



28th January 2020

Dear Mr McGurk

Thank you for your Request for Clarification list of questions dated 4th December 2019.
We attach the WNP's response for your attention.

Kind Regards

Claire Milne & John Bastow

On behalf of the WNP Committee and Forum

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WNP Examination -Examiners Request for Clarification dated 4th Dec 2019 and WNP responses Jan 28th 2020

(question numbers relate to the Examiners questions and bullet points. (3.1 = Q3, bullet point 1 ...etc.)

Q No	Examiners comment	WNP options/questions/issues?	Action
1	European Obligations	Q for RBWM only	N/A
2	European Obligations	Q for RBWM only	N/A
	Policy OS.01 and OS.02		
3.1	Please can you point me to National policy or guidance support for the first part of policy OS.O1	<p>NPPF Para 96/97 supports existing open space and provides the national policy context, as they explain the importance of high-quality open spaces and opportunities for sport and recreation based on robust, up to date assessments of need for open space, sport and recreation facilities. Through the process of creating this Neighbourhood Plan we have updated the neighbourhood-level evidence for open spaces. This policy benefits from this evidence.</p> <p>NPPF Para 171 states that plans (including Neighbourhood Plans) should: <i>“distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework 53; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.”</i></p> <p>OS.01 is also consistent with NPPF Para 170 section (d) <i>“minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”</i></p> <p>In the absence of an up to date Borough Local Plan, our view is that OS.01 helps to achieve NPPF policy by providing a neighbourhood-level policy to conserve and enhance the wider network of habitats and green infrastructure. Decision makers applying the Planning Practice Guidance for open spaces (How should open space be taken into account in planning? Paragraph: 001 Reference ID: 37-001-</p>	

	<p>20140306. Revision date: 06 03 2014)¹ will be able to utilise OS.01, alongside Map 5 and Appendix 3, to help inform decisions on applications involving an open space element in our neighbourhood area. NPPF Para 97 says that “<i>Existing open space, sports and recreational buildings and land should not be built on unless</i>”.. (paraphrased) surplus to requirements, replaced somewhere else, or development is for alternative provision.</p> <p>WNP Policy OS.01 identifies all of the existing open spaces in Windsor (as closely as possible), on map 5 and listed and numbered in Appendix 3, along with their typology, illustrating that most of the larger spaces have multiple functions as both formal and informal spaces, such as sports fields and playgrounds (formal) and general amenity green space (informal) and in most cases it is very difficult to separate those functions. We recognise the need to provide the need for “amenity space” for the inhabitants of large developments and the provision of “open space” for public use (e.g. sports pitch, park, large Amenity Green Space).</p> <p>The RBWM Open Space Study 2019 and former Open Space Audit 2008 both state that there will be future shortages of Open Space, mostly in the form of Amenity Green Space in Windsor, and that there is a need for more provision for children and young people, on the basis of Fields in Trust standards, due to population growth.</p> <p>Greater population levels will place more demands on existing spaces and increase the need for recreational open space. This provides the rationale to protect existing open spaces in the urban area and justification for seeking to provide new space, if and as needed (BLP Infrastructure – Open Space, para 14.10.6).</p> <p>The WNP wanted to provide a clear summary of existing open space in Windsor, in one place to pull together the disparate information from all the evidence documents, so that people, including planners, are aware of the strong case for keeping all of the existing open spaces, along with all of their different functions.</p>	
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¹ Accessed at: <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

