

**TEST VALLEY BOROUGH COUNCIL**

**DRAFT LOCAL PLAN 2040**

**STAGE 2 REGULATION 18 CONSULTATION**

**OBJECTON BY**

**DELBURY LIMITED**

Submitted by

*Derek G Marlow. B.Sc (Estate Management)*

This **Statement of Objection** is against the terms of the Local Plan 2040 – Regulation 18 – Stage 2 and relates to:

- The Sustainable Spatial Strategy Policy SS1, the inclusion of Chilworth within Tier 2 of that policy and the definition of the Settlement Boundary of Chilworth as it relates to land at Woodside, Chilworth as identified on Inset Map 6
  - The definition of a Local Gap as set out in Policy ENV4 and Forest Park as set out in policy SA16 as it relates to land at Chilworth, and
  - The definition of Residential Areas of Special Character as set out in Policy DES3 as it relates to land at Woodside, Chilworth.
1. I am instructed by **Delbury Limited**, owners of land at Woodside, Chilworth, Hampshire to submit objection to the terms of the Regulation 18 Stage 2 version of the draft Local Plan 2040 and
  2. to seek further review and amendment of relevant policies/maps to amend
    - (a) The settlement boundary of Chilworth as shown in Inset Map 6 in the subsequent Regulation 19 version of the Local Plan 2040 when published.
    - (b) The Local Gap and Forest Park as identified on Inset Plan 6 in the subsequent Regulation 19 version of the Local Plan 2040 when published.
    - (c) The Residential Areas of Special Character as identified on Inset Map 6 in the subsequent Regulation 19 version of the Local Plan 2040 when published.

The land owned by Delbury Limited is shown outlined red on the Site Plan 1 attached.

**National Planning Policy Framework 2023**

The **National Planning Policy Framework**, published by Government in December 2023 sets out at **Part 3 - Plan Making** how local plans are to be prepared and reviewed. Paragraph 3 (a-d) sets out criteria against which plans will be determined as "sound" or otherwise.

We consider that in relation to the three issues detailed below, the draft plan remains “unsound” and, in absence of any rectification to address the concerns set out in this objection, we would propose maintaining these objections to any finalised version of this emerging plan submitted for examination by the Planning Inspectorate.

### **Chilworth Settlement Boundary Policy and Definition**

This objection relates to the proposed definition of the settlement boundary for Chilworth as shown on Inset Map 6 - Chilworth & Valley Park. It also objects to the boundary definition for the proposed Local Gap and Forest Park and to the boundary as proposed to define Residential Area of Special Character

### **Settlement Policy Boundary**

In support of the draft Local Plan 2040, the council has published its Settlement Boundary Review evidence document - January 2024.

Section 1 sets out the purpose of applying settlement policy boundaries.

Section 2 distinguishes between settlements which are to be defined by settlement policy boundary and those which are not to be so defined and sets broad criteria as to what land and buildings will be considered.

Chilworth is included within the appropriate tier 2 of such settlements to be defined by a boundary, which settlements are *"considered to be of an appropriate scale and with access to a range of facilities, thereby to guide proportionate development in accordance with their scale, role and function"*.

Section 3 – Table 2 sets out a draft methodology for boundary reviews seeking to distinguish, by inexhaustive lists, *"uses and buildings which relate better to the built form of the settlement than the countryside"* from *"uses and buildings that relate better to the countryside than the built form of the settlement"*. Examples of criteria used are given but these must realistically be generalised criteria and must be subject to localised and detailed interpretations.

The sources of data used in the consideration of settlement boundaries includes inter alia, Villiage Design Statements.

Section 3 – Table 3 sets out the approach/criteria used to identify future appropriate settlement boundaries, inter alia, criteria B - *land with planning consent outside and adjacent to existing settlement policy boundaries*. Those properties/established and extended dwellings alongside Woodside from Carlyle House northwards, surely comprise properties with planning permissions (now built out) adjoining or adjacent to the existing settlement policy boundary, notwithstanding that they neither fall within local plan or neighbourhood plan allocations. They have a clear functional relationship with the settlement of Chilworth. Whilst residents living in those dwellings have not been directly questioned, it is asserted that they all, probably without exception, regard themselves as



living in Chilworth rather than in a scattered group of dwellings in open unrelated countryside; that they use schools and community facilities in Chilworth and also quite possibly work in Chilworth.

