

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

APPLICANT:

Bremhill Parish Council

APPLICATION:

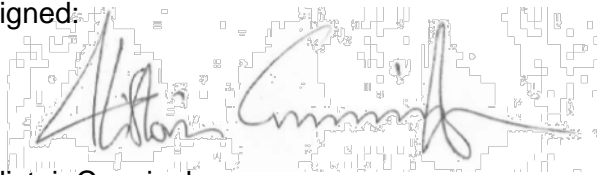
Application for the Designation of Bremhill Neighbourhood Area

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 Bremhill 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:

A handwritten signature in black ink, appearing to read 'Alistair Cunningham', is written over a faint, light-colored map of a neighbourhood area. The map shows various streets and building footprints.

Alistair Cunningham
Associate Director
Economic Development and Planning

Dated: 30.04.14

WILTSHIRE COUNCIL

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

Date of application	04.11.2013
Date of decision	30.04.2014
Name of proposed designation	Bremhill Neighbourhood Area
Community Area	Calne 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 Bremhill 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 Bremhill Neighbourhood Area. The application is for the whole area of Bremhill 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 Bremhill 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 Bremhill Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

5. REASONING FOR DESIGNATION

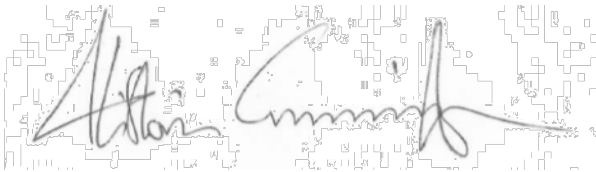
- 5.1 The proposed area for designation includes the whole parish area. Designation of the parish will enable the emerging Neighbourhood Plan to address a range of locally distinctive issues that have been identified; relating to affordable housing for rural workers and young people, the promotion of small business units and enhancement of community facilities and on this basis the area is considered appropriate.
- 5.2 Within the application reference is also made to: the importance of agriculture and rural setting of the parish, proposals to join up bridleways and the use of the environment around the Rivers Avon and Marden for informal recreation. However, such aims could be in conflict with the Wiltshire Core Strategy.
- 5.3 The west of the parish is in close proximity to the Principal Settlement of Chippenham as defined in the emerging Wiltshire Core Strategy, which is at an advanced stage of preparation, and forms part of one of the 'Strategic Areas' at Chippenham being considered for growth at the Town. Consideration has therefore been given as to whether a smaller area of the parish would be the appropriate area to designate. It would be difficult to divide the parish to exclude land that may be required for the expansion of Chippenham due to the absence of definable features and therefore any division could be considered arbitrary.
- 5.4 In the light of the requirement for the Neighbourhood Plan to be in general conformity with the Core Strategy as the Neighbourhood Plan progresses the Councils will need to ensure that conflict does not arise.
- 5.5 Designation of the whole parish is therefore considered to be appropriate.
- 5.6 The specified area falls completely within the Council's area.
- 5.7 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Monday 9^h December until 5pm Tuesday 4th February 2014.
- 5.8 No responses were submitted during the consultation. 1 response was received by the Parish Council directly and passed to Wiltshire Council after the end of the consultation period. This comment is in general support of the neighbourhood plan process. This representation is available in Appendix 1.
- 5.9 The proposed Bremhill Neighbourhood Area is coherent, consistent and appropriate in planning terms.

6. CONCLUSION

- 6.1 The reasoning as discussed above lends support to the designation. It is considered that the specified area Bremhill Parish is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.
- 6.2 The low response to the consultation has been considered. However, as the area application has been put forward by the locally elected Parish Council and a comment in general support of the neighbourhood plan was received 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 specified area without modification should be designated as a Neighbourhood Area for the reasons set out above.
- 6.5 A copy of this report will be sent to the constituent qualifying body 'Bremhill Parish Council'.

7. DECISION

- 7.1 **The Designation of the Bremhill 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: 30.04.14

Appendix 1: Responses submitted during the consultation on the application for designation of Bremhill Neighbourhood Area.

Please note this response was sent directly to the Parish Council and was received by Wiltshire Council after the consultation had closed.

