

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

APPLICANT:

Alderbury Parish Council

APPLICATION:

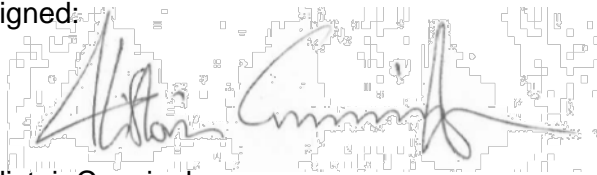
Application for the Designation of Alderbury and Whaddon Neighbourhood Area

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 Alderbury and Whaddon 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: 15.04.14

WILTSHIRE COUNCIL

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

Date of application	11.10.2013
Date of decision	15.04.2014
Name of proposed designation	Alderbury and Whaddon Neighbourhood Area
Community Area	Southern Wiltshire 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 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 Alderbury 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 Alderbury and Whaddon Neighbourhood Area. The application is for the whole area of Alderbury 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.

2.3 The Alderbury and Whaddon Neighbourhood Plan Steering Group has been set up to prepare the plan and is led by the Parish Council. The Group includes a cross section of community representatives that meet regularly to develop the draft plan.

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 Alderbury and Whaddon Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

5. REASONING FOR DESIGNATION

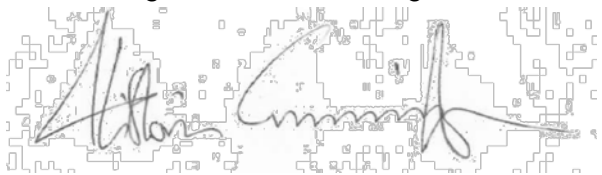
- 5.1 The parish includes the two settlements of Alderbury and Whaddon, it is therefore appropriate to designate the whole parish area which includes both settlements. The parish council is committed to ensuring the community's views are fully reflected in the future local planning decisions within the parish and feel this will be best addressed through a neighbourhood plan. Neighbourhood planning will build on past community-led planning documents and enable the parish to develop a distinctive set of sustainable local development and conservation policies to compliment and add detail to the strategic framework as set out by the emerging Core Strategy.
- 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 9th December 2013 until 5pm Tuesday 4th February 2014.
- 5.4 No responses were made within the consultation period.
- 5.5 The proposed Alderbury and Whaddon Neighbourhood Areas is coherent, consistent and appropriate in planning terms.

6. CONCLUSION

- 6.1 The reasoning above lends support to the designation. It is considered that the specified area is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.
- 6.2 A lack of response 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 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.
- 6.6 A copy of this report will be sent to the constituent qualifying body, Alderbury Parish Council.

7. DECISION

7.1 **The Designation of the Alderbury and Whaddon 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.

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Alistair Cunningham
Associate Director
Economic Development and Planning

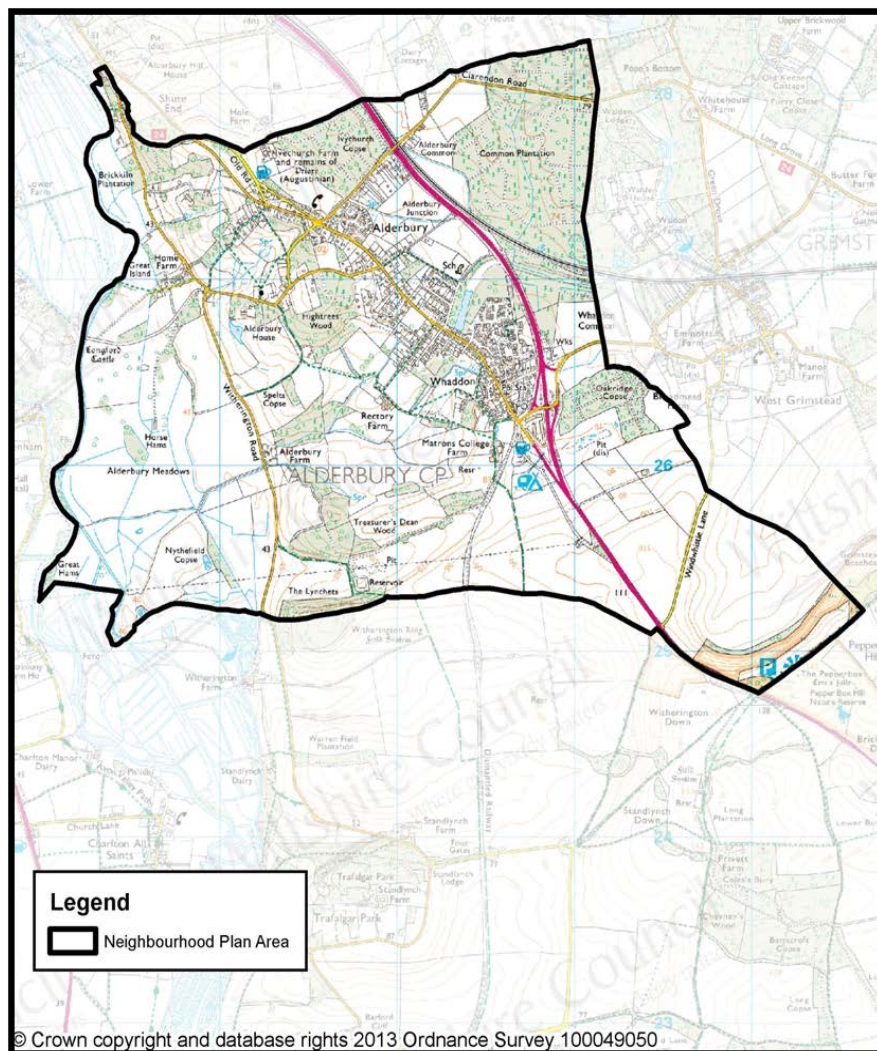
Dated: 15.04.14

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF ALDERBURY AND WHADDON 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 Alderbury and Whaddon 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: Alderbury and Whaddon

b) Map of neighbourhood area:



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

3. 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', is written over a faint, light-colored background that looks like a technical drawing or a map with various lines and shapes.

Alistair Cunningham
Associate Director
Economic Development and Planning

Decision published: 15.04.14