

Cheshire West and Chester Council

Delegated report

Date: 21 March 2019

Neighbourhood application area:

Burwardsley Parish Council

Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Area name:

Burwardsley Parish

Applicant name:

Burwardsley Parish Council

Ward:

Tattenhall

Ward Members:

Cllr Mike Jones

Recommendation:

Approval

1 Introduction

An application for designation of the Burwardsley Parish Neighbourhood Area has been made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations). The application complies with the requirements of the Regulations as it includes:

- a map identifying the area to which the area application relates
- a statement explaining why the area is considered appropriate to be designated as a Neighbourhood Plan Area and
- a statement that the organisation making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended).

2 Area description

The proposed Burwardsley Parish Neighbourhood Area is the area covered by Burwardsley Parish Council and follows the same boundary. The Neighbourhood Area is located within the Tattenhall ward. A map of the proposed Burwardsley Parish Neighbourhood Area is attached to this report.

3 Publicity

In accordance with regulation 5A of the Regulations and Development Management Procedure (Amendment) Regulations 2016, a consultation period

on the Burwardsley Parish Neighbourhood Area application is not required. This is because the application meets the following criteria:

- The applicant is a parish council
- The application is for the whole of the parish to be designated as the Neighbourhood Area
- None of the proposed area includes an existing Neighbourhood Area.

4 Issues and assessment

The issues in determining this application are:

- Whether an application for a Neighbourhood Area has already been made covering all or part of this area (as there can only be one Neighbourhood Area in each location and they cannot overlap).
- Confirmation that the applicant is a 'relevant body' to undertake neighbourhood planning in that area in accordance with section 61G of the 1990 Act (i.e. a parish council or Neighbourhood Forum).
- Assessment of whether the extent of the Neighbourhood Area is appropriate.

Having assessed the application it is confirmed that:

- No other application has previously been made covering all or part of this area.
- Burwardsley Parish Council is a relevant body to undertake neighbourhood planning in that area in accordance with section 61G of the 1990 Act.
- The Neighbourhood Area is appropriate as it follows the boundary of the area covered by Burwardsley Parish Council.
- The proposed Neighbourhood Area shares a boundary with three other neighbourhood areas within Cheshire West and Chester (namely Broxton & District; Tattenhall & District and Beeston, Tiverton & Tilstone Fearnall. None of these areas overlap with the proposed neighbourhood area. The parish shares a boundary with Cheshire East on its eastern side; at the current time there are no designated neighbourhood areas in Cheshire East which adjoin the proposed Burwardsley Parish Neighbourhood Area.

It is therefore an appropriate area for which to prepare a Neighbourhood Plan.

5 Conclusion & Decision

The application for the Burwardsley Parish Neighbourhood Area complies with the requirements of the Regulations.

The decision is made that the Burwardsley Parish Neighbourhood Area is approved and is formally designated for the following reasons:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Burwardsley Parish Council is a relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Burwardsley Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

The Senior Manager - Planning and Strategic Transport hereby exercise their delegated authority to agree the area application.

A copy of this note will be sent to Burwardsley Parish Council and relevant local Councillors.

In accordance with Regulation 7 of the Regulations, as soon as possible after the date of the decision the Council will publish the following on its website:

- a) Name of the Neighbourhood Area
- b) Map which identifies the area
- c) Name of the relevant body who applied for the designation

6 Attachments

Copy of application form and map of Burwardsley Parish Neighbourhood Area.



Signed

Senior Manager - Planning and Strategic Transport

Date 21 March 2019