



**Intelligent Plans**  
and examinations

# **Report on the Maidenhead Neighbourhood Plan 2024 – 2039**

**An Examination undertaken for the Council of the Royal Borough of Windsor and Maidenhead with the support of Maidenhead Neighbourhood Forum on the August 2025 submission version of the Plan.**

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Date of Report: 6 January 2026

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## Main Findings - Executive Summary

From my examination of the Maidenhead Neighbourhood Plan (MNP/the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Maidenhead Neighbourhood Forum (MNF/the Forum);
- The Plan has been prepared for an area properly designated – the Maidenhead Neighbourhood Area as shown on Map 1.1-1 on page 8 of the Neighbourhood Plan;
- The Plan specifies the period during which it is to take effect: 2024 - 2039; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## 1. Introduction and Background

### Maidenhead Neighbourhood Plan 2024–2039

- 1.1 Located in the western part of the Royal Borough of Windsor and Maidenhead (RBWM), Maidenhead has a population of about 53,000.<sup>1</sup> The town has excellent accessibility: the A404(M) provides a link to the adjoining M4; the main rail line between Paddington and the West Country passes through; there is a station on the Elizabeth line; and Heathrow airport is nearby. Maidenhead is also in an attractive setting in the Thames Valley with the river flowing near the eastern town boundary. The built up area of the town is surrounded by the Green Belt.
- 1.2 The Maidenhead Neighbourhood Plan Area consists of the seven unparished wards of Belmont, Boyn Hill, Furze Platt, Oldfield, Pinkneys Green, Riverside and St Mary's (which includes the town centre). The preparation of the Maidenhead Neighbourhood Plan (MNP) began with the designation of the Maidenhead Neighbourhood Forum (MNF/the Forum) and area in December 2022. Evidence was collected, consultations were held and the final version of the Plan was submitted to RBWM in August 2025.

<sup>1</sup> 2021 Census: Section 2.1 of the Plan.

## The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the MNP by RBWM with the agreement of the MNF.
- 1.4 I am a chartered town planner and former government Planning Inspector and have experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

## The Scope of the Examination

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
  - (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
  - Whether the plan meets the Basic Conditions.
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;
    - it does not include provisions and policies for 'excluded development'; and
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
  - Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.

- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

## The Basic Conditions

1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>2</sup>; and
- meet prescribed conditions and comply with prescribed matters.

1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does not breach the requirement of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>3</sup>

## 2. Approach to the Examination

### Planning Policy Context

2.1 The current Development Plan for the Maidenhead area, excluding policies relating to minerals and waste development, includes the Borough Local Plan (BLP) which was adopted by RBWM in February 2022. The Development Plan also includes saved Policy NRM6 of the South East Plan which considers the Thames Basin Heaths Special Protection Area (SPA). In addition, adopted planning policies refer to various Supplementary Planning Documents (SPDs) that have been produced such as the Borough Wide Design Guide SPD and the Building Height and Tall Buildings SPD.

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<sup>2</sup> The existing body of environmental regulation is retained in UK law.

<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF), the latest version of which was published in December 2024. In addition, the Planning Practice Guidance (PPG) offers advice on how the NPPF should be implemented.

### Submitted Documents

2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:

- the draft Maidenhead Neighbourhood Plan 2024 – 2039 (submission version August 2025);
- Map 1.1-1 on page 8 of the Plan which identifies the area to which the proposed Neighbourhood Plan relates;
- the Consultation Statement (August 2025);
- the Basic Conditions Statement (August 2025);
- the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report (March 2025);
- the MNP Evidence Base (August 2025);
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the responses received on 17 November 2025 from the RBWM and on 18 November from the MNF to the questions of clarification in my letter of 4 November 2025, together with the Position Statement (PS) submitted by MNF and RBWM dated 25 November 2025.<sup>4</sup>

### Site Visit

2.4 I made an unaccompanied site inspection to the MNP area on 30 October 2025 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

### Written Representations with or without Public Hearing

2.5 This examination has been dealt with by written representations. Although a representation suggested that I hold a public hearing into the Plan, I considered a hearing session to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

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<sup>4</sup> View all the documents at: <https://www.rbwm.gov.uk/planning-and-building-control/planning-policy/emerging-plans-and-policies/planning-and-building-control/planning-policy/emerging-plans-and-policies/neighbourhood-plans/maidenhead-neighbourhood-plan-2024-2039-examination>

## Modifications

2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix to this report.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

3.1 The MNP has been prepared and submitted for examination by the MNF, which is a qualifying body. The MNP area extends over all the "unparished" area of Maidenhead designated by the RBWM in December 2022. I am satisfied it is the only Neighbourhood Plan for the MNP area and does not relate to any land outside the designated Neighbourhood Plan Area.

