

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

APPLICANT:

Urchfont Parish Council

APPLICATION:

Application for the Designation of Urchfont, Wedhampton and Lydeway Neighbourhood Area

Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of Part 3B the Service 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.

DECISION:

The Designation of Urchfont, Wedhampton and Lydeway 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
Service Director
Economy and Regeneration

Dated: 28.05.13

WILTSHIRE COUNCIL

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

Date of application	26.02.2013
Date of decision	28.05.13
Name of proposed designation	Urchfont, Wedhampton and Lydeaway Neighbourhood Area
Community Area	Devizes Community Area

1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution, and in particular Paragraph 4(a) of Part 3B, the Service 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 Urchfont 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 Urchfont, Wedhampton and Lydeaway Neighbourhood Area. The application is for the whole area of Urchfont 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 Urchfont, Wedhampton and Lydeaway 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. CONSIDERATION AS TO WHETHER OR NOT TO DESIGNATE

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

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

3.3 The fact that the designation of the Urchfont, Wedhampton and Lydeaway Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

4. REASONING FOR DESIGNATION

- 4.1 The proposed area for designation includes the whole parish area and is considered appropriate. The Designation of Urchfont, Wedhampton and Lydeaway Neighbourhood Area will enable the emerging Neighbourhood Plan to identify and allocate non strategic development to support the viability of facilities in the parish, particularly at Urchfont, and support continued vitality of the community. It would also enable a locally distinctive policy framework to be developed to complement that provided by the emerging Wiltshire Core Strategy.
- 4.2 The specified area falls completely within the Council's area.
- 4.3 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Monday 4th March until 5pm Monday 17th April 2013.
- 4.4 In total no response was made to the consultation. However, during the consultation period the Neighbourhood Planning Steering Group made a request to amend the name of the proposed Neighbourhood Area from '*Urchfont, Lydeaway and Wedhampton Neighbourhood Area*' to '*Urchfont, Wedhampton and Lydeaway Neighbourhood Area*', this amendment was agreed by Wiltshire Council and this report makes use of the amended name.
- 4.5 The proposed Urchfont, Wedhampton and Lydeaway Neighbourhood Area is coherent, consistent and appropriate in planning terms.

5. PROCEDURE

- 5.1 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)].
- 5.2 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.

6. CONCLUSION

- 6.1 The report above lends support to the designation. It is considered that the specified area is an 'appropriate area to be designated as a neighbourhood area'.
- 6.2 The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.
- 6.3 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.

- 6.4 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 areas of the settlements which are being planned for allowing the identification and allocation of future development sites within the identified neighbourhood area and is therefore appropriate in planning terms.
- 6.5 A copy of this report will be sent to the constituent qualifying body and the Urchfont, Wedhampton and Lydeaway Neighbourhood Plan Steering Group.

7. DECISION

- 7.1 **The Designation of Urchfont, Wedhampton and Lydeaway 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.

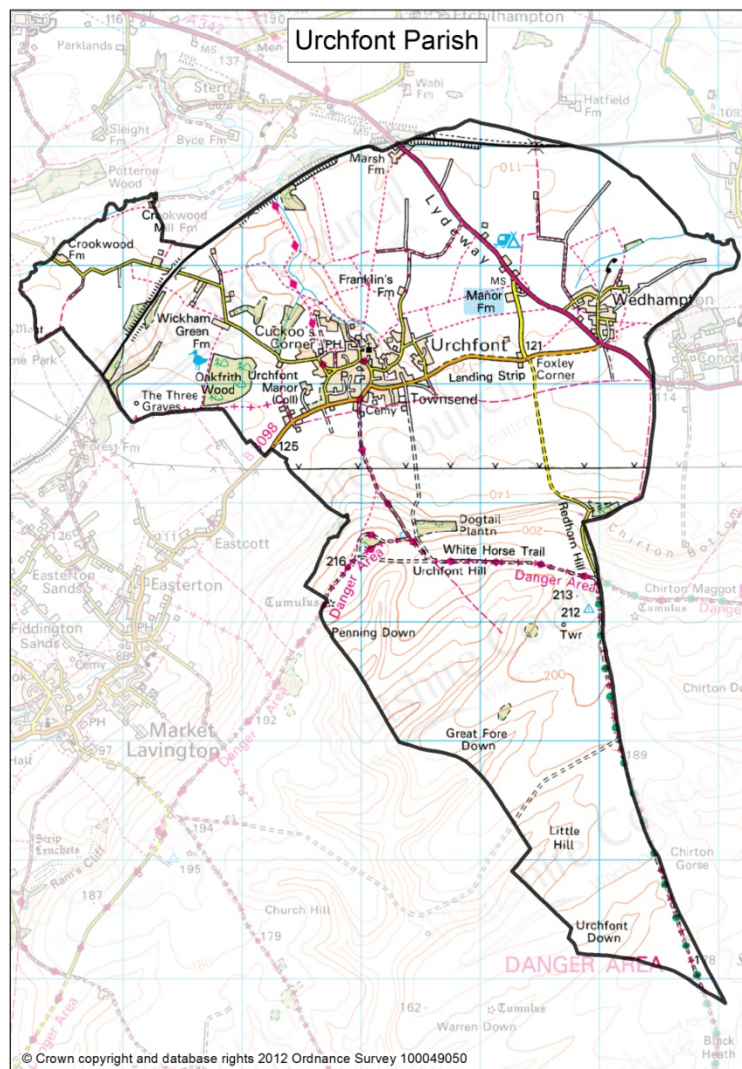


Alistair Cunningham
Service Director
Economy & Regeneration

Dated: 28.05.13

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF URCHFONTS WEDHAMPTON AND LYDEWAY 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 Urchfont , Wedhampton and Lydeway 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: Urchfont, Wedhampton and Lydeway
 - b) Map of neighbourhood area:



c) Relevant body: Urchfont Parish Council forms 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 grid pattern.

Alistair Cunningham
Service Director
Economy and Regeneration

Decision published: 28.05.13