

## **NOTIFICATION OF DECISION REGARDING THE APPLICATION FOR DESIGNATION OF GREAT SOMERFORD AND STARTLEY NEIGHBOURHOOD AREA UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED**

### **APPLICANT:**

Great Somerford Parish Council

### **APPLICATION:**

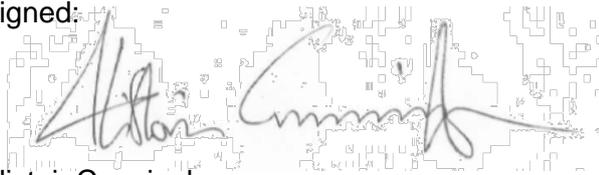
Application for the Designation of Great Somerford and Startley Neighbourhood Area

**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 Great Somerford and Startley 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	15.11.2013
Date of decision	15.04.2014
Name of proposed designation	Great Somerford and Startley Neighbourhood Area
Community Area	Malmesbury 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 Great Somerford 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 Great Somerford and Startley Neighbourhood Area. The application is for the whole area of Great Somerford 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 Great Somerford and Startley 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 Great Somerford and Startley 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 and is considered appropriate.

5.2 The Parish of Great Somerford includes the villages of Great Somerford and Startley which are similar in nature and share local facilities such as the primary school, public house and post office. The parish place particular importance on their rural setting and therefore it is appropriate to plan for the whole parish area and not just the built up areas of the villages of Great Somerford and Startley. The Plan will potentially allocate sites in sustainable locations in the Parish to support the housing requirement as set out in the Wiltshire Core Strategy, review the settlement boundary of Great Somerford to protect the highly valued allotments and ensure the vitality of the local services through modest housing development.

5.3 The specified area 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 9am Monday 9<sup>th</sup> December until 5pm Tuesday 4<sup>th</sup> February 2014.

5.5 One response was submitted in support of the area designation during the consultation period (See Appendix 1).

5.6 The proposed Great Somerford and Startley Neighbourhood Areas is coherent, consistent and appropriate in planning terms.

#### **6. CONCLUSION**

6.1 The reasoning above and the results of the consultation lend support to the designation. It is considered that the specified area of Great Somerford Parish is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.

6.2 All responses received during 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.

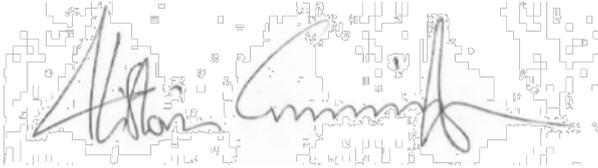
6.4 It is also considered that it is not desirable that only part of such parish areas be designated as this could lead to fragmented approach within those areas.

6.5 The specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application.

6.6 A copy of this report will be sent to the constituent qualifying body, Great Somerford Parish Council.

## 7. **DECISION**

7.1 **The Designation of the Great Somerford and Startley 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.

A handwritten signature in black ink is written over a faint, light-colored map or planning document. The signature is cursive and appears to read 'Alistair Cunningham'. The map background shows various lines and shapes, likely representing property boundaries or planning zones.

Alistair Cunningham  
Associate Director  
Economic Development and Planning

Dated: 15.04.14

**Appendix 1:** Responses submitted to Wiltshire Council during the consultation on the application for designation of Great Somerford and Startley Neighbourhood Area

