

# **Cheshire West and Chester Council**

**Delegated report**

**Date: 26 January 2022**

**Neighbourhood application area:**

**Dunham on the Hill and Hapsford**

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

**Area name:**

**Dunham on the Hill and Hapsford  
Neighbourhood Area**

**Applicant name:**

**Dunham on the Hill and Hapsford  
Council**

**Ward:**

**Sandstone**

**Ward Member:**

**Cllr Hugo Deynem**

**Case officer:**

**Roshnee Chavda**

**Recommendation:**

**Approval**

## **1 Introduction**

- 1.1 This delegated report relates to assessment of the application for designation of the Dunham on the Hill and Hapsford Neighbourhood Area.
- 1.2 The application for the designation of Dunham on the Hill and Hapsford 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 Dunham on the Hill and Hapsford Neighbourhood Area is the area covered by Dunham on the Hill and Hapsford civil parish and follows the same boundary. The Neighbourhood Area is located within the Sandstone ward.

- 2.2 A map of the proposed Dunham on the Hill and Hapsford 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 Dunham on the Hill and Hapsford 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**

- 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.
  - Dunham on the Hill and Hapsford 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 Dunham on the Hill and Hapsford Parish Council.
  - The proposed Neighbourhood Area shares boundaries with one made neighbourhood plan (Helsby) and with two designated neighbourhood areas (Mickle Trafford and District and Barrow). 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 Dunham on the Hill and Hapsford Neighbourhood Area complies with the requirements of the Regulations.

5.2 The decision is made that the Dunham on the Hill and Hapsford 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.
- Dunham on the Hill and Hapsford Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Dunham on the Hill and Hapsford 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.

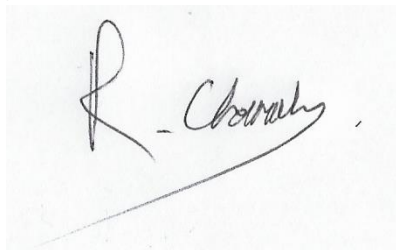
5.5 A copy of this note will be sent to Dunham on the Hill and Hapsford Parish Council and relevant local Councillors.

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 Dunham on the Hill and Hapsford Neighbourhood Area.

A handwritten signature in black ink, appearing to read 'R. Chavaly', is written over a horizontal line.

**Signed**

**Head of Planning**

**Date**

**26 January 2022**