendix C to this report).

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. By supporting high quality development and improved connectivity between the High Street and Kidwells Park.	2019

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. Agrees to adopt the West Street Opportunity Area Supplementary Planning Document.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 West Street Opportunity Area SPD supports and links with Maidenhead Town Centre Area Action Plan (AAP) (Policy 0A2) which was adopted by the Council on 27th September 2011. The SPD incorporates an illustrative Masterplan which sets out the overall aspirations for the development of the site in greater detail.
- 2.2 The site is in multiple ownership, therefore, an adopted SPD will help to guide and encourage comprehensive high quality re-development of this Opportunity Area and improved connectivity between the High Street and Kidwells Park, to be completed in accordance with the overall regeneration vision and objectives. Once adopted the SPD will act as a material consideration in the determination of planning applications within the Opportunity Area.

What does the supplementary planning document do?

- 2.3 The SPD sets out a high level, overall spatial vision for the West Street Opportunity Area and incorporates a Design Framework which aims to proactively guide and promote the comprehensive re-development of this site within Maidenhead Town Centre.

Consultation

- 2.4 The draft SPD was published for a six week period of public consultation between 3 March and 14 April 2016.
- 2.5 The public were notified of the consultation through a range of methods including a press notice in the Maidenhead Advertiser; press release, statutory notices displayed locally; letters and email notifications sent to landowners/occupiers and neighbouring sites; email notification to Partnership for the Rejuvenation of Maidenhead (PRoM) members, individuals, statutory consultees, businesses, Councillors and other organisations. (Please refer to the Consultation Statement in Appendix C of this report.)
- 2.6 Hard copies of the SPD and questionnaires were made available for public inspection at two Council Civic Offices (Maidenhead Town Hall and York House, Windsor) and Maidenhead Library. The draft SPD and questionnaire was also published online on the Council's website for review. There was an opportunity to submit the completed questionnaire and / or make representations by e-mail or post.
- 2.7 In addition, a manned public exhibition was held from 11am – 4pm on Wednesday 23 March in the Nicholson's Centre, Maidenhead Town Centre which was very well attended. The exhibition stand was subsequently made available to view at Maidenhead Town Hall for the remainder of the consultation period.

- 2.8 During the consultation period a total of 41 representations were received from various stakeholders and one representation was received after the closing date, which has also been considered. These representations are listed in the Consultation Statement Report at Appendix C.
- 2.9 The matters raised in the consultation have been fully considered in conjunction with PRoM. To reflect these representations and add clarity to the document the main modifications in table 1 have been made to prepare the final West Street Opportunity Area SPD. The reason for making these changes and the wording of the revised SPD are also stated in the Consultation Statement Report:

Table 1

The vision / objectives	<p>59 % of respondents agreed with the vision. The following have been added to the vision / objectives statement to:</p> <ul style="list-style-type: none"> • encourage an ambitious and innovative scheme of exemplary design • promote imaginative solution to the development area. • acknowledge the opportunity to enhance heritage assets and improvement to the environmental quality along West Street.
Parking	<p>56% of respondents agreed with the proposed replacement of the West Street car park into a multi-storey format. Amendment made to include retention of disabled parking bays on street.</p>
Highways	<p>New paragraph added regarding highways constraints.</p>
Connections	<p>59% of respondents would prefer the connection to be in a form of a new footbridge, this option was the most frequently selected.</p> <p>Text has been added in Connections section to include desire for innovative solutions such as green / living bridge with buildings on bridges.</p>
Building heights	<p>71 % of respondents thought building heights should be limited to 12 storeys. As this reflects the over-arching AAP parameters and the content of the SPD no changes are required.</p>
Heritage	<p>Updates have been made to heritage and conservation</p>
Place Making Principles	<p>“Innovative Urban Solutions” has been added to the section on “Place Making Principles” to highlight its importance as a key principle for development delivery.</p>

Water infrastructure	<p>New sections have been added to:</p> <ul style="list-style-type: none"> • take account of the requirement for ensuring water supply and management of wastewater and sewerage infrastructure. • take into account of the classification of the site falling within groundwater Source Protection Zone 1 (SPZ1).
Natural Environment	<p>Under the “Green Infrastructure” subheading a new sentence has been added that refers to the enhancement of biodiversity in response to comments received from Natural England.</p>

Next Steps

- 2.10 The Consultation Statement Report, required for the adoption of the SPD meets Regulations 11 and 12 of the Town and Country Planning Regulations 2012. Under the Regulations (Regulation 14), as soon as reasonably practicable after the local planning authority adopt a supplementary planning document they must make available the supplementary planning document and an adoption statement; and send a copy of the adoption statement to any person who has asked to be notified of the adoption of the supplementary planning document.
- 2.11 The adopted SPD and adoption statement will be made available to the public via the Council’s website, in public libraries and Council buildings. Those who made comments during the consultation period will be notified of the document’s adoption and of the adoption statement. The adoption statement will include the date on which a supplementary planning document was adopted and indicate that any person with sufficient interest in the decision to adopt the supplementary planning document may apply to the High Court for permission to apply for judicial review of that decision, and that any such application must be made promptly and in any event not later than three months after the date on which the supplementary planning document was adopted. The SPD document will be further promoted through pre-application advice.

Option	Comments
Adoption of the SPD Recommended.	Adopting this document will provide clear and detailed guidance for the future of the Opportunity Area.
Do nothing – continue to rely on the AAP and not adopt the SPD Not recommended.	Failure to adopt this document will reduce the local planning authority’s ability to ensure proposals for new development in the Opportunity Area contribute positively to the area. If the SPD is not adopted then there will be less information for potential developers for the site. In the absence of a formal SPD, due to the fragmented ownership of the site there is a risk that planning applications may come

Option	Comments
	forward on a piecemeal basis and within a longer timeframe. There is also a risk that delivery of the overall vision and regeneration objectives may be compromised.

