Briefing notes for local residents wishing to respond to the RBWM Reg 19 Borough Local Plan Consultation

The Save Cookham group is providing these Briefing Notes to assist residents wishing to respond on the BLP during the Regulation 19 consultation period. Anybody who would like to respond to the consultation on this Plan is welcome to use any of these notes if they wish to, to help them prepare their submission.

IMPORTANT NOTES:

• Any person may comment on ANY ASPECT of the Plan.

• If you commented on the previous Reg 18 version (in December 2016) and feel that your comments have not been taken into account in this version, you should comment again. The Reg 18 comments WILL NOT be seen by the examining inspector; only these on the Reg 19 consultation will be forwarded by RBWM to the examining inspector.

• It is critical that all comments you make reference to specific section(s), paragraph(s) and/or policies in the Plan. All the Notes below do so.

• Each comment you make will be considered to be one “Representation” – that is the term that the Borough uses.

• You can choose to comment on any one, more or all of the topics we suggest below and any others that you wish.

• It would be best if you could paraphrase your comments, and if you have personal examples that support the argument, please add these as they will contribute to the “supporting evidence”.

• The closing date for responses is 5pm on Wednesday 27 September 2017. Submissions received after this will not be accepted.

How to respond

ONLINE
In our view, both the online portal and the Representation Form are difficult to use. You can register and comment on the website by visiting http://consult.rbwm.gov.uk/portal/blp/blpr19

POST
We suggest the easiest way for you to prepare your submission is as a letter, which you then email or post to the Borough.

EMAIL
Send via email to: blp@rbwm.gov.uk
Or via post to: FREEPOST RBWM PLANNING POLICY

Please make sure you title your email or letter: “Representations on BLP Reg 19 Submission version”
Summary of these Briefing Notes

These notes contain Representations on the topics listed below. You may choose to refer to all or none of them in your submission:

1. Development on Green Belt
2. Lack of infrastructure
3. Affordable Housing
4. Lack of engagement and consultation with residents
5. Design policy
6. Challenge the Council’s decision to deliver 100% of the Objectively Assessed Need

It is important to note that it is highly unlikely that Cookham will be spared development - it is somewhat inevitable. As such, the best case scenario is for the BLP to be amended to enshrine the necessary infrastructure required to support any development and for residents to be fully consulted on the detail of any planning permission that is subsequently sought.
1. REPRESENTATION: Development on Green Belt

a) A flawed process in how sites were selected and decisions made regarding Green Belt

b) Cookham-specific sites

c) Agriculture and forestry workers dwellings

Reference: Sustainability Appraisals November 2016 AND May 2017, AND Evidence base to support site selection process, including but not limited to:
- Local Plan sites consultation report March 2013
- First preferred Options consultation
- Green Belt Purpose Analysis 2013
- Edge of Settlement Analysis 2016, AND
Section 7.4 Policy HO1 Housing Development Sites

a) Selection and decision-making process:

We question the way in which sites have been selected for inclusion in the Plan, in particular the sites earmarked to come out of Green Belt – 26 sites out of a total of 48 that have been allocated are currently in Green Belt.

National government tells us that Green Belt should be protected; and that building on it, even to provide much needed housing, should only be a last resort.

We challenge that the Borough has fully explored all possible brownfield sites or other alternatives before deciding to allocate these sites in the Green Belt, simply because these were being promoted (by the Borough themselves in some instances).

It is not clear whether a full Green Belt review was carried out and there is a lack of transparency over why some sites have been chosen over others and why others have been left out; why some sites were consulted on and some were not; or why some sites which were consulted on have since had their geographical boundaries expanded beyond those in the earlier consultations.

Garden villages are being seen by many authorities as a positive way of addressing the need for more housing, with infrastructure to make it sustainable being delivered alongside.

Why was a new settlement never considered by the Borough?

b) Housing proposals affecting Cookham

1. HA19: Whitebrook Park, lower Cookham Road - 175 houses

* Although not in Cookham, development on this site will affect the traffic on A4094 into and out of Cookham on Sutton Road.

* 175 houses are proposed in the Regulation 19 submission version but only 75 were proposed in the Regulation 18 version. No explanation or evidence has been provided as to why this change has been made.

* This proposal is on green belt land which separates Maidenhead & Cookham which is being substantially reduced by the Borough Local Plan.

