

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 28 February 2014

NEIGHBOURHOOD APPLICATION AREA: Tarporley

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

DATE APPLICATION FIRST PUBLICISED: 8 January 2014

AREA NAME: Tarporley

APPLICANT NAME: Tarporley Parish Council

WARD: Tarporley

WARD MEMBERS: Cllr Eveleigh Moore Dutton

CASE OFFICER: Lyndsay Jennings

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of the Tarporley Neighbourhood Area.
- 1.2 The application for the designation of the Tarporley Neighbourhood Area was publicised on 8th January 2014. 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 Tarporley Neighbourhood Area is the area covered by Tarporley Parish Council and follows the same boundary. It includes the settlement of Rhuddall Heath and the area is located within the Tarporley Ward.

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

3 PUBLICITY

- 3.1 The application was publicised by public notice in the Chester Chronicle on 8th January 2014.

- 3.2 Details of the application were also published on the Council's website from 8th January 2014 - 19th February 2014.

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

- 3.3 Copies of a notice advertising the application were placed on the:
- Parish Council notice board on the High Street in Tarporley
 - Public notice board at St Helen's Church gates, High Street, Tarporley
 - Notice board at Tarporley Library
 - Notice board at Tarporley Community Centre, High Street, Tarporley
 - Notice board at Tarporley Medical Centre, Park Road, Tarporley
 - Notice board at Tarporley Play Area, High Street, Tarporley
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 26th February 2014. 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 8th January 2014 - 19th February 2014.
- 3.6 The neighbouring parish councils of Rushton, Utkinton, Tiverton and Tilstone Fearnall, Clotton Hoofield and Iddinshall were notified of the application by letter on 8th January 2014.
- 3.7 The publicity arrangements complied with section 6 of the Regulations.
- 3.8 The following internal consultees were notified: Housing Strategy and Enabling; Legal; Regeneration; Specialist Environmental Services; Localities and Development Management.
- 3.9 *The Council received representations from:*
- English Heritage – no comment, 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.

- Natural England – no comment, but provide general advice.
- United Utilities – no comment, raised issues to be taken into account in preparation of Neighbourhood Development Plan and wish to be kept informed.

- 3.10 Feedback was provided on the current community governance review of the borough. It confirmed that boundary changes for Tarporley Parish were formally agreed by Full Council on 17 October 2013, and, as such, will come into effect from 1 April 2015.

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 the area of the proposed Tarporley Neighbourhood Area. The designated Beeston and Tiverton & Tilstone Fearnall Neighbourhood Area share a common boundary with the proposed Tarporley Neighbourhood Area (this lies to the south).

- 4.3 Tarporley 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 Tarporley, which has stood throughout several local government reorganisations. Tarporley is a key service centre providing key services including secondary and primary schools, library, banks, supermarket, post office, dental practice, GP facility and a wide range of shops. It acts as a rural centre providing higher order services to surrounding villages. Tarporley has a SBI designation lying to the west of the settlement. There is a large Conservation Area within the village, a Scheduled Monument and a large number of Listed Buildings.

- 4.5 No request has been made to amend the current applied for boundary to align with the new boundaries as agreed by full council. However the new boundary does not come into effect until 1 April 2015. Legal advice and advice from DCLG was that the boundary should follow the current parish boundary, rather than the new boundary. At April 2015, it will be possible for Tarporley NDP steering group to decide whether they wish to amend the boundary. It has also been recommended to Tarporley Parish Council that any work done at this stage takes account of the fact that the boundary could change in the future, so this is mentioned in any consultation work for example. It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Plan.

5 CONCLUSION

- 5.1 The application for the Tarporley Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and no objections were received.
- 5.2 The Tarporley Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Tarporley Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Tarporley Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6 DECISION

- 6.1 That the Tarporley Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Tarporley Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Tarporley Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Tarporley 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 Tarporley 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 Tarporley Neighbourhood Area.



SPATIAL PLANNING & STRATEGIC TRANSPORT MANAGER
27 March 2014