

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

### **APPLICANT:**

Cricklade Town Council

### **APPLICATION:**

Application for the Designation of Cricklade 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 Cricklade Neighbourhood Area is granted** 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: 28.02.13

## WILTSHIRE COUNCIL

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

Date of application	27.11.12
Date of decision	28.02.13
Name of proposed designation	Cricklade Neighbourhood Area
Community Area	Royal Wootton Bassett and Cricklade 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 Cricklade Town 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 Cricklade Neighbourhood Area. The application is for the whole parish area of Cricklade 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 Cricklade Neighbourhood Plan Working Party has been set up to prepare the plan and is led by the Town Council. The Working Party 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 Cricklade 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 which covers the parish of Cricklade is considered to be the appropriate area. The plan will address not only issues that are specific to the town itself but also relate to the wider parish area, enabling the Town to retain its separate identity as a sustainable community supporting its rural hinterland into the future.
- 4.2 The specified area falls completely within Wiltshire 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 Wednesday 12th December 2012 until 5pm Friday 25<sup>th</sup> January 2013.
- 4.4 In total 13 responses were made within the consultation period. 12 comments were made in support and 1 comment with no reference to the application were received. The representations are available in **Appendix 1**.
- 4.5 All representations received were taken into account, in the decision making process for the designation of this Neighbourhood Area.
- 4.6 The proposed Cricklade 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. RECOMMENDATION

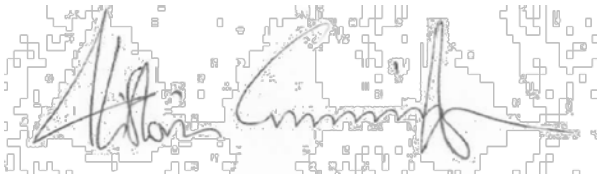
- 6.1 The report above and the results of the consultation with the public lend support to the designation. It is considered that the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.
- 6.2 All representations received through the consultation have been taken into account.
- 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.

6.6 A copy of this report will be sent to the qualifying body, Cricklade Town Council.

## 7. CONCLUSION

7.1 **The Designation of Cricklade Neighbourhood Area is granted** 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, appearing to read 'Alistair Cunningham', is written over a faint, light-colored map or planning document background. The signature is fluid and cursive.

Alistair Cunningham  
Service Director  
Economy & Regeneration

Dated: 28<sup>th</sup> February 2013

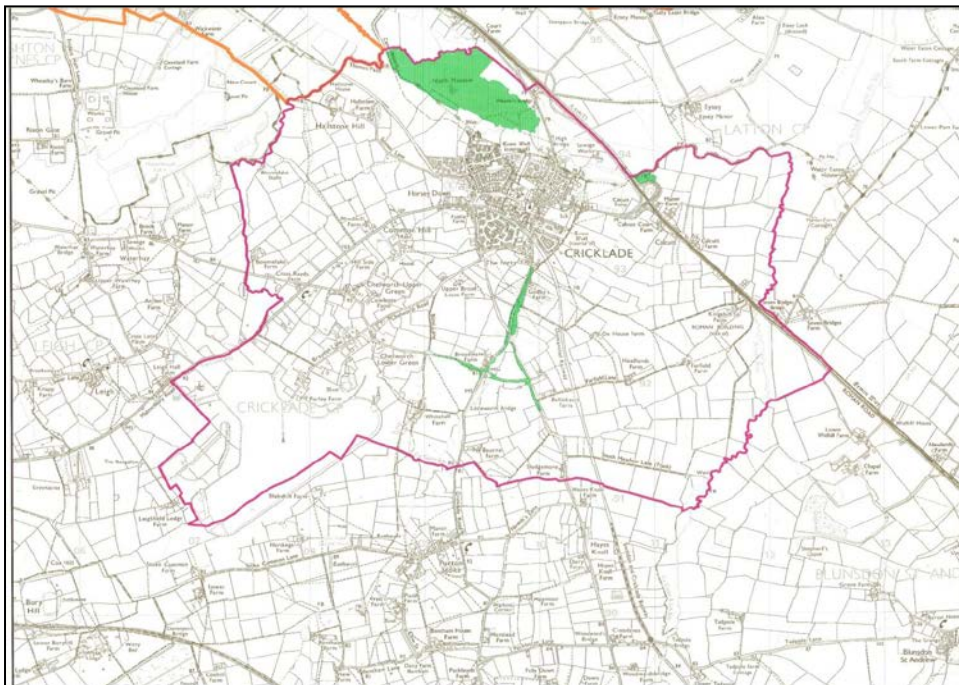
**Appendix 1:** Responses submitted to Wiltshire Council during the consultation on the application for designation of Cricklade Neighbourhood Area.