* This proposed development is in flood zone 3a and in the floods Cookham experienced a few years ago, the A4094 was flooded blocking off this route from Cookham.
2. **HA21: Land known as Spencers farm, north of Lutman Lane, Maidenhead - 300 houses**

- Again, although not in Cookham this proposal is on green belt land between Maidenhead and Cookham.
- As the HELAA analysis states, it is a site which has ‘durable boundaries’ in the form of a watercourse to the east and wooded area to the north.
- This site is constrained by highways access onto Cookham Road and will affect traffic between Cookham and Maidenhead which is already at its limit, particularly the one way railway underpass on Cannondown Road.
- The eastern area is at flood risk.
- It should be noted that at the Cookham Parish Council meeting held on 5 September, the land agents acting to secure outline planning permission for this site stated that the intention is to seek permission for 500 homes, rather than 300 homes stated in the Plan. When asked how the additional 200 homes would be accommodated on the site, it was clarified that the homes would be built instead of the proposed school. Proposals such as these are of extreme concern to local residents whose principal issue is the lack of infrastructure which will support developments and tactics commonly deployed by developers to avoid having to provide the same.

3. **HA38: Cookham Gasholder site, Whyteladyes Lane - 40 homes and HA40 Land North of Lower Mount Farm, long lane - 200 homes**

- Development on this site will put pressure on an already stretched sewer and drainage system. It will, together with site HA40, also create an unmanageable increase in traffic through the one way section on Cannondown Road. Please see our comments under “Infrastructure” for further details.
- HA40 is on green belt land which separates Maidenhead & Cookham which is being substantially reduced by this Borough Local Plan.

4. **HA39 Land east of Strande Park, Cookham - 20 Homes**

- Proposed homes on Greenbelt AND on a floodplain, adding further risk to residents with new developments

c) **Agriculture and forestry workers dwellings**

Paragraph 6.8.7 of the Regulation 19 Submission version states that applications for new dwellings in the Green Belt for a worker engaged in farming or forestry will be judged on a case by case basis. Any such dwelling should be:

1. responding to an essential and permanent agricultural/forestry need on a holding that cannot be met elsewhere; and

2. proportionate to the holding or other enterprise it is intended to serve, not the personal preference of the occupier.

Policy SP 5 states:

a) There is a demonstrable essential and permanent need for the new dwelling based on the functional requirements of the enterprise it is intended to service that cannot be met elsewhere
b) The dwelling is proportionate in scale and size to the needs of the holding it is intended to serve.

It is unclear what evidence supports the need for agriculture and forestry workers dwellings in this Borough, and why they have been referenced as a potential exemption to building on Green Belt land. There are numerous cases in Cookham that developers are already trying to build on the Green Belt claiming that this is for agricultural workers. Including this in the Plan’s policies opens it up to exploitation by developers.

2. REPRESENTATION: Plan does not provide for necessary infrastructure

Reference:
- Section 4.3 Objectives, AND
- Section 14.1 (Infrastructure Context), AND
- Section 14.2 Developer contributions, AND
- Section 14.3 Policy IF1 Infrastructure and Developer Contributions, AND
- Section 14.6 Local Transport Plan, AND
- Section 14.18 Utilities, AND
- Section 14.19 Policy IF8 Utilities, AND
- Infrastructure Delivery Plan (supporting evidence)

General comments:

The National Planning Policy Framework (NPPF) is clear that a Plan must provide for infrastructure needs alongside development and this Plan fails to do so in any detail.

Many of the infrastructure problems faced by our area – such as road congestion, lack of parking, need for new schools, sewerage and drainage being at capacity – are identified in the Plan but they are not being addressed. Other critical infrastructure issues are not even mentioned, for example, constraints imposed by capacity of current river crossings, particularly the bridge between Cookham and Bourne End.

It may be that infrastructure needs were assessed by the Borough during the site selection process and that such needs were not considered insurmountable, hence their omission from the Plan. However, residents would like to reiterate their concerns in case infrastructure needs were not properly considered.

The Infrastructure Delivery Plan is strong on intent and hope but singularly weak on plans and deliverability. Policy IF 2 (4) states that development proposals should show how they have met specific infrastructure criteria which, as far as residents are aware, has not been done for the sites proposed in the BLP.

This BLP cannot be found sound without an infrastructure plan that will ensure that the proposed development will be sustainable. In order to be found sound, infrastructure needs to be enshrined in the Plan and developers must not be able to make payments to the Borough in lieu of delivering infrastructure, as was insinuated at the Cookham Parish Council meeting on 5th September with regard the Spencers Farm site.

We object to the removal from policy IF1 Infrastructure and Developer Contributions of the paragraph included in the Reg 18 version “The Council will ensure that new developments provide the necessary infrastructure on site required to make the development acceptable”.

The Local Transport Plan relied on for the Borough’s current transport policy used to support the Plan dates back to July 2012, which predates both the calculation of total OAN and the identification of allocated sites.

