

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

**APPLICANT:**

Corsham Town Council

**APPLICATION:**

Application for the Designation of Corsham Neighbourhood Plan Area

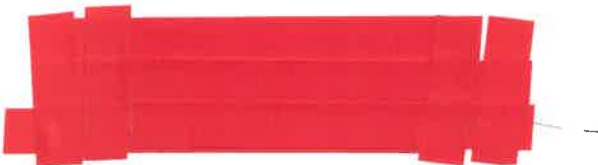
**Pursuant to the Wiltshire Council constitution and in particular Part 3B, the Associate Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to consider the area designation applications for Neighbourhood Plans and if appropriate approve applications.**

**DECISION:**

**The Designation of Corsham Neighbourhood Plan 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'.

**In order to designate the Corsham Neighbourhood Plan Area the existing boundary of the Corsham Neighbourhood Area, as originally designated on 22.09.2015, was modified in accordance with section 61G(6) of the Town and Country Planning Act 1990.**

Signed:

A large rectangular area of the document is redacted with a solid red color, obscuring the signature and any text underneath.

Alistair Cunningham  
Associate Director  
Economic Development and Planning

Dated: 22.05.2017

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

<b>Date of application</b>	<b>22.12.2016 (received 03.01.2017)</b>
<b>Date of decision</b>	<b>22.05.2017</b>
<b>Name of proposed designation</b>	<b>Corsham Neighbourhood Plan Area</b>
<b>Community Area</b>	<b>Corsham Community Area</b>

**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 Corsham 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 Corsham Neighbourhood Plan Area, to align with changes to the parish boundary that were made through the Wiltshire Council (Reorganisation of Community Governance) Order 2016 and are in effect from 1 April 2016.
- 2.3 The application is for the whole parish area of Corsham, that will be in effect from 1 April 2016, 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 as a business 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 when the decision is publicised.
- 3.3 The proposed neighbourhood area is already part of a designated neighbourhood area and since neighbourhood areas must not overlap with each other (section 61G(7) Town

and Country Planning Act 1990) a new neighbourhood area cannot be designated unless the existing neighbourhood area is modified. Under section 61G(6) Town and Country Planning Act 1990 the authority in determining any application, can modify designations already made, prior to a neighbourhood area being designated and if the modification relates to any extent to the area of a parish council it can only be made with the parish council's consent. The existing neighbourhood area that must be modified is the Corsham Neighbourhood Area, which, at the time of the application, extends beyond the boundaries of Corsham Parish into Box Parish. Box Parish must therefore consent to the modification of the existing Corsham Neighbourhood Area prior to the current designation of Corsham Parish as a neighbourhood area.

- 3.4 In determining the application the local planning authority would also need to consider the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas as per section 61G(4)(b) Town and Country Planning Act 1990.

#### **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<sup>1</sup> and whether or not it is appropriate to modify the existing neighbourhood area.
- 4.3 The fact that the designation of the Corsham Neighbourhood Plan 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 parish of Corsham is situated in north-west Wiltshire. Chippenham Town is adjacent to the parish boundary to the north east. Box Parish lies to the west of Corsham Parish. The existing neighbourhood area was designated to cover all of the former parish area of Corsham, with the exception of an area to the north east of the A350, which is more strongly related to the town of Chippenham, and has now become part of Chippenham parish due to a parish boundary amendment. To the west of Corsham is the village of Rudloe which was split by the former parish boundary between Corsham and Box and was partly within the neighbourhood area boundary. Box Parish and Corsham Town Councils have explored the benefits of a joint neighbourhood area and the parish councils decided not to pursue this.
- 5.2 The proposed area for designation through this application is the whole of Corsham Parish as a single parish neighbourhood area as set out in the map included with the application. The reason for the proposed designation is to align with the new parish boundary, which has been amended by the Wiltshire Council (Reorganisation of Community Governance) Order 2016, and came into effect on 1 April 2017.
- 5.3 It is not desirable to maintain the existing neighbourhood area boundary as this would result in the village of Rudloe being included within the Corsham neighbourhood area, while that entire village is now within Box Parish. The designation would allow Box Parish Council to apply for their own neighbourhood area covering the whole parish, should they wish to.

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<sup>1</sup> Paragraph 033 Reference ID: 41-033-20140306

