



Cookham

Neighbourhood Plan

**Basic Conditions Statement
including Area Statement
June 2024**



COOKHAM NEIGHBOURHOOD PLAN

**Basic Conditions Statement
June 2024**

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1. Introduction

This document

- 1.1 This Basic Conditions Statement has been produced to accompany the Cookham Neighbourhood Plan. It sets out how the Basic Conditions prescribed by Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 are considered to have been met. The Basic Conditions are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
 - The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
 - Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan. The prescribed condition is that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or an offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats Regulations 2007) (either alone or in combination with other plans or projects).
- 1.2 There are two further basic conditions but these only apply to the making of a Neighbourhood Development Order and are thus not considered relevant for this document.
- 1.3 The Levelling Up and Regeneration Act was granted Royal Assent on 26 October 2023. This includes an amendment to the Basic Conditions in respect of general conformity with the strategic policies of the development plan. However, there is currently no commencement date associated with this Part of the Act and, until otherwise confirmed by the Secretary of State, the tests of the Basic Conditions for the Cookham Neighbourhood Plan remain as set out in paragraph 1.1 above.

Other supporting documents

- 1.4 The Cookham Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement (incorporating an Area Statement).
- 1.5 The Neighbourhood Plan also makes use of evidence prepared by and on behalf of the Royal Borough of Windsor & Maidenhead Maldon as part of the Local Plan process. These and other documents are referenced as appropriate in the Neighbourhood Plan and include:
- Cookham Neighbourhood Plan Consultation Statement.
 - Cookham Neighbourhood Plan Strategic Environmental Assessment (SEA) / Habitats Regulation Assessment (HRA) Screening Report (included as a free-standing appendix to this Basic Conditions Statement).
 - Cookham Neighbourhood Design Guidance and Codes.
 - Cookham Village Design Statement (VDS)
 - Background Topic Paper: Agriculture and Equestrian Development.

Key statements, including Area Statement

- 1.6 The Cookham Neighbourhood Plan has been prepared and submitted to the Royal Borough of Windsor & Maidenhead (RBWM) by Cookham Parish Council. The Parish Council is the qualifying body and is entitled to submit a Neighbourhood Plan for the Plan area.
- 1.7 The Neighbourhood Plan sets out policies that relate to development and the use of land within the neighbourhood area, as shown in Figure 1. The Neighbourhood Area was designated in June 2020 (see Appendix A). The boundary of the Neighbourhood Plan area is the same as the Parish Council boundary.
- 1.8 The Neighbourhood Plan does not relate to more than one neighbourhood area. There are no other adopted Neighbourhood Development Plans which cover the neighbourhood area.
- 1.9 The Neighbourhood Plan covers the period 2021 to 2038. The first part of the Plan period (up to 2033) is aligned with the period covered by the adopted Local Plan. The Neighbourhood Plan period has been extended for a further five years beyond the Local Plan, building longevity into the Neighbourhood Plan but also allowing for regular reviews as appropriate in line with updates to and reviews of the Local Plan.
- 1.10 The Neighbourhood Plan does not contain any policies which relate to excluded development as defined by section 61k of the Town & Country Planning Act 1990.

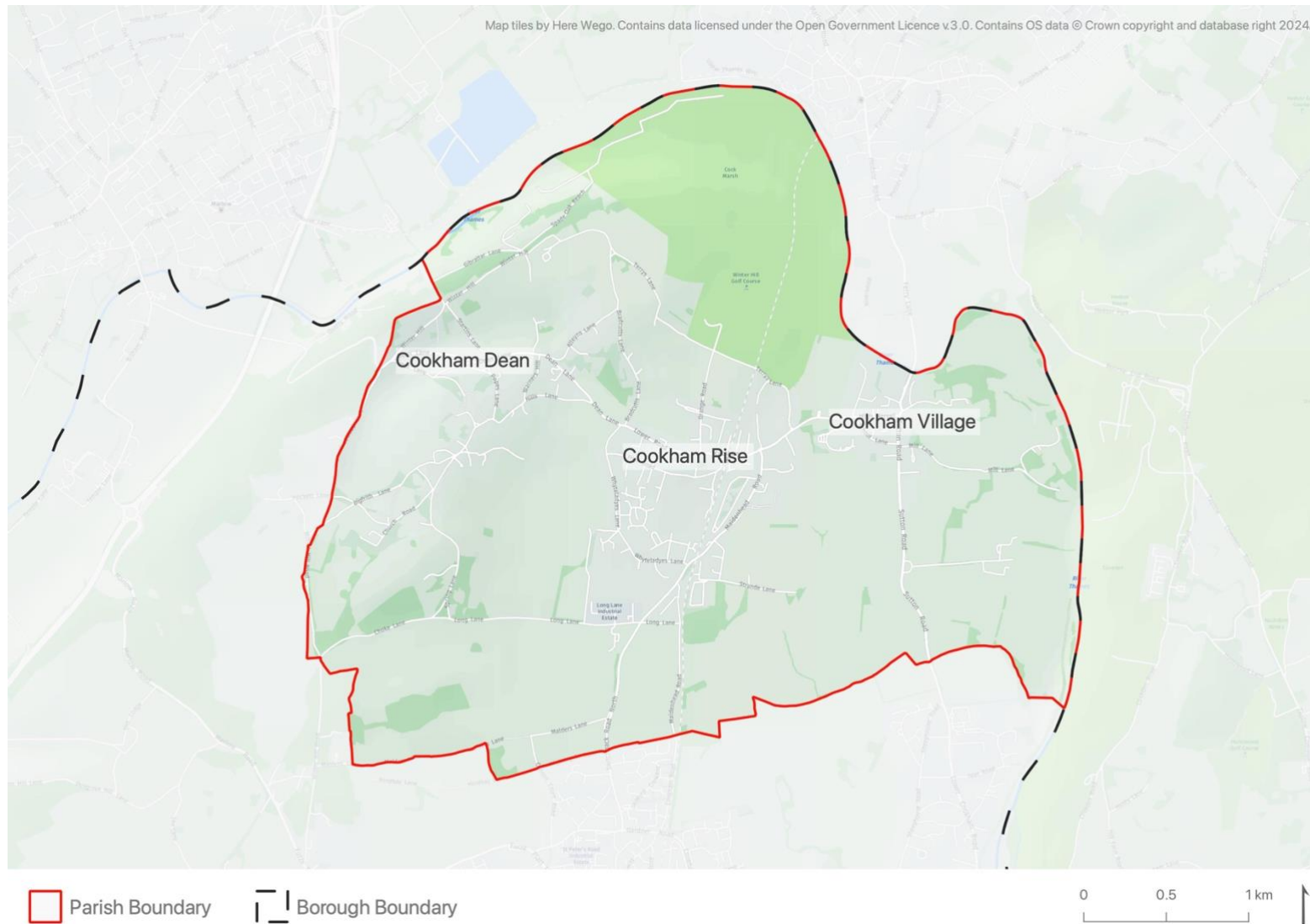


Figure 1. The designated Neighbourhood Plan Area

Vision and objectives

- 1.11 The Basic Conditions Statement refers, where appropriate, to the vision and objectives stated in the Neighbourhood Plan. These are reproduced below.

Vision

*Cookham Parish will continue to be a **thriving and vibrant community** whose character, rich heritage and natural assets are protected and enhanced in their rural setting **separate from Maidenhead**, and where the Parish and individual neighbourhoods benefit from a **distinct identity** of their own.*

*Already well renowned for its relationship with Stanley Spencer, its **rich landscape, wildlife habitats and biodiversity** will be strengthened and form an accessible network of connected green and blue routes around the parish and between the three settlements.*

*All development in the parish will embody the **highest principles of sustainability** and help make it a better place in which to live, work or visit. The sense of identity and **village life** will be strengthened, with a wide range of local businesses and community facilities catering for the needs of all.*

*Sustainable and active travel measures will make it **safer and easier for all to move around** the Parish and to neighbouring areas, with traffic congestion and speed reduction supported by a move towards net-zero carbon transport solutions.*

Objectives

- 1.12 The vision for Cookham has been developed into a set of objectives which are intended to help inform preferred directions of future growth and other interventions. They are:
- **Objective 1:** To ensure that any new development is well-designed and of a high quality, adheres to the highest principles of sustainability and reflects the best qualities of local character.
 - **Objective 2:** To conserve and enhance the natural environment, biodiversity and important wildlife habitats.
 - **Objective 3:** To retain the rural setting and individual identities of Cookham Village, Cookham Rise and Cookham Dean, separate from each other and above all from Maidenhead, providing opportunities for all to enjoy and benefit from access to the countryside.
 - **Objective 4:** To provide and enhance facilities that maintain and develop the health and well-being of the community.
 - **Objective 5:** To minimise local traffic impacts and improve opportunities for people of all ages and abilities to walk and cycle.

