

Cheshire West and Chester Council

Delegated report

Date: 16 January 2023

Neighbourhood application area:

Churton

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

Area name:

Churton Neighbourhood Area

Applicant name:

Churton Parish Council

Ward:

Farndon

Ward Member:

Cllr Paul Roberts

Case officer:

Emma Jones

Recommendation:

Approval

1 Introduction

- 1.1 This delegated report relates to assessment of the application for designation of the Churton Neighbourhood Area.
- 1.2 The application for the designation of Churton Neighbourhood Area was made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations). It complied with the requirements of the Regulations as it included: 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

- 2.1 The proposed Churton Neighbourhood Area is the area covered by Churton civil parish and follows the same boundary. The Neighbourhood Area is located within the Farndon ward.
- 2.2 A map of the proposed Churton Neighbourhood Area is attached to this report.

3 Publicity

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

4.1 The main 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.

4.2 Having assessed the application it is confirmed that:

- No other application has previously been made covering all or part of this area.
- Churton 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 considered appropriate as it follows the boundary of the area covered by Churton Parish Council.
- The proposed Neighbourhood Area shares boundaries with one made neighbourhood plan (Farndon), which is currently under review and a designated neighbourhood area (Coddington and District). None of these areas overlap with the proposed neighbourhood area.

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

5 Conclusion and Decision

5.1 The application for the Churton Neighbourhood Area complies with the requirements of the Regulations.

5.2 The decision is made that the Churton 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.

- Churton Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Churton Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

