

# **Cheshire West and Chester Council**

**Delegated Report**

**Date: 01 June 2015**

**Neighbourhood application area:**

**Frodsham**

**(NP027)**

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

**Date application first publicised: 16 April 2015**

**Area name:**

**Frodsham**

**Applicant name:**

**Frodsham Town Council**

**Ward:**

**Frodsham/Kingsley**

**Ward members:**

**Councillor Andrew Dawson (Frodsham)**

**Councillor Lynn Riley (Frodsham)**

**Councillor Ralph Oultram (Kingsley)**

**Case officer:**

**Natalie Durney-Knight**

**Recommendation:**

**Approve**

## **1 Introduction**

1.1 This delegated report relates to the assessment of the application for the designation of Frodsham Neighbourhood Area.

1.2 The application for the designation of Frodsham Neighbourhood Area was publicised on 16 April 2015. The application was made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. The application 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 Frodsham Neighbourhood Area is the area covered by Frodsham Town Council and follows the same boundary. It includes the settlement/civil parish of Frodsham. The area is primarily in the ward of Frodsham, with small areas in the ward of Kingsley to the north and west.

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

### **3 Publicity**

- 3.1 The application was publicised by public notice in the Chester Chronicle on 16 April 2015.
- 3.2 Details of the application were also published on the Council's website from 16 April – 14 May 2015 at [http://www.cheshirewestandchester.gov.uk/your\\_council/neighbourhoodplanning](http://www.cheshirewestandchester.gov.uk/your_council/neighbourhoodplanning)
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 21 May 2015. Members were advised that should they wish the application to be considered by the 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 16 April to 14 May 2015.
- 3.6 The neighbouring parish councils of Helsby, Sutton Weaver, Kingsley, Manley, Alvanley and Hale; Aston Parish Meeting and Halton Borough Council were notified of the application by letter (email sent to parish clerks on 16 April 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 (by email): Housing Policy and Strategy; Legal; Regeneration; Total Environment; Development Planning; Committees and Elections; Economic Growth; Energy and Carbon Reduction.
- 3.9 The Council received representations from:
- Historic England - no comments, raised issues to be taken into account in preparation of Neighbourhood Development Plan and advised that the planning and conservation team at the Council would be best placed to assist. Provided a list of heritage assets within the area.
  - Natural England – no comments, but provide general advice.
  - Environment Agency – no comments.
  - Helsby Parish Council – no issues with the application.
  - United Utilities – no comments, but would like to be included in future consultations and asked that previous responses to Cheshire West and Chester Council's planning policy consultations be taken into consideration. Highlighted some points which would need to be taken into consideration in drafting the neighbourhood plan and supporting policies.

- Gladman Developments – no comments, but would like to participate in the neighbourhood plan's preparation and highlighted key requirements to which the emerging neighbourhood plan should have regard.

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 or overlapping the boundary of the proposed Frodsham Neighbourhood Area. Helsby Neighbourhood Area (designated on 31 July 2013) is immediately adjacent to the western boundary of the proposed Neighbourhood Area.

4.3 Frodsham Town 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 Frodsham Town Council. It covers the civil parish of Frodsham which is administered by one Town Council. The area encompasses the settlement of Frodsham. It is surrounded by more rural areas including Kingsley to the south, Aston to the east, Helsby and Alvanley to the west and the river Mersey to the north. It is considered to be both appropriate and coherent to plan for the future growth and development of this area through a Neighbourhood Plan.

#### **5 Conclusion**

5.1 The application for the Frodsham Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and no representations objecting to the neighbourhood area were received.

5.2 The Frodsham Neighbourhood Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.

- Frodsham Town Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Frodsham Town Council and it is desirable for the future growth and development of this area to be set out through a Neighbourhood Plan.

## **6 Decision**

- 6.1 That the Frodsham Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Frodsham Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
  - Frodsham Town Council is the relevant body to undertake Neighbourhood Planning.
  - The Neighbourhood Plan Area follows the boundary of the area covered by Frodsham Town Council and it is desirable for the future growth and development of this area to be set out through a Neighbourhood Plan.
- 6.3 The Planning and Strategic Transport Manager hereby exercises their delegated authority to agree the area application.
- 6.4 A copy of this note will be sent to Frodsham Town 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 Frodsham Neighbourhood Area.



**Planning and Strategic Transport Manager**  
**01 June 2016**