Cookham-specific infrastructure issues:

- **GP surgery and community buildings:** In the Housing and Economic Land Availability Assessment, a new GP surgery and community buildings are proposed for Cookham to
support development but this is not mentioned in the BLP. There is one GP surgery in Cookham (population 5,519 United Kingdom Census 2001 rising to 5,779 in the 2011 Census). Although most residents are within a short distance of the surgery, there is not currently the availability of GPs or appointments. Residents would wish to see the existing surgery expanded or a new surgery built to accommodate any development in Cookham.

• **Education:** It is acknowledged by the Borough that demand for primary school places in the Borough has been rising in recent years as a result of a rising birth rate and new housing. Schools in Cookham have limited capacity in terms of classrooms, spaces for children, and teachers. The new proposals will increase the number of children in the village. The 2016 School allocation report stated that all three Cookham schools (Holy Trinity, Cookham Rise and Cookham Dean) filled their places for their first year intake, and were at capacity. To accommodate the increase in housing, schools will need to be expanded, or an additional school(s) built.

• **Sewerage and drainage:** Residents of Cookham Rise have experienced issues with an outdated sewerage and drainage system for many years, built on old cast iron pipes, particularly the system that runs beneath Whyteladyes Lane. In 2012, Thames Water confirmed that the sewerage and drainage system under Whyteladyes Lane would struggle to accommodate further development. (Please see the letter attached). In the absence of any works to update the system, Thames Water’s views remain relevant to the proposals set out in the BLP. As such, any development on or around Whyteladyes lane would only be viable if supported by an updated drainage and sewerage system.

• **Traffic:** From a recent independent traffic survey, Cookham bridge (built 1867) experiences an average 250m traffic queues at peak hours, (averaging around 40 cars long) and have an average traffic flow of 1100 cars an hour during peak times. It is not possible to convert the Ferry Lane bridge to a two-way road without removing or reducing the width of the current footway(s) that provide important links between Bourne End and Cookham or widening the bridge, which is restricted due to its Grade II Listing.

The Wycombe District Council Local Plan recently concluded that Cookham Bridge is already over-capacity in their report (attached below). The other main junctions in Cookham and Bourne End are approaching capacity. This is substantiated by their survey and modelling in the report - [https://www.wycombe.gov.uk/pages/Planning-and-building-control/New-local-plan/New-local-plan-publication-version-supporting-evidence.aspx#DynamicJumpMenuManager_1_Anchor_19](https://www.wycombe.gov.uk/pages/Planning-and-building-control/New-local-plan/New-local-plan-publication-version-supporting-evidence.aspx#DynamicJumpMenuManager_1_Anchor_19)

The same issues occur with the traffic passing through the one-way bridge on Cannondown Road near the proposed HA39 and HA40 sites, which is currently not wide enough to be made two-way. Any future developments will need to address the needs for better traffic flow through The Pound and Cookham High st - currently with lorries and buses using it, it can create gridlock and is unsafe for pedestrians.

### 3. REPRESENTATION: Delivery of Affordable Housing

**Reference:** Section 7.7 Affordable Housing, AND Section 7.8 Policy HO3 Affordable Housing, AND Appendix D Housing Site Proformas

The Borough has been very vocal in its publicity about the fact that this Plan will deliver the affordable housing we so desperately need but we this does not appear to be secured through policy.

The statement of “minimum requirement of 30% affordable housing units” is no more than a statement of hope and leaves it open for developers to argue that such a proportion of affordable housing would make a development unviable. It is a fact, supported by recent history, that in an area
like ours with high land values, it is very rarely possible to fund 30% affordable housing on a new development.

In this regard, the BLP does not meet the RBWM objectives of ‘residents first’ and ‘value for money’ set out in Objective 2 – see below examples of the value of new builds in Cookham.

The Rightmove website states:

- Last year most property sales in Cookham involved semi-detached properties which sold for on average £538,333. Detached properties sold for an average price of £879,267, while terraced properties fetched £434,635.
- Cookham, with an overall average price of £562,248 was more expensive than nearby Maidenhead (£513,968), but was cheaper than Cookham Dean (£1,247,000) and Burchetts Green (£936,875).

Example of a site with planning permission for sale:

Example of new builds for rent in Cookham:

We therefore challenge whether this Plan can deliver the 30% Affordable Housing indicated as part of the Objectively Assessed Need (OAN).
4. REPRESENTATION: RBWM failed to properly consult or engage with local residents

Reference: Statement of Consultation (May 2017)

There was some consultation in the early stages of the Plan – back in 2012-2014, which included a First Preferred Options consultation in January to March 2014.

A planned Second Preferred Options consultation was envisaged but never took place.

The Reg 18 consultation in December 2016 was the first opportunity residents had to read and comment on an emerging Plan. The policies and the site allocations in it are far removed from those discussed in the earlier consultations.