<b>Respondent</b>	<b>Comments</b>
<b>Comments in support</b>	
Mr Timothy Russell	<i>I support the application.</i>
Mrs Regina Chapman	<i>I agree with the application for a Neighbourhood Plan for Cricklade.</i>
Mr David Tetlow	<i>I support this application for designation of the entire Cricklade Parish as a Neighbourhood Area for the reasons set out in the application. It is a "natural" planning unit for the community with the urban area of Cricklade providing services to other people living outside the framework boundary but primarily within the parish boundary. Importantly it also includes Chelworth Industrial Estate as an important employment area for the town and two key "open spaces" i.e. Blakehill Farm and North Meadow, which is of European importance. Cricklade, half-way between the towns of Cirencester and Swindon, on the Wiltshire/Gloucestershire border, the southern gateway to the Cotswold Water Park and situated in the important Upper Thames Floodplain has identified the need to prepare its own local Neighbourhood Plan and is to be commended on this.</i>
Mr Authur Chapman	<i>I fully agree with the proposal for a Neighbourhood Plan for Cricklade.</i>
Ms Ruth Szybiak	<i>I support this application.</i>
Ms Carolyn Russell	<i>I support the designation of Cricklade as an area for neighbourhood planning and agree that it should develop a neighbourhood plan.</i>
Mr James Russell	<i>I support the application from the Town Council to have Cricklade as a separate designated neighbourhood area. This will allow the neighbourhood plan to better reflect the needs and wishes of the residents and business users from the Cricklade community.</i>
Ms Margaret Hunt	<p><i>I am commenting on the above consultation as a Cricklade resident.</i></p> <p><i>Having considered the question of definition of a Neighbourhood Area, I support Cricklade Town Council in its views upon opting out of the Community Area Neighbourhood Plan in favour of producing a plan that covers only its parish.</i></p> <p><i>This will allow the Town Council and residents to concentrate upon crucial planning issues in respect of the town and close surroundings.</i></p> <p><i>However, in appraising development proposals, it will be necessary for the Town Council to pay careful regard to the influence of its decisions on areas immediately outside the parish, also, importantly, to monitor the effect upon Cricklade of changes relating to those areas.</i></p>
Mrs Julie Norman	<i>As a resident of Cricklade I fully support this application for the Town to have its own Neighbourhood Plan.</i>
Upper Thames Protection Society (Mr Chris Graham)	<p><i>I write on behalf of The Upper Thames Protection Society of which I am Chairman.</i></p> <p><i>Our organisation is based in Cricklade but is interested in the environs of the Upper Thames. This consultation therefore only affects part of our interest. However we feel that it is right to respond.</i></p> <p><i>We consider that the area chosen by Cricklade is reasonable and reflects the nature and</i></p>

	<i>interest of the town. However we trust that those leading the Plan preparation do have regard to areas, land use and designations outside of the boundaries when setting plans in place for the area which forms part of the Cricklade Neighbourhood.</i>
J Harmer	<i>I support the proposed area designation for Cricklade, for the reasons set out in the application by Cricklade Town Council.</i>
Mr Mark Clarke	<p><i>I support the application for the designation of Cricklade parish as a neighbourhood area.</i></p> <p><i>Cricklade has been a prominent settlement in North Wiltshire for over 1000 years and the parish boundary has evolved over time to reflect the town and it's immediate sphere of influence. The town is now classified as a local service centre and it lies midway between the much larger settlements of Cirencester and a rapidly expanding Swindon.</i></p> <p><i>In my opinion the parish boundary is well suited for the purpose of meeting the objectives that the neighbourhood planning regime is designed to achieve. I wish to see the identity of Cricklade maintained and I look to neighbourhood planning to guarantee this. A more tightly drawn area would not be appropriate because it would not provide the level of security which I think necessary and it would possibly preclude controlled development outside the current framework boundary. Likewise, a larger neighbourhood area would not be appropriate because other parishes will have differing priorities to Cricklade which would make any such plan that more difficult to write. It also presents the problem of diluting the aim of 'localism' which, by means of the referendum, is designed to give a voice to the residents. I do not wish to seek a veto over what other parishes put in their plans because it is a matter for them. Similarly, I believe that the referendum on the Cricklade plan should be by the residents of Cricklade and nowhere else. I look to the Core Strategy to provide policies at a Community Area level.</i></p> <p><i>I think it is clear that a look at the map will immediately lead to the same conclusions. In my view the fact that this proposal has drawn little comment (and no objections to my knowledge) indicates that this is the natural way for the plan area to be determined.</i></p> <p><i>For clarification, I am a member of Cricklade Town Council and sit on their Neighbourhood Plan Working Party although these comments are written in a personal capacity.</i></p>
<b>No comment in relation to the application</b>	
Swindon Borough Council (Ms Jane Rodens)	<i>Thank you for informing Swindon Borough Council about the Cricklade Neighbourhood Area Application. There are currently no comments on the Area Application, but we have passed on the information to the respective Locality Leads of the area surrounding the application for comment. We would like to be informed on further stages of the application and the Cricklade Neighbourhood Area as it progresses.</i>
<b>Comments against</b>	
(None received)	

## DECISION REGARDING THE APPLICATION FOR DESIGNATION OF CRICKLADE 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 Cricklade 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: Cricklade
  - b) Map of neighbourhood area:



- c) Relevant body: Cricklade Town 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:

Alistair Cunningham  
Service Director  
Economy and Regeneration  
Decision published: 28.02.13