


West Berkshire Local Plan Review 2022-2039
Proposed Submission Representation Form
Ref:
(For official use only)

Please complete online or return this form to:	Online: http://consult.westberks.gov.uk/kse
	By email: planningpolicy@westberks.gov.uk
	By post: Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	4:30pm on Friday 3 March 2023




This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

PART A: Your Details

Please note the following:

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	Your details	Agent's details (if applicable)
Title:	Mr and Mrs	Mr
First Name:*	Terry	Jeremy
Last Name:*	Gallagher	Flawn
Job title (where relevant):		Partner
Organisation (where relevant):		Bluestone Planning LLP
Address* <i>Please include postcode:</i>		Unit 13 The Black Barn Manor Farm Manor Road Wantage OX12 8NE
Email address:*	c/o Agent	
Telephone number:		

*Mandatory field

Part B – Your Representation

Please use a separate sheet for each representation

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation (and client if you are an agent):	Jeremy Flawn – Bluestone Planning Mr and Mrs T Gallagher
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	Please see Accompanying letter
Policy:	Please see Accompanying letter
Appendix:	2- Please see Accompanying letter
Policies Map:	
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes No

Please give reasons for your answer:

n/a

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	x	
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	x	
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	x	
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		x

Please give reasons for your answer:

Please see accompanying letter dated 24th February

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

n/a

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see accompanying letter dated 24th February

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To discuss the merits of the settlement boundary matters- see accompanying letter dated 24th February.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply:

Tick

The submission of the Local Plan Review for Independent Examination	x
The publication of the report of the Inspector appointed to carry out the examination	x
The adoption of the Local Plan Review	x

Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.

Signature	H E Wiseman	Date	24.2.23
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.



Bluestone Planning

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Planning Policy,
Development and Regulation
Council Offices
Market Street,
Newbury,
Berkshire
RG14 5LD

And by **Email**: planningpolicy@westberks.gov.uk

Our Ref: 347/1120/JF

24th February 2023

Dear Sir / Madam,

Local Plan Review 2022-2039 – Proposed Submission (January 2023)

Clients: Mr and Mrs T Gallagher

BACKGROUND

I refer to the above and write to you to submit representations in respect of the above consultation. These representations are submitted on behalf of Mr and Mrs T Gallagher. As part of the representations I enclose the following documentation:

1. Response Form
2. Location Plan

REPRESENTATIONS

These representations focus specifically on the role of the lower order settlements in the Local Plan settlement hierarchy, and the review of the settlement boundaries and in particular the boundary of Sreatley. The representations are therefore concerned primarily with policies SP1 – Spatial Strategy, SP3 - Settlement Hierarchy, DM1 – Residential Development in the Countryside and Appendix 2 – Settlement Boundary Review.

Policies SP1 – Spatial Strategy, SP3 – Settlement Hierarchy, and DM1 – Residential Development in the Countryside

The spatial strategy enshrined in draft policy SP1 (Spatial Strategy) is strongly supported. The draft policy sets out three main objectives for the district over the plan period;

- a. Directs development to areas of lower environmental value;
- b. Optimises the use of previously developed land; and

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T. 01235 766 825 E. admin@bluestoneplanning.co.uk www.bluestoneplanning.co.uk

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c. Optimises the density of development to make the best use of land whilst conserving and enhancing the distinctive character and identity of the built, historic and natural environment.

The policy goes on to state that this development approach will be based on three main spatial areas comprising of Newbury and Thatcham, Eastern Area, North Wessex Downs AONB.

It then states that that the focus of the development within each spatial area will be required to follow the district wide settlement hierarchy as set out in Policy SP3 (more below). Further, development and redevelopment within settlement boundaries as identified in Appendix 2 (the settlement boundary review), will be supported. Outside of the settlement boundaries, land will be treated as open countryside where development will be more restricted as set out in Policy DM1 and DM35.

Within the 'North Wessex Downs Area' the policy strategy states that the AONB will have appropriate and sustainable growth which conserves and enhances its special landscape qualities.

Policy SP3 sets out the Settlement Hierarchy as settlements listed as either Urban Areas, Rural Service Centres or Service Villages. The policy adds that development in smaller settlements, with settlement boundaries, but which are not listed in the hierarchy, will be delivered in accordance with Policy SP1- as above.

