

Royal Borough of Windsor and Maidenhead

Eton and Eton Wick Neighbourhood Plan Decision Statement

Summary

Following an Independent Examination, the Royal Borough of Windsor and Maidenhead's Cabinet has now confirmed that the Eton and Eton Wick neighbourhood plan will proceed to a Neighbourhood Plan Referendum.

Background

Eton Town Council are the Qualifying body for the Neighbourhood Plan and during the production of the Neighbourhood Plan the Steering Group undertook several consultations and engagement events with Local Stakeholders in the Neighbourhood Plan Area. 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 consultation process has met the legal requirements.

The examiner was appointed by the Royal Borough, with the agreement of the Qualifying Body. This examination was carried out without a public examination, using the written representations process, and the examiner's report recommends that the plan proceeds to referendum, subject to modifications.

Decision

The Borough Council's Cabinet considered the recommendations at its meeting on the 24th May 2018 and voted unanimously to accept the examiners proposed modifications and approve the plan to proceed to referendum. The Head of Planning has been given delegated authority to issue a decision notice.

The Plan with the examiners modifications meets the Basic Conditions as required in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and is compatible with the Convention rights and complies with provision made by or under section 38A and B of the 1990 Act.

Cabinet also delegated authority to the Head of Planning, in consultation with the Principal Member for Neighbourhood Planning, to make minor, non material, amendments to the Neighbourhood Plan prior to the referendum being announced.

Eton and Eton Wick Neighbourhood Plan

Examiner's Recommended Changes and Officers Recommendations

Location of change	Page of Plan	Proposed Change	Commentary on examiner's view	Officer Recommendation
Introductory section	Page 4 first para	Change last sentence to "These Appendices provide important guidance in support of the Policies set out in this Neighbourhood Plan."	Appendices provide useful guidance, they do not carry the same material planning weight as made neighbourhood planning policies.	Accept the change.
Background	4, penultimate para	Change to "Once made (or adopted), the Neighbourhood Plan will form part of the development plan and will have legal..."	This makes clear the use of the correct term for clarity.	Accept the change.
Background	4, penultimate para, last sentence	End last sentence "...applications in the Neighbourhood Area." (delete rest of sentence)	This is to set out the correct legal procedure.	Accept the change.
Our Neighbourhood	6 penultimate para	Change opening sentence to "Conserving and protecting..."	This now complies with national guidance.	Accept the change.
The Plans Key Priorities	7 penultimate bullet point	Change to "To conserve the heritage characteristics and significance of the settlements..."	This now complies with national guidance.	Accept the change.
Vision and Objectives	9 third para	Change last sentence of "Vision" to: "...valuing the character and conserving the historical..."	This now complies with national guidance.	Accept the change

The Plans Key Priorities	7 first sentence	Change to "...Local Plan and have regard to the National Planning Policy Framework (NPPF)."	For precision and having regard to the Basic Conditions	Accept the change
Policy HD1	14	Delete part i) of the Policy <ul style="list-style-type: none"> • Change part iii) of the Policy to "The development of brownfield land within Eton Wick will be supported where it contributes to meeting housing needs." • Change final part of the Policy to "...infrastructure strategy; and provide for a mix of dwellings by size, type and tenure." 	This reworking is aimed at ensuring the policy is clearly worded for the decision maker to use.	Accept the change
Policy HD1 Introduction	13 first para	Change to "...flooding. It is important that suitable infrastructure provision is provided, commensurate with the scale of development proposed."	To ensure that the supporting text does not read as though it is part of a policy.	Accept the change
Policy HD1 Introduction	13 second para	Change to "This Neighbourhood Plan seeks to encourage small scale development that is delivered at a..."	To ensure that the supporting text does not read as though it is part of a policy.	Accept the change
Policy HD1 Introduction	13 third para	Delete third paragraph.	To ensure that the supporting text does not read as though it is part of a policy.	Accept the change
Policy HD1 Introduction	14 first, second, third para	Delete first, second and third paragraphs	To ensure that the supporting text does not read as though it is part of a policy.	Accept the change
Policy HD2	15	Change the wording of Policy HD2 to "New dwellings and residential	This rewording seeks to ensure the policy does not have	Accept the change

		extensions should respect local character and make a positive contribution to it. Development should reflect local architectural vernacular and respect residential amenity.”	unintended consequences and better complies with national guidance.	
Policy HD2 Justification	15	Delete last two sentences of Justification (which seek to impose planning application form requirements - which are not the responsibility of the Neighbourhood Plan - and also contain a reference which is in direct conflict with the Policy itself)	This is to ensure that the plan works within the powers available to a Neighbourhood Plan.	Accept the change
Policy HD3	16	<p>Policy HD3 change first sentence to: “Proposals for development within Eton should demonstrate how they have taken into account the Eton Design Guidance, set out in Appendix 1.”</p> <ul style="list-style-type: none"> • Change second bullet point to: “New development should not detract from the character of...surrounding area.” • Delete fourth bullet point • Delete second sentence of part v. a) (“Buildings.... that supported.”) 	The original policy lacked clarity and went beyond national guidance with clear evidence or justification, it would have been difficult to implement.	Accept the change

