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Member of NORA**

## **Borough Local Plan Consultation (December 2016)**

This is the response of the Oakley Green & Fifield Residents Association ('OGFRA') to the consultation by the Royal Borough of Windsor & Maidenhead (the 'Borough') on the draft Borough Local Plan (the 'Plan').

OGFRA was established over 40 years ago by the residents of Oakley Green and Fifield with a primary objective of protecting the Green Belt and maintaining the separation between the towns of Windsor and Maidenhead. **The purpose of this Representation is to register our strong objection to the proposed development of site HA11 with a planned 650 dwellings and removal of this land from the Green Belt.**

*All references quoted below are to the draft Plan dated December 2016, unless otherwise stated.*

### **1. The Plan does not meet the test of soundness (ref Introduction 1.7.2)**

We have fundamental concerns that the Plan as presented does not meet the tests of soundness that it is required to meet:

- a. the Plan does not set out how essential infrastructure is to be delivered to meet the substantial increasing in housing;
- b. we understand that the updating of the HELAA is still underway. Inevitably the extent to which it is necessary to identify land for removal from the Green Belt depends largely on the outcome of the HELAA exercise, and it is premature to bring forward allocations without all required evidence;
- c. the presentation of HA11 contains significant errors in terms of land to be included and questions the quality of the assessment undertaken (the designated area includes a number of areas of land/properties that are not available, despite RBWM officials asserting that all areas identified in the Plan have owner consent).

### **2. The Plan takes no account of the Neighbourhood Plan 'Bray Green Gap'.**

The allocation of HA11 for development takes no account of the Bray Parish Neighbourhood Plan ('BPNP') and proposed 'Bray Green Gap'. Bray Parish Council formally submitted the BPNP to the Borough in November 2016 after over 5 years of meetings, consultations etc, many involving the Borough. Bray Parish residents strongly wish to maintain the separate physical locations and identities of the towns of Windsor and Maidenhead, preserve the rural identity of Bray Parish and halt any further encroachment on the remaining Green Belt between the outskirts of Windsor and Maidenhead. For this reason the BPNP seeks to designate the land between Windsor and Maidenhead as a

permanent 'Bray Green Gap' (see Map 3 in 'Final for Submission' version of BPNP dated September 2016). This map demonstrates that HA11 lies in its entirety within the Bray Green Gap and the inclusion of HA11 as a development site is in direct contradiction to the intent of the BPNP. Whilst the BPNP has not been adopted yet, it indicates clearly the intent of local residents, and it makes a mockery of the principles of Localism to put forward this site.

More generally the Plan places a disproportionate load on Bray Parish in terms of proposed dwellings in an area that is 94.8% Green Belt.

### **3. HA11 should not be removed from the Green Belt (ref Policy SP6, Spatial Strategy 4.2/4.3)**

In accordance with the National Planning Policy Framework there is no case for altering the adopted Green Belt boundary unless exceptional circumstances are found to exist through the Borough Local Plan process. We do not consider that any such 'exceptional circumstances' exist in the case of HA11 and that the Edge of Settlement analysis does not correctly reflect the importance of HA11 (referred to as W1 and W2 in the Edge of Settlement analysis):

- a. contribution to preventing merger of settlements is classified as 'moderate'. This can only be classified as 'very strong'. HA11 occupies a significant portion of the gap between Windsor and Maidenhead and is an essential component of the Bray Green Gap set out in the BPNP for the reasons stated under 2. above;
- b. contribution to preventing urban sprawl and encroachment into the countryside are only listed as 'moderate'. We consider that the contribution is 'strong' or 'very strong'. The impact of developing W1 and W2 is no different to that of developing W3, W4 or W5 (all edge of Windsor), all of which are classified by the same assessment as 'strong' or 'very strong';
- c. there are other more appropriate potential sites which according to the Edge of Settlement analysis meet less than three of the Green Belt criteria.

### **4. Alternative sites should be considered (ref Policy HO1)**

In addition to reviewing the Edge of Settlement analysis we believe that the Borough should reassess potential sites in the Borough and:

- a. consider previously developed land that has not yet been assessed, but is likely to become available in the future e.g. Broom Farm Estate (where many properties are empty), possible closure of Combermere barracks;
- b. examine the use of empty dwellings;
- c. consider additional dwellings (where possible) for those sites already with planning permission.

The use of any Green Belt land should be the very last resort and it should be planned to be developed last to allow time up to 2033 for more appropriate non-Green Belt sites to become available. This would give the Borough the best opportunity to honour its commitment (and election promises of its Members) to preserve the Green Belt.

### **5. No evidence that road infrastructure could cope (ref Policies IF3, SP7)**

The A308 is the main road connecting Windsor and Maidenhead and feeds the M4 at Junction 8/9 and also at Junction 6. There is no report on how RBWM intends to manage the additional traffic created by an extra 1,000 dwellings feeding onto this road. The A308

(and surrounding roads) are already at capacity and we face gridlock if these additional dwellings are built; and this is before considering the impact of Crossrail and possible large hotel on Windsor racecourse.

**6. The site is prone to flooding and is unsuitable for development (ref Policy NR3)**

HA11 is adjacent to Flood zones 2 (medium probability of flooding) and 3 (high probability), and the northern part of HA11 is adjacent to Environment Agency (EA) Flood Warning or Flood Alert areas. HA11 is also subject to significant areas of surface water flooding, particularly the southern part of the site.