Neighbourhood Plan policies

1.13 The policies within the submission version Neighbourhood Plan are:

Reference	Policy Title
C-DP1	High quality design
C-DP2	Rural settlement character
C-DP3	Gardens
C-DP4	Heritage
C-DP5	Local employment opportunities
C-DP6a	Agricultural developments
C-DP6b	Equestrian development
C-DP7	Sustainable design and construction
C-EN1	Biodiversity
C-EN2	Green infrastructure and corridors
C-EN3a	Flood risk
C-EN3b	Sustainable drainage systems (SuDS)
C-CI1	Settlement identity
C-CI2	Stanley Spencer's Cookham
C-CI3	Public access to open space and the countryside
C-CI4	Local green space designations
C-LI1	Local centres
C-LI2	Community facilities
C-LI3	New green spaces
C-LI4	Local renewable energy generation
C-AM1	Active travel
C-AM2	Parking standards, design and electric-vehicle charging points

Neighbourhood Plan projects

- 1.14 In addition to the policies listed above the Neighbourhood Plan also includes a set of wider projects and community aspirations. These do not comprise land use and development policies and are not subject to the same tests of the Basic Conditions, but are listed below for comprehensiveness and referred to as appropriate in the Basic Conditions Statement.

Reference	Project Title
Project 01	'Roman Lea' conservation area
Project 02	Holy Trinity Church
Project 03	Design review
Project 04	Battlemead, with Widbrook and Strand Water
Project 05	Overcoming barriers to movement in green corridors
Project 06	The Causeway
Project 07	Improvements to green spaces
Project 08	Community-led energy initiatives
Project 09	New walking and cycling routes
Project 10	Road improvements
Project 11	Air quality
Project 12	Rail and bus services

2. National Planning Policy

Introduction

- 2.1 The Neighbourhood Plan must show that it has regard to national policies contained in guidance issued by the Secretary of State. This is principally provided by the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG) published by the Department of Levelling Up, Housing and Communities.
- 2.2 Work on drafting the Neighbourhood Plan was undertaken in line with the 2021 version of the NPPF and the minor amendments made to this in September 2023. However, the NPPF was revised and updated again in December 2023. Appendix 1 of the NPPF sets out transition arrangements for those Development Plans currently in production and which version of the NPPF should be applied when examining these. Paragraph 230 refers to dates by which Plans must have reached consultation by in order to qualify for examination under previous versions of the NPPF. However, this paragraph only refers to Local Plan pre-submission Regulation 19 stage and equivalent stages for work on Spatial Development Strategies. The NPPF is silent on the arrangements for Neighbourhood Plans. As such, and for the purpose of longevity, this Basic Conditions Statement considers the Neighbourhood Plan against the most recent version of the NPPF (i.e.: that published in December 2023).
- 2.3 The NPPF states at paragraph 18 that neighbourhood plans should contain non-strategic policies. At paragraph 21 it states that strategic policies (in the Development Plan) provide a clear starting point for non-strategic policies and that strategic policies *'should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies'*.
- 2.4 The power of a neighbourhood plan is clearly set out in paragraph 30 of the NPPF, which states that *'once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area'*.
- 2.5 This section demonstrates that the Cookham Neighbourhood Plan has regard to relevant goals within the NPPF in relation to:
 - Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications

- Making effective use of land
- Achieving well-designed and beautiful places
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals

2.6 The Neighbourhood Plan has five primary objectives. They are summarised in Table 1 below which identifies the NPPF goals that each objective addresses. The sections following this provide a summary of how policies in the Neighbourhood Plan conform to the NPPF goals.

Table 1. Alignment of NDP Objectives with NPPF

Cookham Neighbourhood Plan Objective	Relevant NPPF goals
Objective 1: To ensure that any new development is well-designed and of a high-quality, adheres to the highest principles of sustainability and reflects the best qualities of the local character.	<ul style="list-style-type: none"> • Achieving well-designed and beautiful places. • Conserving and enhancing the historic environment.
Objective 2: To conserve and enhance the natural environment, biodiversity and important wildlife habitats.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment.
Objective 3: To retain the rural setting and individual identities of Cookham Village, Cookham Rise and Cookham Dean, separate from each other and above all from Maidenhead, providing opportunities for all to enjoy and benefit from access to the countryside.	<ul style="list-style-type: none"> • Making effective use of land. • Achieving well-designed and beautiful places. • Protecting Green Belt land.
Objective 4: To provide and enhance facilities that maintain and develop the health and well-being of the community.	<ul style="list-style-type: none"> • Ensuring the vitality of town centres. • Promoting healthy and safe communities.

<p>Objective 5: To minimise local traffic impacts and improve opportunities for people of all ages and abilities to walk and cycle.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities. • Promoting sustainable transport.
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Delivering a sufficient supply of homes

NPPF Section 5, paras 60 - 84

- 2.7 The Neighbourhood Plan does not allocate land for development, with the Local Plan allocating land for development. The Neighbourhood Plan does though recognise that proposals for development will come forward over the Plan period and, through Policy C-DP1 and Policy C-DP2, seeks to influence this so that is designed in response to the quality and character of the Parish.
- 2.8 In addition, **Policy C-LI1** makes clear that residential development comprises an appropriate use of land in local centres, particularly where comprising mixed-use development proposals and where uses are carefully designed to avoid noise and odour conflicts between uses.

Building a strong, competitive economy

NPPF Section 6, paras 85 - 89

- 2.9 The Cookham Neighbourhood Plan reflects this section of the NPPF through **Policy C-DP5** which supports proposals for a mix of employment types, including intensification of existing employment sites, thus strengthening their role and function.
- 2.10 Furthermore, **Policy C-LI1** notes that Class E employment uses are appropriate within the Local Centre, particularly where contributing to a mix of uses that support and sustain everyday activity, and the vitality of the centre.

Ensuring the vitality of town centres

NPPF Section 7, paras 90 - 95

- 2.11 The centres in Cookham Village and Cookham Rise are designated as local centres in the RBWM Local Plan. Retail and other complementary uses are supported in such locations and which maintain the diversity and vitality of the retail function.
- 2.12 **Policy C-LI1** establishes a range of use types suitable for the local centres, including community and employment uses that complement retail activity and thus support the role of the centre in terms of providing for day-to-day needs. It also includes design principles that support improvements to the quality and attractiveness of the

local centre as a place to be, including the requirement for active uses at ground floor level and building forms that provide flexibility and allow for alternative uses to come forward over time, future proofing the centres so they can adapt to change whilst retaining their role and function.

Promoting healthy and safe communities

NPPF Section 8, paras 96 - 107

2.13 The NPPF states that planning policies should aim to achieve healthy, inclusive and safe places. Relevant policies in the Neighbourhood Plan are:

- **Policy C-LI2** which supports proposals for new and improved community facilities in the Plan area and establishes criteria for these such that they are accessible to and can be made use of by all members of the community.
- **Policy C-DP1**, which establishes principles in respect of high quality design and the laying out of development such that it is safe and accessible to all, and which is supported by **Policy C-LI3** which states that where new green infrastructure is provided, this should be multi-functional and designed for use by all members of the community.
- **Policy C-AM1**, which supports delivery of infrastructure that facilitates active travel.
- **Policy C-CI4** which recognises the value of open spaces to the community and designates for Local Green Spaces in the Neighbourhood Plan.

Promoting sustainable transport

NPPF Section 9, paras 108 - 117

2.14 **Policy C-AM1** of the Neighbourhood Plan promotes sustainable transport through active travel routes well incorporated into new development and linking with key destinations and facilities across the area, including the local centre and green spaces. The policy requires infrastructure to be well integrated in development such that it is safe, attractive and convenient to use. Equally, **Policy C-DP5** and **Policy C-LI2** refer to development being in locations, and designed in such a way, that support walking and cycling.

Supporting high quality communications

NPPF Section 10, paras 118 - 122

- 2.15 The Neighbourhood Plan does not specifically refer to mobile and broadband connectivity and thus defers to a combination of the NPPF and policies in the Local Plan.

Making effective use of land

NPPF Section 11, paras 123 - 130

- 2.16 The NPPF states that planning policies and decisions should promote effective use of land. Relevant policies in the Neighbourhood Plan are:
- **Policy C-DP1**, which seeks to reinforce local character and identity, drawing upon analysis and guidance in the Cookham Design Code that sits alongside the Neighbourhood Plan, and which includes guidance on the appropriate scale, height and form of development across the Plan area.
 - **Policy CI1**, which seeks to retain the separate identity of the three settlements in Cookham from each other and from Cookham, and thus directing development to infill and brownfield development sites.
 - **Policy C-DP5**, which supports new employment development, including the intensification of existing employment sites.
 - **Policy C-LI1**, which supports delivery of mixed use developments within the local centres in Cookham Village and Cookham Rise and thus the ability for people to travel short distances for a wide range of services for everyday needs.
 - **Policy C-EN2**, which seeks to protect and retain natural features.