		WNP Map 6 shows where the walking distances are greatest to existing open space, i.e. where the need is greatest, particularly for more AGS if there is an opportunity to provide it within future developments.	
3.2	Please can you clarify why part iii) of policy OS.02 only relates to the “redevelopment of a major site” and what the definition of a redeveloped major site comprises?	<p>A major site is defined in the Borough Local Plan as a site of more than 10 residential units, this is also consistent with The Town and Country Planning (Development Management Procedure) (England) Order 2010. We did not consider it feasible to provide new open space on a site of smaller than that.</p> <p>We are not aware of any possible green field sites for new developments within the WNP boundary due to the constraints of Green Belt, Crown Estate/Great Park and open spaces need etc, so we confined our policy to “redevelopments” as opposed to “all new developments or redevelopments”, but would be happy to adopt the full definition of the Development Management Procedure, that is encompassing commercial developments of 0.5 ha or 1,000sq ft or more.</p>	
3.3	Please can you point me to supporting information in respect of why a redeveloped major site with no open space should provide new open space within the new development regardless of the type of development and how much	<p>Our intention is that should a major site, such as Combermere Barracks, or other such sites be redeveloped to residential (which is by far the most common type of redevelopment in Windsor), that they provide some open space (which is likely to be Amenity Green Space) for the new inhabitants.</p> <p>Due to the pressures of development and housing need in our area, it is logical to request open space/amenity space to ensure that new development seeks to comply with the NPPF and the emerging Borough Local Plan Submission Version dated 1st November 2019 and our forthcoming policy OS.02.</p> <p>Fields in Trust standards (used by RBWM) suggest the quantity and form of open space should be (pro rata) ... AGS ... 0.6/ha/1000 population, Parks and Gardens 0.8ha/1000, Natural and Semi Natural 1.8ha/1000 pop, provision for Children and Young People 0.25 ha/1000 etc, Allotments 0.2/ha/1000 (RBWM recommendations).</p>	

	open space should be provided/what form should it take/who might access it.		
3.4	Please could you confirm what and “appropriate location” is, as referred to in part iv/ of policy OS.02 (for MUGAs Outdoor Gyms, Sports Pitches)	<p>We are not aware of any “appropriate locations” at present, but intended to indicate that if any new open spaces are provided that such facilities were appropriately located based on accessibility/design/site specific circumstances.</p> <p>If this part of the OS.02 policy is not considered appropriate by the Examiner, would the following modification be acceptable? <i>“iv) Proposals which improve the quality of open space will be supported, including proposals that seek to encourage active uses”.</i></p>	
	Policy BIO.01 & BIO.02		
4.1	Please could you confirm whether Part 1) of policy BIO 01 is meant to apply to every development proposal, including for household extensions, ATM Machines, stop signs etc?	<p>It was not our intention for this to apply to the examples suggested, but to new residential and commercial units. We would be open to making this apply to all major development as defined in the Development Management Procedure previously mentioned.</p> <p>We were seeking to encourage as much scope as possible to maintain and enhance the green appearance and biodiversity aspects of the local environment.</p>	

4.2	Circumstances where it might be “appropriate” to provide additional opportunities to access green spaces?	<p>For example, where a new development is situated on the boundary of an existing public open space, and where additional access can be provided, for example through a new public road/walking/cycling route or a gate from the new development or by orientating the development so that the front (as opposed to the rear) opens onto the open space.</p> <p>The intention is to provide further local interpretation of the emerging BLPSV policy IF3 (Open Space) and Appendix F Open Space Standards Quality Standard which state that open spaces should be “<i>Designed to be free of the fear of harm or crime</i>”. Our consultations indicated that fear of harm or crime is a major consideration for children using open space. Improvements such as increasing the number of access points (in some cases controlled access points. <i>e.g. by timed locking gates.</i>) and natural surveillance help to make spaces be secure by design ²and to meet local security recommendations.</p> <p>Local security recommendations are referenced in the Borough Wide Design Guide (R13 Consultation Draft 2) Section 1.21: “<i>Local adopted borough wide design policies can be found in the saved policies of the adopted Local Plan. The principle design related policy is DGI Design Guidelines which sets out 11 overarching principles that apply to all forms of new development. These design principles relate to reducing crime through layout....</i>”</p>	
4.3	Re Part ii) of the policy Confirm whether this is meant to be aimed at major <u>residential</u> development	<p>It is intended to apply to all developments, including commercial. We would like to suggest the following amendment to the policy.</p> <p><i>BIO.01</i> <i>ii) Major development must incorporate, subject to acceptable design considerations: planting areas for users, edible planting, communal gardens (where private gardens are not feasible), green roofs and green walls;</i></p>	
4.4	Point me to Evidence to demonstrate that	<p>‘All cases, be deliverable’ - Good landscaping is a nominal cost on single plots like those fronting these roads and development in these locations has generally to be accompanied by a landscape/planting scheme as a matter of course in RBWM; e.g. cost of a 5ft cherry blossom £25-50 from a garden centre versus £1,000 -</p>	