		Part v. c), change second sentence to “Innovative design is particularly welcome, provided that it does not...buildings.”		
Policy HD3 Justification	17	Delete from fifth sentence to the end of the para (“New development in historic streets must not...character of Eton.”)	This change seeks to ensure that the justification is not confused with a policy.	Accept the change
Policy HD4	19	Policy HD4, change first bullet point to “Respect spaces between buildings...” • Delete final bullet point	The original Policy was more restrictive, lacked evidence to justify it and went beyond national policy.	Accept the change
Policy HD4 Introduction	19	Delete last sentence	This change seeks to ensure that the introduction is not confused with a policy.	Accept the change
Policy HD4 Justification	19	Delete final sentence.	Consequential amendment.	Accept the change
Policy HD5	20	Change to “Development should respect the following important local views: (Provide the list of 10 views set out in the Introduction here). Appendix 2 provides a detailed analysis of these important local views and identifies related viewing corridors. Proposals within viewing corridors should not detract from views of the landmark or landscape.”	This is to ensure that the policy complies with guidance and case law.	Accept the change
Policy HD5 Introduction	20	Delete all text and replace with “The Neighbourhood Plan seeks to protect important local views.”	The original wording was confusing.	Accept the change

Policy HD6	22	Delete first sentence.	It is not the role of the Neighbourhood Plan to set out a “presumption against basement extensions.”	Accept the change
Policy HD6	22	Delete criterion iv.	No indication is provided of how development might “compromise” heritage assets.	Accept the change
Policy BL1	27	Change first sentence of Policy BL1 to “Proposals to develop existing shopfronts and/or for advertisements should demonstrate that they have taken into account the Shopfront Design Guidance, set out in Appendix 3.”	This is to attach the correct planning weight in determining applications to Appendix 3	Accept the change
Policy BL1	27	Change rest of Policy to “Changes to shopfronts requiring planning permission should be responsive to the heritage characteristics of the local area and: i. In Eton, the retention of single retail units and the limiting of alterations to...supported. ii. In Eton Wick, improvements to shopfronts will be supported, as will the creation of flexible spaces capable of increasing vitality in the retail core.”	The revised wording seeks to support appropriate development, rather than unintended harmful development.	Accept the change
Policy BL2	29	Change part ii. to “Development requiring planning permission for a change of use from retail to residential on the ground floor will	This is to ensure the policy works within the powers that are available to Neighbourhood Plans.	Accept the change

		not be permitted on Eton High Street.”		
Policy BL2	29	Delete parts iii. and iv.	This is to ensure the policy works within the powers that are available to Neighbourhood Plans.	Accept the change
Policy BL2 Introduction	29	Change last sentence to “It is important that new retail space does not detract...”	Consequential amendments following the above changes to the policy wording.	Accept the change
Policy BL2 Justification	29	Second line, delete “..., removing separate...not supported.” Delete last sentence of first para (“New retail...ground level.”) Delete last sentence of Justification (“The heritage...High Street.”)	Consequential amendments following the above changes to the policy wording.	Accept the change
Policy BL3	30	Change part i. to “...Local Centre where retail is unviable, will be supported. Proof of a lack of viability should be supported by up-to-date evidence of open and active marketing of the site at market value over a 12 month period.”	The recommendations provide clarity and precision in respect of demonstrating viability.	Accept the change
Policy BL3 Introduction	30	Delete last sentence (“Enhancements to car parking...other users.”)	Consequential amendments following the above changes to the policy wording.	Accept the changes
Policy BL3 Justification	30	Delete the last two sentences of the first para (“In order to demonstrate...marketing the site.”)	To improve the clarity of the text.	Accept the change

