

Cheshire West and Chester Council

Delegated report

Date: 2 October 2018

Neighbourhood application area:

Comberbach Parish Council

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

Area name:

Comberbach Neighbourhood Area

Applicant name:

Comberbach Parish Council

Ward:

Marbury

Ward Members:

**Cllrs Lynn Gibbon, Don Hammond
and Norman Wright**

Recommendation:

Approval

1 Introduction

- 1.1 This delegated report relates to assessment of the application for designation of the Comberbach Neighbourhood Area.
- 1.2 The application for the designation of Comberbach 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 Comberbach Neighbourhood Area is the area covered by Comberbach Parish Council and follows the same boundary. It includes the settlement of Comberbach. The Neighbourhood Area is located within the Marbury ward.
- 2.2 A map of the proposed Comberbach Neighbourhood Area is attached to this report.

3 Publicity

3.3 In compliance with regulation 5A of the Regulations and Development Management Procedure (Amendment) Regulations 2016, a consultation period on the Comberbach 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 No other application has previously been made covering all or part of this area. The proposed Neighbourhood Area does not share a boundary with any other neighbourhood areas.

4.3 Comberbach Parish Council is a relevant body to undertake neighbourhood planning in that area in accordance with section 61G of the 1990 Act.

4.4 The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Comberbach Parish Council.

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

5 Conclusion & Decision

5.1 The application for the Comberbach Neighbourhood Area complied with the requirements of the Regulations.

5.2 The decision is made that the Comberbach Neighbourhood Area is approved and is formally designated.

- 5.3 The reasons for this decision are that the Comberbach Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Comberbach Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Comberbach Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.
- 5.4 The Senior Manager - Planning and Strategic Transport hereby exercise their delegated authority to agree the area application.
- 5.5 A copy of this note will be sent to Comberbach 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 Comberbach Neighbourhood Area.

Signed



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Senior Manager - Planning and Strategic Transport

Date 5 October 2018

