

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

APPLICANT:

Worton Parish Council

APPLICATION:

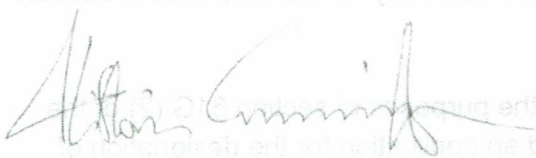
Application for the Designation of Worton Neighbourhood Area

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 Worton 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: 25.07.16

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

Date of application	25.01.2016 (received 23.03.2016)
Date of decision	25.07.2016
Name of proposed designation	Worton Neighbourhood Area
Community Area	Devizes 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 Worton 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 Worton Neighbourhood Area. The application is for the whole parish area of Worton 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) 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 Worton Neighbourhood Area would allow a Neighbourhood Plan to be prepared does not form part of the determination of this application.

5. REASONING FOR DESIGNATION

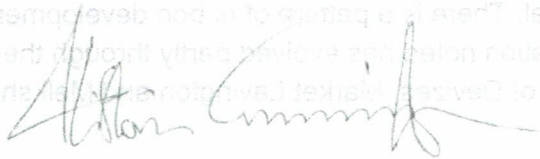
- 5.1 The proposed area for designation includes the whole parish area of Worton. The settlement of Worton is a large village as defined by the Wiltshire Core Strategy (WCS), and is located in the centre of the parish, on a low ridge above a river flood plain to the south. The surrounding area of the parish is rural and predominantly agricultural. There is a pattern of ribbon development at the southern edge of the village, which the application noted has evolved partly through the influence of local flooding. The larger settlements of Devizes, Market Lavington and Melksham are within a 5 mile radius.
- 5.2 In its application the qualifying body describes the functional connections between Worton, Marston and Potterne and the intention to work with the neighbouring parishes in the development of the Worton neighbourhood plan. Neighbourhood areas have already been designated for the neighbouring parishes of Potterne, Market Lavington and West Lavington.
- 5.3 Whilst the functional connection with other parishes is noted, Worton Parish Council has proposed the designation of Worton parish, which is a logical unit in its own right. There is consistency across the parish in terms of its nature as a rural parish with one large village and therefore the proposed area for designation is considered appropriate.
- 5.4 The parish is within the Devizes community area and the proposed area falls completely within the Council's area.
- 5.5 The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks and 2 days from Monday 16th May until 5pm Wednesday 29th June 2016.
- 5.6 Two responses were received within the consultation period and are included in Appendix 1. The comments are relating to the potential content of the neighbourhood plan, rather than the area itself, and will be forwarded to the Parish Council for consideration.

6. CONCLUSION

- 6.1 The reasons set out above support the designation of Worton 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, Worton Parish Council.

7. DECISION

- 7.1 **The Designation of the Worton 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.



Alistair Cunningham
Associate Director
Economic Development and Planning

Dated: 25.07.16

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

Respondent	Comments
Comments	
Mr Ian Jewson	This comment was submitted with a file, which can be viewed at: http://consult.wiltshire.gov.uk/file/4056158 Thank you for the opportunity to comment on the emerging Neighbourhood Plan proposals for Worton. On behalf of our client, Land Value Alliances, we look forward to engaging in the process as further details become available. At this early stage we would highlight the importance of ensuring that the Plan properly contributes to all aspects of the achievement of sustainable development (i.e social, economic and environmental aspects) and that any potential adverse effects arising from the proposals are considered. Furthermore the Plan should ensure it conforms to the strategic policies contained in the development plan. It is noted that the supporting information highlights three particular areas of concern namely the scale and location of development, the mix and tenure of housing proposals and traffic. With regard to the first two matters the emerging Plan should identify the potential impacts of unnecessarily limiting the scale of development so that the future vitality of Worton is not compromised. The emerging Plan should also consider whether the aims of the strategic policies contained in the development plan can be achieved by infill sites within the settlement boundary alone. The Plan should further consider whether it is necessary to identify appropriate greenfield sites adjacent to the existing settlement edge. On behalf of our client, IJP has previously contacted the Parish Council regarding the potential development of land at Sandlease Farm (see attached plan edged red) as one such opportunity and this should be considered by the emerging Plan alongside other development sites in the area. Whilst local consultation may have demonstrate a need for affordable and older persons housing the Plan should objectively assess all other housing needs in the area which could contribute to maintaining a balanced community. We would be grateful if we could be notified of progress on the Neighbourhood Plan process and receive details of all future consultations events.
National Farmers Union (Ms Andi Witcombe)	The South West National Farmers Union (NFU) welcomes the opportunity to comment on the Worton Neighbourhood Area Application. The South West NFU represents approximately 10,000 Farmers and Growers across the South West region and over 50,000 farmers and growers nationally. In Wiltshire we represent over 800 farmers and landowners. The NFU, and its members, recognise the importance of the neighbourhood and overall are supportive of the approach given. Our response is given below along with some key priorities. As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings either to meet regulations or to change the use of existing buildings in order to respond to changing market demand, for example. Our members in Worton are no exception and given that the area is largely farmed it is clear that any form of Neighbourhood Plan must adequately address the issues and opportunities of farming. Our vision for the area is: <i>Worton is a sustainable rural community that is underpinned by an innovative rural economy and thriving farming and food industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the counties prosperity.</i> For the farming community this vision is to be achieved by the following themes 1. Strengthening our farming businesses to help them build profitability and respond to new opportunities 2. To create thriving localities that meet the needs of their communities, businesses and their environment. 3. Realising the value of the region's environmental assets. In addition we would see some of the key priorities for farms to include (not in order of