### Plan Period

3.2 The Plan period is from 2024 to 2039 as stated inside the front cover but, in order to make the information clearer, I recommend that the period be included on the outside of the front cover. (**PM1**)

### Neighbourhood Plan Preparation and Consultation

3.3 The Consultation Statement (CS) describes the thorough preparation of the Plan with involvement of the public and various stakeholders at the stages of the process. The first attempt to proceed with the Neighbourhood Plan occurred in 2019, but in 2020 RBWM refused the application to formally designate the Forum as a qualifying body and the Plan area. A public survey was then carried out by the MNF in 2022 followed shortly afterwards by a public meeting with further applications to RBWM for the designation of the MNF and the MNP area. These were approved In December 2022.

3.4 Another public meeting was held in March 2023 to seek ideas and suggestions for the MNP. Topic groups were formed in June 2023 to develop the Plan further. There was also a MNF presence at the Maidenhead Waterways Fun Day in April 2022, Maidenhead Festival in July 2024, in Maidenhead High Street in January 2024 and May 2024, the latter on which to publicise Design issues. The pre-submission Plan was published for consultation under Regulation 14 of the 2012 Regulations from 11 November 2024 to 22 December 2024. Tables within the Appendix of the CS collates the responses, indicates where a consequent change was made to the Plan and shows separately the Regulation 14 feedback from RBWM, Lichfields and Cookham Parish Council.

3.5 The final version of the Plan was submitted to RBWM on 28 August 2025. Consultation in accordance with Regulation 16 was carried out from 2 September 2025 until 14 October 2025. 20 responses were received about the Plan, including one from RBWM. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the MNP, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

### Development and Use of Land

3.6 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

### Excluded Development

3.7 The Plan does not include provisions and policies for 'excluded development'.<sup>5</sup>

### Human Rights

3.8 The Basic Conditions Statement (BCS) notes that the Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention of Human Rights. I am aware from the CS that considerable emphasis was placed throughout the consultation process to ensure that no sections of the community were isolated or excluded. I have considered this matter independently and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

## 4. Compliance with the Basic Conditions

### EU Obligations

4.1 The Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report is at Appendix 1 of the BCS which concluded that the MNP is unlikely to have significant environmental effects. The Neighbourhood Plan will need to be in general conformity with strategic policies within the Borough Local Plan which have themselves already been subject to Strategic Environmental Assessment and Habitats Regulations Assessment. The Neighbourhood Plan does not allocate new sites for development. Therefore, the MNP does not itself need to be subject to SEA.

4.2 The statutory consultees, Environment Agency (EA), Historic England (HE) and Natural England (NE) were consulted on the draft screening report for a 5 week period commencing on 21 August 2024. HE confirmed that, on

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<sup>5</sup> See section 61K of the 1990 Act.

the basis of the information provided, the Plan will not have any significant effects on the historic environment.<sup>6</sup> They note that the Plan does not intend to allocate any sites. NE also set out in their response that, based on the material supplied, significant effects on statutorily designated nature conservation sites or landscapes are unlikely, and significant effects on Habitats sites, either alone or in combination, are unlikely.<sup>7</sup> No response was received from the EA.

4.3 I have read the SEA and HRA Screening Report and the other information provided and, having considered the matter independently, I agree with the conclusions. Therefore, I am satisfied that the MNP is compatible with EU obligations as retained in UK law.

### Main Issues

4.4 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic Development Plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.

4.5 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>8</sup>

4.6 Accordingly, having regard to the Maidenhead Neighbourhood Plan, the consultation responses, other evidence and the site visit, I consider that the main issues in this examination are whether the MNP policies (i) have regard to national policy and guidance; (ii) are in general conformity with the adopted strategic planning policies; and (iii) would contribute to the achievement of sustainable development?

