

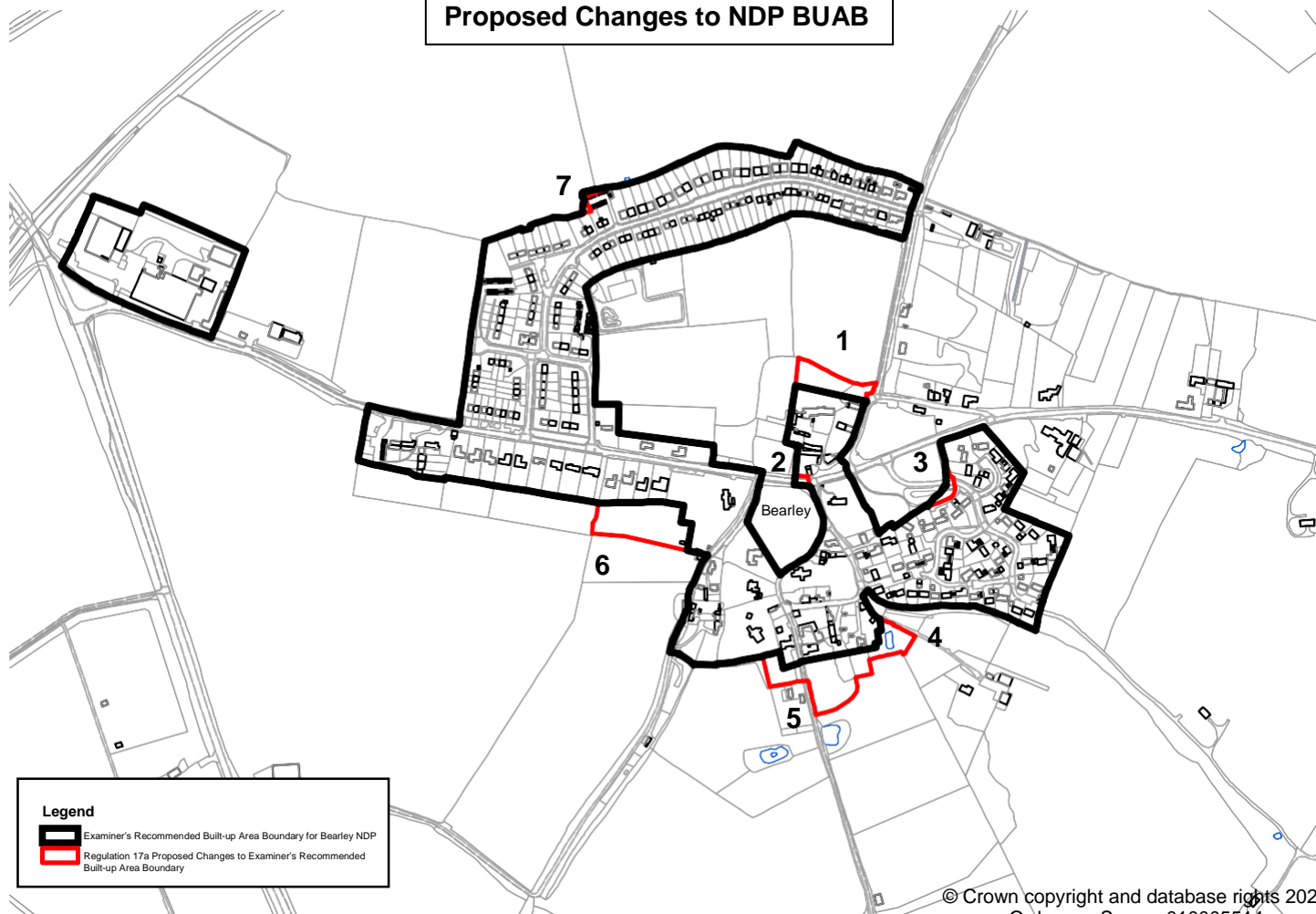
List of Proposed Amendments to Bearley BUAB for Regulation 17a Consultation, Proposed Changes to NDP BUAB Map and Amended NDP BUAB Map (as Proposed)

