

Cheshire West and Chester Council

Delegated report	Date: 14 June 2016
Neighbourhood application area:	Darnhall Parish
Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012	
Date application first publicised:	20 April 2016
Area name:	Darnhall Parish
Applicant name:	Darnhall Parish Council
Ward:	Winsford Swanlow and Dene
Ward Members:	Cllr David Armstrong Cllr Stephen Burns
Case officer:	Rosie Morgan
Recommendation:	Approval

1 Introduction

- 1.1 This delegated report relates to the assessment of the application for the designation of the Darnhall Parish Neighbourhood Area.
- 1.2 The application for the designation of Darnhall Parish Neighbourhood was publicised on 20 April 2016. The application was made under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. 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 Town and Country Planning Act 1990 (as amended).

2 Area description

- 2.1 The proposed Darnhall Parish Neighbourhood Area is the area covered by Darnhall Parish Council and follows the same boundary. It includes the settlement of Darnhall to the south of Winsford. The area is located within the wider Winsford Swanlow and Dene Ward.

2.2 A map of the proposed Darnhall Parish Neighbourhood Area is attached to this report.

3 Publicity

3.1 The application was publicised by public notice in the Winsford Guardian on 20 April 2016.

3.2 Details of the application were also published on the Council's website from 20 April 2016.

<http://www.cheshirewestandchester.gov.uk/neighbourhoodplanning>.

3.3 Copies of a notice advertising the application were placed on public noticeboards outside Darnhall Village Hall and outside Swanlow Lane Post Office, and on the village hall user notice board within the village hall.

3.4 Local Councillors were informed of the application with the call-in cut off date of 30 May 2016. Members were advised that should they wish the application to be considered by Cabinet Member with advice from the Local Plan Working Group, they must notify the case officer by email or letter before the call-in cut off date.

3.5 The four week publicity period ran from 20 April to 23 May 2016.

3.6 The neighbouring parish councils of Little Budworth, Winsford, Church Minshull and Wettenhall, and Cheshire East Borough Council, were notified of the application by email on 25 April 2016.

3.7 The publicity arrangements complied with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012.

3.8 The following internal consultees were notified by email: Housing Policy and Strategy; Legal; Regeneration; Localities; Total Environment; Development Management; Democratic Services; Arts and Festivals; Energy and Carbon Reduction.

3.9 The Council received representations from: the Environment Agency who had no comments; Historic England who provided a list of Listed Buildings within the area and general advice; Natural England who offered advice on preparing a neighbourhood plan; and United Utilities who had no formal comments, but would like to be kept informed and consulted with further during the neighbourhood plan process.

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 Regulation 5(c) 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. The proposed Neighbourhood Area shares boundaries to the north with Winsford Neighbourhood Area and to the south with Church Minshull Neighbourhood Area in Cheshire East.
- 4.3 Darnhall Parish Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and Regulation 5(c) of the 2012 Regulations.
- 4.4 The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Darnhall Parish Council.
- 4.5 It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Plan.

5 Conclusion

- 5.1 The application for the Darnhall Parish 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 Darnhall Parish Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Darnhall Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Darnhall Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6 Decision

- 6.1 That the Darnhall Parish Neighbourhood Area is approved and is formally designated.

6.2 The reasons for this decision are that the Darnhall Parish Neighbourhood Development Plan Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Darnhall Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Darnhall Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6.3 The Senior Manager - Planning and Strategic Transport hereby exercise their delegated authority to agree the area application.

6.4 A copy of this note will be sent to Darnhall Parish Council and relevant local Councillors.

6.5 In accordance with Regulation 7 of the 2012 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 Darnhall Parish Neighbourhood Area



Signed

Senior Manager - Planning and Strategic Transport

Date 14 June 2016

Application to designate a Neighbourhood Area

Town and Country Planning Act 1990 (as amended)

Neighbourhood Planning (General) Regulations 2012

Please note that the information provided on this application form may be published on the Authority's website.

