

Cheshire West and Chester Council

Delegated report

Date: 6 May 2020

Neighbourhood application area:

Delamere and Oakmere

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

Area name:

**Delamere and Oakmere
Neighbourhood Area**

Applicant name:

**Delamere and Oakmere Parish
Council**

Wards:

**Tarvin and Kelsall
Sandstone
Weaver and Cuddington**

Ward Members:

**Cllrs John Leather and Harry Tonge
(Tarvin and Kelsall)
Cllr Hugo Deynem (Sandstone)
Cllrs Gillian Edwards, Charles Fifield
and Paul Williams (Weaver and
Cuddington)**

Case officer:

Catherine Morgetroyd

Recommendation:

Approval

1 Introduction

1.1 This delegated report relates to assessment of the application for designation of the Delamere and Oakmere Neighbourhood Area.

1.2 The application for the designation of Delamere and Oakmere 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 Delamere and Oakmere Neighbourhood Area is: the area covered by Delamere and Oakmere civil parish (excluding two small areas which fall within the Kelsall & Willington and Norley Neighbourhood Areas); part of the civil parish of Manley and part of the civil parish of Norley. These areas have been included so that the whole of Delamere Forest is included. The majority of the Neighbourhood Area is located within the Tarvin and Kelsall ward, and includes small areas of Sandstone and Weaver and Cuddington wards.
- 2.2 A map of the proposed Delamere and Oakmere Neighbourhood Area is attached to this report.

3 Publicity

- 3.1 The application was publicised by public notice in the Northwich Guardian on 30 January 2020.
- 3.2 Details of the application were also published on the Council's website from 29 January to 12 March 2020.
www.cheshirewestandchester.gov.uk/neighbourhoodplanning
- 3.3 Copies of a notice advertising the application were placed on the Delamere Community Centre noticeboard, and paper copies of the application were available to view inside the community centre as well as at Sandiway library.
- 3.4 Local Councillors were informed of the application by email on 29 January 2020. Members were invited to contact the case officer if they wished to discuss the proposal.
- 3.5 The six week publicity period ran from 30 January to 12 March 2020.
- 3.6 The neighbouring parish councils of Manley, Norley, Cuddington, Whitegate and Marton, Little Budworth, Utkinton and Cotebrook, Willington, Kelsall and Ashton Hayes and Horton-cum-Peel were notified of the application by email on 29 January 2020.
- 3.7 The publicity arrangements complied with section 6 of the Regulations.
- 3.8 The following internal consultees were notified: Housing Strategy and Enabling; Legal; Regeneration; Total Environment; Development Management; Environmental Health; Transport Strategy; Public Health.
- 3.9 The Council received representations from:
- Canal & River Trust – no comment
 - CLH Pipeline System Ltd – no comments, but ask that they are contacted if any works are planned in the vicinity of the pipeline.
 - The Coal Authority – no comment

- Highways England – no comment
- Historic England – no comment
- Homes England – no comment
- Environment Agency – no comment
- National Grid – no record of any electricity or gas transmission assets within the neighbourhood area.
- Natural England – no comment, but have provided some information sources the neighbourhood planning group may wish to use, and issues to take into account.
- Manley Parish Council – confirmed that they have agreed to the neighbourhood area boundary which includes part of their civil parish.
- Norley Parish Council - confirmed that they have agreed to the neighbourhood area boundary which includes part of their civil parish.
- Willington Parish Council – no comment
- The Council's PROW asset management officer provided some information on local PROWs in the 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.
- Delamere and Oakmere 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 remaining boundary of the area covered by Delamere and Oakmere Parish Council (except that which is included in other neighbourhood plans), and also includes portions of Manley and Norley parishes with their agreement.
- The proposed Neighbourhood Area shares boundaries with several made neighbourhood plans: Norley; Cuddington Parish; Whitegate and Marton; Kelsall and Willington; and Ashton Hayes and Horton-cum-Peel. It also shares a boundary with the Utkinton and Cotebrook neighbourhood area to the south and a small boundary with Kingsley neighbourhood area to the north. 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 Delamere and Oakmere Neighbourhood Area complies with the requirements of the Regulations.

5.2 The decision is made that the Delamere and Oakmere 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.
- Delamere and Oakmere Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Delamere and Oakmere Parish Council, with exclusions and additions as identified above, and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

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

5.5 A copy of this note will be sent to Delamere and Oakmere 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 Delamere and Oakmere Neighbourhood Area.



Signed

Acting Head of Planning

Date

6 May 2020