Achieving well-designed and beautiful places

NPPF Section 12, paras 131 - 141

- 2.17 This section of the NPPF stresses the importance of high quality design in buildings and places.
- 2.18 The Neighbourhood Plan draws upon the supporting Cookham Design Code and the earlier Village Design Statement which identifies qualities that should be reflected in new development. This is referenced in **Policy C-DP1** which sets out principles in respect of development responding positively to the character of the built and natural environment of the Plan area. It is supplemented by **Policy C-DP2**

which specifically establishes design principles in respect of the rural character of the Parish.

- 2.19 Furthermore, **Policy C-LI1** establishes design principles for development in the local centres, **Policy C-DP5**, which refers to the Design Code in terms of employment development, and **Policy C-AM2**, which refers to the Design Code in respect of parking standards and design so that it is well integrated into the street environment and contribute to quality of place.
- 2.20 In addition, reference is made through the Neighbourhood Plan to active travel and good practice guidance established by the Government, such as DfT Cycle Infrastructure Design LTN 1/20, to ensure that new active travel infrastructure and public realm interventions are of a high quality of design that strengthens local character and identity.

Protecting Green Belt land

NPPF Section 13, paras 142 - 156

- 2.21 The extent of the Green Belt boundary is established in the RBWM Local Plan and is not duplicated in the Neighbourhood Plan. However, **Policy C-CI1** recognises that the three settlements in Cookham have distinct identifies form each other and from Maidenhead, and thus development should be sensitively located and designed to minimise visual coalescence and urbanising effects. This is supplemented by **Policy C-DP6a** and **Policy C-DP6b** which recognise that the much of the parish within the Green Belt comprises agricultural or equestrian development and that proposals for such use should be sensitively sited and designed, and that proposals for changes of use should be carefully managed to minimise the risk of development creep into the Green Belt.

Meeting the challenge of climate change, flooding and coastal change

NPPF Section 14, paras 157 – 179

- 2.22 This section of the NPPF supports the transition to a low carbon future. Relevant policies in the Neighbourhood Plan are:
- **Policy C-DP7**, which supports proposals that incorporate sustainable building design and construction measures, and which minimise waste through re-use and recycling.
 - **Policy C-EN3a**, which seeks to minimise the risk of flooding as a result of new development, taking account of climate change.

- **Policy C-EN3b**, which requires use to be made of sustainable drainage systems and establishes principles for these.
- **Policy C-AM1**, which supports active and healthy modes of transport, including walking and cycling, and which conforms to the NPPF's aims of supporting the transition to a low carbon future and contributing to reductions in greenhouse gases by reducing overdependence on cars.

Conserving and enhancing the natural environment

NPPF Section 15, paras 180 - 194

2.23 This chapter of the NPPF promotes the positive impact that planning policies and decisions can have on natural environment, specifically through protection and enhancement of landscapes, biodiversity, character and soil quality. Relevant policies in the Neighbourhood Plan are:

- **Policy C-EN1**, which builds upon the provisions of the Environment Act in respect of biodiversity net gain, and which seeks to preserve existing green infrastructure and habitat areas.
- **Policy C-EN2**, which identifies important wildlife habitats and important corridors between these for wildlife, forming a connected network of green infrastructure across the Parish which should be retained and enhanced where possible.
- **Policy C-CI3**, which seeks to retain continued access to important areas of open space across the Parish but where this needs balancing against the impacts of access on wildlife and natural habitats.

Conserving and enhancing the historic environment

NPPF Section 16, paras 195 - 214

2.24 This section of the NPPF promotes the conservation and enhancement of heritage assets to ensure their enjoyment into the future.

2.25 **Policy C-DP4** of the Neighbourhood Plan conforms to this in that it seeks to protect and enhance non-designated heritage assets identified in the Plan and Village Design Statement as well as recognising the archaeological importance of the Parish and need for desk-top surveys as part of development proposals. This is further developed in **Policy C-DP1** and **Policy C-DP2** which establish design principles for

new development, including the requirement for development proposals to respect the distinctive characteristics and historic qualities of the Plan area as set out in the Cookham Design Code. Furthermore, **Policy C-C12** recognises the cultural significance and heritage of the Parish as reflected in the painting of Sir Stanley Spencer and seeks to ensure that development is sensitive to the relationship between the paintings and identity of the Parish.

Facilitating the sustainable use of minerals

NPPF Section 17, paras 215 - 223

- 2.26 The Neighbourhood Plan does not include policies which relate to this NPPF aim, therefore decisions on this matter will need to refer to the Joint Central and East Berkshire Minerals and Waste Plan adopted by RBWM in November 2022 covering the period to 2036.

3. Sustainable Development

Achieving sustainable development

- 3.1 The NPPF, at paragraph 7, states that the *'purpose of the planning system is to contribute to the achievement of sustainable development'*. Sustainable development is defined as *'meeting the needs of the present without compromising the ability of future generations to meet their own needs'* (paragraph 7).
- 3.2 The NPPF views sustainability as made up of three objectives: economic, social and environmental. These objectives are interdependent and should be pursued in mutually supportive ways. The objectives are:
- *Economic*: to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
 - *Social*: to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
 - *Environmental*: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.3 The following sections summarise how the objectives and policies in the Neighbourhood Plan contribute toward sustainable development, as defined in the NPPF. This demonstrates that the objectives of the Neighbourhood Plan are considered to comprise a balance of social, economic and environmental goals.

Economic objectives

NPPF definition:

3.4 *'Building a strong, responsive and competitive economy'*

Relevant Neighbourhood Plan Objectives:

3.5 **Objective 1:** To ensure that any new development is well-designed and of a high quality, adheres to the highest principles of sustainability and reflects the best qualities of the local character.

3.6 **Objective 4:** To provide and enhance facilities that maintain the health and well-being of the community.

Relevant Neighbourhood Plan Policies:

- Policy C-DP5: Local employment opportunities.
- Policy C-LI1: Local centres.

Commentary on how the Neighbourhood Plan meets the NPPF Economic objectives:

3.7 The Neighbourhood Plan recognises the importance of local employment opportunities to the economy of the area and supports existing and new business activities where it is appropriate to the scale and character of the area, and is well integrated with and accessible to the existing community.

3.8 The Local Centres in Cookham Village and Cookham Rise are important in terms of providing everyday services and facilities. The Neighbourhood Plan seeks to encourage improvements to the quality and appearance of the centres, and sets out the mix of uses that are appropriate here, including local shops and other employment generating opportunities.

Social objectives

NPPF definition:

3.9 *'Support strong, vibrant and healthy communities'*

Relevant Neighbourhood Plan Objectives:

- 3.10 **Objective 3:** To retain the rural setting and individual identities of Cookham Village, Cookham Rise and Cookham Dean, separate from each other and above all from Maidenhead, providing opportunities for all to enjoy and benefit from access to the countryside.
- 3.11 **Objective 4:** To provide and enhance facilities that maintain and develop the health and well-being of the community.
- 3.12 **Objective 5:** To minimise local traffic impacts and improve opportunities for people of all ages and abilities to walk and cycle.

Relevant Neighbourhood Plan Policies:

- Policy C-DP5: Local employment opportunities.
- Policy C-CI3: Public access to open space and the countryside.
- Policy C-CI4: Local green space designations.
- Policy C-LI1: Local centres.
- Policy C-LI2: Community facilities.
- Policy C-LI3: New green spaces.
- Policy C-AM1: Active travel.

Commentary on how the Neighbourhood Plan meets the NPPF Social objectives:

- 3.13 The Neighbourhood Plan includes a range of policies that support social inclusion, health and wellbeing. It supports new employment opportunities, particularly where maximising opportunities for local people to access employment, and seeks to protect and enhance local centres and community facilities, being places which support community interaction and inclusion. The Plan acknowledges that these facilities as well as the delivery of active travel routes connected with them can contribute towards good placemaking and a healthier society.

Environmental objectives

NPPF definition:

3.14 *'Contribute to protecting and enhancing our natural, built and historic environment'*

Relevant Neighbourhood Plan Objectives:

3.15 **Objective 1:** To ensure that any new development is well-designed and of a high quality, adheres to the highest principles of sustainability and reflects the best qualities of the local character

3.16 **Objective 2:** To conserve and enhance the natural environment, biodiversity and important wildlife habitats.

3.17 **Objective 3:** To retain the rural setting and individual identities of Cookham Village, Cookham Rise and Cookham Dean, separate from each other and from Maidenhead, providing opportunities for all to enjoy and benefit from access to the countryside.

Relevant Neighbourhood Plan Policies:

- Policy C-DP1: High quality design.
- Policy C-DP2: Rural settlement character.
- Policy C-DP3: Gardens.
- Policy C-DP4: Heritage.
- Policy C-DP6a: Agricultural development.
- Policy C-DP6b: Equestrian development.
- Policy C-DP7: Sustainable design and construction.
- Policy C-EN1: Biodiversity.
- Policy C-EN2: Green infrastructure and corridors.
- Policy C-EN3a: Flood risk.
- Policy C-EN3b: Sustainable drainage systems.
- Policy C-CI1: Settlement identity.
- Policy C-CI2: Stanley Spencer's Cookham.
- Policy C-LI4: Local renewable energy.
- Policy C-AM1: Active travel.
- Policy C-AM2: Parking standards, design and electric vehicle charging points.