- 5.4 It is proposed that the existing Corsham Neighbourhood Area (as originally designated on 22 September 2015) is modified and both councils involved have given their consent. In submitting their application to have the parish of Corsham designated as an individual neighbourhood area it is deemed that Corsham Town Council have already consented to the necessary modification. Box Parish Council co-signed the application form and have also provided additional written consent.
- 5.5 A representation has been received from the Defence Infrastructure Organisation objecting in principle to the operational area of its land being included in a neighbourhood area, in order to protect National Defence interests. The full representation is included in Appendix 1. The existing Corsham Neighbourhood Area and the proposed designation include MOD land. The designation of a neighbourhood area does not designate land for any particular purpose or land use. The subsequent neighbourhood planning process can put in place planning policies that can help to deliver a vision that is set out on the basis of engagement with those that live, work and do business within the neighbourhood area. As such, the intention of the Defence Infrastructure Organisation to engage with Corsham Parish Council through the neighbourhood planning process is welcomed. Notwithstanding this, Core Policy 37 of the Wiltshire Core Strategy includes provisions that are supportive of operational capability of military establishments, as well as providing for the redevelopment, conversion and change of use of military establishments.
- 5.6 As such, the whole area of the parish of Corsham may be considered an appropriate area to be designated as a neighbourhood plan area. The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.
- 5.7 The resulting Corsham Neighbourhood Plan Area is considered a valid planning unit.
- 5.8 The area proposed for designation as Corsham Neighbourhood Plan Area falls completely within the Council's area.
- 5.9 The application for designation of Corsham Neighbourhood Plan Area was publicised for a period of 6 weeks and 2 days from Wednesday 1 February 2017 until 5pm Friday 17 March 2017.
- 5.10 Three responses were received within the consultation period. Two of these were in support of the neighbourhood area designation and one referred to potential conflict with national defence interests, and has been taken into consideration in this report. All responses will be forwarded to Corsham Town Council and are set out at Appendix 1.

## **5. CONCLUSION**

- 6.1 The reasons set out above lend support to the designation of Corsham Neighbourhood Plan 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. The existing Corsham Neighbourhood Area has been modified, after consent of the relevant councils, to accommodate designation of the Corsham Neighbourhood Plan Area.
- 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, Corsham Town Council and Box Parish Council as well as other neighbouring parishes and will be publicised according to the regulations.

**7. DECISION**

7.1 **The Designation of the Corsham Neighbourhood Plan Area is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.**

7.2 **In designating the Corsham Neighbourhood Plan Area the existing boundary of the Corsham Neighbourhood Area, as originally designated on 22.09.13 was modified in accordance with section 61G(6) of the Town and Country Planning Act 1990.**

Signed:

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Alistair Cunningham  
Associate Director  
Economic Development and Planning

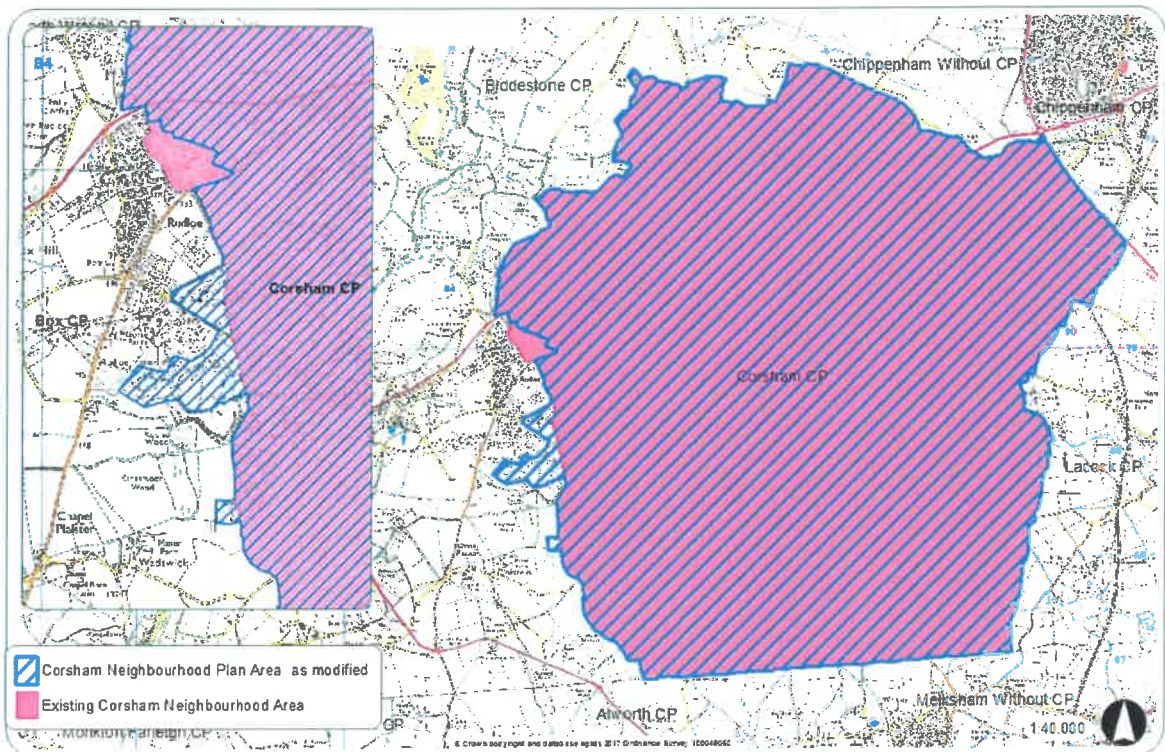
Dated: 22.05.17

## DECISION REGARDING THE APPLICATION FOR DESIGNATION OF CORSHAM NEIGHBOURHOOD PLAN 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 modify the boundary of the Corsham Neighbourhood Area, as shown on Plan A. I am satisfied that it is appropriate to modify the neighbourhood area as shown on Plan A, and I confirm that consent was received from each parish council to which the modification relates.