Residents were allowed 6 weeks in which to digest and comment on the Reg 18 Plan, which included the Christmas period. Despite numerous representations from Parish Councils, Neighbourhood Plan groups, other local groups and residents generally, RBWM decided not to extend the time available.

As stated in the White Paper published in February 2017, Local Plans are supposed to be produced through engagement - and not just consultation – with local communities and this Plan has not been. It is widely acknowledged by practitioners such as the RTPI that community consultation and engagement should happen at the early stages of a large development proposal. This has not been the case with the BLP.

If development is necessary in Cookham, its residents would like to see the infrastructure issues set out above addressed. Residents would welcome the opportunity to work with the Borough to ensure that community needs are met.

5. REPRESENTATION: Design policy

Reference: Section 6.4 Design, AND Section 6.5 Policy SP3 Character and Design of New Development

We welcome the fact that policy SP3 Character and design of new development is now classified as a non-strategic policy. This will allow Neighbourhood Plans to add further granularity to local area character through their own design policies.

However, the BLP contains no reference at all to parking requirements, a major concern to local residents. We have highly trafficked roads and on-street parking results in safety concerns, particularly for users of mobility scooters and pushchairs, as well as increased gridlock. A requirement for sufficient parking should be included in policy.

Reg 18 version, policy SP3 paragraph 4(b) included a requirement for Developments to designed in partnership with local communities. This has been removed from the Reg 19 version, and we wish to see it reinstated.

6. REPRESENTATION: Challenge decision to deliver 100% of Objectively Assessed (Housing) Need (“OAN”)

Reference: Section 7.2 Housing, AND Section 7.3 Housing development sites, AND Section 7.4 Policy HO1 Housing Development Sites

Why has the Borough not considered making a case for a Plan that delivers less than the 100% of the Objectively Assessed Need (OAN)? Government policy makes it clear that this is an option in circumstances where there are mitigating factors such as Green Belt constraints, risk of Flooding, Conservation areas etc., all of which apply to our Borough.
Additional request:

We would like to take this opportunity to request that the site known as Poundfield in Cookham be designated as Green Space. The site has been the subject of a number of planning applications which have been fiercely objected to by local residents with success but at great cost. The latest application has been withdrawn at the appeals stage and we hope that by designating the site as Green Space, no further applications will be made.

Summary

You may also wish to refer to some Frequently Asked Questions which have been prepared by RBWM Residents Action Group (RRAG) [http://rbwmresidentsactiongroup.co.uk/onewebmedia/Responding%20to%20the%20Reg%20consult%20FAQs.pdf](http://rbwmresidentsactiongroup.co.uk/onewebmedia/Responding%20to%20the%20Reg%20consult%20FAQs.pdf)

Or visit the available SaveCookham.com website for more information. [https://www.savecookham.com](https://www.savecookham.com)

There is an obvious need for new housing within the borough, there is a strong consensus however from the residents of Cookham that all of the issues above need addressing before the BLP can go forward.

We do not object to new housing, but we feel as a village it has to benefit the community, and create a better future for Cookham, strengthen our infrastructure and services, and feed directly back into the community.

The BLP has the potential to create better living circumstances for everyone all over the borough, especially Cookham, if driven in conjunction with its residents and parish council.
SUPPORTING EVIDENCE

View of the Bridge at Cannondown Road (B447) and traffic build up on a weekday morning.

The current catchment area for Cookham medical centre.
Planning Policy

Sent by email: ian.jellinger@RBWM.gov.uk

1 December 2014

Dear Ian

Re: Royal Borough of Windsor and Maidenhead Local Plan

Further to your telephone call, please find below our comments on site C8 - Whytelaoyos Lane:

Waste Water comments:
We have concerns regarding Waste Water Services in relation to this site. Specifically, the sewerage network capacity in this area is unlikely to be able to support the demand anticipated from this development. It will be necessary for us to undertake investigations into the impact of the development and completion of this, on average, takes 12 weeks. It should be noted that in the event of an upgrade to our assets being required, up to three years lead in time will be necessary. In this case we ask that the following paragraph is included in the Development Plan. ‘Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure.”

Additional comments:
There have been a number of issues with the network in the immediate vicinity to this proposed development site. Initial investigations indicated that these issues were largely due to fat, oil and grease, etc frequently building up in the sewers, causing blockages.

The network is believed to have sufficient capacity for the existing dwellings, however the proposed additional dwellings may cause detriment. Further investigations and impact studies would therefore be required. Local network upgrades may be necessary.
We must consider the cumulative impact of this site with other proposed development sites such as on the site of the Cookham Gas holder Station Whyteleafe Lane and the large site to the north of Lower Mount Farm.

I trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours sincerely

[Signature]

Mark Mathews
Town Planning Manager
Thames Water Utilities Ltd.