However the approach outline in this policy is not reflective of the approach to development in relation to settlements as identified in the NPPF.

Policy DM1 (Residential Development in the Countryside) now states that outside of settlement boundaries, some new residential development will be permitted, but in exceptional circumstances where the proposal will need to meet one of more of the listed criteria:

- a. Sites allocated as part of the development plan;*
- b. Sites for Gypsies and Travellers and Travelling Showpeople;*
- c. Rural exception housing and/or First Homes exception sites;*
- d. The conversion of redundant or disused buildings;*
- e. Housing to accommodate rural workers;*
- f. The extension to or replacement of existing residential dwellings;*
- g. The subdivision of existing residential dwellings; or*
- h. Limited residential infill in settlements in the countryside with no defined settlement boundary where:*
 - i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and*
 - ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and*
 - iii. It does not extend the existing frontage at either end; and*
 - iv. The proposed plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality.*

Whilst this policy extends circumstances in which development may be acceptable, it does not consider the circumstance of sites which are outside of, but very closely related to, settlements which do have settlement boundaries. It only addresses those settlements without defined boundaries whereas, in many cases, sites at higher order settlements located close to the settlement boundary will be far more sustainably located than sites in more remote settlements.

Despite this, such properties will still be treated as being located in the countryside even though they would have more sustainability credentials than many of the 'exceptions' listed in criteria a-h of policy DM1.

The combined effect of both policies SP1 and DM1 will still be to draw very tight boundaries around existing built parts of settlements and exclude sites which may well be more sustainable and closely related to services and facilities within those settlements than other sites that are actually within the settlement boundary. Such sites will often have none of the features that are characteristic of sites which are found in the 'open countryside'.

The approach to identifying settlement boundaries is set out in Appendix 2 to the emerging Local Plan. It states (p.248) that the boundaries will include:

- *"...The main settlement area. i.e. the area of close knit physical character....."*
- *.....Curtilages which are contained, are visually part of the built up area and are separated from the open or wider countryside..."*

This is in effect indicating that significant parts of settlements will be regarded as being in 'open countryside', an approach which is plainly illogical where those parts of the settlements that are currently outside settlement boundaries but which continue to play an important role in both contributing Council Tax towards the settlements in question, providing support for local services and facilities, and providing dwellings that are generally counted as forming part of the settlements for Office for National Statistics purposes.

The NPPF supports development that is sustainable in all three objectives (social, economic and environmental) (para 8). In recognising the role that dwellings in rural settlements play in supporting local services and facilities (the social and economic elements of sustainable development), the NPPF confirms (paragraph 78) that residential development in rural areas:

"...should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."

This approach is very much aimed at recognising the value that those existing dwellings towards the edge of settlements such as Streatley and Goring play in terms of helping to achieve sustainable development. However there is no recognition in the policies of the draft Local Plan of the role such dwellings play in supporting their local settlements. This is a significant omission given the important role that these edge of settlement dwellings play in the helping to maintain the viability of the settlements in question.

Appendix 2 – Settlement Boundary Review

The settlement boundary review (December 2022) which has been undertaken as part of the Local Plan review is understood to have followed a landscape-led approach, but that it is being

enhanced with community-led assessments of each individual settlement in determining whether settlement boundaries should be changed.

The main criteria for drawing boundaries to include land are understood to be as follows. Boundaries will, in future, include:

- The main settlement area. i.e. the area of close knit physical character
- Sites allocated through the Local Plan and Neighbourhood Plan processes
- Curtilages which are contained, are visually part of the built up area and are separated from the open or wider countryside
- Recreational or amenity open space which is physically surrounded by the settlement (or adjoined on three sides by the settlement)
- Existing community facilities (such as churches, schools and village halls) which are physically and visually related to the settlement
- Single plots or other similar small scale development opportunities which would provide infill and rounding off opportunities that are physically, functionally and visually related to the existing built up area, taking account of any environmental development constraints.