Commentary on how the Neighbourhood Plan meets the NPPF Environmental objectives:

- 3.18 The Neighbourhood Plan has a strong focus on the environmental qualities of the Plan area. It seeks to protect natural features, mitigate the impacts of climate change through provision of sustainable drainage and sustainable building design, deliver new green infrastructure and points developers towards use of the Natural England biodiversity metric in order to deliver biodiversity net-gains.
- 3.19 The suite of design policies in the Neighbourhood Plan seek to influence the design of new development, such that it is appropriate to and reflects the defining qualities and characteristics of the area, helping to create socially inclusive spaces that encourage use of active and healthy modes of travel, and where green infrastructure is incorporated into the public realm.
- 3.20 The Plan also establishes principles in respect of proposals for renewable energy generation schemes where these are sensitive to the environmental setting of the Parish.
- 3.21 Furthermore, the suite of access policies seek to support a move away from use of the private car towards active travel as well as establishing principles for well-designed EV-charging points, and thus helping to mitigate the impacts of climate change through use of petrol / diesel vehicles.

4. The Development Plan

- 4.1 For Neighbourhood Plans to meet the Basic Conditions set out in the Neighbourhood Planning regulations they need to demonstrate general conformity with the strategic policies of the development plan.
- 4.2 The NPPF establishes what should be covered by a strategic policy in a Local Plan. It states that such policies should provide a clear starting point for any non-strategic policies that are needed and should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies. It states (at paragraph 20) that such policies should help to deliver:
- Housing (including affordable housing), employment, retail, leisure, and other commercial development;
 - Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - Community facilities (such as health and cultural infrastructure); and
 - Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 4.3 The RBWM Local Plan was adopted in February 2022 and covers the period 2013 – 2033. The Cookham Neighbourhood Plan aims to build on the policies contained within the RBWM Local Plan by providing neighbourhood level planning policy where it has been found appropriate. Strategic policies in the RBWM Local Plan are listed in the table overleaf, with commentary indicating how the Neighbourhood Plan conforms with these.

Strategic policies in the RBWM Local Plan	Cookham Neighbourhood Plan policy
<p>SP1: Spatial strategy for the Royal Borough of Windsor and Maidenhead</p>	<p>This policy presents an overarching development strategy linked to settlement hierarchy. Cookham is a village excluded from the Green Belt which will retain its role as a local centre and where development should primarily take place by way of infill development. This is reflected in the Neighbourhood Plan at Policy C-CI1 which seeks to retain the separate identity of the three settlements in Cookham from each other and from Maidenhead, minimising the impact of development in the Green Belt, and at Policy C-LI1 which supports mixed use development in the local centres which provides uses and services that meet day-to-day needs for the community.</p>
<p>SP2: Climate Change</p>	<p>This policy requires development to be designed such that they are able to adapt to and help mitigate the impacts of climate change. The Neighbourhood Plan expands upon this through the following policies:</p> <ul style="list-style-type: none"> • C-DP7 which supports development that meets high sustainability and energy standards, including the retrofit of existing buildings to meet such standards. • C-EN1 and C-EN2 which require delivery of biodiversity net gains, protection of and enhancement to the natural environment. • C-EN3a and C-EN3b which seeks to minimise the risk of flooding and where sustainable drainage is well-designed and integrated within development. • C-AM1 and C-AM2 which support active travel and EV-Charging infrastructure.
<p>QP1: Sustainability and Placemaking</p>	<p>This is an overarching policy which establishes broad principles for new development such that it contributes to attractive, well-designed places that contribute to health and wellbeing agendas,</p>

	<p>climate change mitigation and community inclusion. This is reflected in policies throughout the Neighbourhood Plan including:</p> <ul style="list-style-type: none"> • C-DP1 and C-DP2 which establish principles for high quality design that respond to the character and distinctive identity of the Parish. • C-AM1 which encourages development to integrate active travel measures, supporting walking and cycling. • C-LI1 and C-LI2 which support a range of uses in the local centre as well as retaining and supporting delivery of new community facilities, where these are well-designed and with inclusivity in mind. • C-EN1 and C-EN2 which supports retention and protection of the natural environment and delivery of biodiversity net gains in the Parish. • C-DP4 which identifies non-designated heritage assets and areas of archaeological importance in the Parish. • C-CI2 which recognises the rich cultural heritage of the area reflected through the work of Sir Stanley Spencer. • C-LI3 which supports delivery of well-designed, accessible and inclusive green spaces for use by all members of the community.
<p>QP1a: Maidenhead Town Centre Strategic Placemaking Area</p>	<p>This policy is related to Maidenhead Town Centre and is not therefore relevant to the Neighbourhood Plan.</p>
<p>QP1b: South West Maidenhead Strategic Placemaking Area</p>	<p>This policy is related to south west Maidenhead and is not therefore relevant to the Neighbourhood Plan.</p>

<p>QP1c: Ascot Strategic Placemaking Area</p>	<p>This policy is related to Ascot and is not therefore relevant to the Neighbourhood Plan.</p>
<p>QP2: Green and blue infrastructure</p>	<p>This policy requires development to maintain and where possible enhance the green and blue infrastructure network across the Borough. This is expanded upon in the Neighbourhood Plan at policy C-EN2 which identifies important wildlife areas and corridors that connect these, following water courses, trees, hedges and other important habitats. Policy C-CI3 also supports the retention of access to the countryside and important public spaces, and where impacts of access on natural habitats are minimised.</p>
<p>QP3: Character and design of new development</p>	<p>This policy supports good quality design in new development that responds to local character. This is expanded upon in the Neighbourhood Plan which is supported by the Cookham Design Code and also integrates key principles established in the Village Design Statement, identifying qualities that characterise different parts of the parish and which new development should respond to. Key principles in respect of high quality design and the rural character of the Parish are then set out in Policy C-DP1 and C-DP2 of the Neighbourhood Plan.</p>
<p>QP3a: Building height and tall buildings</p>	<p>This policy is expanded upon in the Tall Buildings SPD and establishes criteria for proposals for tall buildings, linked to 'context height'. The SPD establishes the context height in Cookham as being two storeys. This is referenced in Policy C-DP1 of the Neighbourhood Plan which states that proposals for development should reflect the prevailing context and where the scale, height and massing of buildings is harmonious with the context, as expanded upon in the supporting Design Code.</p>

<p>QP4: River Thames corridor</p>	<p>This policy establishes principles and criteria in respect of development adjacent to the River Thames. The Neighbourhood Plan does not include a specific policy in respect of the Thames but does, in the supporting Design Code and at policy C-DP1 and C-DP2 establish principles for the delivery of high quality design in new development that is appropriate to setting and local character. Reference is also made in Policy C-LI4 in respect of proposals for local renewable energy generation uses needing to be sensitive to the environment and requiring appropriate licenses.</p>
<p>QP5: Development in rural areas and the Green Belt</p>	<p>This policy establishes the approach to development in the Green Belt, equestrian development, outdoor sport, recreation and cemeteries. The Neighbourhood Plan expands upon this at Policy C-CI1 which seeks to ensure that development respects the separate identity of the three settlements in Cookham from each other and, in particular, from Maidenhead, and where the urbanising effects of development and visual impact of these is minimised. Policy C-DP6a and C-DP6b in the Neighbourhood Plan then expand on the approach to agricultural and equestrian development in the Parish, stating that the siting and design of these need to be carefully considered.</p>
<p>HO1: Housing development sites</p>	<p>This policy establishes the housing requirement for the Borough and allocates sites for development, including three sites in Cookham: two of which have been subject to planning applications since the Local Plan was adopted. The Neighbourhood Plan does not expand upon this and thus defers to Local Plan policy.</p>
<p>HO2: Housing mix and type</p>	<p>This policy supports proposals that provide a mix of homes in line with needs established in the RBWM SHMA and which, as appropriate to the scale of development, include a proportion of self</p>

	and custom build and, where appropriate, community-led housing and specialist homes for an ageing population. This is a detailed policy and is not expanded upon in the Neighbourhood Plan.
H03: Affordable housing	This policy establishes the approach to deliver of affordable homes, thresholds for provision, housing mix and rural exception sites. This is a detailed policy and is not expanded upon in the Neighbourhood Plan.
H04: Gypsies and Travellers	This policy establishes the approach to provision of accommodation for Gypsy, Traveller and Travelling Showpeople. The Neighbourhood Plan does not include a policy on this and thus defers to the Local Plan.
ED1: Economic development	This policy supports proposals for new employment development and allocates land to meet office, industrial and warehousing needs across the Borough. The local Plan does not specify a requirement for Cookham. The Neighbourhood Plan does not allocate land for employment in the Parish but does support proposals for local employment opportunities at Policy C-DP5, including those for small and start-up businesses, where they are well-integrated with existing development and respond to guidance in the supporting Cookham Design Code.
ED2: Protected employment sites	This Policy seeks to retain existing employment floorspace and supports proposals for new employment floorspace in these areas. In Cookham, Land at Lower Mount Farm is identified as an established employment site in the Green Belt. The Neighbourhood Plan expands upon this at Policy C-DP5 by supporting proposals for local employment opportunities, including those for small and start-up businesses, where they are well-integrated with existing development and

