

## **Cheshire West and Chester Council**

**Delegated report**

**Date: 18 January 2021**

**Neighbourhood application area: Handbridge**

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

**Date application first publicised: 26 November 2020**

**Area name: Handbridge Neighbourhood Area**

**Applicant name: Handbridge Neighbourhood Forum**

**Ward: Handbridge Park Ward**

**Ward Members: Cllr Neil Sullivan and Cllr Razia Daniels**

**Case officer: Catherine Morgetroyd**

### **Recommendation:**

#### **1 Introduction**

- 1.1 This delegated report relates to the assessment of the application for the designation of the Handbridge Neighbourhood Area.
- 1.2 The application for the designation of Handbridge Neighbourhood was publicised on 26 November 2020. 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).
- 1.3 A separate application for the Handbridge Neighbourhood Forum has been submitted and publicised at the same time as the Neighbourhood Area application. The decision on the Neighbourhood Forum will be set out in a separate delegated report.

#### **2 Area description**

- 2.1 The proposed Handbridge Neighbourhood Area does not include any existing parished areas and has a clear boundary with the other parts of Handbridge Park Ward including Westminster Park and Curzon Park. It

covers the urban area of Handbridge and is clearly bounded by established geographical features:

- River Dee to the North and East
- A483 Wrexham Road to the West
- Boundary with Eccleston Parish to the South

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

### **3 Publicity**

3.1 The application was publicised by public notice in the Chester Standard (print and online copies) on 26 November 2020.

3.2 Details of the application were published on the Council's website from 26 November 2020 onwards at <http://www.cheshirewestandchester.gov.uk/neighbourhoodplanning>.

3.3 Copies of the application documents and notice were also made available to view at the St Mary's Handbridge Centre, Overleigh Road, Handbridge (except when closed due to coronavirus restrictions).

3.4 Local Councillors were informed of the application and advised to contact the case officer for further information.

3.5 The six-week publicity period ran from 26 November 2020 – 7 January 2021.

3.6 The neighbouring parish councils of Dodleston and District, Eaton and Eccleston, Huntington, and Great Boughton were notified of the application by email on 26 November 2020.

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:  
Property; Transport (planning); Highways and traffic; Strategic transport; Open space; Green space; Landscape; Total environment; Conservation; Archaeology; Housing; Legal; Health; Environmental protection; Regeneration and economic development; Locality; Planning; Mersey Forest; Public rights of way; Education; Climate change; Emergency planning.

3.9 The Council received representations from:

- The Environment Agency – No comments.
- Highways England – No comments.

- Natural England – No comments on the suitability of the proposed plan area or the proposed neighbourhood planning body. Provide information sources and highlight some potential environmental risks and opportunities that neighbourhood plans or orders may present.
- The Coal Authority – No comments.
- Canal and River Trust – No comments.
- Historic England – No specific comments, but supportive of the designation of the proposed neighbourhood forum and keen that protection of historic environment is appropriately taken into consideration in the Neighbourhood Plan.
- Homes England – No comments but will continue to engage as appropriate.
- National Grid – An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has no record of such assets within the Neighbourhood Plan area and hence have no specific comments.
- Local resident – objects to the designation on the grounds that a Neighbourhood Plan is not required as there is little unprotected space that can be built on in Handbridge and it would be an unnecessary level of bureaucracy. While the objection is acknowledged by CWaC, it should be noted that the assessment of the proposed Handbridge Neighbourhood Area is based on whether the application and proposed area meet the requirements in the regulations, rather than whether a Neighbourhood Plan is necessary. The objection did not raise any specific issues with the Neighbourhood Area. Neighbourhood Plans can provide additional protection to important sites and can control and influence future development, in terms of design and style of development as well as location. Neighbourhood Plan policies could be used to assess proposals for extensions to existing properties or changes of use that require planning permission, so are relevant to existing built-up areas as well as areas with large sites available for future development. No other objections have been received from local residents at this stage.
- CWaC Conservation and Design Team – No objection in principle but mention that the proposed boundary encompasses the historic core of Handbridge and the various character areas described in the Chester Characterisation Study. Suggest that this will be helpful for the group when thinking about policies that relate to the historic environment, and design.
- CWaC PROW Asset Management Team – No comments.
- CWaC Highways Development Management Team – No comments.

## **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 close to the boundary of the proposed Neighbourhood Area.
- 4.3 Handbridge Neighbourhood Area is unparished. Handbridge Neighbourhood Forum is in the process of being established and will be designated at the same time as the Neighbourhood Area. Handbridge Neighbourhood Forum is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61F(5) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 4.4 It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Plan.