### Vision and Objectives

4.7 The vision for the MNP is based on issues raised by the community during the initial stages of the consultation process. The vision is described on pages 19 and 20 of the Plan with a concise summary on page 20:

(i) *Design: Appropriate and liveable new buildings, retain character;*  
(ii) *Housing: Affordable and the right mix;*  
(iii) *Transport: Convenient and sustainable;*

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<sup>6</sup> Email of 26 September 2024.

<sup>7</sup> Email of 23 September 2024.

<sup>8</sup> PPG Reference ID: 41-041-20140306.

- (iv) *Carbon Emissions: Net Zero by 2050;*
- (v) *Built Heritage: Identify, respect and enhance*
- (vi) *Biodiversity: Net gain, urban greening, create habitat and sustainable drainage.*

A series of objectives have been developed to realise the vision and these are set out logically as a context for each of the twenty specific land use based policies.

#### Policy DE-1: Design principles – Town centre

- 4.8 The objective of Policy DE-1 is to ensure that new buildings are appropriate to the location of Maidenhead Town Centre and to provide guidance on where taller buildings are acceptable. A Regulation 16 representation refers to Policy QPA3a of the BLP adopted in 2022 and the adopted Building Height and Tall Buildings SPD (November 2023). It argues that Policy DE-1 of the MNP, which is largely based on Principle 6.1 of the SPD, and which in turn considers Maidenhead Town Centre, does not generally have regard to Policy QPA3a of the BLP.
- 4.9 Policy DE-1 refers to the Building Height and Tall Buildings SPD in bullet points 2, 3 and 5. The policy also refers to Map 4.1-2 which is derived from the SPD. Map 4.1-2 includes Principle 6.1 from which the storey heights in Policy DE-1 bullet point 4 are derived. However, Principle 6.1 also refers to Principle 2.2 of the SPD which states that: "*On large greenfield or regeneration sites, it may be appropriate to increase the general height beyond the existing context height by one storey or up to two storeys in highly urban town centre locations.*"
- 4.10 Therefore, it seems to me that to generally conform with Policy QPA3a of the BLP and be consistent with the SPD, Policy DE-1 should include a reference to SPD Principle 2.2 in the fourth bullet point, such as by adding a phrase "... *as defined on map 4.1-2 having regard also to Principle 2.2 of the Building Height and Tall Buildings SPD [2.9].*" Having canvassed this suggestion to the MNF and the RBWM, I shall recommend it as a modification. **(PM2)** Policy DE-1 would then have regard to national guidance<sup>9</sup>, would generally conform with Policy QPA3a of the BLP and would meet the Basic Conditions.

#### Policy DE-2: Design principles – Character Areas

- 4.11 The objective of Policy DE-2 is broadly to retain the appearance and features of the existing Avenues, Streets and Roads in the Plan area, to encourage good compatible design and to retain the setting and aspect enjoyed by neighbouring properties. The policy also refers to Appendix 1: Maidenhead Design Guidance and Codes (June 2025). A representation has drawn attention to the third bullet point of the policy which refers to a maximum height of three storeys. I agree with the RBWM comment that there can be a difference in absolute heights between residential and

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<sup>9</sup> NPPF: paragraphs 131, 132, 134, 135, 137, and 139.

commercial buildings with the same number of storeys and it may be more appropriate that the policy introduces flexibility by not setting a fixed height for the number of residential storeys.

4.12 Therefore, I shall recommend the substitution of an alternative third bullet point and the deletion of the fourth bullet point. **(PM3)** Policy DE-2 would then have regard to national guidance<sup>10</sup>, generally conform with Policy QP3a of the BLP and meet the Basic Conditions.

#### Policy DE-3: Liveable buildings

4.13 The objective of Policy DE-3 is to ensure that sufficient internal space and private amenity space is provided in dwellings and other non-custodial institutions. Policy DE-3 has regard to national guidance<sup>11</sup>, generally conforms with the strategic objectives of the BLP and meets the Basic Conditions.