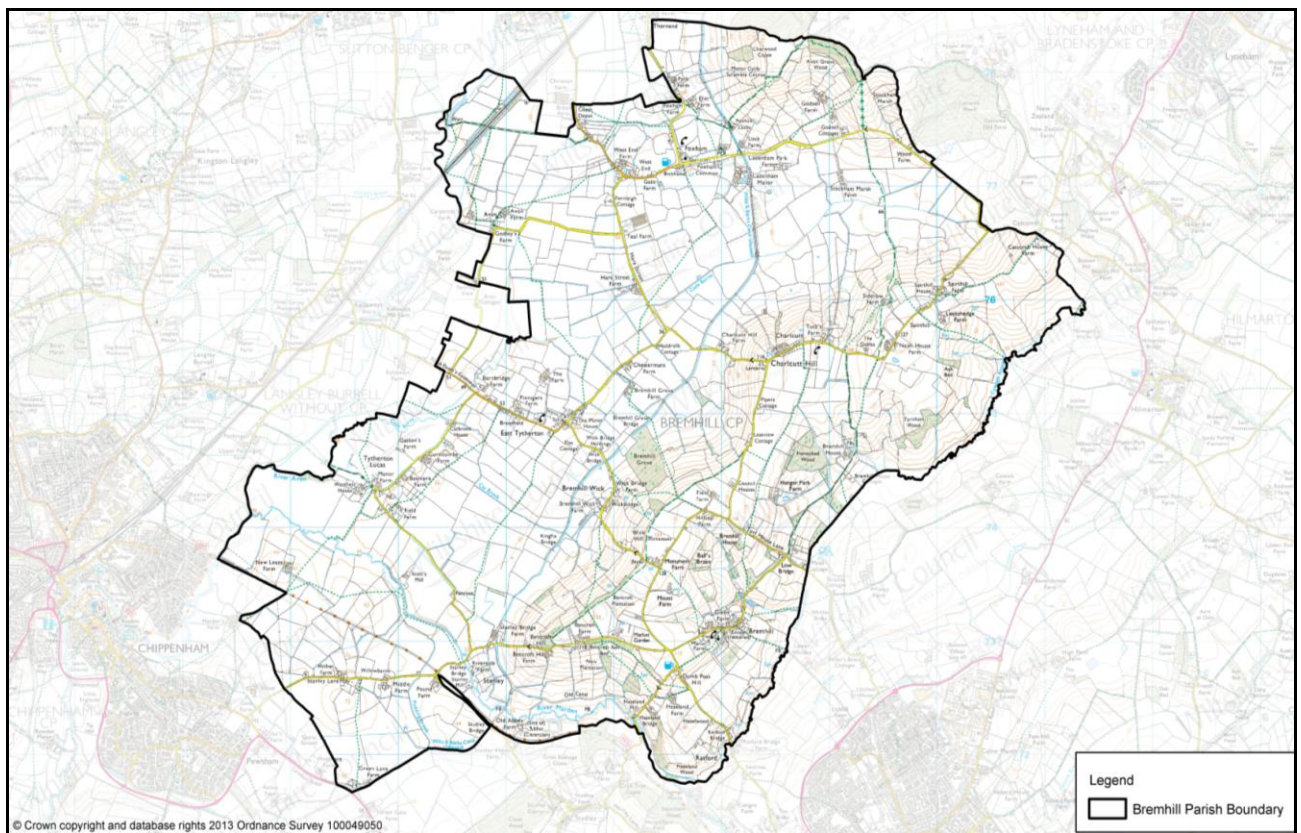
Respondent	Comments
	<p><i>We understand from the Bremhill Parish website that you are the chairman of the Neighbourhood Plan Committee and that the closing date for comments on the plan is 5pm on 4th February 2014. [Redacted] and I would like to make the following comments on the neighbourhood plan:</i></p> <p><i>Firstly, we commend the committee for beginning this plan as we recognise that it is an important and lengthy commitment. Equally, it is a critical step to ensure we provide clarity and information to Wiltshire Council on the most effective and constructive use of our parish's land assets for development.</i></p> <p><i>We agree that identifying, collating and suggesting existing brown field (already used) sites would be the best approach. It is often suggested that brown field sites are challenging to develop. Our view is that just because it seems difficult, it should not be ignored. Ugly brown field sites make the area look unused and abandoned when with a bit of investment, they can become vibrant, attractive and positive places in our community.</i></p> <p><i>It would be disappointing if any ancient woodland or other areas of natural beauty are identified before the recycling of brown field sites.</i></p> <p><i>Suggesting that bridleways should be linked up is again a great idea. We recognise that everyone has equal right to use the lanes but we also see that horse riders are more at risk of injury as the lanes get busier with traffic.</i></p> <p><i>With this in mind, we do feel that our country lanes cannot sustain significant development simply because more housing means more traffic. Therefore development should be of units for business use and micro housing development. If there is a need for affordable housing, we have recently read something about housing concepts used in Sweden which are sustainable, easy to build and most importantly are affordable. See attached link:</i></p> <p>http://www.boklok.com/about-the-BoKlok-concept/</p> <p><i>Finally, to take the time and energy to establish a plan for our Parish is a positive step for the community as we are making a clear commitment and statement about what development would work and be welcome here.</i></p>

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF BREMHILL 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 Bremhill 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: Bremhill


b) Map of neighbourhood area:



c) Relevant body: Bremhill 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'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Alistair Cunningham
Associate Director
Economic Development and Planning

Decision published: 30.04.14