

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 18th February 2013

NEIGHBOURHOOD APPLICATION AREA: Moulton (NPA004)
Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012

DATE APPLICATION FIRST PUBLICISED: 5 December 2012

AREA NAME: Moulton

APPLICANT NAME: Moulton Parish Council

WARD: Davenham and Moulton

WARD MEMBERS: Councillor Gaynor Sinar
Councillor Elton Watson
Councillor Helen Weltman

CASE OFFICER: Graham Bench

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of Moulton Neighbourhood Area.
- 1.2 The application for the designation of Moulton Neighbourhood was publicised on 5th December 2012. 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 Moulton Neighbourhood Area is the area covered by Moulton Parish Council and follows the same boundary. It includes the village of Moulton and the surrounding area that falls within the Moulton

Parish area. The area is located within the wider Ward of Davenham and Moulton.

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

3 PUBLICITY

- 3.1 The application was publicised by public notice in the Mid-Cheshire Guardian on 5th December 2012.
- 3.2 Details of the application were also published on the Council's website from 5th December 2012 – 16th January 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 in five locations in the Moulton Area: Moulton Parish Council Noticeboard, Whitlow Lane; Co-op Store, Whitlow Lane; Moulton Village Hall Noticeboard, Main Rd; Post Office, Main Rd; and Private Noticeboard, Crows Lodge, Main Rd.
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 23rd January 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 5th December 2012 – 16th January 2013.
- 3.6 The neighbouring parish councils of Davenham, Bostock, Winsford, and Whitegate & Marton were notified of the application by letter (sent on 29th November 2012).
- 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; Regeneration; Specialist Environmental Services; Development Management.
- 3.9 The Council received two representations from English Heritage, and the Environment Agency, during the publicity period. Neither of these bodies objected 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 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 Moulton Neighbourhood Area.
- 4.3 Moulton 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 recognised boundary of the area covered by Moulton Parish Council. It covers the parish of Moulton, including the village of Moulton, and the surrounding rural hinterland.
- 4.5 The proposed neighbourhood plan area is the same as that covered by the Village Design Statement published in 2008, and is distinct from neighbouring villages, separated by clear gaps of greenspace.
- 4.6 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 Moulton 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 Moulton Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Moulton Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Moulton Parish 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 Moulton Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Moulton Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Moulton Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Moulton Parish 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 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 Moulton 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 Moulton Neighbourhood Area

STRATEGIC MANAGER – SPATIAL PLANNING

6 March '13