

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

APPLICANT:

Winterbourne Parish Council

APPLICATION:

Application for the Designation of The Winterbourne Parish Neighbourhood Area

Pursuant to the Wiltshire Council constitution and in particular Part 3B the Service 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 The Winterbournes 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: 09.12.15

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

Date of application	14.09.2015
Date of decision	09.12.2015
Name of proposed designation	The Winterbournes Neighbourhood Area
Community Area	Amesbury Community Area

1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution and in particular 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 Winterbourne 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 The Winterbournes Neighbourhood Area. The application is for the whole area of Winterbourne 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.

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 The Winterbournes 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 covers the whole of the Parish Area. The parish of Winterbourne has a tight and active community. It is located 4 miles North East of the Principal Settlement of Salisbury, as designated in the Wiltshire Core Strategy (WCS). The Winterbournes comprise three ancient hamlets, Winterbourne Earls, Winterbourne Dautsey and Winterbourne Gunner. The Winterbournes is a vibrant community and has a range of amenities which serve the area. Designation of the Neighbourhood Area would allow for a neighbourhood plan to allocate appropriate sites for housing development to meet the housing requirement as set out in the Wiltshire Core Strategy, as well as considering provisions for local business and protecting the heritage of the village and conservation area which covers most of the settlement. Any Plan should therefore be taken forward with the requirement to be in general conformity with the strategic plan in mind.
- 5.2 The specified area falls completely within the Council's area.
- 5.3 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from 9am Monday 14th September until 5pm Wednesday 28th October 2015.
- 5.4 No responses were made within the consultation period.
- 5.5 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.

6. CONCLUSION

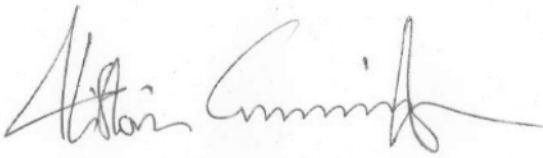
- 6.1 The reasons set out in the report above and the results of the consultation with the public lend support to the designation. It is considered that the specified area [the subject of the application] is an 'appropriate area' upon which to base a subsequent Neighbourhood Plan.
- 6.2 The specified 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 A copy of this report will be sent to the qualifying body, Winterbourne Parish Council.

7. **DECISION**

7.1 **The Designation of the The Winterbournes 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.

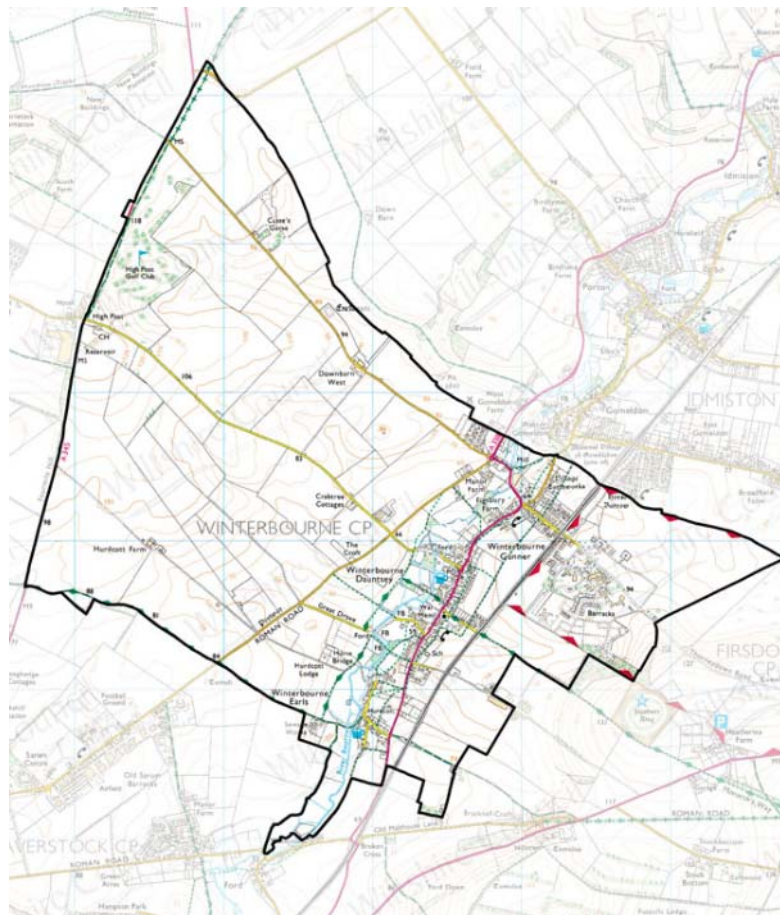
A handwritten signature in black ink, appearing to read 'Alistair Cunningham', is written over a faint, light-colored rectangular stamp or watermark.

Alistair Cunningham
Associate Director
Economic Development and Planning Services

Dated: 09.12.15

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF THE WINTERBOURNES PARISH 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 The Winterbournes 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: The Winterbournes Neighbourhood Area
 - b) Map of neighbourhood area:



- c) Relevant body: Winterbourne Parish Council form the ‘relevant body’ (for the purposes of 61G(2) of the Town and Country Planning Act 1990)

- d) 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', written over a light grey grid background.

Alistair Cunningham
Associate Director
Economic Development and Planning
Decision published: 09.12.15