

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee **DATE:** 7th December 2016  
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**WARD(S):** All

**PART I**  
**FOR DECISION**

**RESPONSE TO WINDSOR & MAIDENHEAD DRAFT BOROUGH LOCAL PLAN**  
**2013-2032 (Regulation 18) CONSULTATION**

**1 Purpose of Report**

The purpose of the report is to agree a response to the consultation on the latest version of the Windsor and Maidenhead Draft Borough Local Plan.

**2 Recommendation(s)/Proposed Action**

The Committee is requested to resolve that:

- a) The proposed representations on the Windsor and Maidenhead Borough Local Plan Regulation 18 (Nov 2017 Overview and Scrutiny Vn) set out in the report be submitted to the Council;
- b) Delegated powers be granted to Officers to submit further detailed comments on the draft Plan and evidence base in response to its Regulation 18 Consultation in December 2016;
- c) The Royal Borough of Windsor and Maidenhead be invited to discuss with this Council the implications of the Draft Borough Local Plan as part of the Duty to Cooperate.

**3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

**3a. Slough Joint Wellbeing Strategy Priorities**

Ensuring that needs are met within the local area will have an impact upon the following SJWS priorities:

- *Health*
- *Economy and Skills*
- *Regeneration and Environment*
- *Housing*

**3b. Five Year Plan Outcomes**

Ensuring that right type of housing is built in the wider area will contribute to the following Outcome:

- 2 *There will be more homes in the borough with the quality improving across all tenures to support our ambition for Slough.*

#### 4 **Other Implications**

(a) Financial

There are no financial implications of the proposed action in this report which can be achieved within existing budgets.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the Committee makes representations on the Windsor and Maidenhead Draft Local Plan.	The failure to comment on neighbouring Authorities local plan consultations could result in needs generated by a neighbouring authority, for example for affordable housing, over-spilling into Slough.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

#### 5 **Supporting Information**

##### Introduction

- 5.1 The Royal Borough of Windsor and Maidenhead has been preparing a Borough Local Plan for some time in order to replace the current plan which was adopted in 1999.
- 5.2 This Council has expressed some concerns about the way the plan was being produced. Members will recall that at the report to this Committee on 3<sup>rd</sup> August 2016 highlighted these and as a result the Royal Borough was informed that it was considered to have failed to comply with the Duty to Cooperate in the preparation of the plan.
- 5.3 In the light of these and other concerns on the June 2016 draft version of the Plan Windsor and Maidenhead Council asked a specialist planning Counsel to carry out a legal compliance review of the draft version of the plan that it was intending to submit without any further consultation. This identified a number of issues which included the carrying out of the 2015 consultation without a Sustainability Appraisal and what was described as inadequate record-keeping with regards to compliance with the Duty to Cooperate.
- 5.4 As a result in a report to Cabinet on 29<sup>th</sup> September 2016 Officers recommended that the Council would be acting unlawfully if it submitted the Borough Local Plan,

which would almost certainly be immediately rejected by the Planning Inspectorate. It was therefore agreed that there would be a further round of consultation on a new draft version of the Plan which would explain how decisions had been made since 2014 and give people the opportunity to comment on the new draft. This would also be supported by a Sustainability Appraisal (and Habitat Regulations Assessment).

- 5.5 Significant amendments have now been made to the Plan and the updated draft has been reviewed again by Counsel and the Planning Inspectorate acting in an advisory capacity. This resulted in further changes being made to the draft Plan and a report on anticipated final version, the 'Borough Local Plan 2013-2032 Reg. 18 Dec. 16', was put to the Planning and Housing Overview and Scrutiny Panel on the 17<sup>th</sup> November in advance of seeking Cabinet approval on the 24<sup>th</sup> November for a six week public consultation from 2<sup>nd</sup> December-13<sup>th</sup> January 2017.
- 5.6 It should be noted that this consultation period falls between two meetings of this Committee. As a result in order to put the matter before the committee this report has been written at short notice before the actual consultation documents have been published. This means that the views below are based on the version of the Borough Local Plan presented to the Overview and Scrutiny Committee and concentrate upon the major issues, with delegated powers being sought for Officers to make additional detailed comments on the Plan once we have had time to study the draft Plan and all of the supporting documentation.
- 5.7 In February 2014 this Council made a number of representations on the Windsor and Maidenhead Plan which focused upon the following points:
- The Plan should seek to meet in full the Objectively Assessed Housing Needs;
  - Sufficient Green Belt releases should be made to meet projected population growth and economic needs;
  - The Plan must include a requirement for affordable housing for rent;
  - There should be a housing distribution to guide emerging Neighbourhood Plans
  - There should be more of a restraint policy which would reduce the use of the private car
- 5.8 As a result the following sections consider the extent to which each of these issues has now been addressed in the latest Draft Plan.