#### Policy HO-1: Affordable Housing

4.14 The objective of Policy HO-1 is to provide sufficient affordable housing within all parts of the Neighbourhood Plan Area, with a suitable mix of housing type and amenity. Policy HO-1 has regard to national guidance<sup>12</sup>, generally conforms with Policy HO3 of the BLP and meets the Basic Conditions.

#### Policy HO-2: Market Housing mix

4.15 The objectives of Policy HO-2 are to ensure that planning policies and decisions deliver a balanced housing stock that satisfies the requirements of all types of households at all stages of their lives; to increase the proportion of 3 and 4 bedroom properties as there is a greater requirement for family dwellings; and to ensure the market is not distorted by an imbalance in availability.

4.16 Representations suggested adding “flats” to the 80% quota in the policy and also referring to the South West Maidenhead Development Framework SPD. Agreeing to those suggestions, I canvassed possible modifications to the policy to which RBWM agreed and on which MNF commented that, if “flats” were to be added to the 3 bed+ category, there should be a parallel requirement for 55m<sup>2</sup> private amenity space to be included in Table 4.3-1 of the Plan on private amenity space standards. However, I support the comments of RBWM in the PS that such a requirement could make the provision of 3 bedroom flats unviable. I am also reassured by the thoroughness of the Borough Design Guide SPD and believe that, alongside the modified policy, the living conditions of 3 bed+ flats would not be prejudiced by the lack of a 55m<sup>2</sup> requirement in Table 4.3-1.

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<sup>10</sup> NPPF: paragraphs 131-135, 137 and 139.

<sup>11</sup> NPPF: paragraph 135.

<sup>12</sup> NPPF: paragraph 63.

4.17 Therefore, I recommend that Policy HO-2 is modified by the amendment to the second bullet point as suggested by RBWM in their response to my questions and which I shall set out in full in the Appendix. **(PM4)** Policy HO-2 would then have regard to national guidance<sup>13</sup>, would generally conform with Policy HO2 of the BLP and would meet the Basic Conditions.

#### Policy GA-1: Cycling, Walking and Bus Routes

4.18 The objective of Policy GA-1 is to deliver a safe, direct, convenient, coherent and connected cycling, walking and bus route network allowing sustainable local journeys. Policy GA-1 has regard to national guidance<sup>14</sup>, generally conforms with Policies IF2 and IF3 of the BLP and meets the Basic Conditions.

#### Policy GA-2: Parking and cycle storage

4.19 The objective of Policy GA-2 is to ensure that each new development fully self provides for its own parking and cycle storage needs. The policy includes setting parking standards for residential and non-residential development within the town centre and outside it.

4.20 The policy comprises seven bullet points, the first of which defines the Maidenhead Town Centre on Map 4.1-1. The subsequent three bullet points consider residential parking standards. The PS between the MNF and the RBWM suggests referring to Use Classes C3 and C4 in the second bullet point which requires new residential development and conversions to provide spaces according to Table 6.2-1 of the MNP and the parallel deletion of the third bullet point. I agree with those suggestions and shall recommend them.

4.21 However, I also support the RBWM suggestion that the standards should be applied flexibly, especially in view of the significant difference in accessibility between areas that are close to, but outside, the town centre boundary as recognised in the draft Parking SPD.

4.22 Although the MNF and RBWM agree to significant revisions within Policy GA-2<sup>15</sup>, I support the reference to the RWBM Parking SPD and the deletion of Table 6.2.2: Office, Commercial, Retail and Warehousing parking standards and shall recommend those modifications. **(PM5)** Policy GA-2 would then have regard to national guidance<sup>16</sup>, would generally conform with Policy IF2 of the BLP and would meet the Basic Conditions.

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<sup>13</sup> NPPF: paragraphs 61-63.

<sup>14</sup> NPPF: paragraphs 109-111 and 117.

<sup>15</sup> Position Statement: Policy GA-2.

<sup>16</sup> NPPF: paragraphs 112 and 113.

### Policy GA-3: Public Transport Interchange

4.23 The objective of Policy GA-3 is to achieve safe, convenient and a well-informed interchange between each mode of public transport. The policy has regard to national guidance<sup>17</sup>, generally conforms with Policy IF2 of the BLP and meets the Basic Conditions.

