

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

APPLICANT:

Holt Parish Council

APPLICATION:

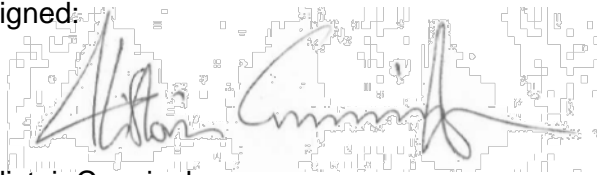
Application for the Designation of Holt Neighbourhood Area

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 Holt 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 geographical area. The signature is fluid and cursive.

Alistair Cunningham
Service Director
Economy and Regeneration

Dated: 22.05.13

WILTSHIRE COUNCIL

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

Date of application	26.02.2013
Date of decision	22.05.2013
Name of proposed designation	Holt Neighbourhood Area
Community Area	Bradford on Avon 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 Holt 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 Holt Neighbourhood Area. The application is for the whole area of Holt 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 Holt 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 Holt 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 Parish place importance on the rural setting of Holt and its relationship to surrounding settlements such as Bradford-on-Avon, Melksham, Hilperton and Trowbridge. Therefore it is important for the Area Designation to include the whole parish area and not just the built area of Holt Village. The designation of Holt Neighbourhood Area will enable the emerging Neighbourhood Plan to address a range of locally distinctive issues, including: traffic, transport and parking in the village; responding to the pressure exerted by The Courts in terms of visitor numbers; and appropriately engaging with the proposed redevelopment at the former tannery site. In addition to these issues, the Neighbourhood Plan will also aim to identify and allocate an appropriate level of non-strategic development to support the long-term vibrancy of Holt and thereby allow 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 2 responses were made within the consultation period. The comments from Hilperton Parish Council are in support of the Neighbourhood Area Designation. The support received from GL Hearn on behalf of the Holt Tannery project is conditional. The specifics of this conditional support are acknowledged as it is widely accepted that the former tannery site will be the subject of various planning applications throughout 2013. However, the Neighbourhood Plan Steering Group would wish to work constructively with the proposed developers of the site to ensure that the plan making and planning application(s) processes deliver tangible benefits to the village. In addition, as it is not possible to approve a Neighbourhood Area Designation application conditionally, the comments submitted by GL Hearn are not considered pertinent to the determination process and have therefore been discounted.
- 4.5 All representations received were taken into account, in the decision making process for the designation of this Neighbourhood Area. The representations received are set out in Appendix 1.
- 4.6 The proposed Holt Neighbourhood Areas 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

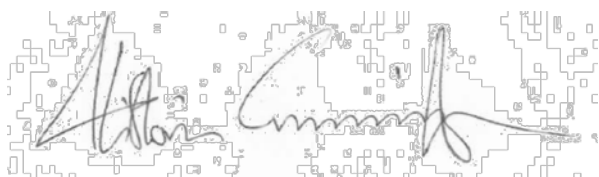
- 6.1 The report above and the results of the consultation with the public lend support to the designation. It is considered that the specified area [the subject of the application] is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.
- 6.2 All representations received through 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. The area includes the built area for which they are planning and will enable the Neighbourhood Plan to address a range of issues including identifying and allocating appropriate levels of non strategic development.
- 6.6 A copy of this report will be sent to the constituent qualifying bodies and the Holt Neighbourhood Plan Steering Group.

7. CONCLUSION

- 7.1 **The Designation of Holt 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.

8. DECISION

- 8.1 **The Designation of the Holt 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.