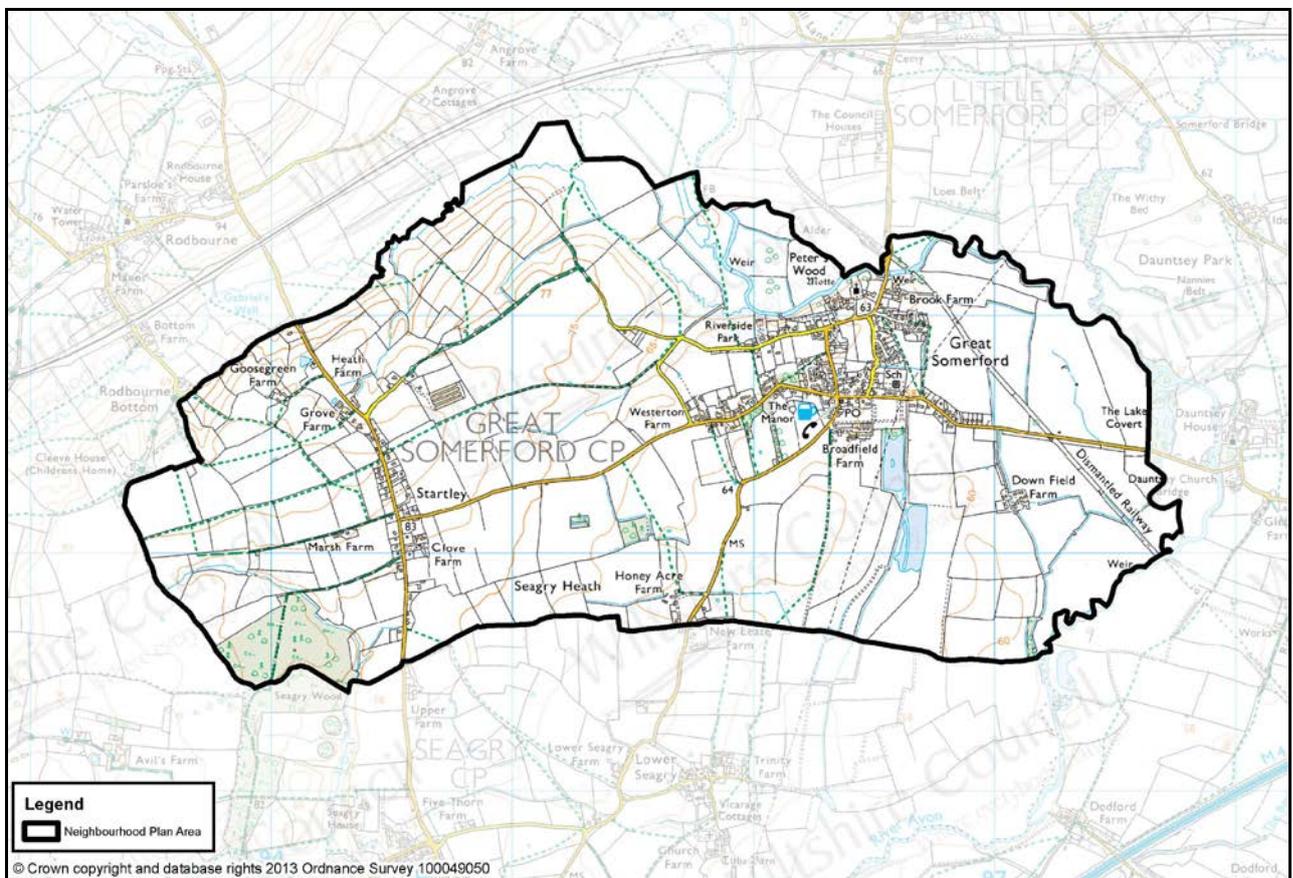
<b>Respondent</b>	<b>Comments</b>
<p><b>Mr Vivian Vines, Dauntsey Parish Council</b></p>	<p><i>I refer to your Email of the 2 December 2013 advising my Council that Great Somerford Parish Council had submitted an application for the designation of a Neighbourhood Area and inviting comments.</i></p> <p><i>My Council considered your letter and the application details at their meeting held last evening and asked me to inform you that they wish to raise no objections.</i></p> <p><i>The Council sees this as the start of the process of local communities getting even more involved in determining their futures and wish the Parish Council and their Neighbourhood Planning Team well in their endeavours.</i></p> <p><i>Dauntsey Parish Council last evening formally Adopted the Update of the Dauntsey Parish Plan (2007-2012) following our community volunteer group's recommendations that take it forward as an action plan from 2013 to 2018 and although not the same as a Neighbourhood Area Plan is used by the Parish Council as a working document in their decision making. Perhaps one day Dauntsey will use this as their own starting point when considering a Neighbourhood Area but at this time I think the view is to see how others progress before taking the step.</i></p> <p><i>The Parish Council trusts that their observations will be taken into consideration when the Great Somerford Parish Council's application is determined.</i></p>

## DECISION REGARDING THE APPLICATION FOR DESIGNATION OF GREAT SOMERFORD AND STARTLEY 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 Great Somerford and Startley 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: Great Somerford and Startley

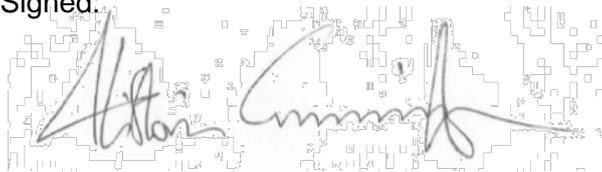
b) Map of neighbourhood area:



c) Relevant body: Great Somerford 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 resembles a map or a technical drawing with various lines and shapes.

Alistair Cunningham  
Associate Director  
Economic Development and Planning

Decision published: 15.04.14