	respond to guidance in the supporting Cookham Design Code.
TR1: Hierarchy of centres	This policy supports proposals to 'town-centre' uses consistent with the position of the centre in the settlement hierarchy, identifying Cookham and Cookham Rise as Local Centres. The Neighbourhood Plan expands upon this at Policy C-LI1, establishing appropriate use types, the mixing of complementary uses and design principles that support quality of place, linking back to the Cookham Design Codes prepared alongside the Neighbourhood Plan.
VT1: Visitor development	This policy supports proposals for visitor development. The Neighbourhood plan does not specifically include a policy in respect of visitor development or tourist accommodation, and thus applications for such will defer to the Local Plan policy. However, the Neighbourhood Plan does, at Policy C-CI2, recognise the value of Sir Stanley Spencer and seeks to ensure that development is sensitive to the present day views of views and details depicted in his paintings and which attract people to visit the Parish.
HE1: Historic environment	This policy establishes the approach to the historic environment. The Neighbourhood Plan expands upon this at C-DP4 by identifying non-designated heritage assets for protection and, through the Cookham Design Code, identifying local qualities, including the heritage of the area, that should be responded to in new development. Policy C-DP4 also recognises the archaeological importance of land and sites across the Parish and understanding of these through production of assessments as part of development proposals.
NR1: Managing flood risk and waterways	This policy establishes the approach to development in areas of flood risk and support for development that incorporates sustainable drainage and safe access during periods of

	<p>flooding. The Neighbourhood Plan expands upon this at Policy C-EN3a and C-EN3b, with principles for sustainable drainage established, including in respect of design.</p>
<p>NR2: Nature conservation and biodiversity</p>	<p>This policy seeks to protect designated sites, avoiding impact on these, identify opportunities for improvements to biodiversity, conserving and avoiding fragmentation of habitats. The Neighbourhood Plan expands upon this at Policy C-EN1 which establishes a requirement for biodiversity net gain in line with the Environment Act (the provisions of which came into force after adoption of the Local Plan), and linking this to the RBWM Biodiversity Action Plan to identify opportunities for how and where net gain might be delivered. In addition, Policy C-EN2 identifies important habitats and green corridors between these in Cookham, which should be retained and improved as far as possible.</p>
<p>NR4: Thames Basin Heaths Special Protection Area</p>	<p>This policy establishes the requirement for mitigations, through provision of suitable alternative natural green space, to impacts from development on the Thames Basin Heath. The Neighbourhood Plan does not seek to expand upon this and thus applications should defer to the Local Plan policy as appropriate.</p>
<p>IF1: Infrastructure and developer contributions</p>	<p>This policy seeks developer contributions towards provision of new infrastructure. It also seeks to resist loss of existing facilities. The Neighbourhood Plan does not establish requirements for contributions but does identify a series of projects towards which the Neighbourhood portion of CIL might be directed. Policy C-LI2 also expands upon the Local Plan by identifying important local facilities in Cookham that should be protected from loss as well as supporting provision of new community facilities and establishing good design principles for these so that they are multi-functional, accessible and</p>

	inclusive, catering for all members of the community.
IF2: Sustainable transport	This policy seeks to ensure that development is located so that use and facilities can be accessible by foot, cycle or public transport, and which provide cycle and vehicle parking standards in line with the RBWM Parking SPD or as set out in Neighbourhood Plans. The Neighbourhood Plan builds upon this at Policy C-AM1 which requires proposals for major development to be designed to support and encourage active travel and at Policy C-AM2 which establishes design principles for parking and where parking is provided in line with parking standards which recognise the low public transport accessibility levels in Cookham.
IF4: Open space	This policy seeks to protect existing open spaces and see the delivery of new open spaces in line with quantity standards set out in the Local Plan. The Neighbourhood Plan responds to this at Policy C-CI4 which designates a series of sites as Local Green Spaces and Policy C-LI3 which establishes design principles for provision of new green space, such that these are accessible and inclusive and contribute to the wider green infrastructure network.

5. SEA / HRA

- 5.1 The draft Cookham Neighbourhood Plan (Regulation 14 version) was screened for the purposes of Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) by RBWM in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The final report was published in July 2023 and, for comprehensiveness, is included in Appendix B.
- 5.2 The SEA regulations require the competent authority (RBWM) to determine whether or not a plan is likely to have a significant environmental effect and therefore whether SEA is needed.
- 5.3 At the same time as the SEA screening a HRA screening was prepared for the Neighbourhood Plan, the purpose of which was to determine whether significant effects on a Natura 2000 site could be ruled out on the basis of objective information and best scientific knowledge.
- 5.4 The SEA / HRA screening concluded that:

“The Council [RBWM] considers the Cookham Neighbourhood Plan is unlikely to have significant environmental effects. The Neighbourhood Plan will be in general conformity with strategic policies within the Borough Local Plan which have themselves already been subject to Strategic Environmental Assessment and Habitat Regulation Assessment. Therefore, the Cookham Neighbourhood Plan does not itself need to be subject to SEA.

The statutory consultees, Environment Agency, Historic England and Natural England have all been consulted. Emails were sent out on 15th May 2023, to which Historic England and Natural England replied and agreed with the Council's opinion that a SEA, or HRA is not required”.

6. Sustainability Appraisal

'Light touch' appraisal

- 6.1 Even though the Screening has determined that SEA is not required, a 'light touch' Sustainability Appraisal (SA), proportionate with the Neighbourhood Plan, has been prepared. This reflects best practice.
- 6.2 This section of the Basic Conditions Statement, and the SA objectives contained within it, are based on the SA prepared for the adopted Local Plan (specifically, the Local Plan Post-Adoption SA Statement, February 2022).
- 6.3 The objectives are listed in the table below, alongside which commentary is provided indicating how the Cookham Neighbourhood Plan responds to these and will thus help contribute to the delivery of sustainable development in the Plan area through its blend of policies that will deliver social, economic and environmental benefits.

RBWM SA Objective	Cookham Neighbourhood Plan Response
Climate change: Minimise the boroughs contribution to climate change and plan for the anticipated levels of climate change.	Policy C-DP7 encourages new development to meet high sustainability and energy efficiency standards, minimising the release and use of carbon. Policy C-AM1 and C-AM2 support active travel and use of electric vehicles, Policy C-EN1 and C-EN2 seek to retain and enhance the natural environment, and Policy C-EN3b establishes principles in respect of sustainable drainage in response to flood risk in the area <i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i>
Water and flooding: Protect, enhance and manage RBWM's waterways and to sustainably manage water resources.	Policy C-EN3a seeks to minimise flood risk in new development and policy C-EN3b establishes principles for provision of sustainable drainage, including those that are multi-functional and delivery biodiversity and amenity benefits as well as water efficiency and quality measures. <i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i>

<p>Air and noise pollution: Manage and reduce the risk of pollution, including air and noise pollution.</p>	<p>Policy C-AM1 supports provision of a connecting active travel network, encouraging people to walk and cycle, thus reduce air and noise pollution. Equally, Policy C-AM2 supports well-designed EV charging points sensitively integrated into the public realm, and thus a move to cleaner and quieter vehicles. Policy C-LI4 supports proposals for local scale renewable energy generation where sensitive to the setting and character of the Parish, and Policy C-LI1 supports mixed use schemes in local centres where uses are complementary and avoid noise and odour conflicts between uses.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Biodiversity and geodiversity: Protect, enhance and manage the natural heritage of the borough. viable and vibrant communities</p>	<p>Policy C-EN1 requires the delivery of biodiversity net gains in line with the Environment Act and points to opportunities identified in the RBWM Biodiversity Action Plan outlining how and where net gains might be made in the Parish. Equally, Policy C-EN2 identifies important habitat areas and green corridors linking these, supporting the retention and enhancement of these as far as possible.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Landscape quality: Conserve, enhance and manage the character and appearance of the landscape and townscape, maintaining and strengthening its distinctiveness.</p>	<p>Policy C-DP1 and C-DP2 seek to ensure that development in Cookham is of a high quality, responding to local character and identity as set out in the supporting Design Code and Village Design Statement. This is further supported by Policy C-CI1 which seeks to ensure that proposals for new development are sensitive to the separate identity of the three settlements in the Parish from each other and from Maidenhead, recognising their distinct qualities and character.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Major Positive Effect.</i></p>

