Telecommunications SPD: Adoption Statement
(Incorporating SA Adoption Statement)
Royal Borough of Windsor and Maidenhead Telecommunications SPD: Adoption Statement (Incorporating SA Adoption Statement)

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1 Purpose of this Document

This document relates to the Royal Borough of Windsor and Maidenhead Telecommunications Supplementary Planning Document (SPD). It comprises two separate elements as required by the Town and Country Planning (Local Development) (England) Regulations 2004 (PART 5):

- A statement of adoption (Chapter 2)
- A sustainability appraisal adoption statement (Chapter 3)

This document should be read in conjunction with the SPD and the associated Consultation Statement that is required under Regulation 18 of the 2004 Regulations. For further information, please contact:

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Statement of Adoption

2 Statement of Adoption

2.1 Introduction

In accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004, notice is given that the Royal Borough of Windsor and Maidenhead formally adopted its Telecommunications Supplementary Planning Document (SPD) on the 21\textsuperscript{st} February 2008 as a supplementary planning document, forming part of the Royal Borough of Windsor and Maidenhead Local Development Framework.

The Telecommunications SPD explains how the Council will respond positively to telecommunications development proposals as required, whilst protecting both urban and rural areas from visually harmful development. The SPD supplements the Royal Borough of Windsor and Maidenhead Adopted Local Plan Policy TEL1 and replaces previous supplementary planning guidance adopted in December 2000.

2.2 Judicial Review

Any person aggrieved by this Telecommunications SPD may apply to the High Court for permission to apply for judicial review of the decision to adopt the SPD. Any such application for leave must be made promptly and in any event no later than 3 months after the date on which the SPD was adopted.

2.3 Document Availability

The adopted SPD, this adoption statement, the sustainability adoption statement, consultation statement and sustainability appraisal can all be viewed on the Council's website at \url{http://rbwm.gov.uk}. The SPD documents are also available for inspection at the following addresses:

- the Council receptions at
  - the Town Hall, St Ives Road, Maidenhead (Mon-Thurs: 8:45am-5.15pm, Fri: 8:45am-4:45pm, Sat-Sun: Closed); York House, Sheet Street,
  - Windsor (Mon-Thurs: 8:45am-5.15pm, Fri: 8:45am-4:45pm, Sat-Sun: Closed); and
- at all Borough libraries (at the usual time of opening).
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3 Sustainability Adoption Statement

3.1 Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

The SEA Directive requires local planning authorities to carry out formal strategic environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. The SEA process ensures that opportunities for public involvement are provided and the significant environmental effects arising from policies, plans and programmes are predicted, evaluated, mitigated and monitored.

Planning Policy Statement 12 requires a Sustainability Appraisal of local development documents, which incorporates the requirements of the Strategic Environmental Assessment Directive but broadens this to include both social and economic considerations.

The purpose of Sustainability Appraisal (SA) is to systematically appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

3.2 How does this relate to the Telecommunications SPD?

As the Telecommunications SPD is a local development document, it is subject to SA. The purpose of the Telecommunications SPD is to explain how the Council will respond positively to telecommunications development proposals as required, whilst protecting both urban and rural areas from visually harmful development. As the Telecommunications SPD is based on a saved Local Plan Policy (TEL1 Telecommunications Development) that has not been subject to SA, the Council is required to put this policy as well as the SPD through a SA. The Telecommunications SPD was adopted on 21st February 2008.

The Telecommunications SPD was prepared by officers within the Development Control Unit of the Royal Borough of Windsor & Maidenhead, while the SA was carried out by the Senior Projects Officer in the Planning Policy Unit. This meant that although both reports were produced simultaneously, the assessment maintained a degree of independence from the policy formation. This integrated process also allowed for the recommendations from the SA process to feed into and inform the Telecommunications SPD from the initial to final stages of its production.

3.3 Purpose of this SA Adoption Statement

This SA Adoption Statement is required to show:

- How sustainability issues have been integrated into the Telecommunications SPD;
- How the SA and consultation has been taken into account; and
- The reasons for choosing the document as adopted in light of other reasonable alternatives.

3.4 The SA Process

Full details of the SA process are set out in the SA Report and are summarised here. The SA of the Telecommunications SPD was a two-stage process:

a) Telecommunications SPD Scoping Report (January 2007)

Prior to the production of the SPD, a scoping stage was necessary to propose and agree the appraisal methodology and collate the information needed to carry this out. The appraisal needed to be set within the context of existing plans and policies and an understanding of the current baseline situation was essential to predict effects and identify key sustainability issues and problems. Sustainability is a complex issue, so
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23 sustainability objectives were produced to consider relevant local issues. These objectives cover a range of social, environmental and economic impacts, for example: improving the health and well-being of the population, conserving and enhancing biodiversity and ensuring high and stable levels of employment.

b) Telecommunications SPD SA Report (July 2007)

The SA Report records the work undertaken throughout the whole SA process right up to the final stages of development of the Telecommunications SPD. It also reports on the significant sustainability effects of the saved Local Plan Policy TEL1 (Telecommunications Development), the Telecommunications SPG (2000) and the Draft Telecommunications SPD and puts forward mitigation measures and suggested proposals for monitoring.