## **5 Conclusion**

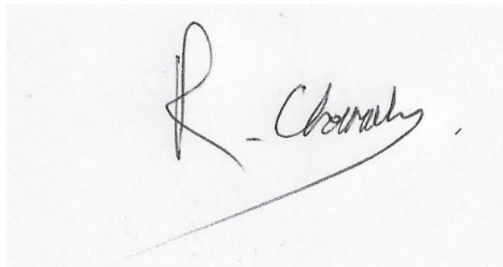
- 5.1 The application for the Handbridge Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and 12 representations were received, the majority of which had no comment or supported the designation. There was one objection, which stated that the Neighbourhood Plan was unnecessary as there is very little unprotected land which can be developed, and the Plan would result in an additional level of bureaucracy. This objection is addressed in paragraph 3.9 above and did not raise any specific issues with the Neighbourhood Area or whether it meets the requirements in the regulations.
- 5.2 The Handbridge Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
  - Handbridge Neighbourhood Forum is the relevant body to undertake Neighbourhood Planning.
  - The proposed Neighbourhood Area does not include any existing parished areas and has a clear boundary with the other parts of Handbridge Park Ward including Westminster Park and Curzon Park. The Neighbourhood Area covers the urban area of Handbridge and is clearly bounded by established geographical features:
    - River Dee to the North and East
    - A483 Wrexham Road to the West
    - Boundary with Eccleston Parish to the South

## **6 Decision**

- 6.1 That the Handbridge Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Handbridge Neighbourhood Area is considered appropriate, for the reasons explained in paragraph 5.2.
- 6.3 The Head of Planning hereby exercise their delegated authority to designate the Handbridge Neighbourhood Area.
- 6.4 A copy of this note will be sent to Handbridge 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 Handbridge Neighbourhood Area

A handwritten signature in black ink, appearing to read 'R. Charnley', is written over a light blue rectangular background.

**Signed**

.....  
**Head of Planning**

**Date**

**18 January 2021**

## Application to designate a Neighbourhood Area

Town and Country Planning Act 1990 (as amended)

Neighbourhood Planning (General) Regulations 2012

Please note that the information provided on this application form may be published on the Authority's website.

If completing by hand, please use block capitals and black ink.

### 1) Applicant contact details

(representative from Parish Council or Neighbourhood Forum)

**Title and full name**

Dr Alan Martin Smith

**Address and postcode**

[REDACTED]

**Email address**

[REDACTED]

# Application to designate a Neighbourhood Area

## Cheshire West and Chester Council

### 2) Relevant body

Please confirm that you are the relevant body to undertake neighbourhood planning in your 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).

*(please select one answer)*

Yes ..... ☒ No ..... ☐

#### Name of Parish Council or Neighbourhood Forum

Handbridge Neighbourhood Forum

#### If a Neighbourhood Forum, has this been designated yet?

*(please select one answer)*

Yes ..... ☐

No - but application submitted ..... ☒

No - application not yet submitted ..... ☐

### 3) Name of Neighbourhood Area

Please give the name by which your Neighbourhood Area will be formally known.

Handbridge Neighbourhood Area

### 4) Extent of the area

Please indicate below and attach an OS plan showing the intended extent of the area.

*(please select one answer)*

Area not covered by a Parish ..... ☒

Whole Parish boundary area ..... ☐

Part of one Parish ..... ☐

Includes more than one Parish (please complete section 6 below) ..... ☐

A map showing the area to which the application relates has been attached. .... ☒

### 5) Intention of the Neighbourhood Area

Please indicate which of the following you intend to undertake with your Neighbourhood Area.

*(please select all that apply)*

Neighbourhood Development Plan ..... ☒

Neighbourhood Development Order ..... ☐

Community Right to Build ..... ☐

### 6) Additional Parish details (if applicable)

Please complete this section if the proposed Neighbourhood Area includes more than one Parish.

Please provide details of the additional area covered and the name(s) of the relevant Parish/Parishes.

Not applicable

If the neighbourhood area includes the whole or any part of the area of another Parish council, the lead Parish council is authorised to act in relation to the neighbourhood area only if the other Parish council(s) have given their consent.

Please provide the name and signature of a representative from each relevant Parish council to confirm that the Parish council have provided formal agreement and are happy for you to act on their behalf.

Not applicable



## Cheshire West and Chester Council

### For all applications

Please describe below why you consider that the extent of the neighbourhood area is appropriate.

If possible, please provide a copy of the minutes of the Parish Council meeting(s) at which it was agreed that the whole/part of the Parish council area could be included in the Neighbourhood Area and that the applicant Parish Council were authorised to act as the lead authority on Neighbourhood Planning work.

The chosen area was the overwhelming choice of the approximately 40 people that attended a public meeting at Chester Business School on 23 September 2019. Cheshire West & Chester Council planners had suggested three options: (i) the entirety of the Handbridge Park Ward; (ii) the chosen area; and (iii) an area only including the developed parts of the chosen area.