- a) Name of neighbourhood area: Corsham Neighbourhood Area
- b) Plan A: Map of the Corsham Neighbourhood Area, as modified 22.05.2017

**Wiltshire Council**  
Where everybody matters

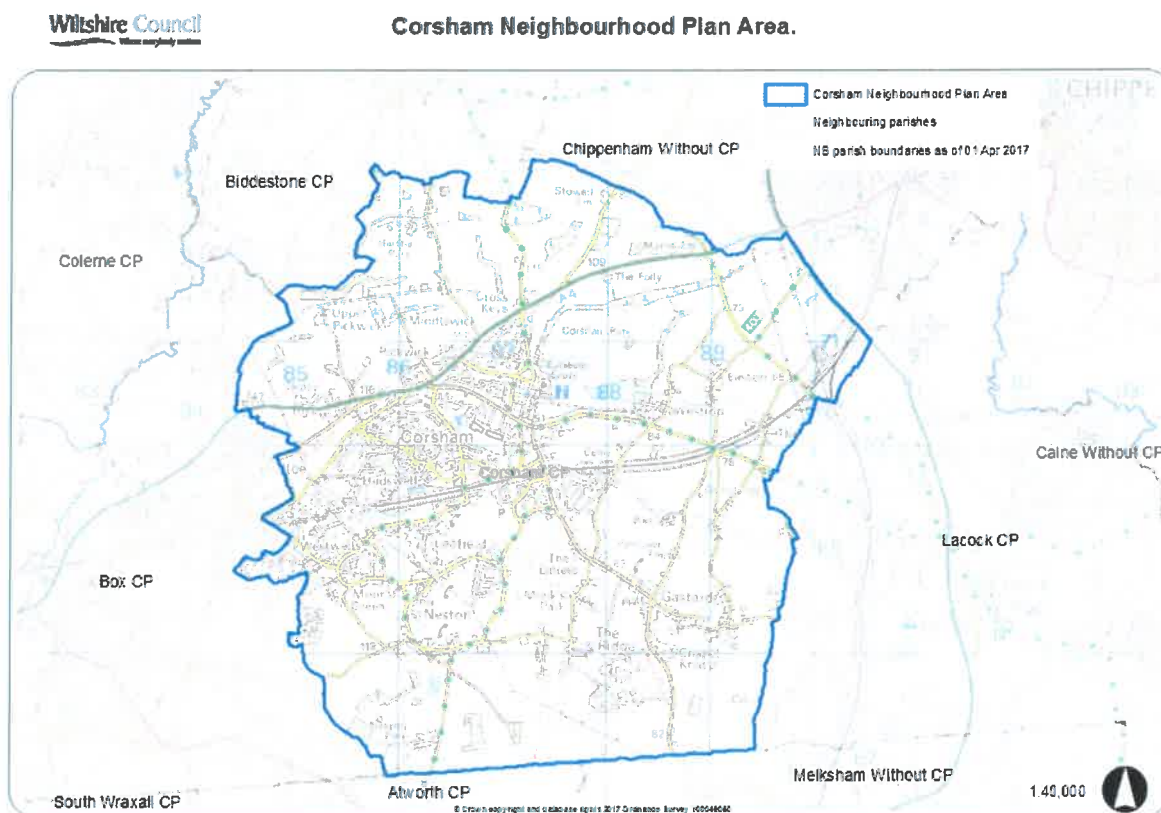


- c) I have made this decision in line with the information set out in the 'Neighbourhood Area Designation Application Report'.
3. I hereby exercise power under section 61G of the Town and Country Planning Act 1990 (as amended) ("the Act") and all other powers delegated to me to designate the area identified on the map below as the Corsham Neighbourhood Plan 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: Corsham Neighbourhood Plan Area

b) Plan B: Map of the Corsham Neighbourhood Plan Area



c) I have made this decision in line with the information set out in the 'Neighbourhood Area Designation Application Report'.

Signed:

[Redacted signature]

Alistair Cunningham  
Associate Director  
Economic Development and Planning

Date: 22.05.17

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

The full representations and attachments can also be viewed online at [http://consult.wiltshire.gov.uk/portal/spatial\\_planning/np/corsham\\_narea](http://consult.wiltshire.gov.uk/portal/spatial_planning/np/corsham_narea)

<b>Respondent</b>	<b>Comments</b>
Ms Megan Pashley (Gladman Developments)	Please see letter inserted below.
Defence Infrastructure Organisation (Mr Stephen Harness)	Please see letter inserted below.
Councillor Philip Whalley (Wiltshire Council)	I am also on the Steering Group for the NP so fully aware of this issue and have no concerns.