The fulfilment of criteria A and B by the dwellings north from Carlyle House, along Woodside is clear and yet these dwellings have not been shown as within the proposed settlement boundary on Inset Map 6 as one might have expected according to Section 4 of the evidence paper. Section 4 makes clear that *areas for potential inclusion in the boundary will reflect the factual situation of built development on the ground and functional relationship with the settlement*

It is questioned as to whether, in regard to the settlement boundary now proposed by the Local Plan 2040 for Chilworth, a detailed reconsideration of all boundary alignments has been undertaken of the settlement defined by the Chilworth VDS without further detailed consideration of changes which clearly have occurred since that VDS was produced. This **VDS was adopted as supplementary planning guidance in 2006** and since that date in the vicinity of Woodside at Chilworth, significant changes have taken place in the form and dispersal of dwellings and structures which operate functionally as part of the settlement of Chilworth.

The VDS for Chilworth, as adopted in 2006, considered a scattering of small and inconsequential structures and dwellings at the northern end of Woodside and at that date concluded that such did not fit the then established pattern of housing in the wider Chilworth area. In consequence the VDS excluded these structures and dwellings from the settlement. However, since 2006, most if not all of these modest dwellings have been extended or replaced by substantial larger dwellings with outbuildings and garages, such that not only does this area continue to function as and be recognised as part of Chilworth but it appears today very much more in keeping with the built form and disposition of large dwellings in this part of Chilworth, particularly alongside A27 as presently included in the defined RASC.

The identified criteria for excluding uses and buildings from settlement boundaries includes "outlying developments or small pockets of development **that are clearly detached from the settlement**". In this submission what is challenged is the precision of what amounts to **clearly detached**. It is contended that those dwellings north of Carlyle House alongside Woodside are **not clearly detached** from the settlement of Chilworth and should be included within the settlement boundary going forward. The current proposed exclusion represents in our view an anomaly which should be corrected in the later Regulation 19 version and the final adopted Local Plan 2040.

Thus whilst supporting policy SS1 in principle and the inclusion of Chilworth as a Tier 2 settlement, this submission objects to that definition of the settlement boundary for Chilworth as graphically described on Inset Map 6

Our proposal for a corrected settlement policy boundary is shown on Plan 2 attached.

### **Local Gap Boundary**

The proposed Local Gap includes Hut Wood but excludes the heavily wooded parts of the rear gardens of substantial dwellings standing on the north side of A27 in this vicinity. That is quite appropriate. The amendment to the settlement policy boundary as set out above would not impinge upon the future suggested boundary of the Local Gap. The present inclusion of land at Woodside southeast and southwest of Carlyle House, fronting onto Woodside, land which is not part of Hut Wood and which is privately owned, is inappropriate. Deletion of this parcel from the annotated extent of the Local Gap as shown on Inset Plan 6 would not materially negatively impact upon the delivery of the aims for which the local gap is proposed by policy ENV4. Neither would it negatively impact upon the delivery of the Forest Park as proposed by Policy SA16.

Thus whilst supporting policy SA16 in principle, this submission objects to that definition of the Local Gap and Forest Park boundaries in the proximity of Chilworth as graphically described on Inset Map 6

Our proposal for amendment to the Local Gap and Forest Park boundaries is shown on Plan 3 attached.

### **Residential Area of Special Character**

There is no doubt that parts of Chilworth, as developed, display a particularly noteworthy residential character comprising generously proportioned houses set in larger than usual matured plots. This is particularly so along the north side of A27. Detailed appraisal of other parts of the presently identified RASC demonstrates inclusion of smaller established dwellings on more modest plots and some of these are set to the west of the Woodside/A27 junction.

A consideration of these two defined areas already within the RASC and a comparison with the character of dwellings and matured plots as now proposed by our suggested amendment of the settlement policy boundary (Plan 1 attached) shows essentially the same characteristics. Accordingly it is our view and proposal that the defining boundary of the future RASC in this vicinity be co-incident with our proposal for the amended settlement policy boundary as shown upon Plan 2.