The chosen area is very clearly bounded by established geographical features:

- River Dee to the North and East
- A483 Wrexham Road to the West
- Boundary with Eccleston Parish to the South

The chosen area does not include any existing parished areas and has a clear boundary with the other parts of Handbridge Park Ward including Westminster Park and Curzon Park.

Inclusion of all the 'green' areas as well as the 'developed' areas of Handbridge is considered to be very important from planning, conservation and development perspectives. Improving the social, economic and environmental well-being of the chosen area requires that the interactions between the use of 'developed' and 'green' spaces are taken fully into account.

### 7) Declaration

I hereby apply to designate a Neighbourhood Area as described on this form and the accompanying plan.

**Name**

Dr Alan Martin Smith

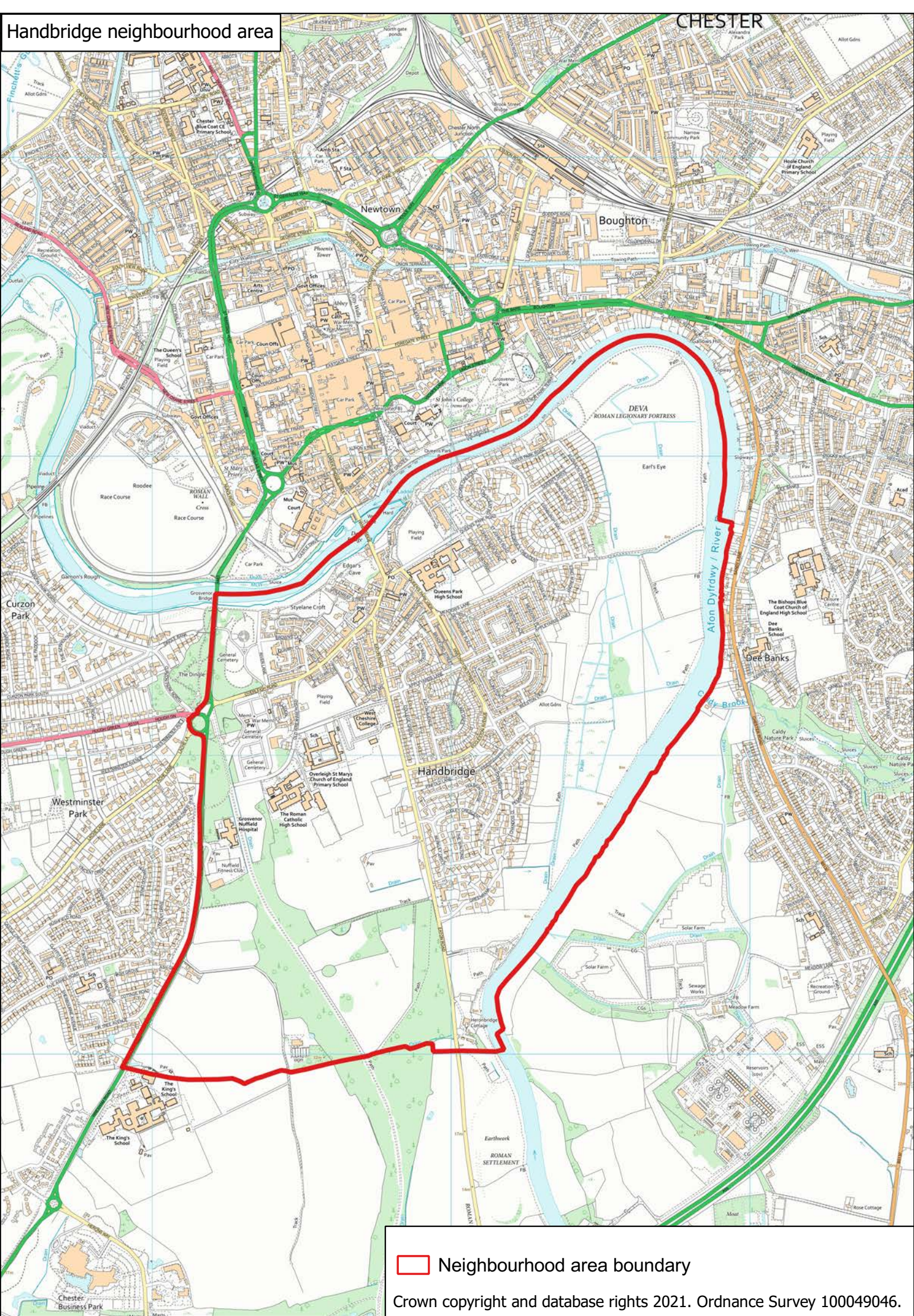
**Signature**

[Redacted Signature]

**Date**

14 November 2020





Neighbourhood area boundary