

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 18th February 2013

NEIGHBOURHOOD APPLICATION AREA: Neston (NPA005)
Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012

DATE APPLICATION FIRST PUBLICISED: 19th December 2012

AREA NAME: Neston

APPLICANT NAME: Neston Town Council

WARD: Neston Ward, Parkgate Ward, Little Neston and Burton Ward

WARD MEMBERS:
Councillor Andy Williams
Councillor Brenda Dowding
Councillor Louise Gittins
Councillor Kay Loch

CASE OFFICER: Graham Bench

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of Neston Neighbourhood Area.
- 1.2 The application for the designation of Neston Neighbourhood was publicised on 19th December 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 Neston Neighbourhood Area is the area covered by Neston Town Council and follows the same boundary. It includes the Town of Neston, including Parkgate, Riverside, Ness, and Little Neston and those rural areas that fall within the Neston Town Council area. The area is located within the wider Wards of Neston, Parkgate, and Little Neston and Burton.
- 2.2 A map of the proposed Neston Neighbourhood Area is attached to this report.

3 PUBLICITY

- 3.1 The application was publicised by public notice in the Ellesmere Port Pioneer on 18th December 2012
- 3.2 Details of the application were also published on the Council's website from 19th December 2012 – 30th 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 eight locations in the Neston Town Council Area: Noticeboards at the Post Office; Sainsbury's; and Neston Community & Youth Centre, as well as Town Council Noticeboards at Ness, Little Neston, Neston, Parkgate, and Riverside.
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 6th February 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 19th December 2012 to 30th January 2013
- 3.6 The area is unparished, so there are no neighbouring parish councils to consult.
- 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 four representations from English Heritage, the Environment Agency, Natural England and United Utilities during the publicity period. 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 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 Neston Neighbourhood Area.
- 4.3 Neston Town 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 Neston Town Council. It covers the areas of Neston, Parkgate, Ness, Riverside, Little Neston, and the surrounding rural hinterland. Whilst many of these areas retain some individual characters, they form a single town environment with shared resources, facilities, and town centre. The area represents a coherent community contained within the boundaries of the Town Council.
- 4.5 The Town Council itself was set up in 2009 after 58.5% of households supported its creation in a ballot organised by the former Ellesmere Port & Neston Borough Council. As such, it can be considered that the existence of the Town Council is recognised and supported by the residents.
- 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 Neston 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 Neston Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Neston Town Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Neston 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 Neston Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Neston Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Neston Town Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Neston 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 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 Neston Town 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 Neston Neighbourhood Area

STRATEGIC MANAGER – SPATIAL PLANNING
6 March '13