NOTIFICATION OF DECISION REGARDING THE APPLICATION FOR DESIGNATION OF WOOTTON RIVERS PARISH NEIGHBOURHOOD AREA UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED

APPLICANT:

Wootton Rivers Parish Council

APPLICATION:

Application for the Designation of Wootton Rivers Parish Neighbourhood Area

Pursuant to the Wiltshire Council constitution and in particular Part 3B, the Associate Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to consider the area designation applications for Neighbourhood Plans and if appropriate approve applications.

DECISION:

The Designation of Wootton Rivers Parish Neighbourhood Area is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning. The reasons for this decision are set out in the accompanying ‘Neighbourhood Area Designation Application Report’.

Signed:

Alistair Cunningham
Associate Director
Economic Development and Planning

Dated: 30.03.2015
1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution and in particular Part 3B, the Associate Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to consider the area designation applications for Neighbourhood Plans and if appropriate approve applications.

2. BACKGROUND

2.1 The power to designate a Neighbourhood Area is exercisable under section 61G of the Town and Country Planning Act 1990. Under Regulation 5 (1) of The Neighbourhood Planning (General) Regulations 2012 (which came into force on 6 April 2012) an area application has to include a map which identifies the area to which the application relates, a statement explaining why this area is considered appropriate to be designated as a neighbourhood area and a statement that the body making the application is a relevant body for the purposes of section 61G (2) of the 1990 Act.

2.2 Wootton Rivers Parish Council forms the ‘relevant body’ for the purposes of section 61G (2) of the Town and Country Planning Act 1990 and submitted an application for the designation of Wootton Rivers Parish Neighbourhood Area. The application is for the whole area of Wootton Rivers Parish to be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning and so satisfies section 61G (3) of the Act. The submission of the application complied with the regulations.

3. PROCEDURE

3.1 Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a neighbourhood area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominately business in nature [Section 61H (3)].

3.2 If the application for the Designation of this Neighbourhood Area is approved, then Regulation 7(1) of the Neighbourhood Planning (General) Regulation 2012 requires the designation to be publicised. If the application is refused, reasons must be given under 61G (9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.
4. **CONSIDERATION AS TO WHETHER OR NOT TO DESIGNATE**

4.1 In determining the application for the designation as a Neighbourhood Area, regard must be had to the desirability of designating the whole area.

4.2 The issue is whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.

4.3 The fact that the designation of the Wootton Rivers Parish Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

5. **REASONING FOR DESIGNATION**

5.1 The proposed area for designation is the parish of Wootton Rivers, which is considered to be the appropriate area. The parish is located within an Area of Outstanding Natural Beauty and the main settlement of Wooton Rivers, identified as a small village within the Wiltshire Core Strategy (adopted January 2015), is centrally located within the parish. The surrounding area forms the setting of the village and is agricultural in nature, although economic activity in the area also includes home working and re-use of redundant farm buildings for business uses. Designation of the parish will enable a Neighbourhood Plan to guide development locally, consistent with the Core Strategy; and ensure that development is appropriate in type, scale and design in a way that reflects the views of the local community and quality of environment.

5.2 The specified area falls completely within the Council’s area.

5.3 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Monday 19th January 2015 until 5pm Wednesday 4th March 2015.

5.4 In total 1 response was made within the consultation period which welcomes the production of this plan and promotes sites within the boundary area of the parish. The representation received is set out in Appendix 1.

5.5 The proposed Wootton Rivers Parish Neighbourhood Area is coherent, consistent and appropriate in panning terms.

6. **CONCLUSION**

6.1 The reasoning as discussed above lends support to the designation. It is considered that the specified area of Wootton Rivers Parish is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.

6.2 The limited response, one comment that does not raise an objection to the boundary, to the consultation has been considered. However, as the area application has been put forward by the locally elected Parish Council and retains the existing parish area, it is deemed an appropriate area for designation.

6.3 The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.

6.4 It is also considered that it is not desirable that only part of such parish areas be designated and the could lead to fragmented approach within those areas.
6.5 A copy of this report will be sent to the constituent qualifying body, Wootton Rivers Parish Council.

7. DECISION

7.1 The Designation of the Wootton Rivers Parish Neighbourhood Area is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.

Alistair Cunningham
Associate Director
Economic Development and Planning
Dated: 30.03.2015
**Appendix 1**: Responses submitted to Wiltshire Council during the consultation on the application for designation of Wootton Rivers Parish Neighbourhood Area.

