

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 30th July 2013

NEIGHBOURHOOD APPLICATION AREA: Helsby

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

DATE APPLICATION FIRST PUBLICISED: 30th May 2013

AREA NAME: Helsby

APPLICANT NAME: Helsby Parish Council

WARD: Helsby

WARD MEMBERS: Les Ford

CASE OFFICER: Rosie Morgan

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of the Helsby Neighbourhood Area.
- 1.2 The application for the designation of Helsby Neighbourhood was publicised on 30th May 2013. The application was made under Part 2 of Regulation 5 of the Town and Country Planning Act. 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 1990 Act.

2 AREA DESCRIPTION

- 2.1 The proposed Helsby Neighbourhood Area is the area covered by Helsby Parish Council and follows the same boundary as both Helsby Parish and Ward. The area contains the village of Helsby.
- 2.2 A map of the proposed Helsby Neighbourhood Area is attached to this report.

3 PUBLICITY

3.1 The application was publicised by public notice in the Chester Chronicle on 30th May 2013.

3.2 Details of the application were also published on the Council's website from 30th May to 11th July 2013:

http://www.cheshirewestandchester.gov.uk/residents/planning_and_building_control/neighbourhood_planning.aspx.

3.3 Copies of a notice advertising the application were placed at the following locations around the village:

- Land of Beds Notice Board
- Library Notice Board
- Community Centre NB
- Station Avenue NB
- Post Office NB
- Bates Lane NB
- Tesco NB
- Headlines Hair Design
- Fearn's Pharmacy
- Helsby Fast Food

3.4 Local Councillors were informed of the application with the call-in cut off date of 18th July 2013. 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 six week publicity period ran from 30th May to 11th July 2013.

3.6 The neighbouring parish councils of Frodsham PC, Alvanley PC, Dunham on the Hill & Hapsford PC and Elton PC were notified of the application by letter sent by email on 30th May 2013.

3.7 The publicity arrangements complied with section 6 of the Regulations.

3.8 The following internal consultees were notified by email: Housing Strategy and Enabling, Legal Services, Specialist Environmental Services, Regeneration (Rural and Weaver Valley teams), Development Planning, and the Partnerships Manager.

3.9 The Council received representations from:

Environment Agency – no objection

Natural England – No objection, provided advice on issues to take into account in preparation of Neighbourhood Development Plan

English Heritage – No objection, provided advice on issues to take into account in preparation of Neighbourhood Development Plan

United Utilities – No objection, raised issues to take account of in preparation of Neighbourhood Development Plan

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 section 5C 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 Helsby Parish Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

4.4 The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by both Helsby Parish and Ward.

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 Helsby 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 Helsby Neighbourhood Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Helsby Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Helsby Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6 DECISION

- 6.1 That the Helsby Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Helsby Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Helsby Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Helsby Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.
- 6.3 The Strategic Manager, Spatial Planning hereby exercise their delegated authority to agree the area application.
- 6.4 A copy of this note will be sent to Helsby Parish Council and relevant local Councillors.
- 6.5 In accordance with section 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 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 Helsby Neighbourhood Area

STRATEGIC MANAGER – SPATIAL PLANNING

31 July 2013