If completing by hand, please use block capitals and black ink.

1) Applicant contact details

(representative from Parish Council or Neighbourhood Forum)

Title and full name

Mr Richard Strachan

Address and postcode

[Redacted address and postcode]

Email address

rts.talk@btopenworld.com

Cheshire West and Chester Council

2) Relevant body

Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with section 61G of the 1990 Act and Regulation 5(c) of the 2012 Regulations (i.e. a Parish Council or Neighbourhood Forum).

(please select one answer)

Yes No

Name of Parish Council or Neighbourhood Forum

Darnhall Parish Council

If a Neighbourhood Forum, has this been designated yet?

(please select one answer)

Yes

No - but application submitted

No - application not yet submitted

3) Name of Neighbourhood Area

Please give the name by which your Neighbourhood Area will be formally known.

Darnhall Parish

4) Extent of the area

Please indicate below and attach an OS plan showing the intended extent of the area.

(please select one answer)

Area not covered by a Parish

Whole Parish boundary area

Part of one Parish

Includes more than one Parish (please complete section 6 below)

A map showing the area to which the application relates has been attached.

5) Intention of the Neighbourhood Area

Please indicate which of the following you intend to undertake with your Neighbourhood Area.

(please select all that apply)

- Neighbourhood Development Plan
- Neighbourhood Development Order
- Community Right to Build

6) Additional Parish details (if applicable)

Please complete this section if the proposed Neighbourhood Area includes more than one Parish.

Please provide details of the additional area covered and the name(s) of the relevant Parish/Parishes.

If the neighbourhood area includes the whole or any part of the area of another Parish council, the lead Parish council is authorised to act in relation to the neighbourhood area only if the other Parish council(s) have given their consent.

Please provide the name and signature of a representative from each relevant Parish council to confirm that the Parish council have provided formal agreement and are happy for you to act on their behalf.

Cheshire West and Chester Council

For all applications

Please describe below why you consider that the extent of the neighbourhood area is appropriate.

If possible, please provide a copy of the minutes of the Parish Council meeting(s) at which it was agreed that the whole/part of the Parish council area could be included in the Neighbourhood Area and that the applicant Parish Council were authorised to act as the lead authority on Neighbourhood Planning work.

At Darnhall Parish Council meeting of 26/01/16 a resolution was made by the council to form a committee made up of local residents and members of the Parish Council with the aim of developing a Neighbourhood Plan for Darnhall. It was decided to submit an application for designation of the Neighbourhood Area as the area defined by the existing Darnhall Parish boundary. The name of the neighbourhood area by which we wish to be known is Darnhall Neighbourhood Plan.

Darnhall Parish lies to the South and South West of the settlement boundary of the conurbation of Winsford and North of the Unitary Authority area boundary of Cheshire East. It occupies a section of the Cheshire Plain, the area is uniformly open land either laid to pasture for dairy farming, woodland or reserved as paddock for horses, interspersed with small clusters of residential properties including the hamlet of Darnhall village. As such the area enjoys a common landscape character. The area can be considered as possessing unique features including the Western aspect of the River Weaver Valley and Southern section of the Winsford Flashes and including extensive areas of woodland that distinguish it from the nearby conurbation of Winsford. The rural nature of the parish and its proximity to Winsford means that any development will have an effect on the intrinsic nature of the parish. It is therefore appropriate that there should be a single Neighbourhood Plan (NP) for Darnhall Parish. The main objective of the NP will be to ensure a common approach to planning related issues within the rural community of Darnhall that preserves its rural identity, environmental assets and maintains an appropriate degree of separation with the urban conurbation of Winsford. There are not currently any parish plans or village design statements for Darnhall Parish.

7) Declaration

I hereby apply to designate a Neighbourhood Area as described on this form and the accompanying plan.