#### Meeting Objectively Assessed Housing Need

- 5.9 The Strategic Housing Market Assessment (SHMA) identified that the Objectively Assessed Housing Need for Windsor and Maidenhead was 712 a year which amounted to 14,240 dwellings over the plan period from 2013 to 2032.
- 5.10 The original "Publication" version of the Windsor and Maidenhead Plan that was produced in June 2016 stated that the housing target would be 469 dwellings which would be 66% of the Objectively Assessed Housing. This document was produced before the Council had secured control of Maidenhead Golf Course which was a major potential housing site. Once the golf course site was included in the Plan the target could be increased to 569 per annum.
- 5.11 There was no explanation as to how the unmet housing need would be met either within or outside of the Housing Market Area which is why this Council raised its concerns.

- 5.12 The latest plan is now proposing to meet the Objectively Assessed Housing Needs in full and has identified sites to meet the target of 712 dwellings a year.
- 5.13 It is considered that the decision to meet the housing needs in full should be welcomed particularly since this will relieve some of the pressures in the wider Housing Market Area which includes Slough.

#### Green Belt Releases

- 5.14 It has always been recognized that sufficient land for housing could not be found just within the urban area. As a result this Council has made representations that land should be released from the Green Belt to meet housing needs.
- 5.15 Previous versions of the Plan have proposed limited development in the Green Belt on previously developed land and around Ascot High Street. As explained above, a Maidenhead Golf Course was subsequently identified as a major development site which could accommodate 2,000 houses. This was still not enough to meet housing needs.
- 5.16 The latest version of the Plan has now identified additional sites to be released from the Green Belt for housing. The largest of these is west of Dedworth either side of the A308 which has been included as an additional strategic location for development. There are also sites at Datchet, Horton, Wraysbury, Old Windsor, Cookham, Ascot and Sunningdale. It is not considered that the development of these sites would have any specific issues for Slough.
- 5.17 One of the proposed Green Belt sites in the Windsor and Maidenhead Plan is the site west of Crown Meadow at Brands Hill. This, along with a site south of Austin Way/east of Ditton Park, forms part of Option J2 (Southern Expansion of Slough) in this Council's Issues and Options document which will be the subject of public consultation in January. Both of these sites have some environmental constraints but it is considered that in principle they are suitable sites for housing development. As a result it is considered that this Council should formally request that the site south of Austin Way should also be proposed for housing development in the Windsor and Maidenhead Local Plan in order to help meet housing needs in the area.
- 5.18 Subject to the land south of Austen Way being included as an additional housing site it is considered that this Council should welcome the inclusion of the additional housing sites in the Windsor and Maidenhead Plan which are being released from the Green Belt in recognition that this is justified on the grounds that there are exceptional circumstances to meet housing needs.

#### Affordable Housing

- 5.19 Alongside concerns about the amount of housing to be built in the Royal Borough, this Council's main objection to the emerging Local Plan has been its failure to require development to provide affordable housing for rent.
- 5.20 Policy HO3 states that the quantum, tenure, size and type of affordable housing will be negotiated on a site by site basis having regard to housings needs, site specifics and other factors. It also states that it will encourage a wide range of affordable housing products in line with government initiatives.
- 5.21 Although the supporting text acknowledges that the SHMA shows that there is a

need for an additional 434 new affordable houses a year it fails to explain the SHMA also concludes that around 80% of this need is for affordable rented accommodation. The Plan makes no reference to the need for affordable housing for rent for those in the most acute needs and so provides no basis for seeking it within new developments.

