

East Riding of Yorkshire Council

Allerthorpe Neighbourhood Plan (2019-2034) – Decision Statement

Date of Publication – 7th October 2019

Background

1. On 19 February 2014 East Riding of Yorkshire Council formally designated the area shown at Appendix A as the Allerthorpe Neighbourhood Area.
2. Following the submission of the Draft Allerthorpe Neighbourhood Plan (2019-2034) (ANP) to East Riding of Yorkshire Council, the plan was publicised and representations were invited. The publicity period ended 22nd February 2019.
3. East Riding of Yorkshire Council appointed an independent Examiner, Andrew Ashcroft BA (Hons) MA, DMS, MRTPI to examine whether the ANP met the ‘basic conditions’ as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the ANP should proceed to a referendum.
4. The Examiner’s Report (30 September 2019) recommended a number of modifications to the ANP. These are required to ensure the ANP complies with the basic conditions and other relevant statutory provisions, and so that the draft plan as modified can be submitted for referendum. It concludes by stating:

“On the basis of the findings in this report I recommend to East Riding of Yorkshire Council that subject to the incorporation of the modifications set out in this report that the Allerthorpe Neighbourhood Development Plan should proceed to referendum.”

Recommendations, Decisions and Reasons

5. The Neighbourhood Planning (General) Regulations 2012, Regulation 18, requires the local planning authority to outline what action needs to be taken in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
6. Having considered the recommended modifications, as set out in the Examiner’s Report and the reasons for them, East Riding of Yorkshire Council has agreed to accept these modifications are made to the ANP in accordance with paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990. The Council confirms that subject to the Examiner’s proposed specific modifications, the ANP will proceed to referendum for the following reasons. The Neighbourhood Plan:
 - will be compatible with the European Convention of Human Rights;
 - will not breach, and is otherwise compatible with, European Union obligations;
 - is not likely to have significant effect on a European designated site or a European Offshore Marine site either alone or in combination with other plans or projects;

- taken as a whole has regard to national policies and advice contained in guidance issued by the Secretary of State and would contribute to the achievement of sustainable development;
- is in general conformity with the strategic policies contained on the Development Plan for the area (East Riding Local Plan);
- meets the basic conditions; and
- has undergone consultation in accordance with the requirements of the Regulations.

The Council also agrees with the Examiner's recommendation that the referendum of the Neighbourhood Plan should be based on the designated Neighbourhood Area approved by the Council on 19 February 2014.

7. To meet the requirements of the Localism Act 2011, a referendum which poses the question, 'Do you want East Riding of Yorkshire Council to use the Allerthorpe Neighbourhood Plan (2019-2034)(as amended) to help it decide planning applications in the Allerthorpe Neighbourhood Area!?' will be held in the area formally designated as the Allerthorpe Neighbourhood Area.
8. The date on which the referendum will take place will be agreed with Allerthorpe Parish Council and published in an information statement and notice of referendum.

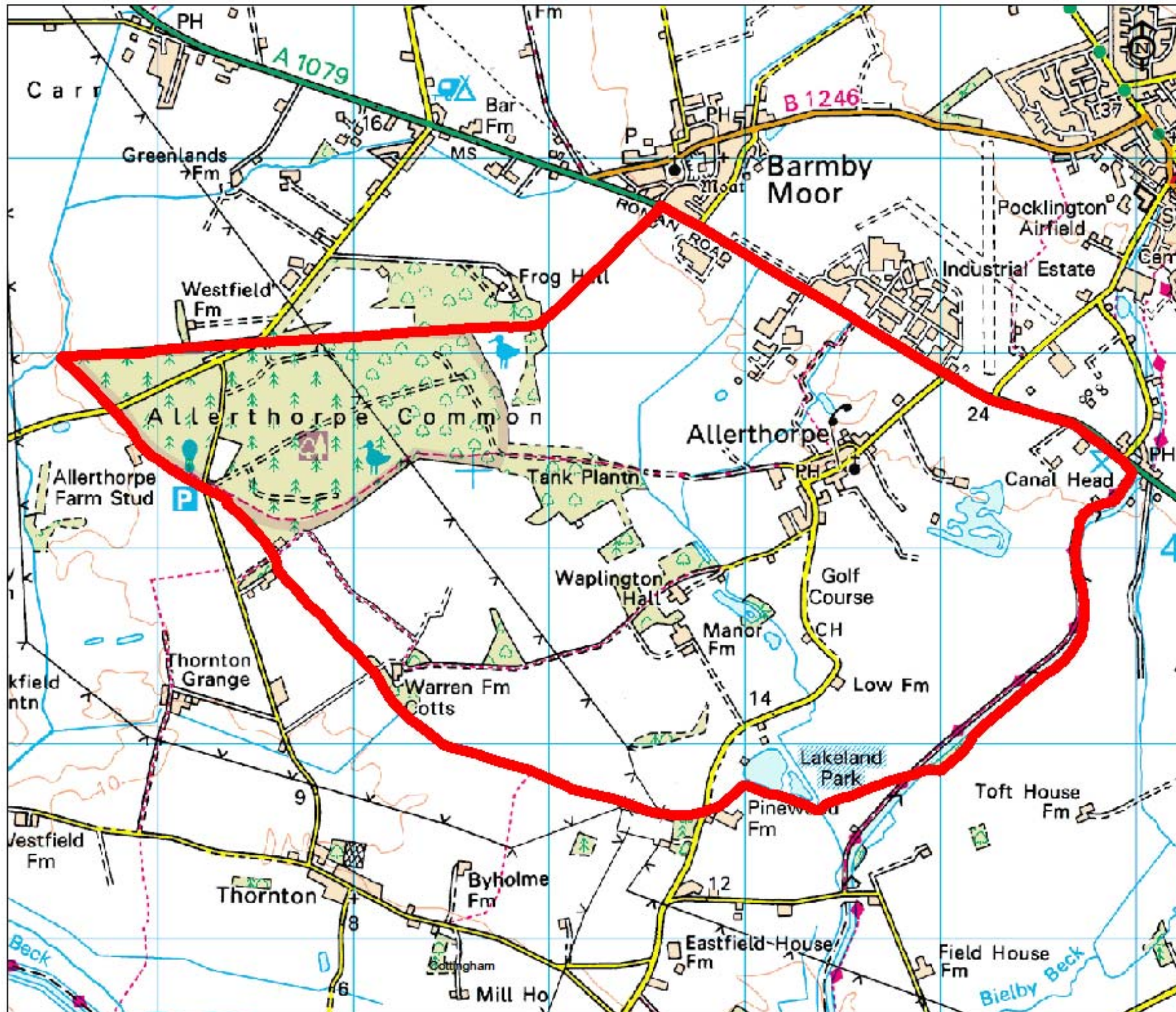
This Decision Statement, the Examiner's Report, including the proposed modifications and the ANP can be viewed on East Riding of Yorkshire Council's website (www.eastriding.gov.uk/anp). The documents are also available for inspection at the following locations:

- Pocklington Customer Service Centre; and
- Beverley Customer Service Centre.


For any questions please contact the Forward Planning Team on 01482 391743 or e-mail Christopher.cole@eastriding.gov.uk


¹ Neighbourhood Planning (Referendums) Regulations 2012 (As amended)

Appendix A – Allerthorpe Neighbourhood Area



Allerthorpe Neighbourhood Area

 Allerthorpe Neighbourhood Area
Designated: 19/02/2014

 **EAST RIDING**
OF YORKSHIRE COUNCIL

Map prepared by Forward Planning /JL/PH

Not to Scale	Date: 22.08.2013
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