5.4 The Head of Planning hereby exercises their delegated authority to agree the area application.

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

5.6 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

6.1 Copy of application form and map of Churton Neighbourhood Area.

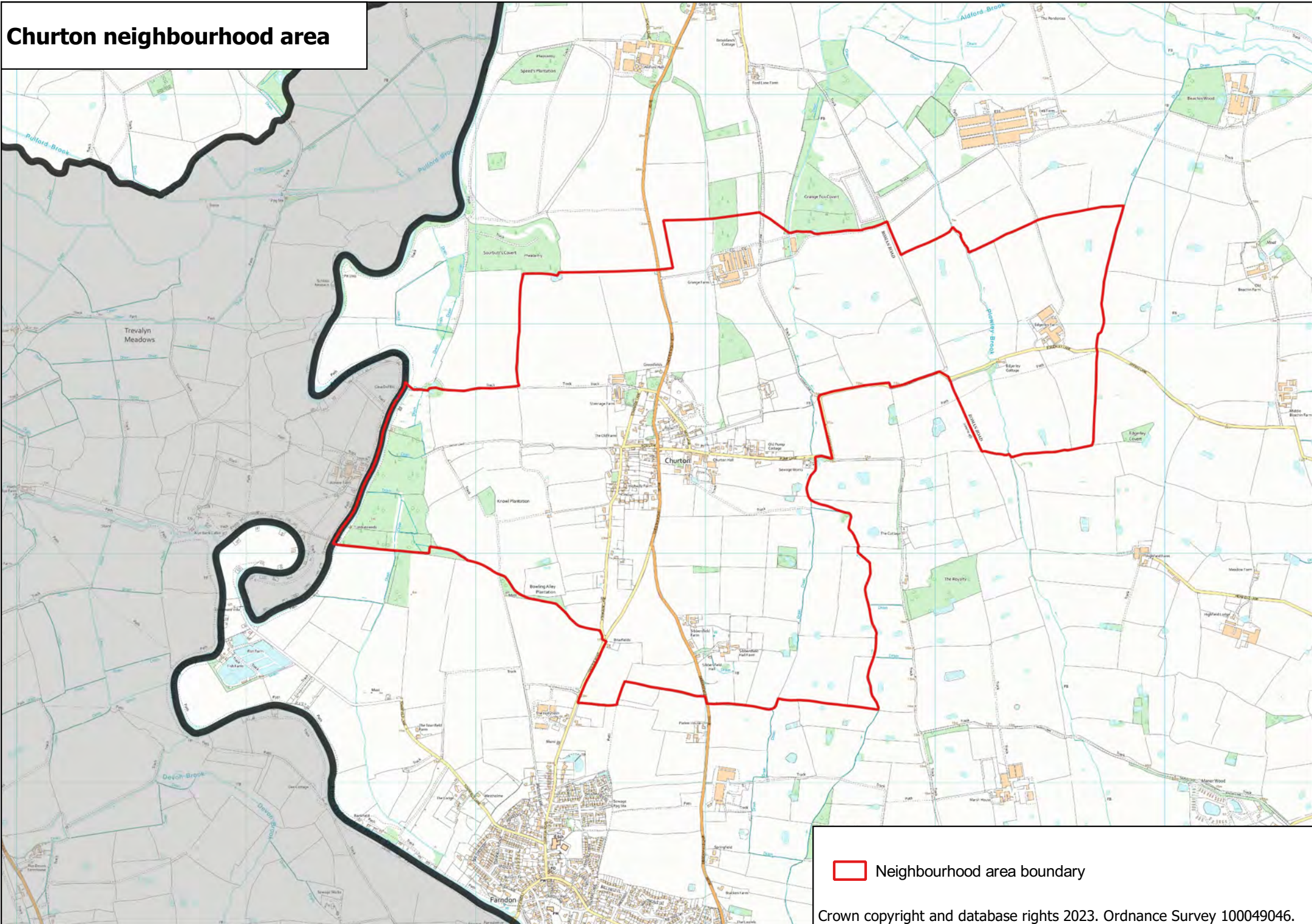
Signed




**Nick Smith
Head of Planning**

Date **16 January 2023**

Churton neighbourhood area



 Neighbourhood area boundary

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Emailed to

Cheshire West and Chester Council

@

gov.uk

cc DRudd + P Haddfield

31/123

Cheshire West and Chester Council

Application to designate a Neighbourhood Area

Town and Country Planning Act 1990 (as amended)

Neighbourhood Planning (General) Regulations 2012

Please note that the information provided on this application form may be published on the Authority's website.

If completing by hand, please use block capitals and black ink.

1) Applicant contact details

(representative from Parish Council or ~~Neighbourhood Forum~~)

Title and full name

DAVID RUDD

CHAIR CHURTON
PARISH COUNCIL

Address and postcode

CHURCH HOUSE

PUMP LANE

CHURTON BY ALDFORD

CHESTER CH3 6LR

Email address

[REDACTED]

Cheshire West and Chester Council

2) Relevant body

Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with section 61G of the 1990 Act and Regulation 5(c) of the 2012 Regulations (i.e. a Parish Council or Neighbourhood Forum).

(please select one answer)

Yes ☒ No ☐

Name of Parish Council or Neighbourhood Forum

CHURTON PARISH COUNCIL

If a Neighbourhood Forum, has this been designated yet?

(please select one answer)

Yes ☐

No - but application submitted ☐

No - application not yet submitted ☐

3) Name of Neighbourhood Area

Please give the name by which your Neighbourhood Area will be formally known.

Churton Parish incorporating Edgely NEIGHBOURHOOD AREA.

4) Extent of the area

Please indicate below and attach an OS plan showing the intended extent of the area.

(please select one answer)

Area not covered by a Parish ☐

Whole Parish boundary area ☒

Part of one Parish ☐

Includes more than one Parish (please complete section 6 below) ☐

A map showing the area to which the application relates has been attached. ☐

5) Intention of the Neighbourhood Area

Please indicate which of the following you intend to undertake with your Neighbourhood Area.

(please select all that apply)

- Neighbourhood Development Plan ☒
- Neighbourhood Development Order ☐
- Community Right to Build ☐

6) Additional Parish details (if applicable)

Please complete this section if the proposed Neighbourhood Area includes more than one Parish.

Please provide details of the additional area covered and the name(s) of the relevant Parish/Parishes.

If the neighbourhood area includes the whole or any part of the area of another Parish council, the lead Parish council is authorised to act in relation to the neighbourhood area only if the other Parish council(s) have given their consent.

Please provide the name and signature of a representative from each relevant Parish council to confirm that the Parish council have provided formal agreement and are happy for you to act on their behalf.

Cheshire West and Chester Council

For all applications

Please describe below why you consider that the extent of the neighbourhood area is appropriate.

If possible, please provide a copy of the minutes of the Parish Council meeting(s) at which it was agreed that the whole/part of the Parish council area could be included in the Neighbourhood Area and that the applicant Parish Council were authorised to act as the lead authority on Neighbourhood Planning work.

Whilst the heart of the parish is the village of Churton itself, there are important features within the wider parish area which we would wish to include and comment upon. In particular the preservation and improvement of public footpaths and hedgerows, improving biodiversity and protecting heritage assets that lie outside the immediate curtilage of the village.

7) Declaration

I hereby apply to designate a Neighbourhood Area as described on this form and the accompanying plan.

Name

DAVID RUDD

Signature



Date

22/12/22

Churton Neighbourhood Area
Extent of Area (Application Form Section 4)



Churton Parish Boundary indicated with red line