

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

APPLICANT:

Aldbourn Parish Council

APPLICATION:

Application for the Designation of Aldbourn Neighbourhood Area

Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of 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 Aldbourn 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: 08.08.2016

WILTSHIRE COUNCIL

NEIGHBOURHOOD AREA DESIGNATION APPLICATION REPORT – OFFICERS DECISION ACTING UNDER DELEGATED POWERS

Date of application	02.06.2016
Date of decision	08.08.2016
Name of proposed designation	Aldbourn Neighbourhood Area
Community Area	Marlborough Community Area

1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of Part 3B, the Associate Director for Economy and Regeneration 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 Aldbourne 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 Aldbourne Neighbourhood Area. The application is for the whole area of Aldbourne 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 Aldbourne 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 includes the whole parish area of Aldbourne. The parish is a rural area within an Area of Outstanding Natural Beauty. Its settlements consist of Aldbourne, which is a large village as defined by the Wiltshire Core Strategy, and a number of small hamlets. These are surrounded by farmland, with several active farms operating in the parish. The community supports a range of businesses and has a primary school.

5.2 There is consistency across the parish in terms of its nature as a rural parish focussed on one large village and therefore the proposed area for designation is considered appropriate.

5.3 The specified area is located within the Marlborough Community Area and falls completely within the Council's area.

5.4 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from Wednesday 15th June until Friday 29th July 2016.

5.5 One response was made within the consultation period. The comment was a positive message about the neighbourhood plan process rather than specifically pertaining to the proposed neighbourhood area designation and will be forwarded to Aldbourne Parish Council. The response is shown in Appendix 1.

5.6 The proposed Aldbourne Neighbourhood Areas is coherent, consistent and appropriate in planning terms.

6. CONCLUSION

- 6.1 The report above and the results of the consultation with the public lend support to the designation. It is considered that the specified area (the subject of the application, as shown on the submitted map) is an 'appropriate area' upon which to base a subsequent neighbourhood plan.
- 6.2 All representations received through the consultation have been taken into account.
- 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 as this could lead to fragmented approach within those areas.
- 6.5 The specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application. The area includes the built area for which they are planning and will enable the Neighbourhood Plan to address a range of issues including identifying and allocating appropriate levels of non-strategic development.
- 6.6 A copy of this report will be sent to the constituent qualifying bodies and the Aldbourne Neighbourhood Plan Steering Group.

7. DECISION

- 7.1 **The Designation of the Aldbourne Neighbourhood Area is made** 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: 08.08.2016

Appendix 1: Responses submitted to Wiltshire Council during the consultation on the application for designation of Aldbourne Neighbourhood Area

Respondent	Comments
<i>Comments in support</i>	
Steward Dobson	As someone currently involved in a Marlborough Area Neighbourhood Plan, I wish Aldbourne every success in what I'm sure will be a very worthwhile project for all their residents.

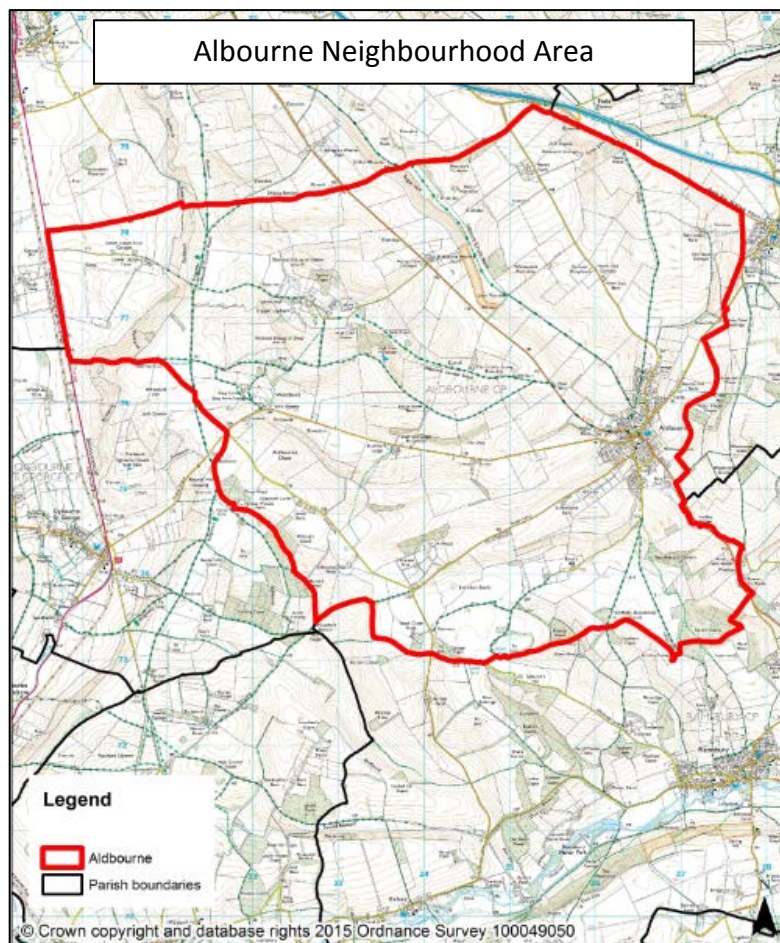
DECISION REGARDING THE APPLICATION FOR DESIGNATION OF ALDBOURNE NEIGHBOURHOOD AREA UNDER SECTION 61(G) OF THE TOWN AND COUNTRY PLANNING ACT (AS AMENDED)

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 Aldbourne 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: Aldbourne Neighbourhood Area

b) Map of neighbourhood area:



c) Relevant body: Aldbourne Parish Council form the 'relevant body' (for the purposes of 61G(2) of the Town and Country Planning Act 1990).

d) I have made this decision in line with the information set out in the 'Neighbourhood Area Designation Application Report'.

Signed:

A handwritten signature in black ink, appearing to read 'Alistair Cunningham', written over a light grey rectangular background.

Alistair Cunningham

Associate Director
Economic Development and Planning

Decision published: 08.08.2016