In contrast it is understood that the following will be excluded from settlement boundaries:

- Highly visible areas such as exposed ridges, land forms or open slopes on the edge of settlements
- Open undeveloped parcels of land on the edges of settlements which are not either functionally or physically or visually related to the existing built up area
- Recreational or amenity open space which extends into the countryside or primarily relates to the countryside in form and nature. This includes designated Local Green Space.
- Tree belts, woodland areas, watercourses and other features which help to soften, screen existing development and form a boundary to the settlement
- Areas of isolated development which are physically or visually detached from the settlement and areas of sporadic, dispersed or ribbon development
- Large gardens or other areas, such as orchards, paddocks, allotments, cemeteries and churchyards, which visually relate to the open countryside rather than the settlement
- The extended curtilages of dwellings where future development has the capacity to harm the structure, form and character of the settlement
- Loose knit arrangements of buildings on the edge of a settlement
- Farmsteads, agricultural buildings, or converted agricultural buildings on the edge of a settlement which relate more to the rural context
- Horse related development, minerals extraction, landfill, water features, public utilities (sewage treatment plants, substations) on the edge of a settlement
- Important gaps between developed areas in fragmented settlements. Settlement boundaries do not need to be continuous. It may be appropriate, given the nature and form of a settlement, to define two or more separate elements of it.
- Roads, tracks and public rights of way running along the edge of a settlement

In our previous submission dated 20th January 2021 it was proposed that the settlement boundary should be extended for the reasons as set out below, and all of which remain valid despite the December 2022 report not recommending to extend the settlement boundary at this point.

Land at Vicarage Lane, Streatley (postcode RG8 9HX) represents a parcel of land containing three properties which, although outside the settlement boundary for Streatley as depicted on the proposed Local Plan proposals map, are logically part of the settlement and therefore should be included within the settlement boundary for Streatley despite the findings of the recent review. They are visually related to the village, rather than being visually relate to the open countryside.

The three properties have been described by name in the Village Design Statement for Streatley (2009) p.17 as lying within the settlement boundary. These properties are Waterford House (previously the Vicarage); the Old Vicarage; and Windrush.

Under the heading “THE VILLAGE OF STREATLEY WITHIN THE SETTLEMENT BOUNDARY” the text on page 17 states:

“Vicarage Lane lies opposite Church Lane and to the south of the High Street. A two-storey, 20th century house on the west side of Vicarage Lane occupies part of the originally extensive gardens of Streatley House.

On the east side of Vicarage Lane is the attractive, riverside Millstream House. The Lane leads to a landmark building – the 19th century Vicarage, now a private house, with cream painted brickwork. The stables to that Vicarage have been converted into a two-storey family house. Adjacent to the “Old Vicarage” lies the 1960s vicarage. All these houses are in traditional style with brick walls and plain tile roofs. The windows vary in type, casement or vertical sash, and some frames are painted white whilst others are in natural hardwood finish.” (the three properties in question are those underline above).

The proposed extension to the settlement boundary which should be considered is set out in Figure 1 below:

