

Royal Borough of Windsor & Maidenhead

Cookham Neighbourhood Plan, 2021-2038 - Decision Statement

Summary

Following an Independent Examination, the Royal Borough of Windsor & Maidenhead Council has now confirmed that the Cookham Neighbourhood Plan, 2021-2038 can proceed to a Neighbourhood Plan Referendum.

Background

The Cookham Parish Council is the Qualifying Body for the Cookham Neighbourhood Plan. During the production of the Neighbourhood Plan the Cookham Parish Council formed a Working Party and undertook several consultations and engagement events including drop-in events and exhibitions with various other local stakeholders in the Neighbourhood Plan Area.

After the Draft Neighbourhood Plan was submitted to the Royal Borough, a formal process of consultation was undertaken and the representations received were forwarded to the independent Examiner for consideration during the formal Examination process. The Examiner was appointed by the Royal Borough, with the agreement of the Qualifying Body. This Examination was carried out without a public hearing, using written representations only.

The Examiner found that the Neighbourhood Plan, with the incorporation of the Examiner's suggested modifications, meets the Basic Conditions as required in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act). The Examiner also found that the Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. The Examiner's Report recommends that the plan proceeds to referendum, subject to modifications.

Decision

At the Council's Cabinet meeting on the 21 May 2025, elected Members agreed to delegate authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Governance & Asset Management to act upon the Examiner's Report, accept the recommended modifications, issue a Decision Statement and progress the Cookham Neighbourhood Plan to referendum.

The Assistant Director of Planning and the Cabinet Member for Planning, Governance & Asset Management agree with the recommendations in the Examiner's Report and an Officer Decision Notice has been completed to confirm the decision that the modified Plan should proceed to a Referendum based on the Cookham Neighbourhood Area.

Cookham Neighbourhood Plan - Examiner's Report - Recommended Modifications

Council Officers are satisfied that the amended Cookham Neighbourhood Plan reflects the recommendations of the Examiner's Report which are summarised in the below table.

Location of change	Page of Plan	Proposed Change
Introductory Section	16	<ul style="list-style-type: none"> • Page 6, Para 1.3, last line, delete "draft" • Page 6, delete Paras 1.4 and 1.5, which have been overtaken by events • Page 7, Para 1.9, last bullet point, delete ", and outlines...process." • Page 7, Policy Box, the description provided in the Policy Box is potentially confusing. For clarity, delete text and replace with: <i>"The Neighbourhood Plan sets out land use planning policies that form part of the development plan for the Neighbourhood Area. The development plan is at the heart of the planning system, with a requirement set out in law that planning decisions must be taken in line with it unless material considerations indicate otherwise. The policies of this Neighbourhood Plan are all contained in coral shaded policy boxes, like this one."</i> • Page 9, Para 2.1, change NPPF reference to "(2024)" • Page 9, Para 2.4, line 6, add "the" before Local Plan • Page 13, delete Para 3.7, to avoid confusion and in the interests of accuracy • Page 14, delete Para 4.2, which is imprecise
Policy C-DP1	19	<ul style="list-style-type: none"> • Policy C-CDP1, change the wording of the Policy to: "1. New development in Cookham should contribute to...principles. "2. Development proposals must have regard to local character and should demonstrate how they have responded to the guidance set out in the Cookham Design Guidance and Code (Appendix 1) and the Cookham VDS (Appendix 2): "a) Proposals for development should reflect...DC01). "b) The scale...should be harmonious with...Proposals for tall buildings will generally be considered inappropriate and should reflect the prevailing context...VDS." "f) Development should respond positively to its historic character and setting (Design...HE.03). "g) Extensions to existing buildings should be...DC.03). "h) Development should maintain...OS.04)." "4. Development in Cookham should...design. "5. Affordable housing should be well integrated into the design of the proposal as a whole."