Thus whilst supporting policy DES3 in principle, this submission objects to that definition of the Residential Area of Special Character boundary in the proximity of Chilworth as graphically described on Inset Map 6

The character of the entire RASC can be protected in accordance with the terms of proposed policy DES3.

### **Conclusion**

We ask that in formulating and preparing a revision to this Regulation 18 stage 2 draft plan, the authority agree and incorporate our three suggestions for:

- Amendment to the settlement boundary for Chilworth



- Amendment to the Local Gap policy boundary to be co-incident with the Forest Park policy boundary, and
- Amendment to the RASC policy boundary to run co-incident with the amended settlement policy boundary for Chilworth.

We consider that rectification of these issues will correct an anomaly in the plan in relation to the future application of policies for Chilworth. **In absence of amendments as suggested our client will wish to make objection to any such further iteration of this emerging plan submitted for examination.**

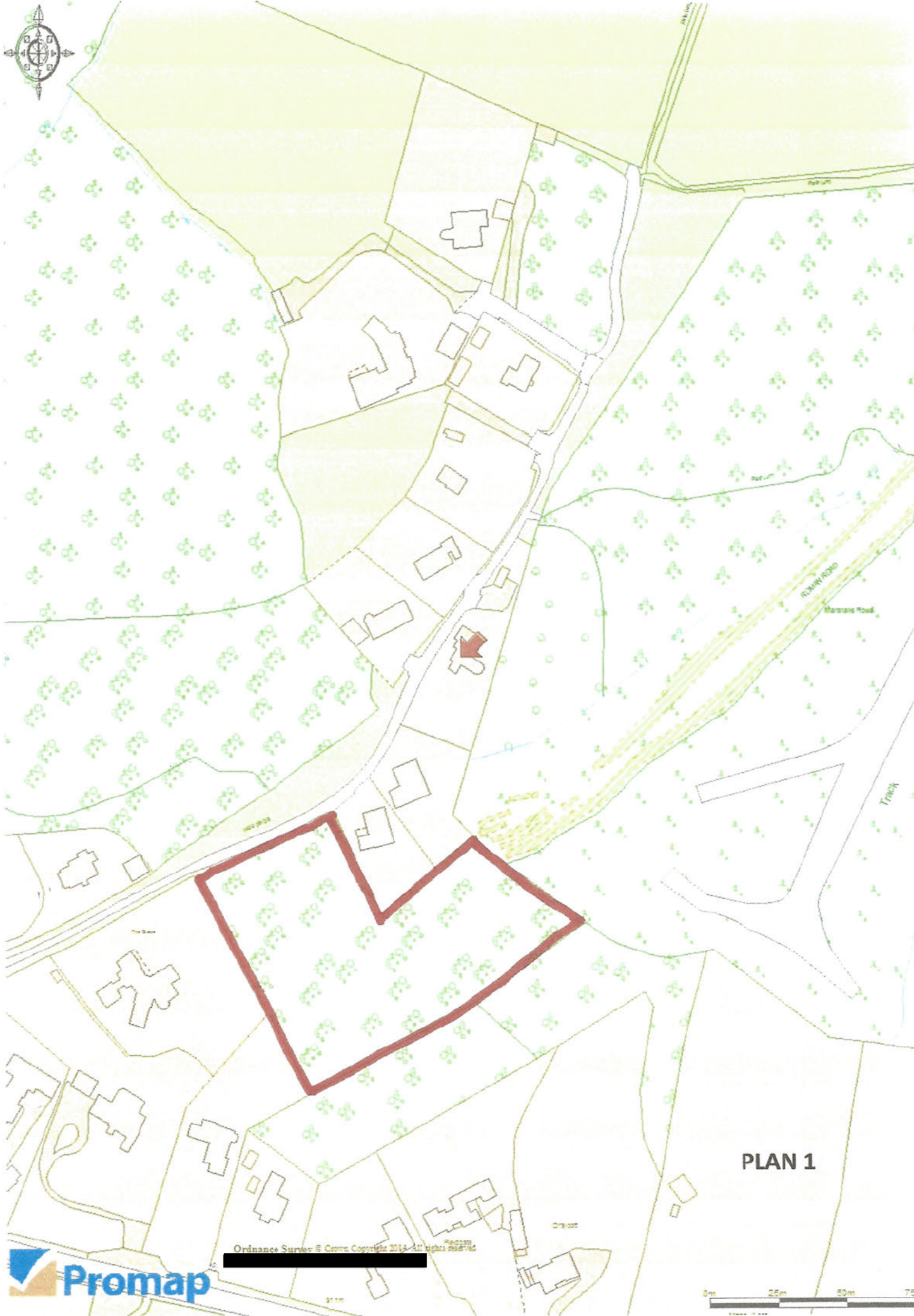
Derek G Marlow. B.Sc (Estate Management)

