

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

APPLICANT:

Ashton Keynes Parish Council

APPLICATION:

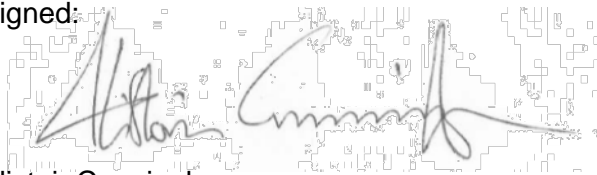
Application for the Designation of Ashton Keynes Neighbourhood Area

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 Ashton Keynes 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: 14.11.13

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

Date of application	29.07.2013
Date of decision	14.11.2013
Name of proposed designation	Ashton Keynes Neighbourhood Area
Community Area	Malmesbury Community Area

1. INTRODUCTION

1.1 Pursuant to the Wiltshire Council constitution and in particular Paragraph 4(a) of 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 Ashton Keynes 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 Ashton Keynes Neighbourhood Area. The application is for the whole area of Ashton Keynes 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 Ashton Keynes Neighbourhood Plan Steering Group has been set up to prepare the plan and is overseen by Ashton Keynes Parish Council. The group includes a cross section of community representatives, individuals, stakeholders, and local organisations that meet regularly to develop the draft plan.

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 Ashton Keynes 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 Ashton Keynes and is considered appropriate. The preparation of a Neighbourhood Plan for Ashton Keynes will allow non strategic development to be carefully planned taking into account local issues, amenities, and infrastructure. It will allow the community to provide sites for development in the most sustainable locations. Industry and employment in the parish has been largely centred on gravel extraction sites, the reserves in terms of years have been greatly reduced and extraction within the parish is expected to decline. The Plan will allow locally distinctive issues such as this to be addressed by the community, who will look to provide policy on the after use of gravel extraction sites, to provide business, leisure and tourism opportunities.
- 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 19th August until 5pm Wednesday 2nd October 2013.
- 5.4 In total 26 responses were made within the consultation period. The comments received are all in support of the area designation, with a few focusing on the content of the plan rather than explicit support. The representations received are set out in Appendix 1.
- 5.5 The proposed Ashton Keynes Neighbourhood Areas is coherent, consistent and appropriate in planning terms.

6. CONCLUSION

- 6.1 The reasoning above, and the unanimous support in the comments received through the consultation lend support to the designation. It is therefore considered that the specified area 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 the parish be designated as this could lead to a fragmented approach.

6.5 The specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application.

6.6 A copy of this report will be sent to the qualifying body, Ashton Keynes Parish Council..

7. DECISION

7.1 **The Designation of the Ashton Keynes 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 dark ink, appearing to read 'Alistair Cunningham', is written over a faint, light-colored map or planning document. The signature is fluid and cursive, with the first name 'Alistair' being more prominent.