² <https://www.securedbydesign.com/guidance/interactive-design-guide>

<p>it will be, in all cases, be deliverable for any development facing a Green Route to provide green boundary treatments, established trees and green verges and habitats to facilitate the movement of wildlife, as per the requirements of Policy BIO.02.</p>	<p>£2,000 per square metre for house construction. What our policy requires is not radically different to what is already required in the RBWM validation checklist for planning applications.</p> <p><i>“The landscaping proposals should follow on from the design concepts detailed in any necessary Design and Access Statement. Where an application proposes five or more dwellings or the addition of 250m² or more of non-residential floor space, the application should be accompanied by detailed landscaping proposals...”</i> Accessed at: https://www3.rbwm.gov.uk/download/downloads/id/1558/full_application_checklist.pdf</p> <p>However, we feel the distinct character and nature of these green routes should be conserved and enhanced and this policy will ensure landscaping proposals in this vicinity respond to the aims of our Plan policy BIO.02.</p> <p>The designated green routes are already either at least partially tree-lined or with some green verges, and some have lost green aspects over recent years creating recent gaps which we want to restore, in line with Government plans. This policy is maintaining an interrupted component of neighbourhood green infrastructure and reinforcing the existing character. There are also groups like this that show evidence that wilder verges increase biodiversity. Accessed at: https://plantlife.love-wildflowers.org.uk/roadvergecampaign/management-guidelines</p> <p>Plus this in the PPG: <i>How do local ecological networks relate to the Nature Recovery Network?</i> <i>As set out in the Government’s 25 Year Environment Plan, the Nature Recovery Network is an expanding and increasingly-connected network of wildlife-rich habitat across England. It comprises a core network of designated sites of importance for biodiversity and adjoining areas that function as stepping stones or wildlife corridors, areas identified for new habitat creation and up to 25 nature recovery areas for targeted action. Defra, Natural England and other government bodies are working with national and local partnerships to deliver the Network, which includes support for developing maps and advice to show where actions to improve and restore habitats would be most effective.</i></p> <p><i>Local ecological networks can make a significant contribution to developing the Nature Recovery Network. <u>Local ecological networks can be identified and mapped as a part of the plan-making process, with policies identifying appropriate levels of protection and opportunities to create, restore or enhance habitats or improve connectivity.</u></i></p>	
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	<p><i>Paragraph: 012 Reference ID: 8-012-20190721</i> <i>Revision date: 21 07 2019</i> Accessed at: https://www.gov.uk/guidance/natural-environment</p> <p>Our aim is to provide links for Biodiversity between Windsor Great Park and the Thames River Corridor.</p> <p>Eton’s made plan includes a similar policy as follows. EN1 – Biodiversity. <i>Proposals will be supported 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.</i> Justification - <i>There is strong evidence to support for preserving green corridors, very strong support for the protection of open spaces, and strong support for preserving hedgerows, meadows, woodland and waterways</i></p>	
4.5	<p>It is our intention to encourage developers to be aware that their land may provide an important link in a green network, and that we aspire as a town to maintain/enhance that network. Development sites should integrate into the natural, as well as urban, fabric of the neighbourhood.</p> <p>How new development can deliver this?</p> <p>By providing good landscaping with their development plans which relate to areas around the development and provide links and “stepping stones” to other green areas. Landscaping plans, planting trees and shrubs, wildlife corridors, natural surfaces rather than hard surfaces.</p> <p>Why? To enable biodiversity to thrive and help reduce climate change. For major development, there is greater scope to provide new, linked, green infrastructure and permeability through sites.</p> <p>This is consistent with the NPPF (paragraph 174) and aims of the Government’s 25 year Environment Plan (p59 emphasis added): <i>“We will look initially at opportunities for nature recovery through peatland restoration, natural flood management and woodland planting. We will also look at establishing wildflower recovery areas. This would make it easier for people to visit flower-rich meadows, grasslands and heathland close to their homes. These could be linked to new and existing green infrastructure to extend wildlife corridors into towns and cities,</i></p>	

