

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 15th January 2013

NEIGHBOURHOOD APPLICATION AREA: Tattenhall (NPA003)
Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012

DATE APPLICATION FIRST PUBLICISED: 8 November 2012

AREA NAME: Tattenhall

APPLICANT NAME: Tattenhall and District Council

WARD: Tattenhall

WARD MEMBERS:
Councillor Mike Jones
Councillor Eleanor Johnson
Councillor Ann Wright

CASE OFFICER: Jeremy Owens

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of Tattenhall Neighbourhood Area.
- 1.2 The application for the designation of Tattenhall Neighbourhood was publicised on 8 November 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 Tattenhall Neighbourhood Area is the area covered by Tattenhall and District Parish Council and follows the same boundary. It includes the village of Tattenhall and the surrounding settlements of

Golborne Bellow and Newton-by-Tattenhall that fall within the the Tattenhall and District Parish area. The area is located within the wider Ward of Tattenhall.

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

3 PUBLICITY

- 3.1 The application was publicised by public notice in the Chester Chronicle on 8 November 2012.
- 3.2 Details of the application were also published on the Council's website from 8 November 2012 – 20 December 2012
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 ten locations in the Tattenhall and District Area: The Barbour Institute, parish and community noticeboards in Tattenhall and Gatesheath, Tattenhall post office and three village shops.
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 3 January. 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 8 November 2012 to 20 December 2012.
- 3.6 The neighbouring parish councils of Huxley, Beeston, Burwardsley, Broxton & District, Handley & District and Hatton were notified of the application by letter (sent on 8 November).
- 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 Tattenhall Neighbourhood Area.
- 4.3 Tattenhall and District 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 Tattenhall and District Parish Council. It covers the parishes of Tattenhall, Newton-by-Tattenhall and Golborne Bellow which are administered by one Parish Council. The area encompasses the settlements of Tattenhall village and the satellite hamlets of Newton-by-Tattenhall and Gatesheath, surrounded by rural hinterland. 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 Tattenhall 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 Tattenhall Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Tattenhall and District Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Tattenhall and District 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 Tattenhall Neighbourhood Area is approved and is formally designated.
- 6.2 The reasons for this decision are that the Tattenhall Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Tattenhall and District Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Tattenhall and District 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 Tattenhall and District 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 Tattenhall Neighbourhood Area

STRATEGIC MANAGER – SPATIAL PLANNING

17 January '13