

# **CHESHIRE WEST AND CHESTER COUNCIL**

**DELEGATED REPORT**

**DATE: 16 April 2013**

**NEIGHBOURHOOD APPLICATION AREA: Whitegate and Marton  
Regulation No. 5 of the Neighbourhood Planning (General) Regulations  
2012**

**DATE APPLICATION FIRST PUBLICISED: 6<sup>th</sup> February 2013**

**AREA NAME: Whitegate and Marton**

**APPLICANT NAME: Whitegate and Marton Parish Council**

**WARD: Winsford Over and Verdin Ward**

**WARD MEMBERS: Councillor Don Beckett,  
Councillor Tom Blackmore,  
Councillor Lynda Jones**

**CASE OFFICER: Joy Gill**

**RECOMMENDATION: Approve**

## **1 INTRODUCTION**

- 1.1 This delegated report relates to the assessment of the application for the designation of the Whitegate and Marton Neighbourhood Area.
- 1.2 The application for the designation of Whitegate and Marton Neighbourhood was publicised on 6<sup>th</sup> February 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 Whitegate and Marton Neighbourhood Area is the area covered by Whitegate and Marton Parish Council and follows the same boundary. The overall settlement pattern is one of rural spaciousness and small settlements. It includes the settlements of Whitegate and Marton including a number of small hamlets such as Nova Scotia, Marton Sands,

Marton Green and Foxwist Green. The area is located within the wider Winsford Over and Verdin Ward.

- 2.2 A map of the proposed Whitegate and Marton Neighbourhood Area is attached to this report.

### **3 PUBLICITY**

- 3.1 The application was publicised by public notice in the Knutsford, Northwich, Middlewich and Winsford Guardians on 6<sup>th</sup> February 2013.
- 3.2 Details of the application were also published on the Council's website from 6<sup>th</sup> February 2013 –20<sup>th</sup> March 2013.  
[http://www.cheshirewestandchester.gov.uk/residents/planning\\_and\\_building\\_control/neighbourhood\\_planning.aspx](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 four locations in the Whitegate and Marton Parish Council (PC) Area: PC Notice Board outside the Recreation Room, Dalesfords Lane, Marton; PC Notice Board outside The Mews, Church Green, Cinder Hill, Whitegate (between school and St Marys church); Whitegate Station Notice Board & Local Pub Notice Board.
- 3.4 Local Councillors were informed of the application with the call-in cut off date of 27<sup>th</sup> March 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 6<sup>th</sup> February 2013 to 20<sup>th</sup> March 2013.
- 3.6 The neighbouring parish councils of Winsford, Little Budworth, Oakmere, Cuddington, Hartford, Davenham and Moulton were notified of the application by letter (sent on 6<sup>th</sup> February 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; Regeneration; Specialist Environmental Services; and Development Management.
- 3.9 The Council received three representations from the Environment Agency, United Utilities and English Heritage 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 three existing designated Neighbourhood Areas close to the boundary of the proposed Whitegate and Marton Neighbourhood Area; Winsford, Moulton and Hartford.
- 4.3 Whitegate and Marton 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 Whitegate and Marton Parish Council. Whitegate and Marton is characterised by a scattered spread of individual buildings and small settlements. There is a strong historical context with Whitegate and Marton emerging in the thirteenth century. This has left a rich architectural heritage with much of the centre of Whitegate within a conservation area and many listed buildings in both key settlements.
- 4.5 The Neighbourhood Area is characterised by attractive landscape and the quality of its buildings and spaces reflecting a strong sense of history and tradition.
- 4.6 Together Whitegate and Marton's features and characteristics help to make the Parish unique. It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Plan.

## **5 CONCLUSION**

- 5.1 The application for the Whitegate and Marton 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 Whitegate and Marton Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
  - Whitegate and Marton Parish Council is the relevant body to undertake Neighbourhood Planning.

- The Neighbourhood Plan Area follows the boundary of the area covered by Whitegate and Marton Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

## **6 DECISION**

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

## **STRATEGIC MANAGER – SPATIAL PLANNING**

**17 April 2013**