		<p><i>and provide opportunities for conserving wildflowers and insect pollinators. We want to see local communities and businesses more involved”</i></p> <p>Accessed at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf</p>	
4.6		<p>Our objective is to maintain physical and visual access to the river and tributaries, where possible, as befits a proposed development next to important watercourses.</p> <p>It would not be appropriate for an NP to provide evidence and dictate the appropriate approach for all circumstances. However, Appendix 4 provides a wealth of material for applicants to use in developing their proposals. This Appendix was prepared following extensive audits of the neighbourhood and its distinct character areas. It will be the task of applicants and their design teams to demonstrate how development can achieve the aims of the policy which tie into the Plan’s objectives for good design and improved accessibility.</p>	
4.7	Please can you confirm which proposals need to comply with part d) of the policy?	Any proposals for residential or commercial development within or adjacent to river corridors or high flood risk areas.	
	Policy WAT.01 and WAT .02		
5.1	Please can you confirm whether the first part of Policy WAT.01 takes into account the fact that developers have the right to	<p>These WAT 01 & WAT 02 policies (requested by Thames Water) are supported by updated evidence from the RBWM Strategic Flood Risk Assessment J L1 June 2017 and 2018 L2 2018.</p> <p>It was not our intention to stop developers connecting, but to be aware of any increased water and wastewater demand of their development and impact of their development on the drainage infrastructure, and to be sure that sufficient capacity exists for both on and off site (by early liaison and co-ordination with the relevant bodies), so there are no problems for the development inhabitants in accordance with the evidence from Thames Water.</p>	

	<p>connect to the public foul water sewer as a matter of law?</p>	<p>Thames Water (as a statutory consultee) requested in their letter to the WNP on 16th Oct 2016 as follows:</p> <p>Water Supply and Sewerage/Wastewater Infrastructure <i>A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: “Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....” Paragraph 162 of the NPPF relates to infrastructure and states: “Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”</i></p> <p><i>The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).</i></p> <p>They suggested the following:</p> <p>“Water Supply, Wastewater & Sewerage Infrastructure <i>Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage 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 water and/or waste water infrastructure.</i></p> <p><i>Drainage on the site must maintain separation of foul and surface flows. Where there is an infrastructure capacity constraint the Council will require the developer to set out what appropriate improvements are required and how they will be delivered. Further information for Developers on water supply and sewerage infrastructure can be found on Thames Water’s website at: http://www.thameswater.co.uk/home/11425.htm</i></p>	
5.2	<p>Please can you point me to evidence to</p>	<p>The WNP area has high flood risk areas (2 and 3) and even outside of these areas there is additional risk of ground and surface water or sewer flooding as evidenced by the RBWM Strategic Flood Risk Assessment L1</p>	

	demonstrate that it is necessary for all developments to include SUDS?	2017 and L2 2018 Section 6.11 p28 and section 6.12 p29 and Maps Figure E & Maps Figure 10 and 15. Thames Water evidence suggests that the WNP can assist by encouraging use of SUDS where appropriate. We now recognise that the SFRA shows there are areas of clay soils and high groundwater levels where SUDS might not be appropriate and we can change the wording to reflect this, should the examiner agree.	
5.3	Policy WAT.02 provides support for the contamination of controlled waters as long as there is some mitigation. Please can you confirm that this is the intention of this policy?	No, it is not the intention to support contamination. The Letter from Thames Water stated as follows. <i>“The area of the NP is a high sensitive location due to the presence of groundwater Source Protection Zones and principal aquifers. In line with Para 109 of the NPPF and to reflect the Water Framework Directive we should ensure that the risks to controlled waters are understood and adequate mitigation measures are put in place”.</i>	
5.4	Please can you point me to justification for the 110 litre figure being relevant for all forms of development?	Thames Water state “Sustainable Water <i>The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change. Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water supports water conservation and the efficient use of water. Thames Water support the mains water consumption target of 110 litres per head per day as set out in the NPPG (Paragraph: 015 Reference ID: 56-015-20150327) and this should be included within a Policy in the Neighbourhood Plan.”</i> This is a target figure to support the objectives of reduced water consumption, as informed by the representations of a specific consultee. We would welcome the Examiners advice for altering the wording of this policy to align with the basic conditions and national policy position.	
	Policy HER.01 and HER.02		
6.1	Design Guidance is	The NPPF, NPPG and National Design Guide are clear in their aims to improve design quality and the role of neighbourhood plans in this.	