List of Proposed Amendments to Bearley BUAB for Regulation 17a Consultation

Amendment No. on Proposed Changes Map	Proposed amendment plus reason for the modification
1	Include land within BUAB. The area of land concerned includes garden land associated with the property known as “Manor House”, which forms part of the residential curtilage of this dwelling. This area of land is included within the Bearley BUAB of the 2018 Revised Scoping and Initial Options Site Allocations Plan (‘SAP’) consultation document. Amendments to the NDP BUAB are therefore required in order to align with the 2018 SAP BUAB Methodology. This Methodology states that areas of residential curtilage (unless clearly comprising orchards, paddocks or land otherwise non-urban in nature), should be included within the built-up area boundaries of settlements. The proposed BUAB is therefore amended to include the residential curtilage of this property, as confirmed through planning records and research undertaken during the preparation of the 2018 Revised Scoping and Initial Options SAP.
2	Remove land from BUAB. This small area of land, incorporating part of Snitterfield Road, was not included within the Bearley BUAB proposed within the 2018 Revised Scoping and Initial Options SAP consultation document. As such, in order to be consistent with the Methodology used within the 2018 SAP, this area of land is proposed to be removed from the NDP BUAB.
3	Remove land from BUAB. This area of land, comprising of a small area of open space on the edge of the settlement, was not included within the SAP BUAB as shown within the 2018 Revised Scoping and Initial Options SAP. The proposed amended NDP BUAB removes this area of open space in order to align with the built-up area boundary for Bearley within the 2018 SAP.
4	Include land within BUAB. Following further research, it is determined that the residential curtilage associated with the dwelling known as “The Chimney House” was not correctly drawn in either the NDP BUAB or 2018 SAP BUAB. The site location plan associated with planning permission 16/02118/FUL (for erection of gates, fencing and enlarged parking area) shows land to the east of the dwelling within the ‘red line’ denoting the application site (and therefore associated residential curtilage of the property). Aerial imagery shows that the area of land included within this site location plan is bounded by vegetation/ hedgerows, and therefore appears visually to be

Amendment No. on Proposed Changes Map	Proposed amendment plus reason for the modification
	part of the curtilage of The Chimney House. Accordingly, the proposed amended NDP BUAB includes the entire residential curtilage as shown on the approved location plan from planning permission 16/02118/FUL.
5	Include land within BUAB. The area of land concerned includes garden land associated with several separate dwellings, forming part of the residential curtilage of these dwellings. This area of land is included within the BUAB of the 2018 Revised Scoping and Initial Options SAP. Amendments to the NDP BUAB are therefore required in order to align with the 2018 SAP BUAB Methodology, which states that areas of residential curtilage should be included in the built-up area boundaries of settlements. The proposed amended BUAB therefore includes the entire residential curtilages of these properties, as confirmed through planning records and research undertaken during the preparation of the 2018 SAP document.
6	<p>Include land within BUAB. Following further evidence that has come to light, it has been determined that the residential curtilage associated with the dwelling known as “The Old Vicarage” was not correctly drawn in either the NDP BUAB or the BUAB of the 2018 Revised Scoping and Initial Options SAP. Enforcement records from 2009 show that land to the south-west of the dwelling was determined to be immune from enforcement action for its use as garden land, as it had been used for this purpose in excess of ten years. Accordingly, it is considered that this land should have been considered as residential curtilage of The Old Vicarage, and therefore included within the BUAB in accordance with the 2018 SAP BUAB Methodology. This is as the land had been used for this purpose for a period of time in excess of ten years, and was therefore immune from enforcement action under Section 171b of the Town and Country Planning Act 1990.</p> <p>Further to this, a Lawful Development Certificate (21/00247/LDE) was issued on 10th March 2021, confirming that the lawful use of land to the south-west of the dwelling is garden land associated with the property of The Old Vicarage, for purposes ancillary to the residential occupation of the property.</p> <p>In order to accord with the 2018 SAP BUAB Methodology, which states that the residential curtilage of dwellings should be included in BUABs, the NDP BUAB is therefore proposed to be amended to include this area of lawful garden land as denoted within the plan included in the decision notice of 21/00247/LDE.</p>
7	Remove land from BUAB. This involves a very minor amendment to ‘tighten’ the northern BUAB currently shown in the NDP around curtilage land associated with garages, in order to accord with the BUAB proposed in the 2018 Revised Scoping and Initial Options SAP document.

Proposed Changes to NDP BUAB



Amended NDP BUAB (as Proposed)