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Alistair Cunningham
Service Director
Economy & Regeneration

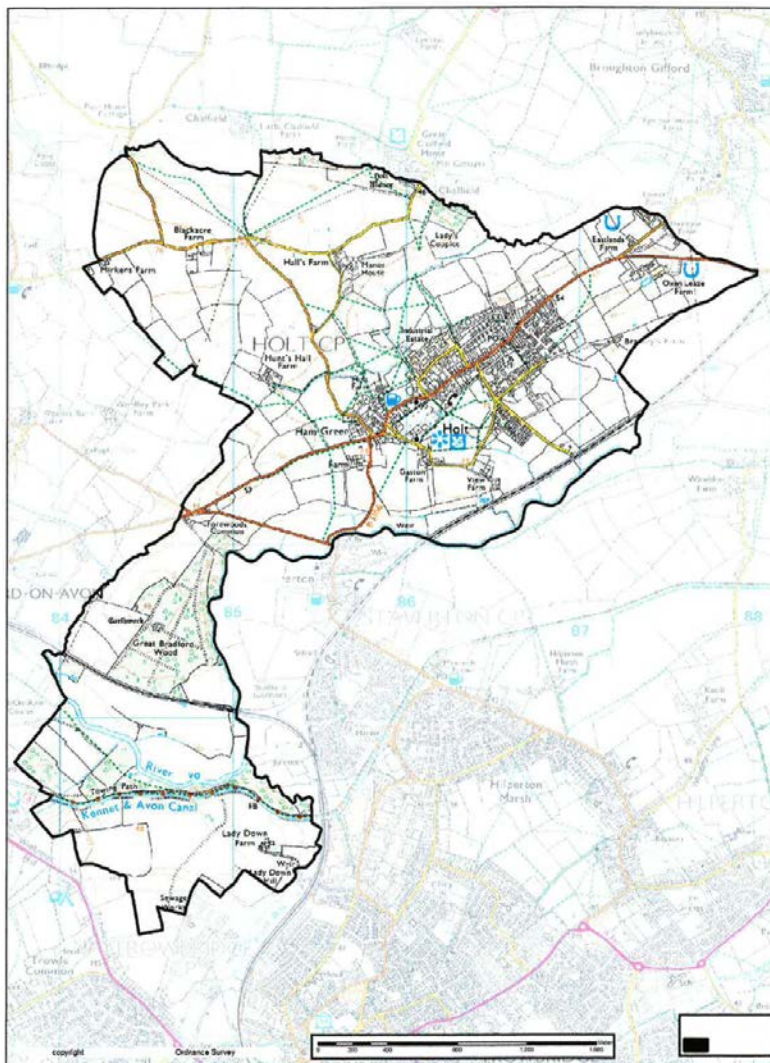
Dated: 22.05.13

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

Respondent	Comments
<i>Comments in support</i>	
<p>Chris Beaver (GL Hearn) Holt Tannery Project</p>	<p>I am writing on behalf of the Holt Tannery project to confirm their support in principle for the proposed Neighbourhood Plan Area Designation in accordance with today's deadline for comments. I would be grateful if you could accept this representation in email form.</p> <p>However, the support of the Holt Tannery team is qualified on the following basis: given the lead-in time for the preparation and completion of a Neighbourhood Plan, all parties to the prospective Neighbourhood Plan process should note that the following proposals will be progressed in advance: Glove Factory Studios extension (submission anticipated during May 2013); and the main Tannery Site (submission anticipated from Autumn 2013).</p> <p>To delay either of these applications to accommodate a Neighbourhood Planning process would not be reasonable given the technical work and community consultation completed to date, and could jeopardise the potential delivery of both projects. In the case of the Glove Factory Studios extension the application is being progressed at this time to qualify for a potential capital grant funding. Notwithstanding we confirm that the respective applicants will participate positively in the Neighbourhood planning process, as appropriate.</p>
<p>Hilperton Parish Council (Mrs Marylyn Timms)</p>	<p>We refer to the application for the designation of Holt Parish as a neighbourhood area, and would like Wiltshire Council to know that Hilperton Parish Council fully supports this initiative.</p>

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF HOLT 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 Holt 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: Holt
 - b) Map of neighbourhood area:



c) Relevant body: Holt 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:

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Alistair Cunningham
Service Director
Economy and Regeneration

Decision published: 22.05.13