	<p>precisely that. Please can you point me to the statutory or national/local policy basis on which the policy can require “conformity” with the WNP Design Guide?</p>	<p>Alnwick NP has a requirement to adhere to design principles but that is qualified by saying that development that so adheres “will be supported”. Wirksworth has “planning permission will be granted only if the proposal accords with” - A (for less sensitive areas) or B (for sensitive historic areas) but the A and B allow for judgement as to what would “accord”. Clifton upon Teme has for example, <i>“Development proposals for new buildings and extensions in the Conservation Area are required to respond positively to the following building design guidelines...”</i></p> <p>“Conformity” with the guidance, as a policy requirement, provides flexibility for the applicant to demonstrate alignment without having to follow a strict or onerous design code. We feel our policy and guidance, read together, provide applicants with a great deal of latitude to present their interpretations of good design.</p>	
6.2	<p>Policy HER.01 seeks to impose a policy approach that is different to and conflicts with national policy set out in the NPPF. Please can you point me to the justification for this different approach?</p>	<p>Can we be advised please exactly how HER.01 conflicts with national policy in the NPPF. What policy approach is the examiner referring to, (a), (b) or (c), or all of them, and what parts of the NPPF or NPPG do they misalign with?</p> <p>In producing our plan and taking advice from our consultants, we were careful not to go beyond the NPPF provisions. For example, we have taken account of the following NPPF paragraphs and believe HER.01 is in general conformity with them:</p> <p><i>125. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</i></p> <p><i>126. To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.</i></p> <p><i>189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.</i></p>	

		<i>197 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. (and, by implication at least the benefits of the proposed development?)</i>	
6.3	As set out, Policy HER.02 effectively seeks to afford statutory status to non-statutory heritage assets. Please can you point to me to the justification for an approach that conflicts with national policy.	HER.02 was drafted to ensure it did not extend beyond the general approach contained in the provisions of the NPPF. We do not believe HER.02 affords a statutory status to these local assets. Rather our policy aims to improve design outcomes and requires applicants to reflect the neighbourhood heritage asset's significance in their proposals. We could use different words and would be happy to do so if advised that this is necessary. For example, we could use terminology more in line with NPPF paragraph 197 which relates specifically to NDHAs.	

	Policy DES.01		
7.1	<p>Policies must be clear, precise and unambiguous. The phrase “reflect all relevant evidence” fails this test and the policy does not meet basic conditions. Please could you point out specifically what is the intention of this policy?</p>	<p>Similar wording to this appears in many NPs but if the examiner would prefer we can use the following wording which follows the approach used in the made Eton NP (for consistency).- <i>“Proposals for development within the WNP area should demonstrate how they have taken into account a) the WNP Design Guide and if in a relevant area, b) the appropriate Area Design Guide, both design guides as set out in Appendix 4, and c) WNP Townscape Guidance as set out in Appendix 7”</i> A significant intent of this policy was to enable developers to understand clearly the local documents which we expect them to consult before submitting applications. The intention is to help improve the sense of place in Windsor, by advising developers on what are typical local design features and character, so that developments better reflect the local vernacular architecture. By making developers use the evidence documents listed, i.e. the WNP Windsor Design Guide, the WNP Area design guides (both of which are based on research on local peoples preferences and local features), and the RBWM Townscape assessment (which explains the different types of townscape areas across the whole town), they will be more aware of the styles and historical features. The made Eton NP policy is as follows. <i>HD3: Development within Eton</i> <i>i. Proposals for development within Eton should demonstrate how they have taken into account the Eton Design Guidance, set out in Appendix 1.</i></p>	
	Policy VIE.01		
8.1	<p>Please can you point me to information in respect of who will judge a “compromised” view or “positive contribution” to a view and on what basis?</p>	<p>We would envisage a simple process, as applied for the London View Management Framework SPG 2012, whereby applicants for developments provide an assessment of the impact of the proposed development on the defined view as part of their planning statement. Planning officers will then judge planning applications including their impact on a view against the WNP Policy and relevant appendices (views and design guide). Ultimately it will be for the professional judgement of the case officer, using the views appendix of the Plan as a material consideration.</p> <p>Would the following wording make this acceptable and clearer? <i>“A view assessment should accompany applications where the proposed site lies within an identified viewing corridor/panorama and the development would have an impact on and of the defined views.</i> <i>For example, if the height of the proposed development would exceed the development plane between the viewpoint and any aspect of Windsor Castle, the impact on the view would need to be assessed in the first instance by the applicant.”</i></p>	