3.5 Public Involvement

A key component of the SA process is consultation with stakeholders. In total there have been two stages of consultation, although comments and input have been accepted throughout the appraisal due to the iterative nature of the process. The Regulations require the responsible authority to give the consultees 5 weeks to respond from the date the appraisal is received. Three key bodies are required to be consulted – the Environment Agency, English Heritage and Natural England (formerly English Nature and the Countryside Agency). Other appropriate social and economic consultees were also contacted. The following provides a summary of the consultation process at each stage of the SA process:

a) Scoping Report Consultation

This first stage of consultation was carried out in January 2007. The consultation sought to:

- Ensure the SA methodology is comprehensive and robust enough to support the SPD during the later stages of public consultation.
- Advise on the appropriateness of the sustainability objectives.
- Advise on the appropriateness of the key sustainability issues.
- Advise on the comprehensiveness of the baseline data.

One response was received which was in support of the Scoping Report. No changes to the Scoping Report were therefore necessary at this time.

b) The SA Report

The SA Report was produced in July 2007. This is a key output in the appraisal process as it presents information and changes made during the whole of the appraisal. The report also included the requirements of the Environmental Report necessary to meet the requirements of the SEA Directive. The SA Report was published for consultation in support of the public consultation on the Draft Telecommunications SPD.

There was one response to the consultation on the SA Report, which was noted (see Consultation Statement for the SPD).

3.6 What difference has the process made?

The SA has provided a means of assessing the positive and negative effects of the policy documents listed below in the light of the key issues and problems for telecommunications development in the borough and against baseline data.

- Saved Local Plan Policy Telecommunications Development TEL1;
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- Telecommunications Development SPG (2000);
- Telecommunications SPD.

Policy TEL1 is likely to be superseded by a new policy in the Delivery and Development Principles Development Plan Document (DPD) by the end of 2012. The findings in this SA Report will need to be considered when reviewing policy TEL1 in the new DPD and have been taken into account in writing the Telecommunications SPD.

The SA explored two different options for providing supplementary information on the Telecommunications Development Policy TEL1. These were:

a. The continued use of the Telecommunications Development SPG (2000); and
b. The development of a new Telecommunications SPD.

It was clear from this process that the development of a new Telecommunications SPD would bring the most benefits for sustainable telecommunications development in the borough.

The SA process found the following omissions in the first draft of the Telecommunications SPD and made it possible for these to be included in the final draft:

- The protection of European Sites as dictated by the EU Habitats Directive;
- The protection from telecommunications development of buildings, sites and features of archeological or historical interest and their settings;
- The issue of perceived health risks.

3.7 Future stages and monitoring

This SA Adoption Statement will be made available to statutory authorities. However, the SA process is iterative, so its success and effectiveness will be monitored by the continued collection of baseline data according to the identified indicators.

The significant effects of the SPD to be monitored are:

- The efficiency of the telecommunications development process:
- The level of telecommunications development.

The SA report suggests relevant indicators to monitor these significant effects and identifies any remedial action required if the trends or targets detailed in the SA Framework table are not met. Given the changing nature of the telecommunications industry, these indicators may be modified over time. This information will be included within the Annual Monitoring Report, which can be downloaded from the Council’s website at www.rbwm.gov.uk.

3.8 Habitat Regulations Assessment

Any plan or programme not directly connected with or necessary to the management of a European site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the sites conservation objectives. This affects Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.
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As there are five such sites within the borough boundary (or within 5km of the boundary) a consultation was undertaken in January 2007 and five responses were received from statutory bodies and voluntary organisations. In light of these responses, a Revised Screening Opinion and Appropriate Assessment was issued for a second period of consultation in May 2007. There was general support for the Revised Screening Opinion which specifically recognised that telecommunications applications do have the potential to have a likely significant effect on the international sites and hence may trigger an individual appropriate assessment. Changes were made to the Telecommunications SPD to reflect this.

3.9 Further information

A full copy of the Telecommunications SPD Sustainability Appraisal Report (February 2007) can be downloaded from the website: www.rbwm.gov.uk. Alternatively, to receive a hard copy, please contact the Planning Policy Unit, Royal Borough of Windsor & Maidenhead, Town Hall, St Ives Road, Maidenhead. SL6 1RF. Tel. 01628 796115 or email planning.policy@rbwm.gov.uk.