3 KEY IMPLICATIONS

- 3.1 This SPD has been prepared within the context of relevant policies contained within the Maidenhead Town Centre Area Action Plan (AAP) 2011, in particular Policy OA2.

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Completion and adoption of the West Street SPD					August 2016

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 The SPD and supporting consultation documents have been prepared within the available budget therefore there are no future financial implications.

	2016/17	2017/18	2018/19
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

	2016/17	2017/18	2018/19
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

There are no direct financial implications arising from this report. The SPD provides formal planning guidance that will influence the strategic use of land and quality of design within this Opportunity Area.

5. LEGAL IMPLICATIONS

- 5.1 The SPD has been prepared in accordance with the statutory process set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. This regulation requires preparation of a statement setting out the persons that have been consulted in the preparation of a SPD, a summary of main issues raised and how these issues have been addressed in the SPD.
- 5.2 Upon adoption, the SPD will form part of the Council's Local Development Framework and will be of significant weight in the determination of planning applications within the West Street Opportunity Area. The SPD will support and expand on policies contained within the existing Maidenhead Town Centre AAP.

6. VALUE FOR MONEY

- 6.1 The SPD will help to support high quality development on the council's land holdings.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 The requirement for an SPD to be supported by a Sustainability Appraisal was removed by the Town and Country Planning (Local Development (England) Amendment Regulations 2009. This SPD has been prepared in accordance with the policies of the Maidenhead Town Centre AAP that was informed by a Sustainability Appraisal.

8. RISK MANAGEMENT

8.1

Risks	Uncontrolled Risk	Controls	Controlled Risk
Landowners progress schemes independently which are not in line with the vision and regeneration objectives for West Street Opportunity Area	Medium	As a material consideration, an adopted SPD will enable the Local Planning Authority to make recommendations that comply with the SPD.	Low
SPD is not adopted / or adoption is delayed and planning applications are submitted in the meantime	Medium	The SPD adoption work has been progressed to programme. The consultation results have shown that the majority of respondents agree with its vision and objectives, therefore minor amendments have been made to the draft SPD and its formal adoption is therefore recommended	Low

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 The SPD has links to and contributes to the all 4 Strategic Objectives contained within the Council Strategic Plan 2016-2020:-

Residents First	<ul style="list-style-type: none"> • enjoy healthy lifestyles • enjoy vibrant town centres
Value for Money	<ul style="list-style-type: none"> • invest in the future
Delivering Together	<ul style="list-style-type: none"> • delivering in collaboration with key holders
Equipping Ourselves for the Future	<ul style="list-style-type: none"> • forward planning / investment

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 An equality Impact Assessment Initial Screening has been undertaken and concludes the SPD will not unlawfully discriminate against any group or individual, or provide the grounds for such discrimination.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 None

12. PROPERTY AND ASSETS

- 12.1 There will be a future impact on Council land holdings. The Council owns 0.429 ha / 1.06 acres of land within the site which includes a public surface car park. These Council land holdings in West Street together with other Maidenhead Opportunity Area sites will be brought forward for development via a Joint Venture Development vehicle.

13. ANY OTHER IMPLICATIONS

- 13.1 None

14. CONSULTATION

- 14.1 A six week consultation was carried out on the SPD as set out in the report. Comments from the Overview and Scrutiny Panel will be received on the 14 July 2016.

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
2 nd March 2016	SPD prepared
3 rd March– 23 April 2016	SPD consultation period
19 th July 2016	SPD revised and completed
5 th August 2016	SPD adoption

16. APPENDICES

Appendix A – West Street Opportunity Area Site Plan

Appendix B – Public Consultation Materials (Public Notice, Questionnaire)
 Appendix C - Consultation Statement Report
 Appendix D – West Street Opportunity Area SPD for adoption

17. BACKGROUND INFORMATION

- Cabinet report (29 October 2015): Cabinet was updated on work completed by consultants LSH and A&M on various development options which would form part of the Development Framework for the West Street site.

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Wilson	Cabinet Member for Planning	24/6/16		
Cllr Love	Deputy Lead Member for Maidenhead Regeneration and Leaders Representative on PRoM	24/6/16		
Russell O'Keefe	Strategic Director Corporate and Community Services	24/6/16	28/6/16	Comments included throughout
Alison Alexander	Managing Director/ Strategic Director Adults, Children and Health	24/6/16	26/6/16	Comments included throughout
Simon Fletcher	Strategic Director Operations and Customer Services	24/6/16		
Richard Burn	Interim Head of Finance	27/6/16		
Chris Targowski	Cabinet Policy Officer	24/6/16		
External				

REPORT HISTORY

Decision type:	Urgency item?

Key Decision	No
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Full name of report authors	Job title	Full contact no:
Sarah Ball	Team Leader - Planning Policy Implementation	01628 79 6112
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Stages in the life of the report (not all will apply)	Date to complete
1. Officer writes report (in consultation with Cabinet Member)	
2. Report goes for review to head of service or DMT	
3. To specialist departments: e.g., legal, finance, HR (in parallel)	
4. To lead member	
5. To CMT	
6. To the leader	
7. To overview or scrutiny, if a cabinet report	
8. To cabinet	

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Document author	Red
Head of Service	Blue
Finance / Procurement / Legal	Green
Director	Orange
Cabinet Policy Officer/Lead Member/ Councillors	Purple

REPORT ALTERATION TRACKING

Name	Date	Text Colour used for changes	Pages changed