<p>Cultural heritage: Conserve, enhance and manage sites, features and areas of historic and cultural importance.</p>	<p>Policy C-CI2 recognises the importance of the paintings of Sir Stanley Spencer on the cultural heritage of Cookham and seeks to ensure that new development is sensitive to the present day relationship with the paintings. Policy C-DP4 also seek to preserve and enhance both designated and non-designated heritage assets in the Parish, as well as identifying areas of potential archaeological interest recognising the long and important history of the area.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Major Positive Effect.</i></p>
<p>Use of resources: Ensure protection, conservation and efficient use of natural and man-made resources in the borough.</p>	<p>Policy C-DP7 supports development that achieves high sustainability and energy efficiency standards, including the retrofit and adaptation of existing buildings to improve efficiency levels. Equally, Policy C-EN1 and C-EN2 seek to protect and the natural environment.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Housing: Provide a range of housing to meet the needs of the community.</p>	<p>The Neighbourhood Plan does not specifically include policies in respect of housing, recognizing that the recently adopted Local Plan allocates sites for housing in Cookham and includes policies in respect of the housing mix and proportion of affordable homes to be delivered. The Neighbourhood Plan thus defers to the Local Plan.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
<p>Health: Safeguard and improve physical and mental health of residents.</p>	<p>Policy C-LI2 supports the provision of new or improved healthcare facilities, with associates text recognising that this might be provided by way of improvements to existing facilities funded through s106 contributions. Policy C-Am1 supports provision of active travel infrastructure and which use of will help contribute to healthier lifestyles.</p>

	<p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
<p>Community safety and wellbeing: Reduce poverty and social deprivation and increase community safety.</p>	<p>Policy C-DP1 of the Neighbourhood Plan supports development that is of a high quality of design, including streets and spaces that are well-overlooked and thus benefit from passive surveillance, contributing to the perception of safety. This is also reflected in Policy C-LI3 which requires the new green spaces to be designed with safety and inclusiveness in mind, catering for all ages. Furthermore, Policy C-EN3a require safe egress and access to be maintained / provided, recognizing the impacts of flooding on the local community.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Transport and accessibility: Improve choice and efficiency of sustainable transport in the borough and reduce the need to travel.</p>	<p>Policy C-AM1 expects proposals for major development to incorporate measures that support and encourage use of active travel, including connections with existing routes. Equally, Policy C-CI3 seeks to retain and improve existing, walking, cycling and horse-riding links to open space and the surrounding countryside.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Education: Improve education, skills and qualifications in the borough.</p>	<p>Policy C-LI2 seeks to protect important local facilities, including schools, and welcomes proposals for new facilities, but does not specifically allocate land nor identify a need for such uses, deferring to the Local Plan and supporting Infrastructure Delivery Plan. Equally, Policy C-DP5 welcomes opportunities for local employment, including training initiatives.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>

<p>Waste: Ensure the sustainable management of waste.</p>	<p>The Neighbourhood Plan does not specifically address the issue of Waste, deferring instead to the RBWM Joint Minerals and Waste Plan. However, Policy C-DP7 encourages development to meet high standards of sustainability and efficiency, minimising carbon and repurposing materials and preparing a Life Cycle Assessment.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Economy and employment: To support a strong, diverse, vibrant and sustainable local economy to foster balanced economic growth.</p>	<p>Policy C-DP5 of the NDP supports proposals that maximise opportunities for local people to access employment, including premises that support small and start-up businesses. The cultural identity of the Cookham is also important to the local economy by virtue of visitor income and to this extent Policy C-CI2 seeks to ensure that new development is sensitive to the views and images depicted in paintings by Sir Stanley Spencer.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>

7. Conclusion

- 7.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the cookham Neighbourhood Plan and all the policies therein.
- 7.2 It is therefore respectfully suggested to the Examiner that the Neighbourhood Plan complies with the Basic Conditions, and, subject to any modifications recommended by the Examiner, should proceed to referendum.

Appendix A: Neighbourhood Plan Designation

The Neighbourhood Area was designated on 25 June 2020.

The [Officers report to Cabinet](#) concerning the designation of Cookham Parish as a Neighbourhood Area states:

“This report recommends the designation of the Cookham Neighbourhood Area to cover the whole parish of Cookham. Residents in the parish will be able to prepare a Neighbourhood Plan for their area which will have statutory weight and form part of the Development Plan, upon which development management decisions will be based.”

The Minutes of the [RBWM Cabinet meeting of 25 June 2020](#) state:

E: DESIGNATION OF THE COOKHAM NEIGHBOURHOOD AREA

Cabinet considered the report regarding the designation of the Cookham Neighbourhood Area.

The Lead Member for Planning and Maidenhead informed that this administration supported neighbourhood planning and as mentioned at Council he had been involved in the first neighbourhood plan. Council had been asked this week to adopt a plan that was at the end of the process and was surprised that 13 members did not vote for the plan that supported localism.

This report was at the start of plan making and defined the area, after consultation, that was the same as the parish council boundary. There had been only been one objection, from John Lewis, who wanted their sites excluded. They are both in the green belt and it was felt it would be wrong to exclude the sites.

The Lead Member for Transport and Infrastructure informed that he endorsed the great work done. This may be the start of the process but a lot of work had already been undertake. Cookham had a design statement in place to guide planning, the formation of a plan would enhance this and further help planning decisions.

The Lead Member for Public Protection and Parking informed that it was great to see communities coming together and having their views heard at planning.

Cllr Brar said that she was pleased to see the report and endorsed it. In 2008 there was a Cookham Plan that was shelved and the design statement was produced. Bisham Parish

Council did not want to join this plan as they wished to produce one of their own. She wished the village to be protected.

Resolved unanimously that: Cabinet notes the report and:

Approves the neighbourhood area designation for the parish of Cookham, with the boundaries shown in Appendix B, co-terminus with the Parish boundary.

Appendix B: SEA / HRA

The Strategic Environmental Assessment (SEA) & Habitats Regulation Assessment (HRA) Screening Report is presented overleaf



Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report

Draft Cookham Neighbourhood Plan

July 2023

1. Introduction

- 1.1. This screening report will determine the need for the draft Cookham Neighbourhood Plan to require a Strategic Environmental Assessment (SEA) or Habitat Regulations Assessment¹ in accordance with the European Directive 2001/42/EC and associated Environmental Assessments of Plans and Programmes Regulations 2004.

2. Datchet Neighbourhood Plan

- 2.1. The draft Cookham Neighbourhood Plan presents an overarching vision for the village, followed by a subset of objectives; together with a range of land use policies that seek to encourage appropriate and sustainable development whilst protecting the character of the parish. The key topics covered by the policies are summarised below:
- Climate Change
 - Heritage
 - Design
 - Biodiversity
 - Cultural identity
 - Green Space / Open space
 - Traffic and active travel
- 2.2. The draft Cookham Neighbourhood Plan does not set the level of development or allocate sites.

3. SEA Purpose and Screening

- 3.1. The basis for Strategic Environmental Assessment legislation is the European Directive 2001/42/EC (SEA Directive). This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 3.2. Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects must be subject to an environmental assessment.
- 3.3. As of 1st January 2021, to reflect the fact that the UK's departure from the EU was finalised from that date, EU directives have been amended in the UK so that they continue to operate effectively. For example, in terms of habitat regulations assessment, the Conservation of Habitats and Species Regulations 2017 (as

¹ The Conservation of Habitats and Species Regulations 2010 (known as the Habitats Regulations) transposes the requirements of the Habitats Directive (Directive 92/43/EEC on the Conservation of Natural Habitats and of wild fauna and flora) into UK Law.