		Delete last sentence of second para, which does not relate to the provisions of the Policy		
Policy BL5	32	Delete wording of Policy BL5 and replace with “The provision of a small-scale satellite healthcare facility in the Neighbourhood Area will be supported, subject to there being no over-riding harm to local character, residential amenity and/or highway safety.”	The changes seek to safeguard local amenity.	Accept the change
Policy TI1	36	Change Policy TI1 part ii. to “The provision of improvements to pedestrian, cycling and public transport infrastructure or the provision of new infrastructure between Eton and Eton Wick will be supported. Such development might include: four bullet points here (“The provision of off-road...and public transport”)	The original Policy ran the risk of supporting inappropriate forms of development.	Accept the change
Policy TI2	37	Delete criteria i., ii. and iii Change criterion iv. to: ‘Development that reduces...will not be supported unless equivalent...’	This change is to clarify the policy and ensure it complies with national guidance.	Accept the change
Policy TI3	39	Delete part i. Change part iii. to “The provision of integrated bicycle parking solutions within commercial or retail development proposals in Eton and	The changes seek to ensure that the policy complies with national policy and is more effective in achieving what is intended.	Accept the change

		Eton Wick Local Centres will be supported.”		
Policy TI4	40	Delete Policy TI4	The original policy did not comply with national policy.	Accept the change
Policy TI4 Introduction and Justification	40	Delete Introduction and Justification.	A consequential amendment following deletion of the policy.	Accept the change
Aspirations	33	Delete last sentence on page 33 (“As well as improvements...data transmission”)	A consequential amendment following deletion of Policy TI4.	Accept the change
Challenges	35	Delete para iii. on page 35	A consequential amendment following deletion of Policy TI4.	Accept the change
Infrastructure	36	Delete “and Communications Infrastructure” in the title towards the top of page 36	A consequential amendment following deletion of Policy TI4.	Accept the change
Policy EN1	43	Delete parts i. – v., inclusive Part vi., change to “Proposals that can demonstrate net gains in biodiversity (in accordance with the DEFRA biodiversity impact calculator) and enhancements to ecological networks and connectivity will be supported.”	The revised wording brings the policy more in line with national and local policy as well as making it more positively worded.	Accept the change
Policy EN1	43	Change title of Policy to “EN1 – Biodiversity”	This is a consequential amendment following changes to the wording of Policy EN1	Accept the change
Policy EN1 Introduction	43	Delete last sentence of first para and delete last part of last sentence (“..., and all new development should...community.”)	These revisions seek to clarify the policy and make it more in compliance with national policy.	Accept the change

Policy EN1 Justification	44	Change last sentence to "...orders, but the Town Council is keen for ways to be found to maintain..."	To ensure the wording does not appear to be part of the policy.	Accept the change
Policy EN 2	45	Change opening sentence to "The areas listed below and shown on the accompanying plans are designated as areas of Local Green Space where new development is ruled out other than in very special circumstances: (List the four areas here)"	The proposed changes are aimed at making the policy more compliant with national policy.	Accept the change
Policy EN 2	45	Provide a new set of plans below the Policy. These should clearly identify the precise boundary of each Local Green Space against an Ordnance Survey base.	To ensure that the boundaries are clearly defined.	Accept the change
Policy EN 2	45	Delete sections ii. and iii. of Policy EN2	To ensure that the policy complies with national policy.	Accept the change
Policy EN 2 Introduction	45	Final para, first line, delete "...equally..."	The proposed changes are aimed at making the policy more compliant with national policy.	Accept the change
Policy EN3	48	Delete paras i., ii., iii., iv., v. and vii.	The policy changes are needed to ensure that they comply with national guidance and practice.	Accept the changes
Policy EN3	49	Para viii., change to "The recreation of river corridors and wetland habitats in urban areas will be supported. This might comprise: - the design...of the river(s)."	The policy changes are needed to ensure that they comply with national guidance and practice.	Accept the change
Policy EN3 Introduction	48	First para, second sentence change to "The Town Council is concerned to ensure that developers consider	To ensure it is correctly worded after changes to the policy.	Accept the change

		the net...avoided. It will be important for Thames Water to be consulted as appropriate and developers are recommended to engage with Thames Water at the earliest opportunity.”		
Policy EN3 Justification	49	Delete final two paras (“Development...proposed.”)	This is to ensure that the supporting text does not read as part of the policy.	Accept the change
Other Matters		Update the Contents and page numbering, taking into account the recommendations contained in the Report.		

New Project to be included at the back of the Neighbourhood Plan

‘Communications Infrastructure

Advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing. The Town Council support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. High quality digital infrastructure is important to local residents, businesses and the community as a whole, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

The number of radio and telecommunications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers and the efficient operation of the network. Use of existing masts, buildings and other structures for new telecommunications capability (including wireless) will be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Because of the high quality and sensitive environment in the Neighbourhood Plan area new communications infrastructure will be expected to take full account of the design policies in this plan where they are appropriate.'