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Ms Naomi Hubbard, Savills</td>
<td>Savills (UK) Ltd has been instructed by St. John’s College, Cambridge to submit the following representations on the Area Designation Stage of the Wootton Rivers Neighbourhood Plan.</td>
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<tr>
<td></td>
<td>It is noted that the proposed neighbourhood plan boundary follows the Wotton Rivers Parish boundary. Such a boundary accords with the requirements set out under the Regulations as being an appropriate “neighbourhood”. St. John’s College, Cambridge raises no issues with the boundary in principle.</td>
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<td></td>
<td>The College welcomes the production of this plan in developing a localised planning framework and vision for the future management of growth in the parish of Wootton Rivers. Once adopted, the Plan will provide a mechanism to influence more centralised planning decisions which reflect the aspirations of the local community and its main issues of concern.</td>
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<td>The 2011 Localism Act introduced the concept of Neighbourhood Plans allowing Parish or Town Councils to develop planning policies on the development and use of land within their community. Once ratified via a local referendum, the plan assumes the status as part of the Development Plan for the area and hence forms a material consideration in the determination of planning applications. However, Neighbourhood Plans need to be prepared in accordance with a number of criteria, including that they must not conflict with national and local planning policies and they should also not be used as a tool to prevent new development which has been identified by the Local Planning Authority.</td>
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<td>The adopted Wiltshire Core Strategy defines the level of growth appropriate within the built up area of small villages as infill development. Exceptions to this approach will be considered through a community-led planning policy document, such as a Neighbourhood Plan to identify new developable land to help meet the housing and employment needs of that community.</td>
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<td>St. John’s College, take this opportunity to promote its landownership within the village. The College’s land ownership extends to approximately 1.7 hectares (ha). This land interest is located at St. Andrew’s Close and off South Bank. Site plans are enclosed for reference purposes which highlight the extent of the College’s land ownership.</td>
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<td>Land off St. Andrew’s Close is located south of the canal and railway, outside the historic core of the village. Low density residential development is located to the west and south of the site, with the north and eastern edges bounded by roads. The site therefore sits comfortably within the existing settlement pattern and forms a logical land parcel for development. Subsequently, any development in this location would have limited impact on the Area of Outstanding Beauty which covers the village and its surroundings.</td>
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<tr>
<td></td>
<td>The site currently comprises 0.7 ha of grazing land and is accessed from a gate along its eastern edge. Access could be gained along the site’s northern edge subject further investigation.</td>
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Land off South Bank is located adjacent to western edge of the built up area of Wootton Rivers. The eastern edge abuts the Wootton Rivers Conservation Area boundary. Low density residential development is located to the east and north-eastern edges of the site, with the west and southern edges bounded by roads. This site sits comfortably adjacent to the existing settlement and forms a logical development parcel. The existing trees along the western edge act as natural boundary and existing screening along the eastern edge of the site will reduce any undue impact on the Conservation Area.

The land comprises 1 ha of recreation land and is accessed from South Bank in the north-eastern corner of the site. This road currently serves existing dwellings and subject to further investigation could accommodate an increase in its use.

The College notes that a statement has been submitted by Neighbourhood Plan Steering Group setting out reasons for considering the area as appropriate. The Steering Group state that remaining facilities in the village, including the Recreation Ground, are regularly used. The College do not propose that the recreation ground use is lost albeit that it is relocated if the Steering Group deem land off South Bank as appropriate for housing. If this is the case, the College propose this recreation ground use is relocated to land off St. Andrew’s Close or contributions are sought through S106 payments following the submission of a planning application.

St. John’s College, Cambridge has a longstanding relationship with the village and continues to support and have regard to the historic integrity and character of Wootton Rivers. The College, at the convenience of the Parish Council and/or Steering Group welcomes the opportunity to discuss its landownership and the preparation of the Neighbourhood Plan in more details.
DECISION REGARDING THE APPLICATION FOR DESIGNATION OF WOOTTON RIVERS PARISH NEIGHBOURHOOD AREA UNDER SECTION 61(G) OF THE TOWN AND COUNTRY PLANNING ACT (AS AMENDED)

1. I have no private interests to declare in respect of this matter which would prevent me from determining this application.

2. I hereby exercise power under section 61G of the Town and Country Planning Act 1990 (as amended) ("the Act") and all other powers delegated to me to designate the area identified on the map below as the Wootton Rivers Parish Neighbourhood Area for the purposes of section 61G (1) of the Act as I am satisfied that the area is an appropriate area to be designated as a neighbourhood area. I do not designate it as a business area for the purposes of section 61H (1) of the Act as it is not wholly or predominately business in nature.

   a) Name of neighbourhood area: Wootton Rivers Parish Neighbourhood Area

   b) Map of neighbourhood area:
a) Relevant body: Wootton Rivers Parish Council forms the ‘relevant body’ (for the purposes of 61G (2) of the Town and Country Planning Act 1990).

b) I have made this decision in line with the information set out in the ‘Neighbourhood Area Designation Application Report’.

Signed:

Alistair Cunningham
Associate Director
Economic Development and Planning

Decision published: 30.03.2015