### Policy CL-1: Net Zero development

4.24 The objective of Policy CL-1 is to ensure that development proposals do not add to operational carbon emissions, which would make the national target of net zero greenhouse gas emissions by 2050 harder to meet. The policy has regard to national guidance<sup>18</sup>, generally conforms with Policy SP2 of the BLP and meets the Basic Conditions.

### Policy BH-1: Buildings in Conservation Areas

4.25 The objective of Policy BH-1 is to ensure that existing and new buildings in a Conservation Area contribute positively to its character and appearance. There are seven Conservation Areas in Maidenhead. The policy comprises six bullet points, the third of which states that all buildings in the Conservation Areas should be retained. This element of the policy does not have regard to the nuance of national guidance which describes a hierarchy of harm related to the significance of the heritage asset which might be affected.<sup>19</sup> Nowhere in government advice is it stated that all buildings should be retained. Therefore, I shall recommend that the third bullet point is deleted. **(PM6)** Policy BH-1 would then have regard to national guidance<sup>20</sup>, would generally conform with Policy HE1 of the BLP and would meet the Basic Conditions.

### Policy BH-2: Gardens, open spaces, street pattern and parking in Conservation Areas

4.26 The objective of Policy BH-2 is to ensure that developments in a Conservation Area retain the contributions to its character and appearance from trees, soft landscaping, street pattern, views and open spaces. Policy BH-2 has regard to national guidance<sup>21</sup>, generally conforms with Policy HE1 of the BLP and meets the Basic Conditions.

### Policy BH-3: Setting of Heritage Assets

4.27 The objective of Policy BH-3 is to ensure that heritage assets such as Conservation Areas, listed buildings and non-designated heritage assets maintain their significance and character, and are not degraded or

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<sup>17</sup> NPPF: paragraphs 109 – 111.

<sup>18</sup> NPPF: paragraphs 161, 164 – 167.

<sup>19</sup> See PPG Reference ID: 18a-019-20190723.

<sup>20</sup> NPPF: paragraphs 202 – 221.

<sup>21</sup> NPPF: paragraphs 202 – 221.

adversely affected by development within their setting. Notwithstanding a representation objecting to the policy, I consider that it has regard to national guidance<sup>22</sup>, generally conforms with Policy HE1 of the BLP and meets the Basic Conditions.

#### Policy BH-4: Local List of Non-designated Heritage Assets

4.28 The objective of Policy BH-4 is to ensure that locally listed non-designated heritage assets (NDHA) maintain their significance, character and value for the enjoyment and enrichment of residents and visitors. The NDHA are listed and described in Appendix 2 of the Plan and shown in Figure 6 of Appendix 1 of the Maidenhead Design Code. The policy comprises six bullet points, the second of which states that buildings locally listed as non-designated heritage assets should be retained. This does not have regard to national guidance which does not necessarily seek the retention of NDHA but which advises that the effect of an application on the significance of a NDHA should be taken into account in determining the application. A balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.<sup>23</sup> Therefore, I shall recommend the deletion of that element of the policy which would then have regard to national guidance, would generally conform with Policy HE1 of the BLP and would meet the Basic Conditions. **(PM7)**

#### Policy BI-1: Green and Blue Corridors

4.29 The objectives of Policy BI-1 are to ensure that existing green and blue corridors are maintained and enhanced, and able to connect wildlife habitats together allowing movement of species. Where such corridors are also public footpaths or cycle paths, to allow their continued use as a pleasant alternative to roadside pathways. The policy has regard to national guidance<sup>24</sup>, generally conforms with Policy NR2 of the BLP and meet the Basic Conditions.

#### Policy BI-2: Managing Flood Risk and Sustainable Drainage Systems

4.30 The objective of Policy BI-2 is to ensure that new developments and improvements to existing ones include Sustainable Drainage Systems (SuDS) that benefit wildlife and help to alleviate flood risks. The policy has regard to national guidance<sup>25</sup>, generally conforms with Policies NR1 and QP2 of the BLP and meet the Basic Conditions.

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<sup>22</sup> NPPF: paragraphs 202 – 221.

<sup>23</sup> NPPF: paragraph 216.

<sup>24</sup> NPPF: paragraphs 188 and 192.