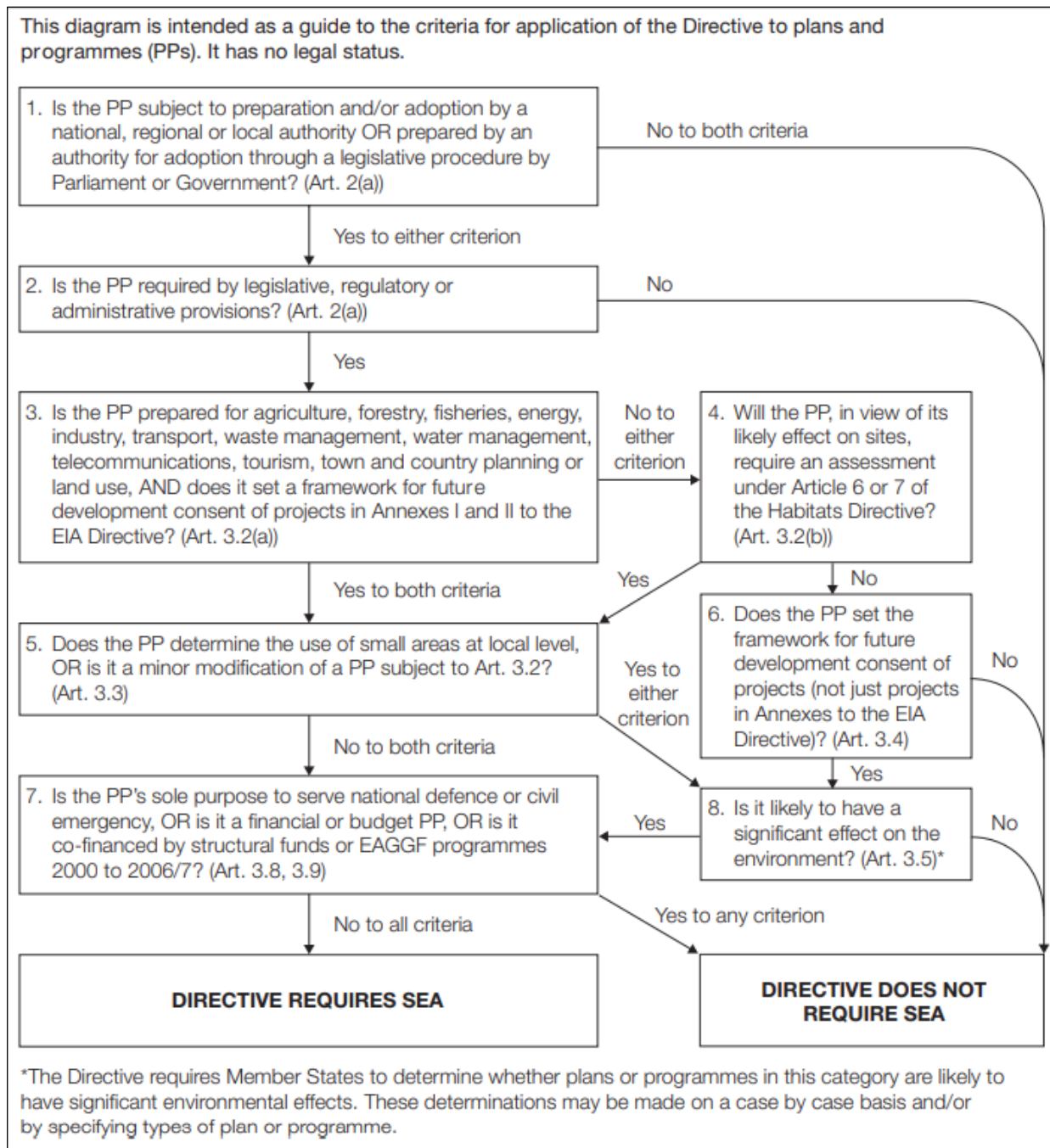
amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) have both been altered. The changes ensure that the strict protections afforded to sites, habitats and species, as derived from the EU Habitats and Wild Birds directives, continue in the UK. There is more information available on these legislation changes at: www.legislation.gov.uk/eu-legislation-and-uk-law.

- 3.4. The Planning Practice Guidance (PPG) discusses SEA requirements in relation to Neighbourhood Plans in paragraph: 027 Reference ID: 11-027-20190722. The PPG states that:

In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This initial assessment process is commonly referred to as a 'screening' assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 3.5. Screening is the process for determining whether an SEA is required. The screening process is undertaken in two parts: the first assesses whether the Neighbourhood Plan requires SEA, and the second part of the assessment considers whether the Neighbourhood Plan is likely to have a significant effect on the environment. To make a full determination three statutory bodies must be consulted: Historic England, Environment Agency, and Natural England.
- 3.6. The Environmental Assessment of Plans and Programmes Regulations 2004 came into force on 20th July 2004. The ODPM publication, 'A Practical Guide to the Strategic Environmental Assessment Directive' (2005), sets out the approach to be taken in order to determine whether SEA is required (figure 1).

Figure 1 - Application of the SEA Directive to plans and programmes



3.7. Table 1 below establishes the need for an SEA based on Figure 1.

Table 1 – Establishing the need for an SEA

Environment Regulations	Assessment of SPD potential effects
<p><i>Question 1</i> Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</p>	<p>Yes.</p> <p>The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011.</p> <p>Once the plan is ‘made’ by the Royal Borough of Windsor and Maidenhead, as the Local Authority, subject to passing an independent examination and community referendum, it will be part of the statutory development plan for the area.</p> <p>PROCEED TO QUESTION 2</p>
<p><i>Question 2</i> Is the PP required by legislative, regulatory, or administrative provisions? (Art. 2(a))</p>	<p>Yes.</p> <p>Communities are not required by legislative, regulatory or administrative provisions to produce a Neighbourhood Plan. However, once ‘made’, the Cookham Neighbourhood Plan would form part of the statutory development plan for the borough. It is therefore considered necessary to answer the following questions to determine whether an SEA is required.</p> <p>PROCEED TO QUESTION 3</p>
<p><i>Question 3</i> Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</p>	<p>Yes.</p> <p>The Cookham Neighbourhood Plan is prepared for town and country planning and land use. The plan sets out a framework for future development in the plan area, and once ‘made’ will form part of the statutory development plan. The plan does not allocate sites for development but will be used to inform decisions on planning applications.</p>

	PROCEED TO QUESTION 4
<p><i>Question 4</i> Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive (Art. 3.2(b))</p>	<p>No.</p> <p>The Neighbourhood Plan is not anticipated to have a detrimental impact on any European sites. The SA/SEA produced to support the adopted BLP is considered to be sufficient.</p> <p>The Appropriate Assessment of the HRA undertaken to support the BLP concluded that with the mitigation the Plan provides (as modified), it will not give rise to an adverse effect upon the integrity of any relevant sites, either alone or in combination with other plans or projects.</p>
	PROCEED TO QUESTION 6
<p><i>Question 5</i> Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	<p>Not applicable.</p> <p>For information, the Neighbourhood Plan does not propose any site allocations for future development within the plan area, therefore it does not determine at what specific locations certain land uses will take place.</p>
<p><i>Question 6</i> Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>Yes.</p> <p>The Neighbourhood Plan will be used when determining relevant planning applications and will aim to ensure that development is of a high quality, in accordance with strategic policies in the adopted BLP.</p>
	PROCEED TO QUESTION 8
<p><i>Question 7</i> Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>Not applicable</p>
<p><i>Question 8</i> Is it likely to have a significant impact on the environment? (Art 3.5)</p>	<p>No.</p> <p>See Table 2 below.</p>

3.4. This screening report follows the criteria found in Table 2 below, which is based on the criteria found in the European Directive 2001/42/EC Annex II.

Table 2 - Criteria assessment of SPD potential effects

SEA Directive Criteria	Assessment of SPD potential effects	Likely significant impact?
1. The characteristics of the 'plans and programmes' having regard to:		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Cookham Neighbourhood Plan would, if 'made', form part of the statutory development plan and would contribute to the local planning policy framework. The Neighbourhood Plan will form a material consideration in planning application decisions. However, it will not allocate sites for development. As such, the SA/SEA carried out by the Royal Borough as part of the Borough Local Plan is considered sufficient.	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The Neighbourhood Plan is required to be in conformity with the Borough Local Plan (BLP) and the National Planning Policy Framework. The Neighbourhood Plan only provides policies for the area it covers, with the adopted BLP providing the necessary strategic context when determining planning applications.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Neighbourhood Plan is required to contribute to the achievement of sustainable development, minimising any effects on the environment. Policies within the Neighbourhood Plan will sit alongside those within the adopted BLP, which provides environmental protection and promotes sustainable development.	No
(d) environmental problems relevant to the plan or programme; and	There are several environmental issues to be considered in the BLP area including: potential impacts of development on natural and historic landscapes, climate change impacts including fluvial flooding risk, and potential loss of biodiversity. The Neighbourhood Plan does not propose more development than that outlined in the adopted BLP. As a result, the SA/SEA and Habitats Regulation Assessment carried out to support the adopted BLP are considered sufficient.	No
(e) the relevance of the plan or programme for the implementation of Community legislation	The Neighbourhood Plan is in conformity with the adopted BLP. The adopted BLP has had regard to the European Community legislation on the	No

on the environment (e.g., plans and programmes linked to waste management or water protection).	environment and therefore, this legislation will not be relevant to the Neighbourhood Plan.	
2. Characteristics of the likely effects having regard (in particular) to:		
(a) the probability, duration, frequency, and reversibility of the effects;	The Neighbourhood Plan does not allocate sites for development. Any environmental impacts that may occur as a result of development within the area have been assessed accordingly in the evidence base produced to support the adopted BLP.	No
(b) the cumulative nature of the effects;	The cumulative effects of the Neighbourhood Plan are unlikely to be significant on the local environment given that the level of development does not exceed that within the adopted BLP, which was subject to a comprehensive SA, incorporating an SEA. The Appropriate Assessment of the HRA undertaken to support the BLP concluded that with the mitigation the Plan provides (as modified), it will not give rise to an adverse effect upon the integrity of any relevant sites, either alone or in combination with other plans or projects	No
(c) the transboundary nature of the effects;	Any potential significant transboundary environmental effects have already been assessed as part of the BLP Sustainability Appraisal, the Habitat Regulations Assessment (HRA) and the BLP examination process.	No
(d) the risks to human health or the environment (e.g., due to accidents);	The Neighbourhood Plan poses no risk to human health.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude and spatial extent of any effects is not expected to be significant because of the localised nature of the Neighbourhood Plan.	No
(f) the value and vulnerability of the area likely to be affected due to – (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit	The Neighbourhood Plan includes policies to enhance/protect natural and historic assets when considering future development and the overall impacts are unlikely to be significant. The Neighbourhood Plan does not promote greater residential development than is already set out in the adopted BLP, which also includes	No

values; or. (iii) intensive land-use; and	<p>policies to mitigate the impacts of recreational pressures on SACs. The Neighbourhood Plan is unlikely to result in any exceedance of environmental quality standards, such as those relating to air, water and soil quality.</p> <p>The Neighbourhood Plan does not allocate sites for future development, and therefore is unlikely to bring forward development that would lead to significant intensification of local land use.</p>	
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	<p>The Neighbourhood Plan is not expected to adversely impact on landscapes which have national, community or international protection. The BLP HRA Screening identified that only designated sites within 5km of proposals or plans may possibly suffer significant effects from the plan.</p> <p>Pigeonhouse Wood, Canon Court Wood, Beeching Grove Wood and Poundfield are within the Neighbourhood Plan boundary, and Chilterns Beechwoods and Bisham Woods SPA are within 5km of the Neighbourhood Plan boundary. However, the Neighbourhood Plan is in conformity with the adopted BLP policies NR2 and NR4, which ensures designated sites of international and national importance will be maintained, protected and enhanced. The HRA produced to support the adopted BLP is considered to be sufficient. There will be no significant effects from the Cookham Neighbourhood Plan on the SAC and SPA.</p>	No

4. Other Considerations

Habitats Regulations Assessment

- 4.1. In addition to SEA and SA, the Council is required to consider the requirement for a Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.

