

# **Cheshire West and Chester Council**

**Delegated report**

**Date: 23 June 2015**

**Neighbourhood application area: Cuddington (NP045)**

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

**Date application first publicised: 13 May 2015**

**Area name: Cuddington**

**Applicant name: Cuddington Parish Council**

**Ward: Weaver and Cuddington**

**Ward Members:** Cllrs Charles Fifield (Weaver and Cuddington)  
Harry Tonge (Weaver and Cuddington)  
Paul Williams (Weaver and Cuddington)  
Cllrs Hugo Deynem (Tarvin and Kelsall)  
John Leather (Tarvin and Kelsall)

**Case officer: Emma Pickett**

**Recommendation: Approve**

## **1 Introduction**

- 1.1 This delegated report relates to the assessment of the application for the designation of the Cuddington Neighbourhood Area.
- 1.2 The application for the designation of Cuddington Neighbourhood area was publicised on 13 May 2015. The application was made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. 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 Cuddington Neighbourhood Area is the area covered by Cuddington Parish Council and follows the same boundary. It includes the settlements of Cuddington, Delamere Park and Sandiway. The area is

primarily located within the wider Weaver and Cuddington Ward, with a small area within Tarvin and Kelsall Ward.

- 2.2 A map of the proposed Cuddington Neighbourhood Area is attached to this report.

### **3 Publicity**

- 3.1 The application was publicised by public notice in the Northwich Guardian on 13 May 2015.
- 3.2 Details of the application were also published on the Council's website from 12 May 2015 – 10 June 2015 at [www.cheshirewestandchester.gov.uk/neighbourhoodplanning](http://www.cheshirewestandchester.gov.uk/neighbourhoodplanning)
- 3.3 Copies of a notice advertising the application were placed on 12 May 2015 at Ash Road/Mere Lane shops in Sandiway, CW8 2NR. Hard copies were also available in Sandiway Library and The Arcade in Northwich.
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 17 June 2015. Members were advised that should they wish the application to be considered by Executive Member with advice from the Local Development Panel, they must notify the case officer by email or letter before the call-in cut off date.
- 3.5 The four week publicity period ran from 13 May 2015 to 10 June 2015.
- 3.6 The neighbouring parish councils of Crowton, Norley, Delamere and Oakmere, Whitegate and Marton, Hartford and Weaverham were notified of the application by letter on 13 May 2015.
- 3.7 The publicity arrangements complied with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012.
- 3.8 The following internal consultees were notified: Legal; Regeneration; Total Environment; Development Planning; Committees and Elections; Economic Growth; Energy and Carbon Reduction.
- 3.9 The Council received representations from
- Natural England - no comments were received. However, general advice was provided
  - United Utilities - no comments were made, but would like to be informed in future consultations and would like to build a strong relationship with the Neighbourhood group. They also offered advice on the impact of new development sites
  - Environment Agency - no comments were made

- Historic England – no comments were made, but advice was provided as the Neighbourhood Plan area contains a number of designated heritage assets, which have been listed in the letter.

3.10 None of these bodies object to the proposed boundary.

#### **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 and Regulation 5(c) of the 2012 Regulations (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 and there are no existing designated Neighbourhood Areas covering the proposed Cuddington Neighbourhood Area. However, Hartford Neighbourhood Area (designated 6 March 2013) is very close, but not adjoining.

4.3 Cuddington Parish Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and Regulation 5(c) of the 2012 Regulations.

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

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

#### **5 Conclusion**

5.1 The application for the Cuddington Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and no representations were received.

5.2 The Cuddington Neighbourhood Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Cuddington Parish Council is the relevant body to undertake Neighbourhood Planning.

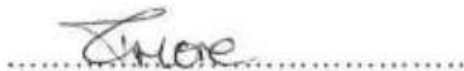
- The Neighbourhood Plan Area follows the boundary of the area covered by Cuddington Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

## **6 Decision**

- 6.1 That the Cuddington Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Cuddington Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
  - Cuddington Parish Council is the relevant body to undertake Neighbourhood Planning.
  - The Neighbourhood Plan Area follows the boundary of the area covered by Cuddington Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.
- 6.3 The Planning and Strategic Transport Manager hereby exercise their delegated authority to agree the area application.
- 6.4 A copy of this note will be sent to Cuddington Parish Council and relevant local Councillors.
- 6.5 In accordance with Regulation 7 of the 2012 Regulations, as soon as possible after the date of the decision the Council will publish the following on its website:
- a) Name of the area
  - b) Name of body who applied
  - c) Decision and reasons
  - d) Details of where the decision can be inspected
  - e) Map of Neighbourhood Plan Area

## **7 Attachments**

- 7.1 Copy of application form and map of Cuddington Neighbourhood Area



**Planning and Strategic Transport Manager**  
**23 June 2015**