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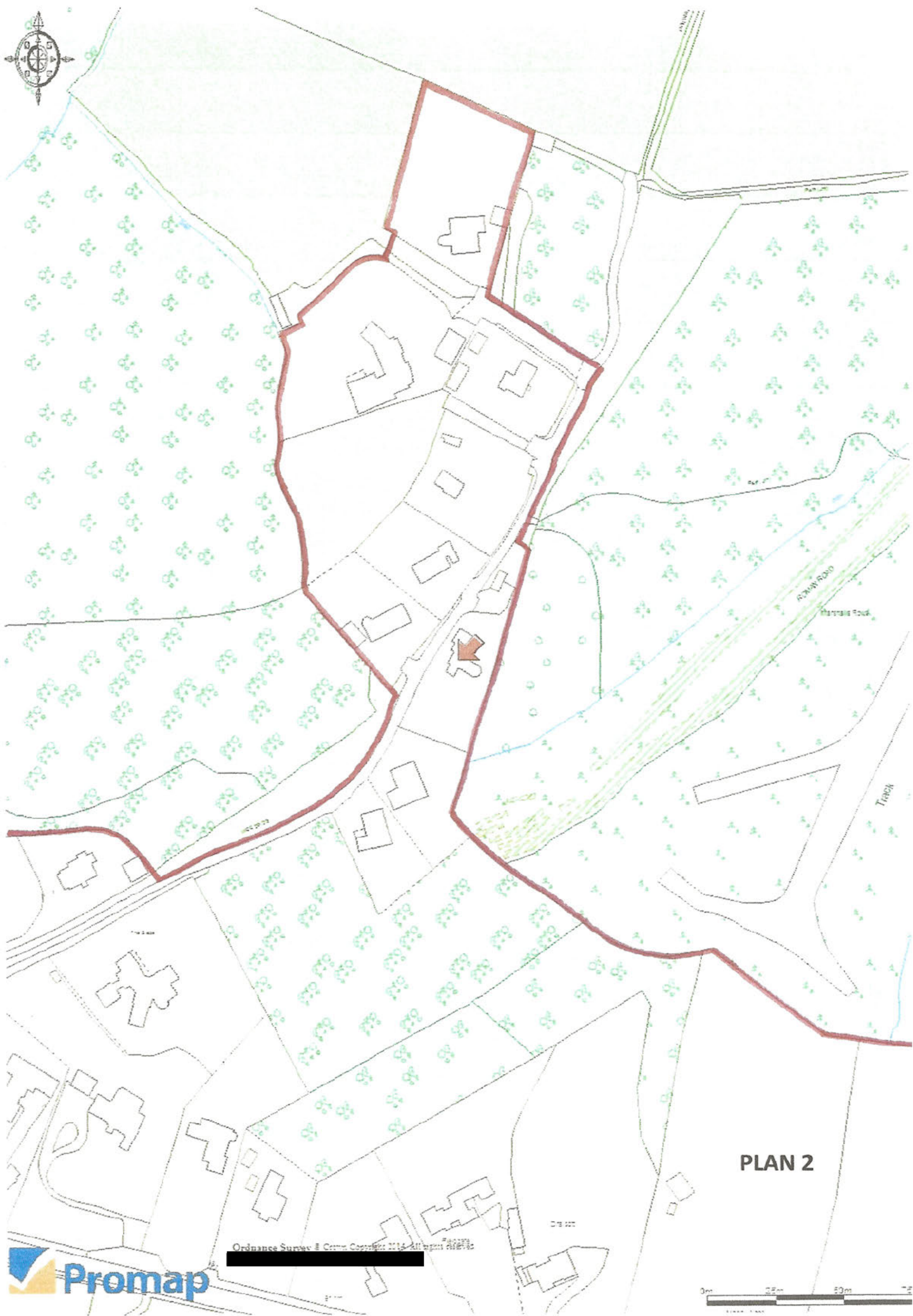
12<sup>th</sup> March 2024