Alistair Cunningham
Associate Director
Economic Development and Planning

Dated: 14.11.13

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

Respondent	Comments
<i>Comments in Support</i>	
Mr Ashley Seymour (784016) (Ashton Keynes)	<i>This is a good application and one in which I fully support</i>
Mrs Valerie Selby (784018) (Swindon)	<i>A good application but please check the ground works are 100% we do not want ground water not being carried along or sewerage escaping.</i>
Mrs Judith Clare Seymour (784013) (Ashton Keynes)	<i>I fully support the application, as it was raised in the village, I feel that the village needs to be kept alive by new ideas.</i>
Mr Simon Jefferson (781968) (Swindon)	<i>I think that having a plan that has input and is guided by local people is a great improvement over plans that are driven by large developers and people in offices who have never even been to Ashton Keynes. I fully support this plan.</i>
Mr David Wingrove (783084) (Swindon)	<i>I fully support the application for the designation of Ashton Keynes Parish as a neighbourhood area.</i>
Mrs Maureen Ann Thomas (784800) (Ashton Keynes)	<i>I fully support the application for Neighbourhood plan because it will be a good thing for the parish.</i>
Mr Ronald Thomas (784796) (Ashton Keynes)	<i>I support the Parish of Ashton Keynes in its application for a Neighbourhood Plan, it is, in my opinion a very necessary part of future planning.</i>
Mr Christopher John Waters (784784) (Ashton Keynes)	<i>E.G Demolishing worn out council houses with very large gardens and building more units to provide more needed housing rather than building on valuable farm land which is needed for growing crops for a growing population.</i> <i>Making sure villages have the right amenities for the modern age.</i>
Mr Ernest John Tidmarsh (784783) (Ashton Keynes)	<i>I think it is very important that the village has a neighbourhood plan that covers the area set out on the map that you have a copy of. The village is a conservation area, and going forward it is important that the villagers have a chance to have input into the development of the village and I see the Neighbourhood Plan as being an important document to facilitate this process</i>
Mrs Jennifer Tidmarsh (784781) (Ashton Keynes)	<i>I whole heartedly support the neighbourhood plan and agree with proposed designated area.</i>
Mrs Patricia Maxted (784778) (Ashton Keynes)	<i>I agree with the neighbourhood plan.</i>
Mr Paul Oreilly (783433) (Swindon)	<i>I support the area being designated as this is our current Parish Boundary. However, some issues regarding footpaths, cycle ways, bridleways concern crossing the boundary into Gloucestershire. We currently suffer from several rights of way changing designation as they cross this boundary, and producing a coherent set of rights of way that will improve our neighbourhood requires connected solutions.</i>
Mr David Sheppard (782516) (Swindon)	<i>This provides an excellent opportunity for the community to have their say (or at least their input) on the future of Ashton Keynes and its community. It is essential that the Neighbourhood Plan should be produced and it has my full support.</i>
Mr David Moss (782443) (Ashton Keynes)	<i>I believe that a Local development Plan (LDP) for the village is essential in order that the populace can take charge, within current legislation, of the future appearance and qualities of the parish of Ashton Keynes. Therefore, the Area Designation Application is an important first step in this process. In my view, the powers of government at the most local level in the United Kingdom are far too thin; the LDP will help to ensure that the village has more of a</i>

	<i>voice in future planning. Ashton Keynes is a great example of a vibrant community that is prepared to help itself. External commercial influences, namely those on gravel extraction, have exacerbated a heavy toll on the local environment over the last 60+ years and it is essential that future planning is tightly controlled to allow sustainable and sympathetic development in a manner that redresses some of the adverse effects that the gravel industry has had on the parish.</i>
Ms Helen Shakespeare (784790) (Ashton Keynes)	<i>I agree with the application for a neighbourhood area designation</i>
Mrs Bridget Arregger (784779) (Ashton Keynes)	<i>I support this application as think it will be very good for the area.</i>
Ms Christine Billing (784793) (Ashton Keynes)	<i>I fully support the application for Neighbourhood Plan. I believe the character of the village and parish will benefit from this planning for the future.</i>
Mr Simon Jefferson (781968) (Swindon)	<i>I think it is a great opportunity for the local community to have a say in how they want the village to develop.</i>
Mr Peter Bate (781964) (Ashton Keynes)	<i>I fully support the application which will enable the residents of Ashton Keynes to have their say in preserving and developing the future of the village.</i>
Mr Jon Arnett (781481) (Swindon)	<i>I fully support this application and believe it will be of great benefit to the local community.</i>
Oaksey Parish Council (Mr Robin Rogers)	<i>Oaksey Parish Council met last night and considered the Application designate Ashton Keynes Neighbourhood Area Oaksey's Neighbourhood Plan is to designate Oaksey Parish as the area so we have no objection to Ashton Keynes proposal to do a plan for their parish area.</i>
Mr Paul Eastham (780936) (Ashton Keynes)	<i>I have read and fully support this application which, I believe, will be of great help and importance to the future development of Ashton Keynes.</i>
Mr Kevin Winstone (780483) (Ashton Keynes)	<i>A great opportunity for the community to have input into the plan in areas that are of importance to the Ashton Keynes Community. Should prove to be a valuable document that will help shape the future of the village.</i>
Mr Michael Seymour (780445) (Swindon)	<i>I am in full support of the application. As time goes on things get overlooked, and forgotten (intentionally or unintentionally), there are things we as a village need to protect and hold onto for future generations, ie. Design of buildings, walls, river banks, churches, ancient monuments, listed buildings, fields, footpaths, bridges, woodland, just to name a few. All these things add to the CHARACTER and SUCCESS of VILLAGE life, yes change will take place, but we (and other villages, towns) have a Duty to PRESERVE and ENHANCE all that we inherited from our forefathers. It is to this end that (as stated) I support it. Regards, Michael Seymour.</i>
Mrs Moira Carter (780386) (Swindon)	<i>I believe it is important for Ashton Keynes to have a Neighbourhood Plan to enhance and preserve the special character of this part of Wiltshire in the Cotswold Water Park. Over the last few decades there has been great expansion of development and amenities in the Western Section of the Cotswold Water Park. Whilst some of the developments have added to the local economy, amenity and tourism value of the area others have not been thought through and do nothing to enhance the area. I believe that the community in the Parish should have the opportunity to say about they would like to shape the future for the benefit of the current and future generations that are fortunate to live in the area. I support the application.</i>