		Does the examiner require more detail in the policy as per the London View Management Framework or is there additional reasoned justification wording that would make this policy acceptable?	
8.2	The views cover vast swathes of the Neighbourhood Area. Please can you point me to evidence to demonstrate that it is appropriate, having regard to Para 56 of the NPPF, for the policy to require any development that could affect a view (ie potentially every development within the view zone) to provide the information required.	<p>The majority of development proposals within our area will not trigger the provisions of this policy, given that most development in the neighbourhood is generally of 2-3 storeys in nature. As such we do not agree with the description of “vast swathes”. Map 10 shows that much less than a quarter of the area is covered by the proposed viewing corridors with a concentration to the far eastern edge of the neighbourhood area, where most designated heritage assets and vistas/corridors of most interest are located. The extent of the corridor is not the only consideration, it is the scale and potential impact of new buildings that will be key. In some locations within a viewing cone a large building will have no material impact, whereas a small building may have a major impact (dependent on location/setting/context etc.)</p> <p>This policy does not seek to inform the approach to planning obligations/conditions for development in the neighbourhood area; it is principally a design/conservation-based policy. If a proposed development were to trigger our Views policy, we are not clear how the use of conditions or obligations might make it acceptable. Obligations and conditions will be for RBWM to apply.</p> <p>The intent of the policy and process required is clear. Should an initial assessment and accompanying evidence demonstrate that there is no or very limited impact on the view, and the planning officers agree, then there will be nothing further to be done. If there is a likely impact then more evidence (e.g. visualisations/wirelines) may be required to enable the officer to make an evidence-based decision applying ‘the tilted balance’. This approach is replicated in the Eton NP.</p> <p>Would replicating the wording of the Eton views policy as follows give the flexibility that the examiner is seeking?</p> <p><i>HD5: Local views to Historic Buildings and Landscapes</i> <i>Development should respect the following important local views:</i></p> <ol style="list-style-type: none"> <i>1. View of Windsor Castle from Eton riverside A</i> <i>2. View of Windsor Castle from Eton riverside B</i> <i>3. View of Curfew Tower from Atherton Court</i> <p><i>Etc</i></p>	

		<i>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.</i>	
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	Policy CW.01		
9.1	Please can you point me to evidence that all new development can link to pedestrian and cycle route networks?	<p>Would it be more appropriate to use alternative new wording in bold ... <i>where possible all new development will be expected to be linked to existing pedestrian and cycle networks</i> .</p> <p>This policy is compatible with and supports the Borough Local Plan Submission Version dated 1st November 2019 Policy IF5.</p>	
9.2	NB I note that Part b) is a statement, not a land use planning policy.	Noted and agreed.	We will move this statement to context/Justification
	Policy HOUS.01		
10.1	The policy is not supported by RBWM on the basis that it appears vague and there is little information in respect of the impacts of the policy may have implemented as	Yes.	We propose to delete this policy.