- 5.22 The Plan does refer to the Council's corporate policy of encouraging affordable housing including key worker housing and that it seeks to encourage more residents to invest in securing their own housing in the Borough and thus the provision of a broader range of affordable housing.
- 5.23 The latest plan does not go as far as a previous version which stated that the only form of affordable housing that will be sought is shared equity and staircased home ownership. The Cabinet agreed a Key Worker report on 30<sup>th</sup> June 2016 which proposes for providing more housing opportunities for key professional groups. The Affordable Housing Planning Guidance Document, which is being considered at RBWM Cabinet on 24<sup>th</sup> November 2016, does not include a requirement to provide social rent just key working housing.
- 5.24 This approach is not being driven by viability or land ownership problems. The Council has already decided that there will be no affordable housing for rent on the Maidenhead Golf Course despite the fact that they will own it and there are no financial reasons why affordable housing cannot be provided on a former Green Belt site.
- 5.25 The Local Plan recognizes that the Borough has very high house prices and a lack of supply of affordable housing which means that many people are unable to afford market housing. It also notes that the high cost of renting on the open market leaves many people unable to afford this tenure. This means that many lower paid and lower skilled people cannot afford to live in the Borough.
- 5.26 House prices and rents are cheaper in Slough than Windsor and Maidenhead and it already has a very large private rented sector. The failure of the Borough Local Plan to provide affordable housing for rent will further increase the pressure on the Slough housing market and result in even more people looking to rent in the Borough. At the same time the policy of encouraging more home ownership in the Royal Borough will accentuate the divide between the two areas.
- 5.27 As a result it is considered that this Council should strongly object to the lack of any requirement to provide affordable housing for rent in the Borough Local Plan.

#### Lack of a Housing Distribution

- 5.28 Windsor and Maidenhead is a vanguard authority in promoting Neighbourhood Plans. As a result these are being prepared for virtually all of the areas of the Borough. In the absence of an up to date Local Plan they have had to be prepared in a bit of a policy vacuum. The Borough Local Plan provides the opportunity to provide strategic guidance to these emerging plans. Whilst it includes 27 strategic policies which Neighbourhood Plans will have to comply with it does not set out a housing distribution which can be used to guide and test these plans. The Borough Plan is reliant upon a large number of windfall sites coming forward and so as a result it is important that the Neighbourhood Plans facilitate this.
- 5.29 As a result it is considered that Windsor and Maidenhead should be requested to include a housing distribution within the Borough Local Plan to guide the

preparation of Neighbourhood Plans.

### Transport Policies

- 5.30 The Plan recognizes that one of the core planning principles is to actively manage patterns of growth to make fullest possible use of public transport, walking and cycling. It also recognizes that there is congestion on the strategic road network during peak travel times and at the peak hour on local roads. As a result it requires developments to carry out Transport Assessments and implement Travel Plans in order to mitigate transport impacts.
- 5.31 There is, however, no consideration of having any restraint policies. It states that consideration will be given to having zero parking standards in town centres but this is not reflected in the actual Policy. This states that the Council will develop and implement revised parking standards. Transport and parking policies, including any varied parking standards set out in Neighbourhood Plans that have been made, will also be supported.
- 5.32 This means that the Borough Plan is not seeking to use parking control as a strategic policy response and is prepared to let individual Neighbourhood Plans decide what the level of parking will be in their areas. This could have cross boundary implications for the level of traffic being generated within the Plan area.
- 5.33 As a result is considered that Windsor and Maidenhead should be requested to take a more strategic view about how it could deal with the problems of congestion within the Borough Local Plan.

### Other Issues

- 5.34 There are a number of other topic areas within the Borough Local Plan relating to employment, retail and environmental issues which could have implications for Slough. It has not been able to consider all of these in detail at short notice, and some of the background evidence is not publically available yet. As a result delegated powers are being sought for Officers to make further comments on these and other topics before the end of the consultation period.

## **6 Conclusions**

- 6.1 It is considered that Windsor and Maidenhead has made significant progress in reviewing its draft Local Plan by increasing the supply of housing. It is proposed that representations should be made to the latest Consultation Document about the remaining outstanding issues. Further discussion can then take place in accordance with the Duty to Cooperate.

## **7 Background Papers**

- RBWM Local Plan: Preferred Options Consultation (2014)
- Draft RBWM Local Plan (June 2016)
- Borough Local Plan 2013-2032 (Overview and Scrutiny Vn November 2016)

## **8 Appendices**

Appendix 1 - Map of proposed site allocations in Datchet Area (south of Slough)

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**CONFIDENTIAL**

Borough Local Plan:  
Proposed site  
allocations for  
consultation  
(December 2016)

**Legend**

- Mixed Use
- Employment
- Housing

The Royal Borough of Windsor & Maidenhead  
Ordnance Survey

Date 09/11/2016  
Scale 1:18,000 A3  
05000 m