<p>Ms Andi Witcombe (780726) National Farmers Union (Salisbury)</p>	<p><i>The South West NFU welcomes the opportunity to comment on the Ashton Keynes Neighbourhood Area Application, which details - amongst other things - the main 'themes' for the Plan including the local economy and environment but which does not directly mention the thriving agricultural community in the Parish. The NFU represents approximately 50,000 Farmers and Growers nationally, 10,000 of these farm in the South West. In Wiltshire we represent 800 farmers and growers, including landowners and tenants, from all sectors and commodities. The NFU, and its members, recognise the importance of the neighbourhood and overall are supportive by the approach given. Our response is given below along with some key priorities.</i></p> <p><i>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.</i></p> <p><i>Our members in Ashton Keynes are no exception and given that the area has a strong farming use 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></p> <p><i>Ashton Keynes 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></p> <p><i>For the farming community this vision is to be achieved by the following themes</i></p> <ol style="list-style-type: none"> <i>1.Strengthening our farming businesses to help them build profitability and respond to new opportunities</i> <i>2. To create thriving localities that meets the needs of their communities, businesses and their environment.</i> <i>3.Realising the value of the region's environmental assets</i> <p><i>In addition we would see some of the key priorities for farms to include (not in order of priority):</i></p> <ol style="list-style-type: none"> <i>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</i> <i>2. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient</i> <i>3. Diversifying farming enterprises to meet new opportunities such as, inter alia, business units or tourism</i> <i>4. Developing renewable energy which meets the needs of the farm and are appropriate to the location and renewable resources available</i> <i>5. Access to high-speed broadband.</i> <p><i>Food production is a key priority for economic growth both nationally but also importantly in a rural area such as Ashton Keynes. In the Government white paper 'Local Growth: realising every place's potential' the Coalition Government makes clear that the first priority " is to return the nation's economy to health". This includes creating, "the conditions that will help business and gets the economy growing" 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.</i></p> <p><i>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. " 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</i></p>
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answer to development proposals is yes .”

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: ‘local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources’ (para 97); ‘have a positive strategy to promote energy from renewable and low carbon sources’ which ‘maximise renewable and low carbon energy sources’. 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 and are aware that early consultation with those that are either impacted or likely to gain is crucial.

To help guide any work we have developed some principles which we believe will help Ashton Keynes to shape any activity in the area. These are:

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.*
- 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.*