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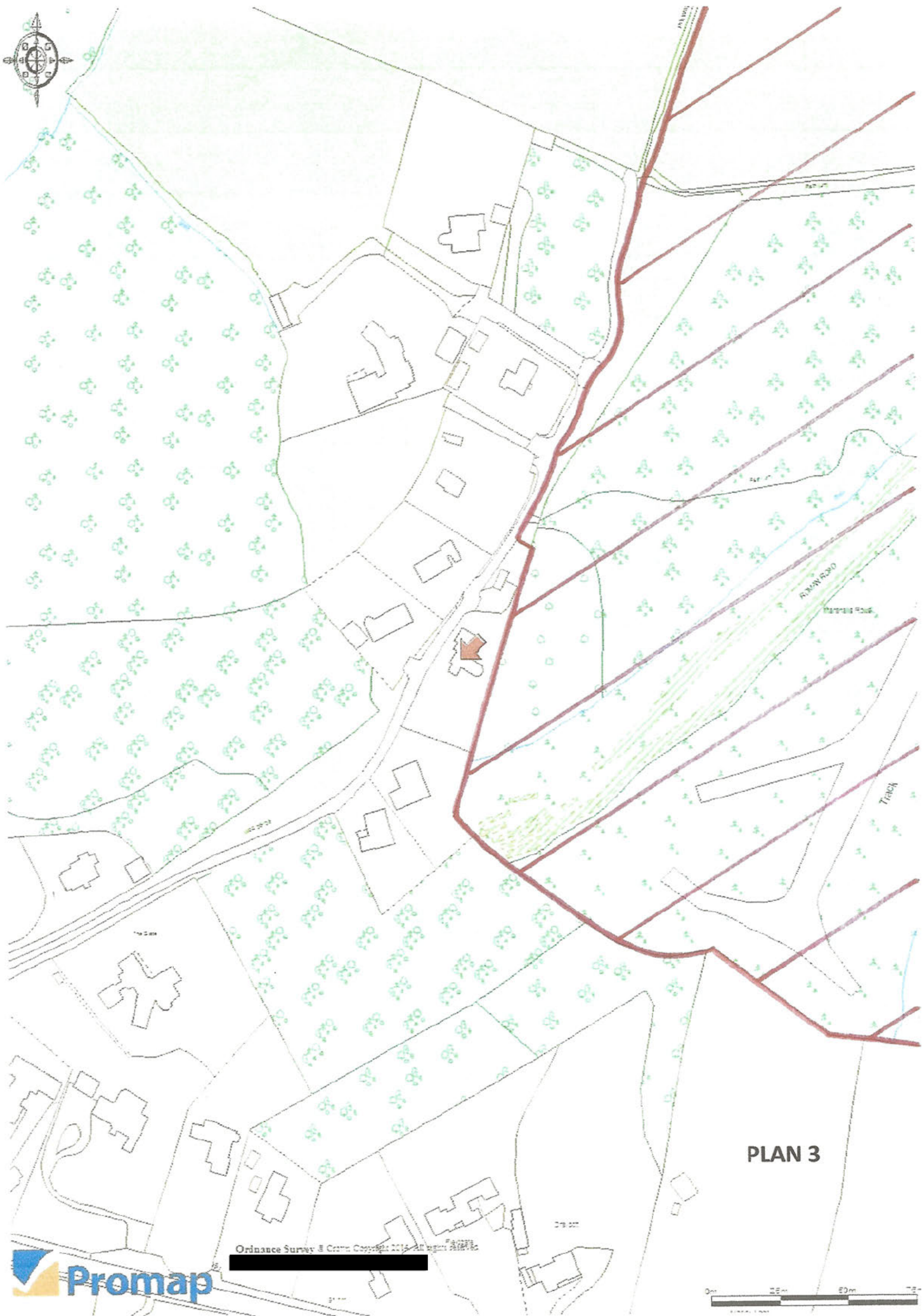






PLAN 2

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PLAN 3

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