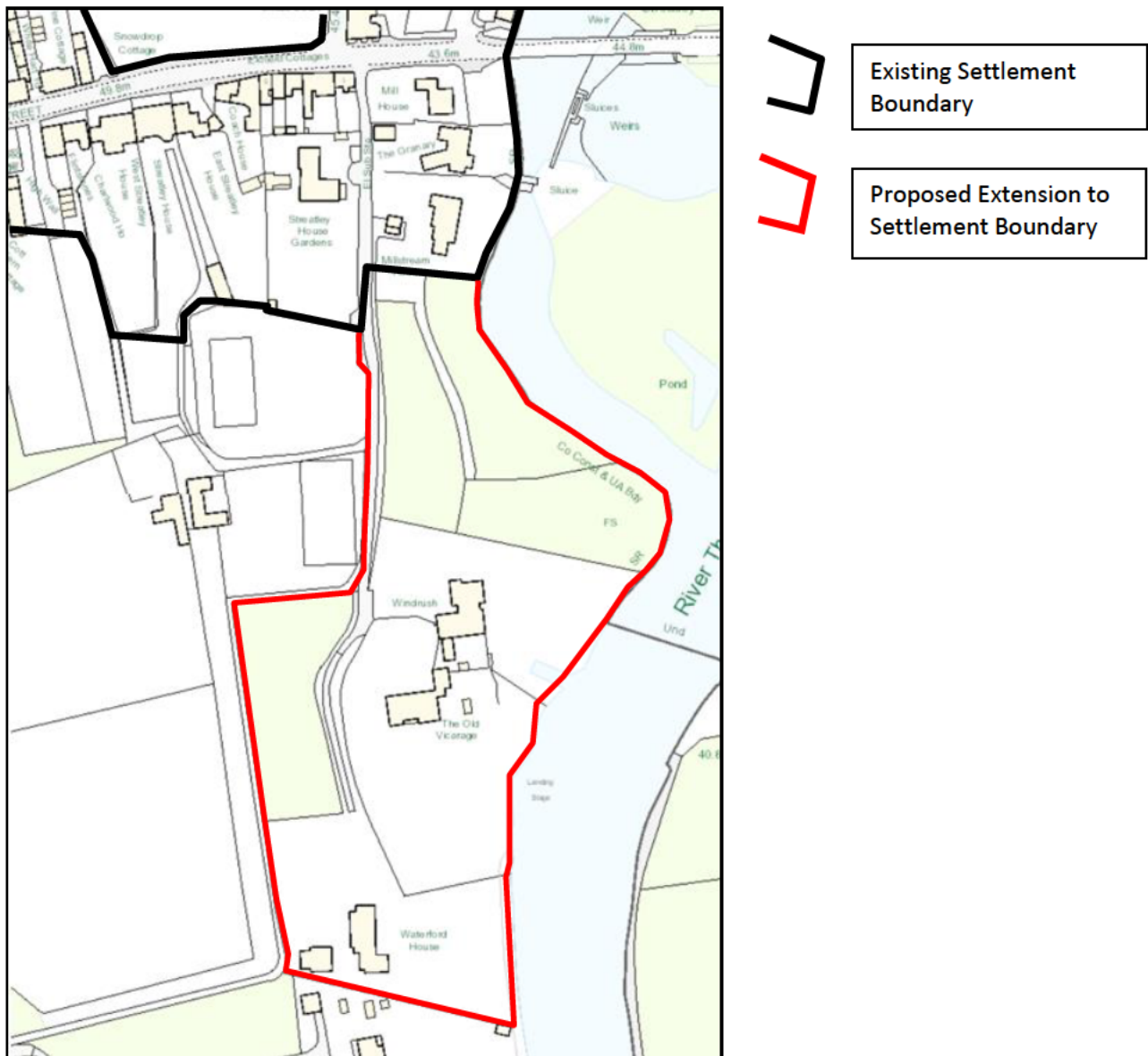


Figure 1: Proposed Extension to Streatley Settlement Boundary

The three properties and their associated curtilages clearly read as forming part of the physical settlement rather than lying outside of the settlement. The Streatley Conservation Area Appraisal takes this further confirming in Appendix 7 that the three properties form part of the historic settlement or recent settlement growth (see Figure 2 below) and that they form a part of the setting of – or are included within - the Conservation Area boundary for the Streatley Conservation Area (see extract from Appendix 8 in Figure 3 below). Southfields to the south of Waterford House is significant because it does not form part of the continuum of built development on Vicarage Lane and is therefore not a logical part of the settlement. It is an outlier property which takes its access off the Reading Road and is remote, both physically and visually, from the Vicarage Lane properties.