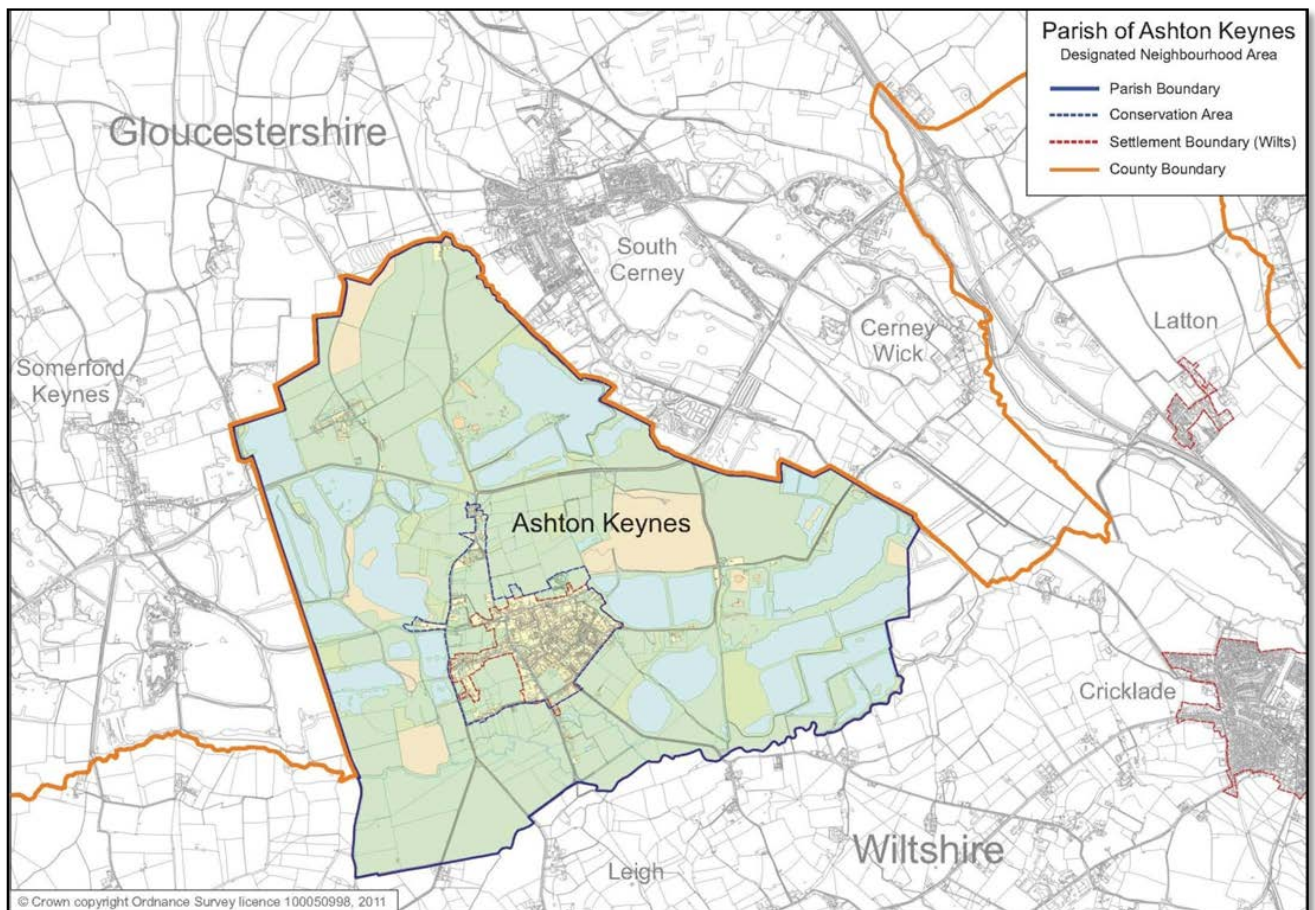
Many thanks for the opportunity to respond to this consultation - we hope that these comments are helpful and will be taken into account.

DECISION REGARDING THE APPLICATION FOR DESIGNATION OF ASHTON KEYNES 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 Ashton Keynes 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: Ashton Keynes

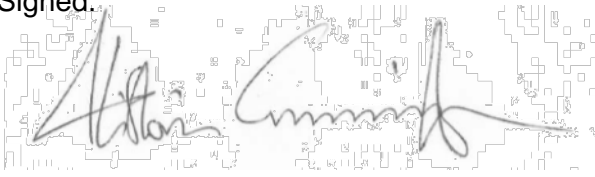
b) Map of neighbourhood area:



c) Relevant body: Ashton Keynes 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:

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: 14.11.13