	priority): 1. The ability for the next generation to take on management of farms and to support this through the provision of affordable housing to allow succession. 2. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient 3. Diversifying farming enterprises to meet new opportunities such as, <i>inter alia</i>, business units or tourism. 4. Developing renewable energy which meets the needs of the farm and are appropriate to the location and renewable resources available. 5. Access to high speed broadband – this is essential to ensure farm businesses are able to function in today's business environment, as well as enable the farm to make the most of diversified enterprises if/ where appropriate. Food production is a key priority for economic growth both nationally but also importantly in a rural area such as Worton. In the Government white paper '<i>Local Growth: realising every place's potential</i>' the Coalition Government makes clear that the first priority " <i>is to return the nation's economy to health</i>". This includes creating, "<i>the conditions that will help business and gets the economy growing</i>" and this includes the support for farming enterprises so vital to the rural economy and enabling them to remain viable through diversified enterprises. We would expect that any proposals for developing farms will take this into account. Diversification is in line with National Planning Policy Framework (NPPF) that provides that local authorities should support development that enables farmers to become more competitive and sustainable and diversify into new opportunities. A key message within the NPPF is the need for economic growth. " <i>A positive planning system is essential, because without growth, a sustainable future cannot be achieved. Therefore, significant weight should be placed on the need to support economic growth through the planning system...the default answer to development proposals is yes.</i>" Worton neighbourhood plan has the opportunity to help support farms diversify and create new employment and income opportunities for the area. These will range from the provision of business units through to farm shops. In the NPPF the government makes a number of very important statements related to this the development of renewable energy. Paragraphs 95 to 98 make a number key points including: '<i>local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources</i>' (para 97); '<i>have a positive strategy to promote energy from renewable and low carbon sources</i>' which '<i>maximise renewable and low carbon energy sources</i>'. Renewable energy represents an important opportunity for farms to reduce their energy bills and also to create revenue that can help support farming activity. We understand that this can