<sup>25</sup> NPPF: paragraph 164.

### Policy BI-3: Biodiversity net gain

4.31 The objective of Policy BI-3 is to ensure that opportunities for biodiversity and habitat creation, retention and improvement are sought and realised as part of development schemes. I note that the first bullet point requires that development proposals provide a minimum biodiversity net gain of 10% which is consistent with national guidance. However, the second bullet point implies that the provision of a biodiversity net gain of 20% or higher would convey a particular advantage for development proposals.

4.32 Whereas such a gain for biodiversity would be beneficial, this ignores the complexity of the number of opportunities and constraints which apply to proposals for development. This additional biodiversity enhancement may be at the expense of some otherwise welcome feature of the development. Therefore, I shall recommend the deletion of the second bullet point of the policy. **(PM8)** Policy BI-3 would then have regard to national guidance<sup>26</sup>, would generally conform with Policy NR2 of the BLP and would meet the Basic Conditions.

4.33 I note that a representation sought the deletion of the need for any offsite measures to achieve the biodiversity gain should be as close to the development site as possible and within the RBWM. However, I support the principle of biodiversity gain being as near as possible to the location of where any harm might be caused or where the gain might be most appreciated. Accordingly, I do not consider that the Plan should be modified as a consequence.

### Policy BI-4: Urban Greening

4.34 The objectives of Policy BI-4 are to maximise available town centre space to enhance the natural environment, biodiversity and important wildlife habitats, and to ensure that opportunities for biodiversity improvement are sought and realised as part of development schemes. The policy has regard to national guidance<sup>27</sup>, generally conforms with Policy QP2 of the BLP and meets the Basic Conditions.

### Policy SS-1a: Waterway Corridor access

### Policy SS-1b: Waterway Corridor development

4.35 The objective of Policies SS-1a and SS-1b is to ensure that the Maidenhead Waterway Corridor fulfils its potential in all its key roles as an accessible public amenity asset, a wildlife habitat and a sustainable transport route. The policies have regard to national guidance<sup>28</sup>, generally conform with Policies NR1 and IF5 of the BLP and meet the Basic Conditions.

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<sup>26</sup> NPPF: paragraphs 187, 192 and 193.

<sup>27</sup> NPPF: paragraph 20.

<sup>28</sup> NPPF: paragraphs 96, 98, 105, 109, 111, 187 and 192.

## Policy SS-2: Local Green Spaces

4.36 The objectives of Policy SS-2 are to provide sufficient safe, accessible Local Green Spaces for Maidenhead's growing population, ensuring existing green spaces remain green, retain their current level of access to the public, and support biodiversity by providing wildlife habitat. Policy SS-2 designates twenty three Local Green Spaces (LGS) details of which are in Table 10.2-1 of the Plan

4.37 LGS designation should only be used where the green space is:

- in reasonably close proximity to the community it serves;
- demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- local in character and is not an extensive tract of land.<sup>29</sup>

LGS should also be capable of enduring beyond the end of the Plan period.<sup>30</sup> I agree that each LGS meets the designation criteria. Accordingly, the policy has regard to national guidance, generally conforms with Policy IF4 of the BLP and meets the Basic Conditions.

## Overview

4.38 Therefore, on the evidence before me, with the recommended modifications, I consider that the policies within the MNP are in general conformity with the strategic policies of the BLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

4.39 A consequence of the acceptance of the recommended modifications would be that amendments will have to be made to the explanation within the Plan in order to make it logical and suitable for the referendum. Further minor amendments might also include incorporating factual updates, correcting inaccuracies, typographical and punctuation errors and other similar minor or consequential changes (such as paragraph numbering) in agreement with RBWM. None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.<sup>31</sup>

4.40 A representation commented on an inaccuracy in the portrayal of a Tree Preservation Order (TPO) at 1 Bath Road, Maidenhead in the Boyn Hill Character Area and whether there is a blanket TPO covering the whole site, as implied on the analysis map, or whether it is meant to represent a

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<sup>29</sup> NPPF: paragraph 107.

<sup>30</sup> NPPF: paragraph 106.

<sup>31</sup> PPG Reference ID: 41-106-20190509.