	set out. Do you accept the Councils comments.		
	Policy RES.01		
11.1	The Policy is not supported by RBWM on the basis that it appears vague and difficult to implement. Do you accept the Councils comments?	<p>No, but we agree that the wording could be more precise. The policy context (Para 8.3.4.) is quite clear that the policy is asking developments to demonstrate best practice standards from Building for Life 12. The policy could be simplified to state: <i>“Development should provide sufficient amenity and external storage in accordance with Building for Life 12”</i></p> <p>Many prominent stakeholders in the building industry (e.g. Homes England and Barratt Homes) have adopted this standard voluntarily already and it is endorsed by the HBF. The requirements of Building for Life 12 are not onerous or over extra costs on development. They simply reinforce good design principles via a simple checklist approach.</p>	
	Policy RET.01		
12.1	Part a) of the policy is not supported by a plan showing precise boundaries, is this meant to be the case?	Yes. These are existing neighbourhood shopping parade sites. Does the examiner suggest that a red line on a map is required?	
12.2	Please can you point me to evidence supporting the % figure in Part b)?	<p>Our intention was that neighbourhood parades should be protected, and this is in line with the emerging BLP Policy as below. Local Plan 2013-2033 Submission Version dated 1st November 2019 Policy TR5 PARA (2)</p> <p><i>“Special considerations will apply in situations of sustained high levels of vacancy, for example where more than 30% of the units in a centre have been vacant for more than a year. Where there is a sustained high level of vacancy, the Council will consider active town centre uses as a first resort with residential or other uses at ground floor level as a last resort”.</i></p>	

12.3	Re: part c) please can you point me to evidence of what a “reasonable effort” comprises and any information supporting the retention of say, a non-viable unit in a non-viable use?	A “reasonable effort” would be by for example, carrying out a 12-month marketing exercise in a form agreed by the Local Planning Authority. We would be open to a more flexible approach i.e. commercial uses that maintain an active frontage in accordance with design guide.	
12.4	Re: part e) please can you point me to information in respect of what “clustering that would harm retail vitality” is, with reference to the need for the Policy to be implementable?	See above comments. The WNP would be open to consolidating (b) and (e) with revised wording to support retail/office/creative industries etc. and resist whole parades of betting shops, hot food take away etc.	
	Policy DR.01		
13.1	Please can you point me to information in respect of what the phrase “must utilise	The policy is intended as a starting point for discussions with RBWM rather than as a final polished scheme (as per the comments in Para 10.2.3). According to the Masterplanning Report from AECOM consultants (In our evidence base on our website under Docs, WNP Topic Reports (http://www.windsorplan.org.uk/documents/index.html))	

	opportunities” means?	We would be happy to re-word the first sentence to: “ All <i>Development within Dedworth Road area (Map 11) must utilise opportunities, where relevant, to should provide for:</i> ”	
13.2	Please can you point me to information re: the deliverability of the Policy in respect of highway authority matters?	<p>The policy is indicative and intended as an overarching policy to inform a long term process of regeneration, rather than as a final polished scheme/allocation (as per the comments in Para 10.2.3).</p> <p>The Dedworth Road Masterplanning report from AECOM consultants (in our evidence base as mentioned above) indicated that there are targeted highway/public realm improvements which could support the commercial uses and enhance the amenity of the local area for residents. Some of these improvements (widened pavements, extra parking) have already been implemented since the WNP vision was published due to ongoing discussions with officers at RBWM. We believe this success could be built upon with the involvement of private landowners and developers and this policy is designed to be implemented incrementally across the entire plan period.</p>	
13.3	There is nowhere on map 11 marked “Retail Area”- please can you point me to information in respect of where part b) applies?	<p>There is no red line around the area as it is recognised that the boundaries could vary depending upon a detailed scheme.</p> <p>We have taken the Retail Areas to be areas where there is an existing retail frontage. Map 11 page 86 shows the existing Retail frontages along the length of Dedworth Road.</p> <p>The WNP believes that there are other potential opportunities in these areas for redevelopment.</p>	
13.4	Please can you point me to information in respect of the basis upon which it is appropriate and deliverable for all development proposals in the “Retail Area” to enhance retail?	<p>The WNP s intention is to ensure some continued retail provision in neighbourhood parades although we recognise that there may be other uses involved within retail areas such as the possibility of commercial, office and residential above retail units.</p> <p>Is We could re-word DR.01b) to: “Vale Road/Dedworth Road/St Andrews Avenue Junction retail Hub Development proposals within the area marked Retail Areas (Map 11) should enhance the retail and residential function for the communities around Dedworth Road and the wider neighbourhood area. “Proposals in the Retail Areas (Map 11) should provide for: <ol style="list-style-type: none"> 1. <i>Redevelopment and intensification of plots where land is underutilised</i> 2. <i>A variety of retail uses, especially those which encourage social interaction “.....etc</i> </p>	

