

NOTIFICATION OF THE DESIGNATION OF DEVIZES AREA NEIGHBOURHOOD AREA

UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED

APPLICANT:

Devizes Town Council, Rowde Parish Council and Bishops Cannings Parish Council.

APPLICATION:

Application for the Designation of Devizes Area Neighbourhood Area

An application has been received that includes a map which identifies the area to which the application relates, a supporting statement explaining why the proposed neighbourhood area is considered appropriate and a statement that the body making the application is a relevant body for the purposes of section 61G(2) of the 1990 Act.

DECISION:

Pursuant to the Wiltshire Council constitution and in particular Part 3 the Chief Planning Officer for Place within whose remit Spatial Planning falls is authorised to consider area designation applications for Neighbourhood Plans and if appropriate approve the applications.

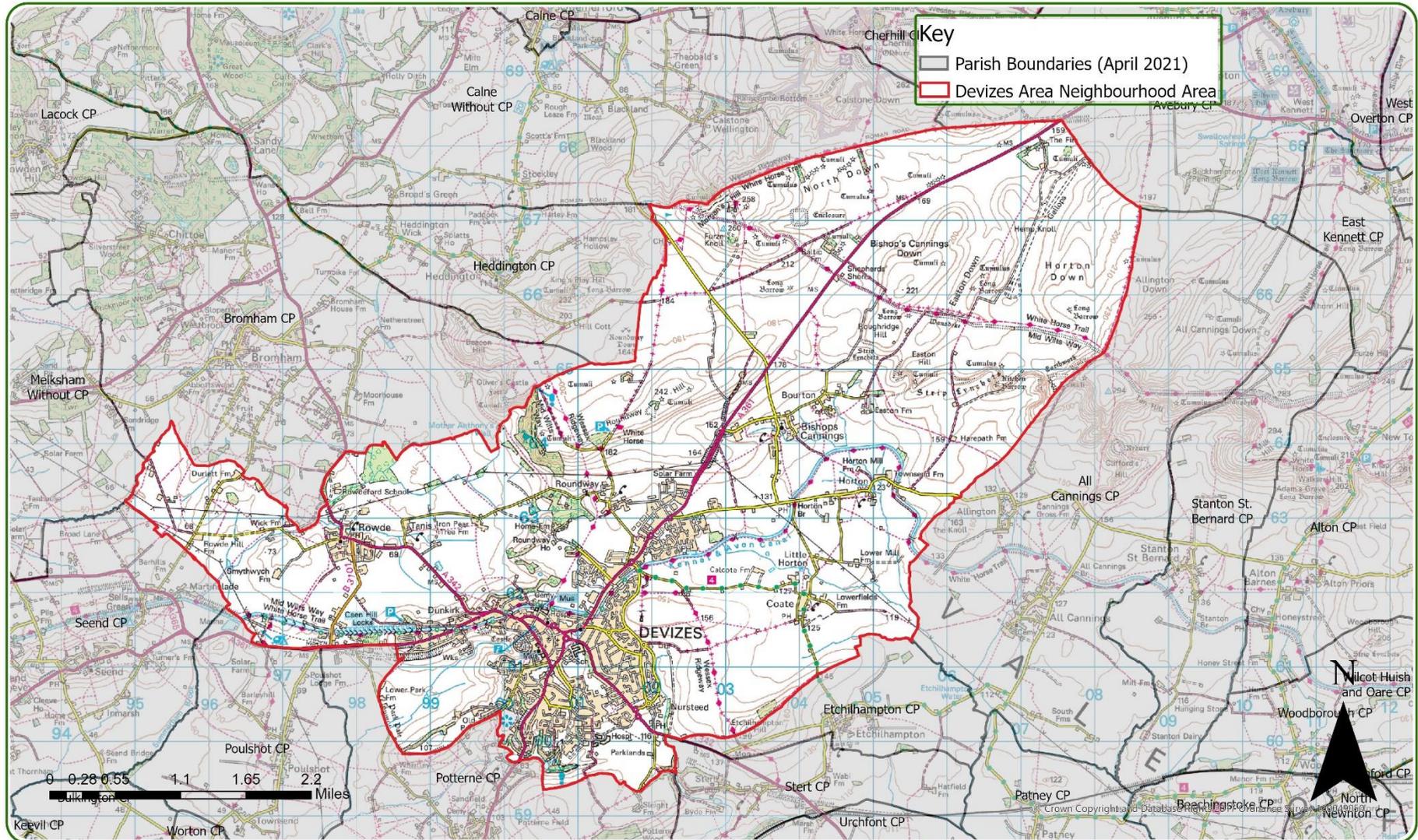
The Designation of Devizes Area Neighbourhood Area is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning. The reasons for this decision are set out in the accompanying 'Neighbourhood Area Designation Application Report'

Signed:

Jean Marshall

Jean Marshall
Chief Planning Officer
Planning
Wiltshire Council

Dated: 24th March 2022



WILTSHIRE COUNCIL

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

Date of application	24.01.2022
Date of decision	24.03.2022
Name of proposed designation	Devizes Area Neighbourhood Area
Community Area	Devizes Community Area

1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution and in particular Part 3 the Chief Planning Officer for 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 Devizes 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 Devizes Area Neighbourhood Area, with consent forms signed by Devizes Town Council, Bishops Canning and Rowde Parish Councils. The application is for the whole parish areas of Devizes, Bishop Canning and Rowde 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.

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 Devizes Area 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 areas of; Devizes, Bishop Canning and Rowde. The recognised urban area of Devizes extends well beyond the town boundary into the parishes of Bishops Cannings and Rowde. Therefore, it is important that the proposed neighbourhood area designation allows for all potential development opportunities within and outside of the town to be adequately considered. The proposed designation of Devizes Area Neighbourhood Area will enable this to take place. Whilst each of the parishes within the proposed neighbourhood plan area have overarching issues such as housing, transport and retention of green infrastructure, there will be a need to be area specific policies, which will also enable locally distinctive issues to be addressed such as the treatment of the transition from the built environment to the Area of Outstanding Natural Beauty. The parishes are committed in the need to deliver a neighbourhood plan that not only delivers the required housing allocation for the Devizes area but does it in a way that has regard to existing constraints within the town and minimises the impact on the existing local services and transport network.

5.2 The proposed area for designation which encompasses the whole of each parish area is considered appropriate. As it will enable an emerging Neighbourhood Plan to allocate non-strategic development sites across the plan area in order to sustain the viability of the existing communities.

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 1 day from Wednesday 2nd February 2022 until Wednesday 16th March 2022.

5.5 No responses were received within the consultation period.

5.6 In applying for the designation, all of the parish councils concerned (see paragraph 2.2) have done so based on the understanding that the referendum will take place across the whole area. Subsequently, the steering group held a meeting, and all three parishes believe that a multi-parish approach is the most appropriate way to jointly deliver a Neighbourhood Plan (minutes of meetings attached to the application) so that its policies will truly reflect the needs and aspirations for the area.

6. CONCLUSION

6.1 The reasoning above and the lack of any specific comments against the proposed area lends support to the designation.

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

7. DECISION

7.1 **The Designation of the Devizes Area 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.

Signed:

M Kilmister

Michael Kilmister
Neighbourhood Planning Manager
Planning
Wiltshire Council

Dated: 24th March 2022