be a contentious issue within communities as has been highlighted by the government with the policy it has introduced for requiring areas to be identified for wind development in local or neighbourhood plans such as yours. Some of our members may be looking to erect wind turbines for electricity to be used on farm at a very small scale. We ask that you consider the issue of scale and how you can support our farmers. Succession within farming businesses is often critical to their ongoing sustainability. This will often require the need for additional housing to enable the next generation to take over the farming enterprise and to allow the current generation to take a less involved role. We ask that the neighbourhood plan supports farms to build new housing for both the next generation, but also for farm workers where required. Finding quality staff for farms in our county can be extremely difficult if the farm is unable to offer good quality accommodation – particularly, but not limited to, within the livestock sector. To help guide any work we have developed some principles which we believe will help Worton Parish shape activity in the area. These are: Farmers and landowners should always be consulted and listened to with regard to developing the area. • Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves. • We should look to increase farm productivity and decrease impact on the environment. • The achievement of sustainable development in rural areas through the integration of environmental, social and economic objectives. • Meet the needs of a diverse rural population and ensure equality of opportunity.
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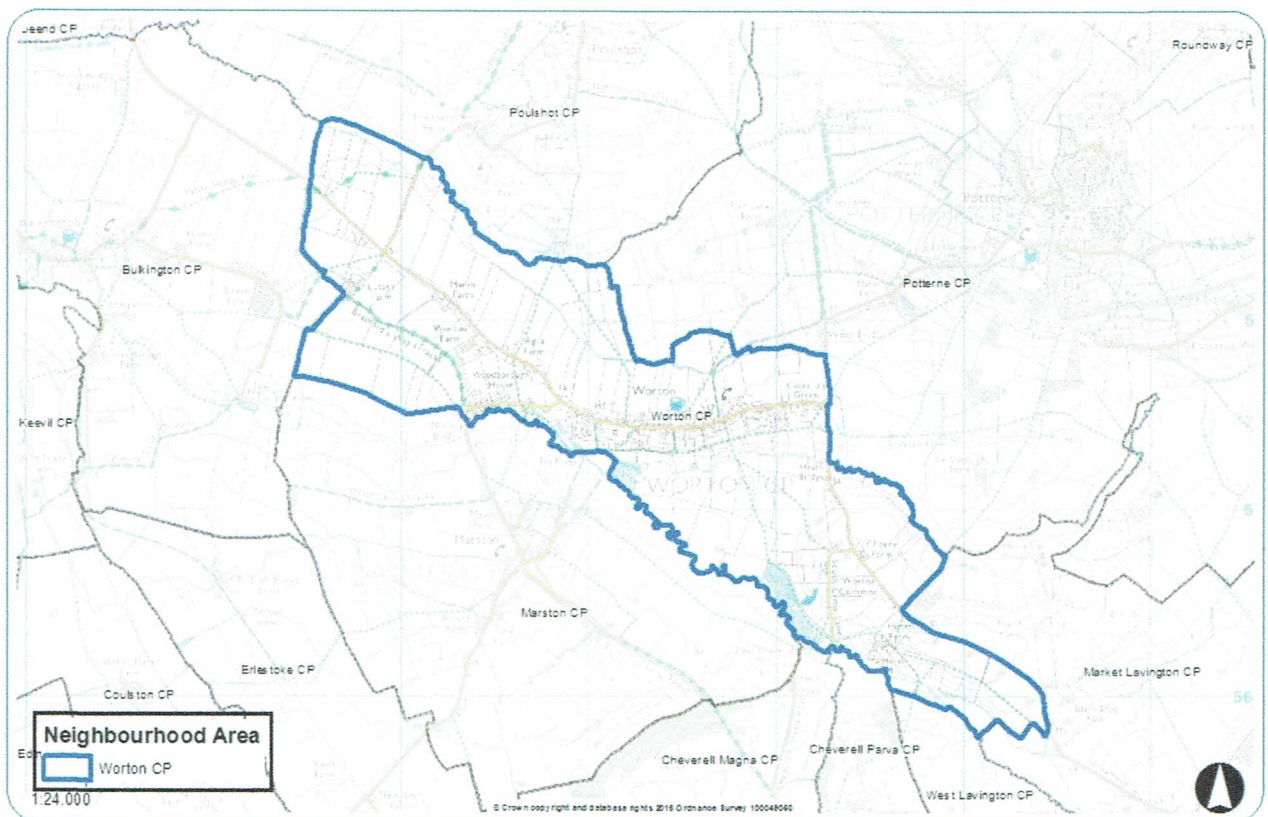
- Maintain and enhance the areas natural asset base.
- Farmers and landowners should always be consulted and listened to with regard to developing the area.
- Support sustainable growth in the rural economy.
- Sustainable farming will support the wider community.
- Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment
- Encourage links between rural areas and urban centres.

Many thanks for the opportunity to respond to this consultation and we hope that these comments are helpful and will be taken into account as the Plan is developed.

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF WORTON 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 Worton 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: Worton Neighbourhood Area
 - b) Map of neighbourhood area:

Worton Neighbourhood Area



- c) Relevant body: Worton 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', with a long horizontal flourish extending to the right.

Alistair Cunningham
Associate Director
Economic Development and Planning

Decision published: 25.07.16