TPO for specific trees which already exists and which, having seen the site, seems more likely. The issue does not affect whether or not the MNP meets the Basic Conditions, but any such inaccuracy undermines the confidence in the Plan and should be corrected as a minor error.

## 5. Conclusions

### Summary

- 5.1 The Maidenhead Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the MNP, and the evidence documents submitted with it.
- 5.2 I have made recommendations for eight modifications to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### The Referendum and its Area

- 5.3 I have considered whether the referendum area should be extended beyond the designated area to which the Plan relates. The MNP, as modified, has no policy which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be that of the designated Neighbourhood Plan Area.

### Concluding Comments

- 5.4 The MNF, the Neighbourhood Plan Management Committee and any other voluntary contributors are to be commended for producing a comprehensive Plan. The Plan is logically presented and extremely well-illustrated. I enjoyed examining it and appreciated the attractive townscape of the area on my site visit. The Plan benefitted greatly from the constructive answers from the RBWM and the Forum to my questions and the agreed Position Statement. Subject to the recommended modifications, the MNP will make a positive contribution to the Development Plan for the area and should enable the very attractive character and appearance of Maidenhead to be maintained whilst enabling sustainable development to proceed.

*Andrew Mead*

Examiner

## Appendix: Modifications

<b>Proposed modification no. (PM)</b>	<b>Page no./other reference</b>	<b>Modification</b>
PM1	Front cover	Insert <b>“2024 – 2039”</b> prominently on the front cover.
PM2	Policy DE-1	Amend the fourth bullet point by the addition of the phrase: "... as defined on map 4.1-2 <b>having regard also to Principle 2.2 of the Building Height and Tall Buildings SPD [2.9].</b> "
PM3	Policy DE-2	<p>Delete the third bullet point and substitute:</p> <p><b>“Residential development proposals in the character areas outside Maidenhead Town Centre will be generally expected to maintain the existing context heights as illustrated in map 4.2-3, except within areas identified as “Potential for tall building” in map 4.2-2 from Figure 5.3 of the Building Height and Tall Buildings SPD [2.9]”</b> together with the consequent deletion of the final sentence of the fifth paragraph on page 29 of the Plan.</p> <p>Delete the fourth bullet point.</p>
PM4	Policy HO-2	<p>Delete the second bullet point and substitute:</p> <p><b>“Subject to local circumstances and requirements in the BLP Appendix C site proformas, and section 6.5 of the South West Maidenhead Development Framework SPD, outside Maidenhead Town Centre the market housing element of development proposals are expected to provide 20% 1 and 2 bed dwellings with 80% 3 bed and above dwellings. The 3 bed and above dwellings and their associated amenity space should be of a size, design and layout suitable for families, including providing safe and direct access for children to amenity space that is well overlooked.”</b></p>
PM5	Policy GA-2	<p>Amend the second bullet point to:</p> <p><b>“New purpose built residential developments or conversions in Use Classes C3 or C4 will be expected to</b></p>

		<p><b>provide off-road allocated parking spaces and cycle storage as specified in Table 6.2-1. However, these standards will be expected to be applied flexibly to take account of local and site specific circumstances including accessibility of the site by non-car modes, having regard to the latest evidence on accessibility and the need to avoid potential adverse impacts of overspill parking in the local area. Sites identified for landmark tall buildings LM1, LM2, LM3, LM4, LM5, LM6, LM7 as defined on map 4.1-3 will also be allowed flexibility to provide a lower parking standard.”</b></p> <p>Delete the third bullet point.</p> <p>Amend the fifth bullet to:</p> <p><b>“New non-residential development and development in Use Classes C1 and C2 will be expected to provide their own parking space and cycle storage on site in accordance with the non-residential standards set out in the RBWM Parking SPD once adopted, and in accordance with the RBWM Parking Strategy 2004 [2.8] in the interim.”</b></p> <p>Delete Table 6.2.2.</p> <p>Delete the final phrase in the second sentence of the first paragraph on page 42: Planning Policy Context; and substitute a new sentence: <b>“The draft of this SPD was published for public consultation in October 2025.”</b></p>
PM6	Policy BH-1	Delete the third bullet point.
PM7	Policy BH-4	Delete the second bullet point.
PM8	Policy BI-3	Delete the second bullet point.