

Royal Borough of Windsor & Maidenhead

Cookham Village Design Statement Supplementary Planning Document

Strategic Environmental Assessment: Determination Statement May 2013

Planning and Property Service
Royal Borough of Windsor and Maidenhead
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1.0 Introduction & Background

- 1.1 This determination statement relates to the Cookham Village Design Statement Supplementary Planning Document (hereafter referred to as the Cookham VDS). It should be read in conjunction with the Draft Cookham VDS which was published for consultation in November 2012 and the Cookham VDS as proposed for adoption in May 2013.
- 1.2 This has been prepared in accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004¹ and considered whether the Cookham VDS is likely to give rise to significant environmental effects or not. The environmental assessment required under the regulations is referred to as Strategic Environmental Assessment (SEA).

Background

- 1.3 A Village Design Statement (VDS) is a document which describes the character of a place. By defining these qualities, VDS guidance can assist those seeking to make changes to their property or land, and where planning permission is required, assists the Borough Council in considering whether the proposed development is sympathetic to the local character.
- 1.4 The preparation of Cookham VDS was sponsored by Cookham Parish Council and The Cookham Society. It has been written by a working group of residents with the support of the Borough Council.
- 1.5 The Cookham VDS seeks to describe the character of Cookham Parish and proposes guidance to help ensure development is sympathetic to the local character. By doing this, it helps support the interpretation of existing planning policy most notably Local Plan policies DG1 (Design Guidelines), N1 (Areas of Special Landscape Importance), N2 (Setting of the Thames), and H10 and H11 (Housing Layout and Design). It also assists the implementation of Section 7 of the National Planning Policy Framework which expects developments to respond to local character and history.
- 1.6 It is important to note that the Cookham VDS does not guide whether development should take place in principle and does not designate land for particular purposes. These matters are currently considered through other planning policy documents² most notably the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003).
- 1.7 The adoption of the Cookham VDS as a Supplementary Planning Document (SPD) confirms the document as a material consideration in determining planning applications.

¹ The 2004 Regulations transpose the European Directive 2001/42/EC.

² The development plan for the borough Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), the Maidenhead Town Centre Area Action Plan (adopted September 2011), the Replacement Minerals Local Plan for Berkshire (Incorporating Alterations Adopted in December 1997 and May 2001), the Waste Local Plan for Berkshire (1998) and policy NRM6 of the South East Plan (May 2009).

2.0 Strategic Environmental Assessment

- 2.1 The Environmental Assessment of Plans and Programme Regulations 2004 require the undertaking of an environmental assessment for all plans and programmes that are likely to give rise to significant environmental effects. The environmental assessment required under the regulations is referred to as Strategic Environmental Assessment (SEA).
- 2.2 Regulation 9(1) provides an opportunity to determine that significant environmental effects are unlikely and thus not requiring the undertaking of an environmental assessment.
- 2.3 Under Regulation 9(2), before making a determination under Regulation 9(1), the council is required to take into account the criteria specified in Schedule 1 of the regulations and consult the three environmental bodies Natural England, English Heritage and the Environment Agency. Schedule 1 sets out the criteria for determining the likely significance of effects on the environment.

Consideration of Significant Environmental Effects

- 2.4 The section below outlines the Borough Council's comments under Regulation 9 including the criteria specified in Schedule 1.

Regulation 9(1)(a)

- 2.5 The Cookham VDS begin preparation after 21 July 2004. It will support the implementation of the adopted Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003).

Regulation 9(1)(b)

- 2.6 The Cookham VDS does not relate to the use of a small area at a local level. It does relate to the area of Cookham Parish, one of fifteen town or parish councils found within the Royal Borough not including the towns of Maidenhead and Windsor.

Regulation 9(1)(c)

- 2.7 The Cookham VDS does not concern a minor modification to a plan or programme and therefore Regulation 9(1)(c) is not relevant.

Regulation 9(2)(a)

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| 1. The characteristics of plans and programmes, having regard, in particular, 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; | <p>The adoption of the Cookham VDS as a SPD confirms the document has a material consideration when determining planning applications. SPDs do not form part of the development plan.</p> <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take</p> |