		<p>“g) Surfacing in front gardens requiring planning permission should be permeable to minimise run-off. The retention of lawns and vegetation will be supported.</p> <p>“i) Seek to minimise light pollution from exterior lighting.</p> <p>“2. Development on the edges of settlements should seek to avoid abrupt...buffering will be supported. Native trees and shrubs should be used, to reinforce the rural character of the area.</p> <p>“3. Telecommunications infrastructure should be sensitively sited to reduce visual impact.”</p>
Policy C-DP3	24	<ul style="list-style-type: none"> • Policy C-DP3, part e), change to: “e. Sufficient external space is retained such that it appears in keeping with its surroundings and is of a size and form that is functional and useable for the continuing needs of the main dwelling.” • Policy C-DP3, delete part 2.
Policy C-DP4	26	<ul style="list-style-type: none"> • Policy C-DP4, delete the wording of the Policy and replace with: <p>“The Neighbourhood Area has a rich built heritage. All designated and non-designated heritage assets in the Neighbourhood Area must be conserved in a manner appropriate to their significance. Proposals affecting heritage assets should include a Heritage Statement that describes the significance of the heritage asset(s) affected and should consult the Historic Environment Record.”</p> • Add a new sentence of supporting text to the end of Para 4.15 (as amended further to the recommended change to Para 4.15 set out below) stating: <p><i>“The Parish Council supports the submission of initial archaeological desktop assessments for development proposals affecting these sites.”</i></p> • Page 19, Para 4.10, change second sentence to: <p>“The key features of the Conservation Areas are summarised in Information Box 3.”</p> • Page 19, Information Box 3 is not a policy and does not set out policy requirements. <p>Information Box 3, first para, delete second sentence (“These...avoided”) and last sentence (“Furthermore...hazards”); and second para, add capital letters to the last two words to read “Conservation Area” (and similarly in the first line of Para 4.11, change to “Conservation Areas”)</p>

		<p>e) Maximise opportunities to reduce energy consumption and make use of carbon free sources of energy. The removal of agricultural buildings that are no longer needed and the reinstatement of ground conditions will be supported.”</p> <ul style="list-style-type: none"> • Page 23, Para 4.22, the last sentence is not a Policy and does not apply to existing buildings, change to: “...positions. In the interests of visual amenity, the Parish Council is keen to ensure that new buildings in the countryside are not located in prominent locations.” • Page 23, delete Para 4.23 which reads as though it comprises a Policy, which it does not. • As noted above, the imposition of conditions and the imposition of requirements on the Local Planning Authority goes beyond the powers of the Neighbourhood Plan.
Policy C-DP6b	33	<ul style="list-style-type: none"> • Policy C-DP6b, delete wording of Policy and replace with: “Proposals for the change of use of commercial stables should demonstrate, further to twelve months of active marketing, that the use is no longer commercially viable. The removal of equine buildings that are no longer needed and the reinstatement of ground conditions will be supported.” • Page 25, delete Para 4.26 • Page 25, Para 4.27, change wording to: “In the interests of minimising over-development and protecting the openness and purposes of the Green Belt, the Parish Council is supportive of the removal of stables that are no longer needed and the reinstatement of ground conditions.” • Page 25, Para 4.28, delete last two sentences (“Accordingly...horses.”)
Policy C-DP7	35	<ul style="list-style-type: none"> • Policy C-DP7, delete part 1 • Policy C-DP7, change the wording of part 2, from the third line, to: “...will be supported subject to topography, layout and good...street. The creation of airtight...cooling of buildings; and the integration of efficient, renewable energy...solar panels, will be supported.” • Policy C-DP7, change the paragraph number of part 3 further to the changes above and delete the first sentence (“Insofar...mind.”) • Policy C-DP7, delete parts 4 and 5. • Page 28, para 4.36, second sentence. This is not a policy requirement. Delete sentence and replace with: “Historic England has published guidance in respect of the retrofitting and refurbishment of historic buildings (PROVIDE LINK HERE).”
Policy C-EN1	37	<ul style="list-style-type: none"> • Policy C-EN1, part 1, delete from line 5 to the end of the paragraph (“and submission...perpetuity.”)