- 4.2. As with the SA, the Borough Local Plan was also subject to a comprehensive HRA. The Appropriate Assessment of the HRA concluded that with the mitigation the Plan provides (as modified), it will not give rise to an adverse effect upon the integrity of any relevant sites, either alone or in combination with other plans or projects. As the Neighbourhood Plan must be in conformity with the policies of the BLP, the Council has determined that a HRA is not required.
- 4.3. The Habitats Regulations Assessment of the BLP can be viewed on the Council's website: [Evidence base | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/evidence-base)

5. Conclusion

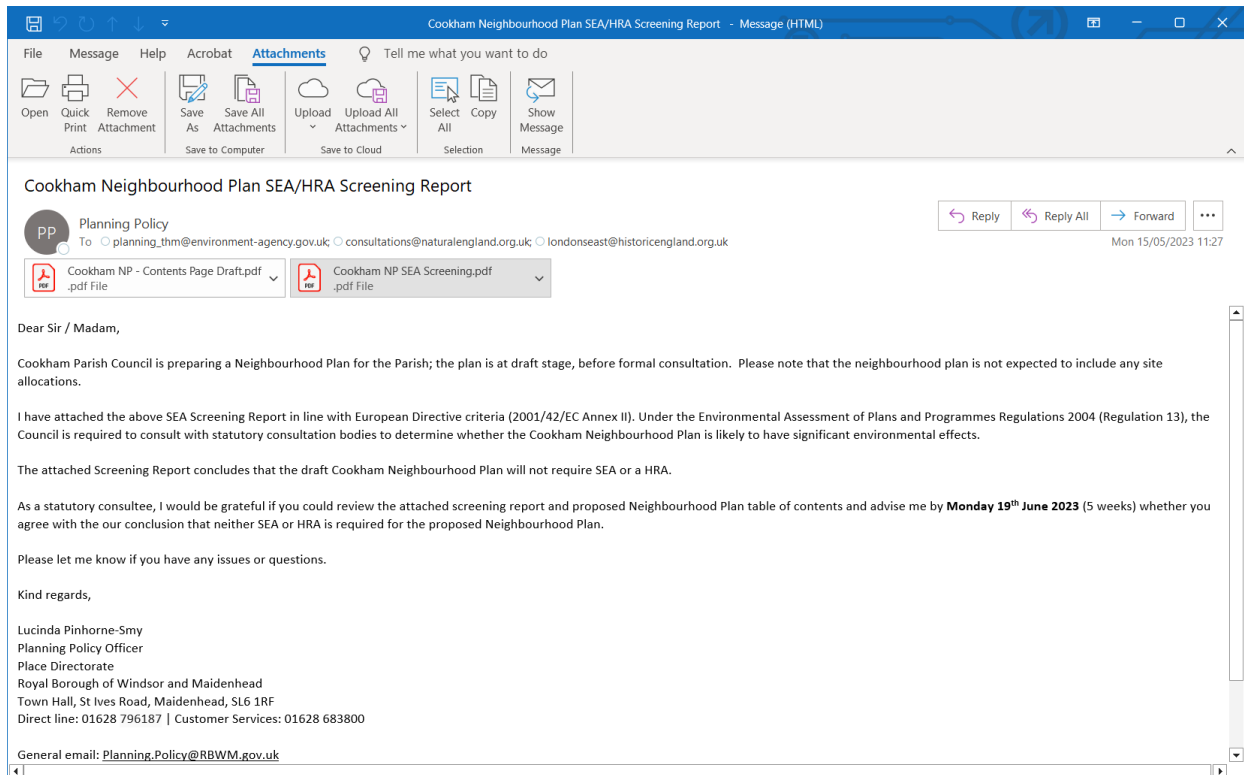
- 5.1 The Council considers the Cookham Neighbourhood Plan is unlikely to have significant environmental effects. The Neighbourhood Plan will be in general conformity with strategic policies within the Borough Local Plan which have themselves already been subject to Strategic Environmental Assessment and Habitat Regulation Assessment. Therefore, the Cookham Neighbourhood Plan does not itself need to be subject to SEA.

6. Screening Outcome

- 5.1. The statutory consultees, Environment Agency, Historic England and Natural England have all been consulted. Emails were sent out on 15th May 2023, to which Historic England and Natural England replied and agreed with the Council's opinion that a SEA, or HRA is not required. The Environment Agency did not respond to the Council. Therefore, no significant changes have been made to this screening report. Copies of their responses have been included below in Appendix A.

Appendix A – SEA/HRA Screening Responses

Emails sent to statutory consultees from the Council



The screenshot shows an email client window titled "Cookham Neighbourhood Plan SEA/HRA Screening Report - Message (HTML)". The email is from "Planning Policy" and is addressed to "planning_thm@environment-agency.gov.uk", "consultations@naturalengland.org.uk", and "londonseast@historicengland.org.uk". The email was received on "Mon 15/05/2023 11:27".

The email content is as follows:

Dear Sir / Madam,

Cookham Parish Council is preparing a Neighbourhood Plan for the Parish; the plan is at draft stage, before formal consultation. Please note that the neighbourhood plan is not expected to include any site allocations.

I have attached the above SEA Screening Report in line with European Directive criteria (2001/42/EC Annex II). Under the Environmental Assessment of Plans and Programmes Regulations 2004 (Regulation 13), the Council is required to consult with statutory consultation bodies to determine whether the Cookham Neighbourhood Plan is likely to have significant environmental effects.

The attached Screening Report concludes that the draft Cookham Neighbourhood Plan will not require SEA or a HRA.

As a statutory consultee, I would be grateful if you could review the attached screening report and proposed Neighbourhood Plan table of contents and advise me by **Monday 19th June 2023** (5 weeks) whether you agree with our conclusion that neither SEA or HRA is required for the proposed Neighbourhood Plan.

Please let me know if you have any issues or questions.

Kind regards,

Lucinda Pinhorne-Smy
Planning Policy Officer
Place Directorate
Royal Borough of Windsor and Maidenhead
Town Hall, St Ives Road, Maidenhead, SL6 1RF
Direct line: 01628 796187 | Customer Services: 01628 683800

General email: Planning.Policy@RBWM.gov.uk

Natural England response

Date: 15 June 2023
Our ref: 433874
Your ref: Cookham Neighbourhood Plan



Ms Lucinda Pinhome-Smy
Royal Borough of Windsor and Maidenhead

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY
Planning.Policy@RBWM.gov.uk

T 0300 060 3900

Dear Ms Pinhome-Smy

Cookham Neighbourhood Plan – Review SEA & HRA Screening

Thank you for your consultation on the above dated and received by Natural England on 15 May 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local

record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Cookham Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team



By email only to: Planning.policy@RBWM.gov.uk

Our ref: PL007923103
Your ref: Cookham Neighbourhood Plan SEA

Main: 020 7973 3700
e-seast@historicengland.org.uk
louise.dandy@historicengland.org.uk

Date: 14/06/2023

Dear Sir or Madam

Cookham Neighbourhood Plan SEA Screening Opinion

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Cookham Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied.

The information supplied indicates that the plan will not have any significant effects on the historic environment. We also note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA
Telephone 020 7973 3700 HistoricEngland.org.uk
Please note that Historic England operates an access to information policy.
Correspondence or Information which you send us may therefore become publicly available.





provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, via email if you have any queries.

Yours sincerely

Louise Dandy
Historic Places Adviser

Cookham Parish Council

Cookham Neighbourhood Plan

Basic Conditions Statement, June 2024

Cookham Parish Council
Council Offices
High Road
Cookham Rise
Berkshire, SL6 9JF

<https://www.cookhamparishcouncil.org.uk/>
office@cookhamparishcouncil.org.uk