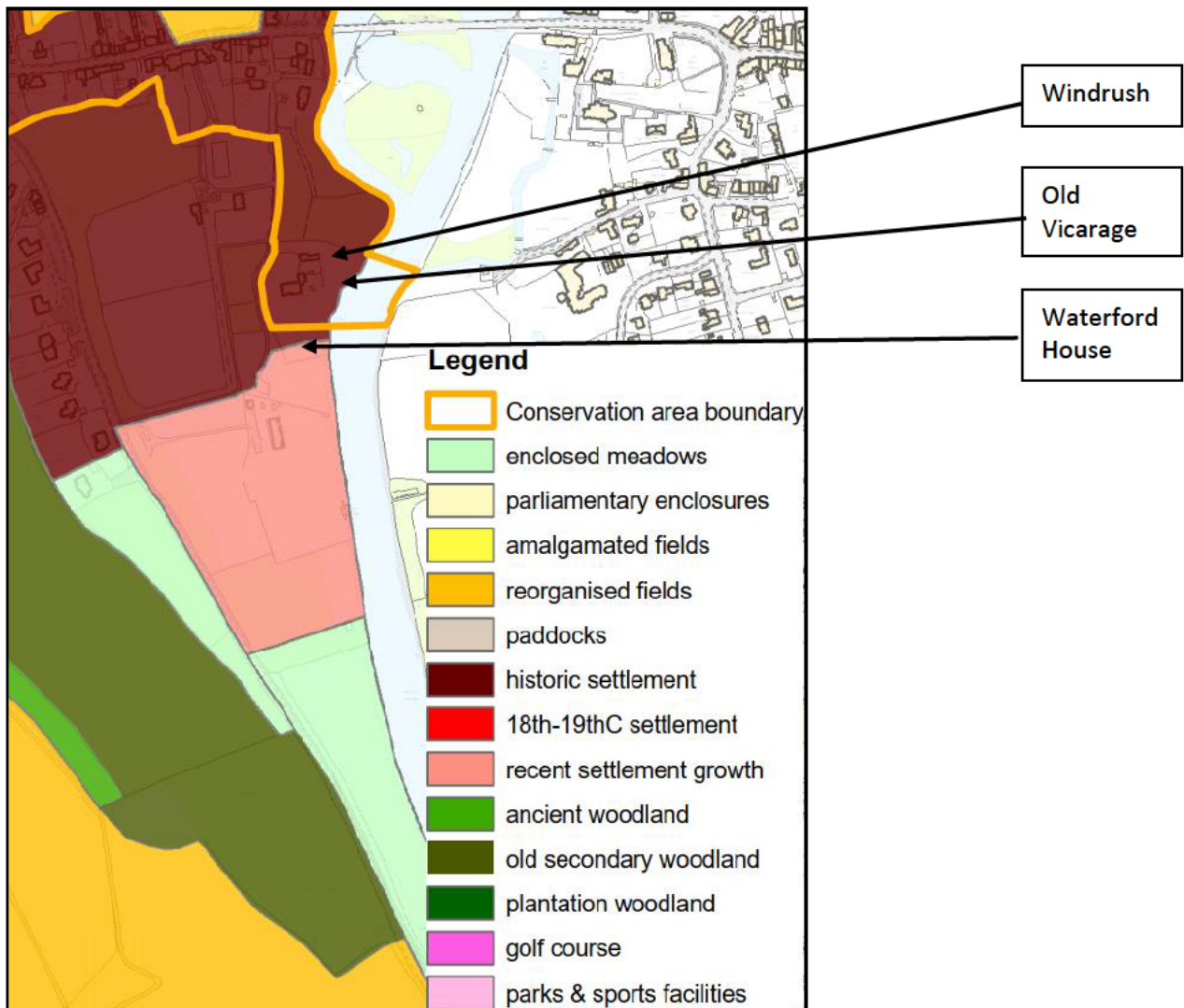
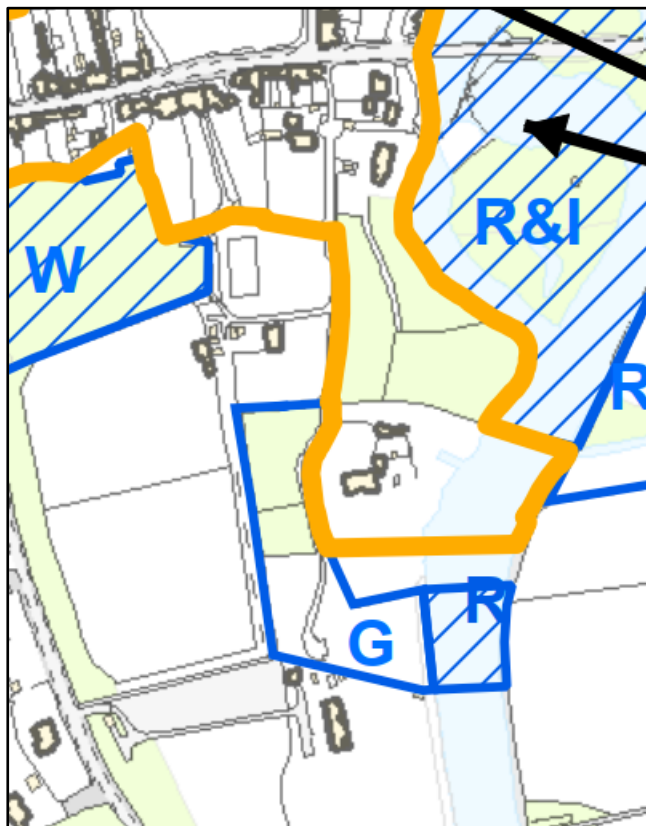