Name

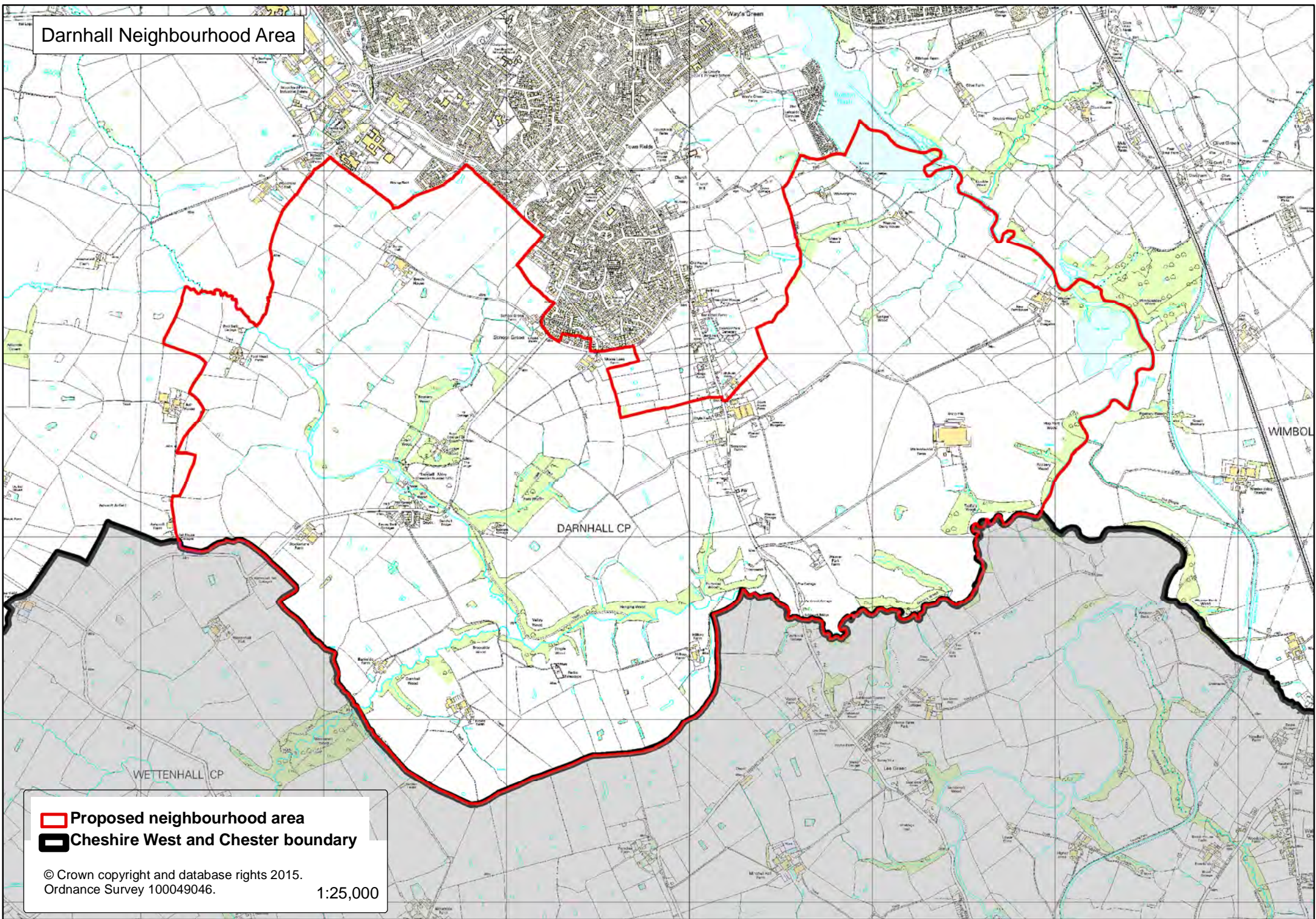
Richard Strachan

Signature

Date

06/04/2016

Darnhall Neighbourhood Area



-  Proposed neighbourhood area
-  Cheshire West and Chester boundary

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