13.5	Please can you point me to information in respect of how policy DR.01 can work alongside RET.01 if retail frontages are to be “protected and enhanced”?	<p>It is our intention to maintain ACTIVE uses within neighbourhood retail areas, and if the examiner sees any conflict between these two policies, then we would welcome suggestions for modifications to achieve this aim.</p> <p>We favour the retention of DR.01 as it’s more closely wedded to place-making and is backed up by the master planning work conducted by AECOM.</p>	
13.6	Please can you point me to information in respect of when a proposal re: c) will be “relevant”	This is a drafting error and we propose deleting the words “where relevant”.	
13.7	Please can you point me to evidence supporting the viability and deliverability of part d)?	The policy clauses do not introduce onerous costs and instead are geared towards providing flexibility to developers to help de-risk and enable investment into this area. There is no formal viability evidence for retail development other than in RBWM’s Borough-level evidence.	
	Policy IH.01		
14.1	This Policy has been overtaken by events, further to the recent appeal decision to allow mixed use	Yes. Withdraw the policy.	Withdraw the policy.

	development to come forward on part of this site. Does the qualifying Body wish to withdraw Policy IH01?		
14.2	If the answer is no.....	N/A	N/A
	Policy Lego.01		
15	The Policy is not supported by RBWM on the basis that it fails to take into account relevant designations, including Green Belt and Windsor Park SAC and it does not meet the Basic Conditions. Also it is not clear why parts b) c) and d) are included in the Policy-there is already a Park and Ride, buffer zone and Green	<p>This policy is intended to support the economy and renewal and investment in the LEGOLAND Park; it is not the intention to override the Green Belt and Windsor Park SAC.</p> <p>Would it be more acceptable to RBWM and to meet Basic Conditions if the Green Belt and Windsor Great Park SAC were mentioned in the policy itself (Part a) rather than in the context? or is the examiner/RBWM requiring the deletion of this part of the policy to meet Basic Conditions?</p> <p>All of the Parts b) c) d) are included in the policy to pull together all the fine-grained detail of existing permissions and policies concerning this site, so that everyone is aware of all the issues and the aspects that might be under threat from future changes within and around LEGOLAND boundaries.</p> <p>We maintain that we wish to support this important local employer, we would welcome your views on proposed modifications to make this policy meet the basic conditions.</p>	

<p>Route and boundary that appears green. Do you accept the Councils comments and are there elements of the Policy you would seek to change?</p>		
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	Policy RAC.01		
16	<p>The Policy raises similar issues to Policy LEGO.01 and is not supported by RBWM as it does not meet the basic conditions. Do you accept the Councils comments and are there elements of the Policy you would seek to change?</p>	<p>This policy is intended to support the economy and renewal and investment in the Racecourse; it is not the intention to override the Green Belt and any other special landscapes.</p> <p>Would it be more acceptable to RBWM and meet basic conditions if the Green Belt and Thames corridor were mentioned in the policy itself (Part a) rather than in the context or is the examiner/RBWM requiring the deletion of this part of the policy to meet Basic Conditions?</p> <p>All of the Parts b) c) d) are included in the policy to pull together all the fine- grained detail of existing permissions and policies concerning this site, so that everyone is aware of all the issues and the aspects that might be under threat from future changes within and around the Racecourse boundaries.</p> <p>We maintain that we wish to support this important local employer, we would welcome your views on proposed modifications to make this policy meet the basic conditions.</p>	

END