Figure 2: Extract from Conservation Area Appraisal Appendix 7



Key to landscape types:

A	Allotments
CP	Car park
F	Field
G	Garden
OH	Open hillside
OP	Open pasture
R	River
RG	Riparian gardens
R&I	River & island
R&L	River & lock
W	Wood
WH	Wooded hillside

	Conservation area boundary
	Setting
	Essential Setting

Indivisibility between Parish churches

Figure 3: Extract from Conservation Area Appraisal Appendix 8

Over the last 20 years Vicarage Lane has changed from a rural muddy track extending southwards out of the village of Streatley into a low density residential road with built development and village amenities along the length of the Lane.

In particular the following changes have taken place:

- The 1960s Vicarage was redeveloped in 2010 to create Waterford House, a modern well-appointed detached dwelling and grounds leading to the edge of the River Thames
- Vicarage Lane was resurfaced for the first time in 2011 and is now well-used for vehicular traffic every day
- In 2011 planning permission was granted for the construction of a manege and equestrian facilities on the west side of Vicarage Lane.
- In 2017 the Granary was demolished and a new dwelling was constructed on the eastern side of Vicarage Lane to the north of Windrush.
- The land immediately to the north of Windrush was acquired by the Parish Council for the benefit of the community in 201.
- In 2015 Windrush was substantially extended to form an impressive family home.
- An impressive indoor swimming pool was built by Streatley House in their garden adjoining the Lane in 2020.



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The Lane forms an integral part of the built area of the village of Streatley, and it is therefore entirely logical to include the three properties within an extension to the settlement boundary.

The inclusion of these properties within the boundary will neither harm the setting of the Conservation Area nor the AONB, as the properties are already *in situ* and no change is proposed as part of this proposed boundary extension.

In the assessment of recent application ref. 21/03097/FULD the Councils' Conservation Officer has confirmed that the potential development of the site, in Conservation terms, was not likely to the impact on designated heritage assets which would be limited to the nearby conservation area only and that a well screened site could be developed without detriment to the setting of the conservation area.

The land clearly reads and is understood by the casual observer to form part of the settlement already, indeed this has been recognised in both the Conservation Area Appraisal and the Village Design Statement. The environmental constraints that affect these three properties (ANOB, Conservation Area / trees / River Thames corridor etc) will serve to ensure that by including these properties within the settlement boundary there is no greater prospect of further development taking place than that which is there today. This satisfies the third objective for sustainable development in the NPPF – the environmental objective.

I trust that the above is helpful in clarifying my clients' concerns in relation to the emerging Local Plan. I would be grateful if you could acknowledge receipt of these representations and enclosures.