		<p>"1. Development should avoid, as...proposals, these should incorporate: a) ..."</p> <ul style="list-style-type: none"> • Policy C-EN3a, delete part 2. • Page 39, Para 5.20, delete second sentence ("Applicants...appropriately.") which is not a policy • Page 39, Para 5.22, change wording to: "...techniques may be appropriate and can be explored...on buildings can also be considered...the building, consideration should be given...Manual"
Policy C-EN3b	43	<ul style="list-style-type: none"> • Policy C-EN3b, change the wording of part 2 a) to: "The design of SuDs should take account of guidance established..."
Policy C-CI1	44	<ul style="list-style-type: none"> • Policy C-CI1, delete part c) and change the wording of the Policy to: "1. Proposals for development in the Neighbourhood Area outside the built-up areas of existing settlements should: "a) not result in the visual coalescence of the Neighbourhood Area's settlements, nor that of Cookham Rise and Maidenhead; "b) as far...d) incorporate...buildings." • Page 42, delete Para 6.7
Policy C-CI2	45	<ul style="list-style-type: none"> • Policy C-CI2, delete 1 a), b) and c) and change the wording of the Policy to: "1. Development must respect the cultural... Spencer (see the Spencer Catalogue in Appendix 5). "2. Proposals...will be supported."
Policy C-CI3	46	<ul style="list-style-type: none"> • Policy C-CI3, delete the Policy wording and replace with: "The important open spaces named in Information Box 6 should not be built on. The enhancement of these open spaces and/or the areas around them; and the enhancement of public rights of way to and within these areas and throughout the Neighbourhood Area; will be supported." • Page 47, Information Box, for accuracy, change 5th bullet point to "<i>Bellrope Meadow (RBWM)</i>"
Policy C-CI4	48	<ul style="list-style-type: none"> • Provide plans of each Local Green Space within the Neighbourhood Plan, immediately following or preceding the Policy, ensuring that the precise boundaries of each Local Green Space are clearly distinguishable – i.e., use an Ordnance Survey or similar mapping base and show the Local Green Space boundaries at a clearly visible scale. • Policy C-CI4, change the wording of the Policy to: "1. The following sites, also identified on the Plans below, are designated as Local Green Space in the Neighbourhood Plan: a) Alfred...d) ... Church "2. Local Green Space will be protected from development in a manner consistent with national policy for Green Belts." • Page 48, delete Para 6.21, which is imprecise and unnecessary.

		<ul style="list-style-type: none"> • Page 57. Delete Para 8.7. This is not a policy.
Policy C-AM2	57	<ul style="list-style-type: none"> • Change the wording of Policy C-AM2 to: <ul style="list-style-type: none"> “1. The provision of car parking in the Neighbourhood Area should take account of and respond to the parking standards set out in Appendix 8. 2. Residential car parking spaces for individual houses should be provided on-plot and new garages should respect local character. Car parking spaces and garages should be of a sufficient size to accommodate large modern cars. 3. Rear...4. Where...vehicles. (NO CHANGE TO PARTS 3 AND 4) 5. On-street parking should only be provided where no other practicable solutions exist and should be designed as part of a comprehensive...kerbs should be...vehicles. 6. Electric vehicle charging points and infrastructure should have regard to local character and where possible, be capable of being upgraded to incorporate faster charging technology. • Page 59, Para 8.8, from the end of line 11 is not a policy. Delete “that should be...should be avoided.” • Page 59, delete Para 8.9, which appears confusing and is unnecessary. • Page 59, Para 8.10, for clarity, change wording to: “The Government has stated that it is committed to...” • Page 59, Para 8.11, line 2, change wording to: “...the Parish where such technology is designed such...movement).”
Other Matters		<ul style="list-style-type: none"> • Update the contents page and the Neighbourhood Plan in respect of page, policy, paragraph and figure/plan numbering as appropriate, taking into account the recommendations set out in this Report. • Page 63, delete the first two sentences of Para 9.5 (“Alongside CIL...area.”) and commence next sentence: “RBWM has published a...” (DELETE “also”) • Page 64, delete “Next Steps” section, which has been overtaken by events. • Page 65, delete the two paragraphs of text and replace with: <ul style="list-style-type: none"> “The table in Appendix 1 presents links between the Village Design Statement, Design Code and Neighbourhood Plan policies, including how and where further advice can be found.”