These areas are already very vulnerable to flooding and any development on HA11 would exacerbate these risks, and increase the risk of flooding in adjacent areas to HA11 (which are currently at lower risk of flooding, but which are also likely to become areas of higher risk). There are also issues with drainage and sewer capacity (ref Policy IF6) where the existing system is already inadequate.

These issues make HA11 unsuitable for development.

Photographic evidence of the problems with flooding and drainage and sewer capacity throughout the site are shown in the attached Annex.

**7. No evidence other key infrastructure requirements have been addressed (ref Spatial Portrait 3.4.8, 3.4.9, Policy IF2)**

Key services are already at or beyond capacity, including local schools (both primary and secondary education), GP surgeries and sport leisure facilities. There is no evidence that how or when the required infrastructure will be delivered.

**8. Air pollution will increase significantly in Windsor (ref Policy EP2)**

The residents of the proposed dwellings on HA11, 18 and 26 will use their motor vehicles to access either Maidenhead, thus significantly adding to the air pollution AQMA where the Maidenhead Road goes under the M4, or Windsor, thus significantly adding to the air pollution AQMAs at both the Clarence Road roundabout area (this includes the Maidenhead Road) and the Imperial Road junction.

**9. Loss of key public amenities (ref Policy IF1)**

The two garden centres are very important to the local community, not only as garden centres but as meeting places for members of the community and as a source of employment opportunities. These garden centres will be lost if the development of HA11 proceeds.

**10. Detrimental impact on Cardinal Clinic, a Community Mental Health Facility (ref Spatial Portrait. 3.4.6, 3.4.7)**

The Cardinal Clinic located in the southern corner of HA11 is a leading independent psychiatric hospital established over 40 years ago providing day patient and out patient facilities. It serves both the local and extended community and is registered to take overflow NHS patients and patients detained under the Mental Health Act. The Oakley Green site was specifically chosen because of its tranquillity, with the surrounding open spaces of particular benefit to patients suffering from mental health. Any development in the surrounding area is likely to have a highly negative effect on the facility and its patients.

The Cardinal Clinic employs over 140 staff directly and with visiting consultants and psychologists, this number reaches nearly 200. All may lose this place of excellence if HA11 were to be developed.

#### **11. Heritage (ref Policies HE1, HE2, VT2)**

The Old Farmhouse, also located to the south of HA11, is a Grade II\* listed property. This means it is according to National Heritage 'a particularly important building of more than special interest' that requires protection. Historic England have expressed concern at the impact of any development of the surrounding area on this listed building.

#### **12. Unacceptable use of good quality agricultural land (ref Policy SP7)**

The Sustainability Appraisal for the Borough Local Plan 2013-2033 dated November 2016 states that the top three grades of agricultural land, Grade 1, 2 and 3a, should be avoided for development (in accordance with national policy) and brownfield sites used in preference. Area HA11 has been farmed for decades, dating back to before World War II. Part of it was still actively farmed in the 1970s and 1980s, growing a variety of agricultural crops, including onions and brassicas. Land that was not used for arable farming was used for grazing livestock, as it still is today.

It can be established by reference to the Ministry of Agriculture, Fisheries and Food report of October 1988, Agricultural Land Classification of England and Wales, that, based on the range of crops previously grown, the classification of at least Grade 3A should apply.

HA11 should not therefore be put forward for development and should be removed (as have some areas previously included in the consultation with a similar profile including agricultural).

#### **13. Adverse impact on biodiversity (ref Policy NE1 and Policy NE3)**

Bats can be seen in gardens in area HA11 every evening in the summer months. They roost in trees in fields. Great Crested Newts (*Triturus cristatus*) have been observed in ditches in the area. They are a European Protected Species and receive full and stringent protection under The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act (1981) (as amended). The Great Water Parsnip (*Sium latifolium*) has been identified in the fields on the edge of the site, and is intolerant to disturbance and threatened by drainage of its sites. It is listed in UK Biodiversity Action Plans and included in Natural England's species recovery programme. Other fauna and flora are present in the area.

#### **14. No requirement to meet Objectively Assessed Need (ref Housing 7.2.1)**

Whilst acknowledging the need for new housing throughout the country, our view is that the Borough should submit a Plan that does not fully meet the objectively assessed need for housing. Planning Guidance recognises constraints, such as Green Belt, which may limit the ability of an LPA to meet its objectively assessed need. In the case of the Borough the high proportion of Green Belt land and Crown Land represent such constraints.

In conclusion we object to the proposed development of site HA11 with a planned 650 dwellings and removal of this land from the Green Belt and request that this site is removed from the consultation.

It has also become evident to us that a substantial proportion of residents have been totally unaware of the consultation process, and it is only through associations such as OGFRA that many residents have become aware of the process (Borough councillors will be aware of this from their attendance at the public meeting organised by OGFRA at Saxons Barn last week). We strongly urge the Borough to find a more effective way of communicating with residents if the consultation is to be considered an open and effective process.

13 February 2017

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Photographic evidence of the problems with flooding, road congestion and drainage and sewer capacity in support of the submission from the Oakley Green & Fifield Residents Association objecting to the development of HA11.

**1. FLOODING**



Dedworth Road 2014



Dedworth Road 2014



Wyevale Garden Centre 2014



Old Farmhouse, Dedworth Road 2015



Old Farmhouse, Dedworth Road 2015



Old Farmhouse, Dedworth Road 2015

**FLOODING CONTINUED**



Old A308 (Near Marina) 2014



Old A308 (Near Marina) 2014



Old A308 (Near Marina) 2014

**2. TRAFFIC**



Squires Roundabout A308 2017

**3. SEWAGE**



Old A308 (Near Marina) 2016