Yours faithfully,

Jeremy Flawn

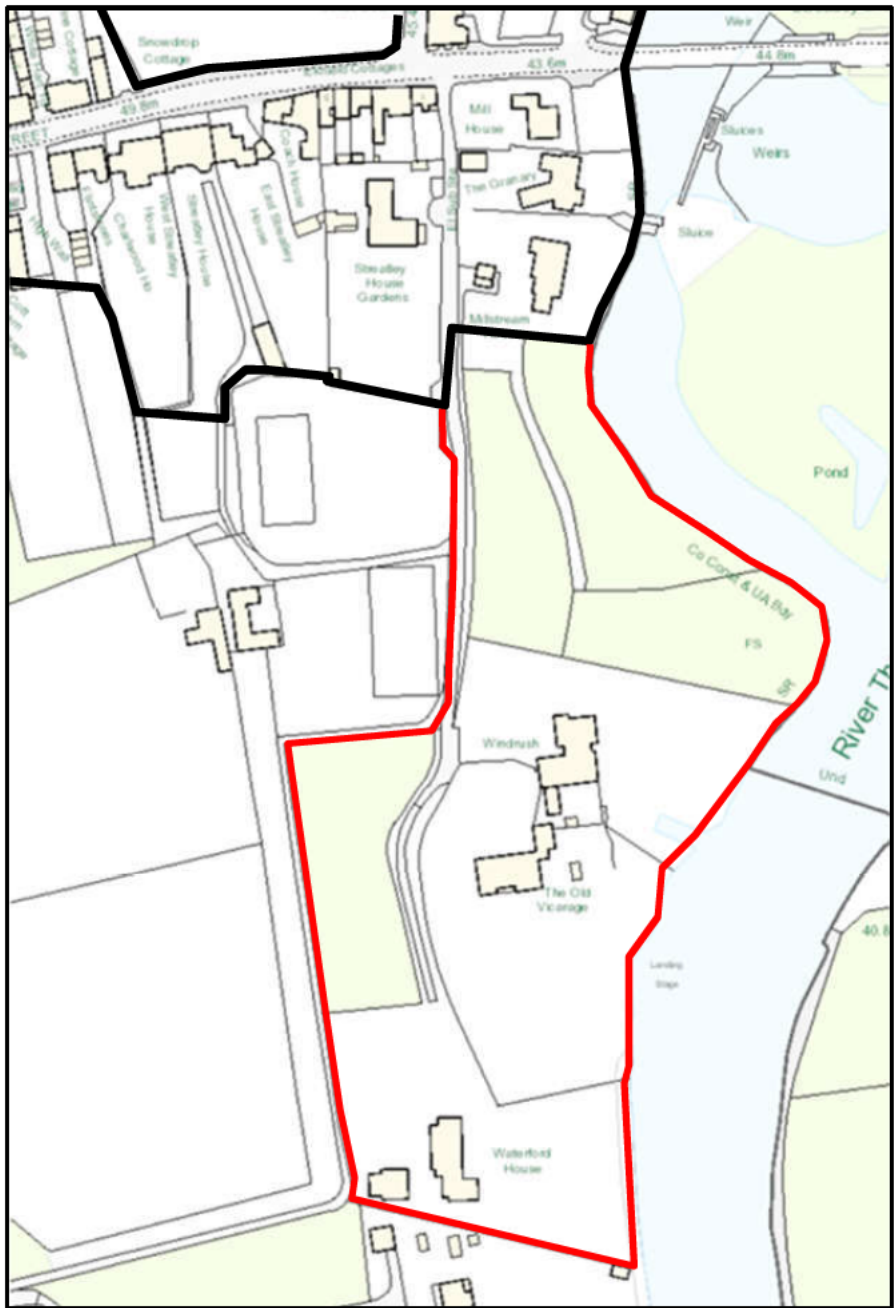
Partner

Mobile

Email

Encs.

Cc. Mr and Mrs T Gallagher (+ encs)



Existing Settlement
Boundary

Proposed Extension to
Settlement Boundary

Figure 1: Proposed Extension to Streatley Settlement Boundary



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13, The Black Barn, Manor Farm, Manor Road, Wantage, OX12 8NE

Web www.bluestoneplanning.co.uk
 Email admin@bluestoneplanning.co.uk
 Phone 01235 766 825

PROJECT

WATERFORD HOUSE,
STREATLEY

CLIENT

DWG NO:

347/1120/JF SBP-01

DATE: **REV:**
 JAN 21

TITLE:

PROPOSED EXTENSION TO
STREATLEY SETTLEMENT
BOUNDARY

SCALE:

NOT TO SCALE

DRAWN BY:
SEB

Not for construction. Please do not scale from this drawing unless for planning purposes. All contractors, sub-contractors and suppliers are advised to check relevant dimensions and levels on site prior to the commencement of work.

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