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| | <p>place in principle or designate land for particular purposes.</p> <p>The document will however help inform the interpretation of existing development plan policy which requires that where development is acceptable in principle, consideration is had to the character of an area.</p> |
| (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy; | <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take place in principle or designate land for particular purposes.</p> <p>The document will however help inform the interpretation of existing development plan policy which requires that where development is acceptable in principle, consideration is had to the character of an area.</p> <p>The document does not set a framework for other plans.</p> |
| (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development; | <p>The Cookham VDS seeks to ensure that where development is acceptable in principle under development plan policy, consideration is had to the character of an area.</p> <p>A Habitat Regulations Assessment has been undertaken. The preliminary screening opinion concluded that the draft Cookham VDS was unlikely to give rise to significant environmental effects and that an appropriate assessment is not required. Natural England and the Environment Agency agreed with the conclusion. A determination statement has subsequently been issued concluding that appropriate assessment is not required.</p> |
| (d) environmental problems relevant to the plan or programme; and | <p>The Cookham VDS seeks to ensure that where development is acceptable in principle under development plan policy, consideration is had to the character of an area. It does not directly address other environmental issues such as pollution, waste or traffic.</p> |
| (e) the relevance of the plan or | <p>The Cookham VDS seeks to ensure that</p> |

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| <p>programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</p> | <p>where development is acceptable in principle under development plan policy, consideration is had to the character of an area. It does not directly address other environmental issues such as pollution, waste or traffic.</p> <p>A Habitat Regulations Assessment has been undertaken. The preliminary screening opinion concluded that the draft Cookham VDS was unlikely to give rise to significant environmental effects and that an appropriate assessment is not required. Natural England and the Environment Agency agreed with the conclusion. A determination statement has subsequently been issued concluding that appropriate assessment is not required.</p> |
| <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—</p> | |
| <p>(a) the probability, duration, frequency and reversibility of the effects;</p> | <p>The Cookham VDS would be a material consideration in determining planning applications, which based on past records, would primarily be small in nature.</p> |
| <p>(b) the cumulative nature of the effects;</p> | <p>The Cookham VDS would be a material consideration in determining planning applications, which based on past records, would primarily be small in nature.</p> |
| <p>(c) the transboundary nature of the effects;</p> | <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take place in principle or designate land for particular purposes.</p> <p>The document does not therefore promote or support development that might have a transboundary effect.</p> |
| <p>(d) the risks to human health or the environment (for example, due to accidents);</p> | <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take place in principle or designate land for particular purposes.</p> <p>The document will however help inform the interpretation of existing development plan policy which requires that where</p> |

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| | development is acceptable in principle, consideration is had to the character of an area. |
| (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected); | The Cookham VDS relates to the area of Cookham Parish, one of fifteen town or parish councils found within the Royal Borough not including the towns of Maidenhead and Windsor. |
| (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 values; or (iii) intensive land-use; and | <p>Cookham Parish has a number of characteristics. These include:</p> <ul style="list-style-type: none"> • Special Area of Conservation • Site of Special Scientific Interests • Conservation Areas • Listed buildings • Archaeological remains <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take place in principle or designate land for particular purposes.</p> <p>The document does not therefore promote or support development that might affect areas of recognised national or international importance.</p> <p>With regard the historic environment, the document links to the adopted Cookham Dean and Cookham High Street Conservation Area Statements.</p> |
| (g) the effects on areas or landscapes which have a recognised national, Community or international protection status. | <p>The Royal Borough has no areas recognised for their national or international landscape value.</p> <p>The Royal Borough has a number of areas recognised for their national and international importance to biodiversity. These include Special Areas of Conservation, Special Protection Areas, Wetlands of International Importance (Ramsars sites) and Sites of Special Scientific Interest.</p> <p>The Bisham Woods SSSI component of the Chiltern Beachwood SAC is partly within Cookham Parish. This site is within an area where development is contrary to existing development plan policy.</p> |

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| | <p>The Cookham VDS does not set out a spatial vision for an area nor does it guide where development should take place in principle or designate land for particular purposes.</p> <p>The document does not therefore promote or support development that might affect areas of recognised national or international importance.</p> |
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3.0 Consultation: Preliminary Screening Opinion

- 3.1 Under regulation 9(2) the Borough Council must consult with Natural England, English Heritage and the Environment Agency before determining whether or not a plan or programme is likely to have significant effects.
- 3.2 Under Regulation 11(1) the Borough Council undertook a preliminary screening opinion and sent a copy to each organisation requesting their opinion. The preliminary opinion concluded that having taken account of the Environmental Assessment of Plans and Programme Regulations 2004, the Draft Cookham VDS was unlikely to have significant environmental effects and therefore a Strategic Environmental Assessment was not required.
- 3.3 Representations were received from Natural England, English Heritage and the Environment Agency. All organisations agreed that the Draft Cookham VDS was unlikely to have significant effects and did not require a Strategic Environmental Assessment.

4.0 Determination

- 4.1 The Borough Council considers that after having taken account of the Environmental Assessment of Plans and Programme Regulations 2004 and amendments recommended in response to representations on the Draft Cookham VDS, the Cookham VDS as proposed for adoption is unlikely to have significant environmental effects and a Strategic Environmental Assessment is not required