

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

APPLICANT:

Seend Parish Council

APPLICATION:

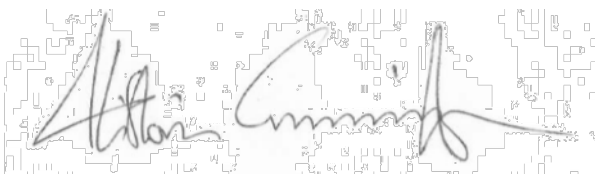
Application for the Designation of Seend Parish Neighbourhood Area

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.

DECISION:

The Designation of Seend Parish 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 is written over a faint, light-grey map of Seend Parish. The signature is stylized and appears to read 'Alistair Cunningham'. The map shows various streets and boundaries within the parish.

Alistair Cunningham
Associate Director
Economic Development and Planning

Dated: 29.07.16

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

Date of application	16.05.2016
Date of decision	29.07.2016
Name of proposed designation	Seend Parish Neighbourhood Area
Community Area	Melksham 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 Seend 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 Seend Parish Neighbourhood Area. The application is for the whole parish area of Seend 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 A neighbourhood plan steering group has been set out to carry out the work to produce the Seend Parish neighbourhood plan on behalf of the Parish Council.

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) Regulations 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 Seend Parish 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 as set out on the map included with the application includes the entirety of the parish area of Seend. The area has three distinct settlements: Seend, which is identified in the Wiltshire Core Strategy as a large village and is the location of many of the parish facilities; Seend Cleeve which is identified as a small village in the Wiltshire Core Strategy; and Sells Green which is another settlement. The three distinct settlements within the parish all identify as part of Seend Parish and together the settlements with the rural hinterland form a unified area that functions as a whole.
- 5.2 There is consistency across the parish in terms of its nature as a rural parish with villages and hamlets and therefore the proposed area for designation is considered appropriate.
- 5.3 The parish is within the Melksham community area and the proposed area falls completely within the Council's area.
- 5.4 The application for designation as a neighbourhood area was publicised from Monday 23 May until Thursday 30 June 2016 and for an additional period from 18 - 27 July 2016 in order to satisfy the requirement of being open for public consultation for a minimum of 6 weeks.
- 5.5 No responses were received within the consultation period.

6. CONCLUSION

- 6.1 The reasons set out above support the designation of Seend Parish Neighbourhood Area. It is considered that the specified area (the subject of the application, as shown on the submitted map) is an 'appropriate area' upon which to base a 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 A copy of this report will be sent to the qualifying body, Seend Parish Council.

7. DECISION

7.1 The Designation of the Seend Parish 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 grey background that resembles a map or a technical drawing with various lines and shapes.

Alistair Cunningham
Associate Director
Economic Development and Planning Services

Dated: 29.07.16

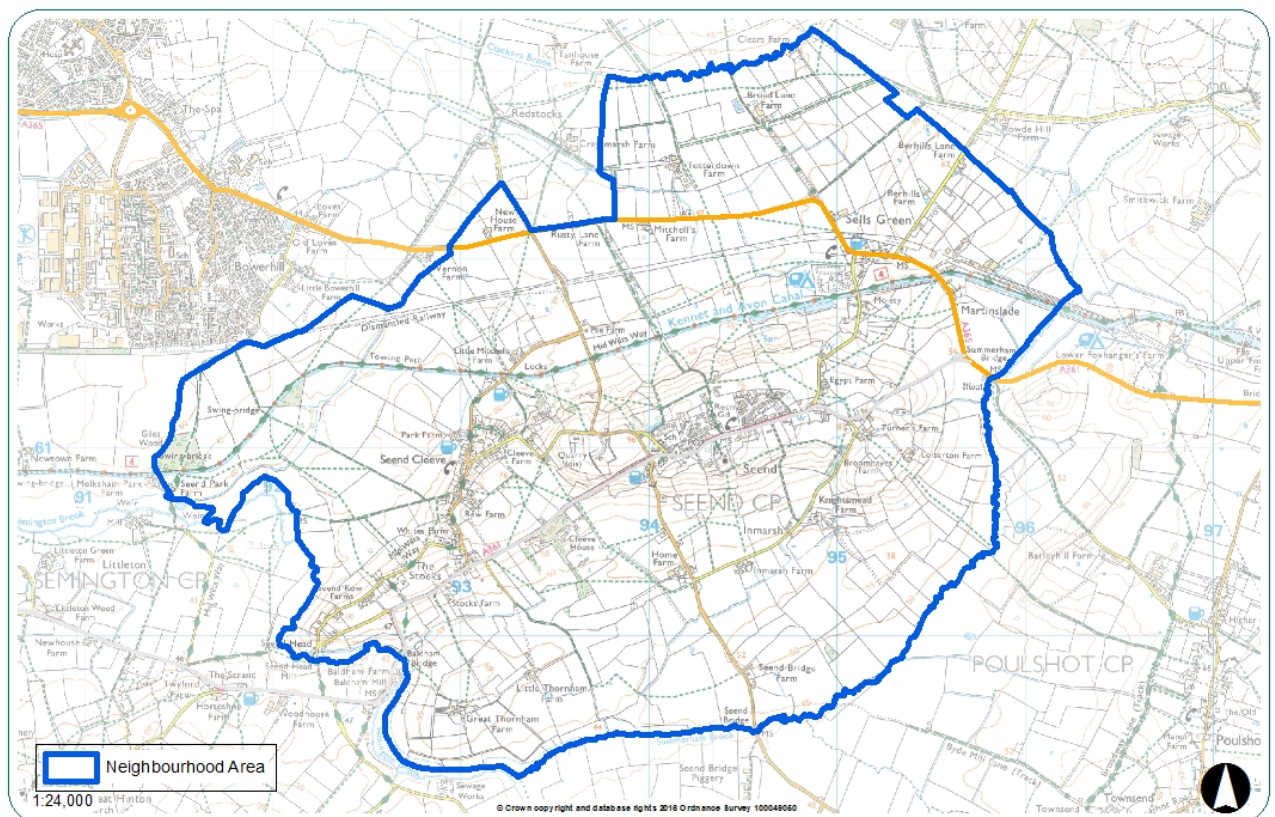
DECISION REGARDING THE APPLICATION FOR DESIGNATION OF SEEND PARISH NEIGHBOURHOOD AREA UNDER SECTION 61(G) OF THE TOWN AND COUNTRY PLANNING ACT (AS AMENDED)

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 Seend Parish 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: Seend Parish Neighbourhood Area

b) Map of neighbourhood area:

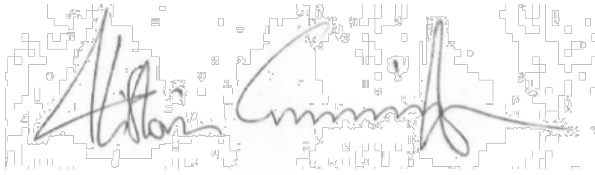
Seend Parish Neighbourhood Area



c) Relevant body: Seend 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', is written over a faint, light grey background that resembles a map or a technical drawing with various lines and shapes.

Alistair Cunningham
Associate Director
Economic Development and Planning

Decision published: 29.07.16