



Strensall with Towthorpe Neighbourhood Plan

Final Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

1. Summary

Following a positive referendum result on the 4th May 2023, City of York Council is publicising its decision made on 15th June 2023 by the Executive to 'make' the Strensall with Towthorpe Neighbourhood Plan part of the City of York Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

2. Background

Strensall with Towthorpe Parish Council, as the qualifying body, successfully applied for the Parish of Strensall with Towthorpe to be designated as the Strensall with Towthorpe Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012). Following the submission of the Strensall with Towthorpe Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 7th January 2022.

3. Decision and Reasoning

City of York Council appointed an independent Examiner; Mrs Rosemary Kidd Dip TP, MRTPI, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

The Examiner's Report concluded that subject to a series of recommended modifications, the Strensall with Towthorpe Neighbourhood Plan met the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as

amended by the Localism Act 2011) and subject to these modifications being made it should proceed to referendum.

At Local Plan Working Group on 6th March 2023 and Executive on 16th March 2023, Members accepted the Examiner's recommendations (in line with the Neighbourhood Plan Regulation 17A(2) Consultation) and agreed that the Strensall with Towthorpe Neighbourhood Plan as so modified should proceed to referendum.

A referendum on the plan was held on Thursday 4th May 2023 and 82.5% of those who voted were in favour of the plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the plan. City of York Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The referendum held on 4th May 2023 met the requirements of the Localism Act 2011; it was held in the Strensall with Towthorpe Neighbourhood Area and posed the question:

Do you want City of York Council to use the Neighbourhood Plan for Strensall with Towthorpe to help it decide planning applications in the neighbourhood area?

The count took place on the 5th May 2023 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area.

The results of the referendum were:

Response	Votes recorded (percentage)
Yes	82.5%
No	17.5%
Turnout	33.0%

The Council considers that the Strensall with Towthorpe Neighbourhood Plan meets the basic conditions (set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 as amended), its promotion process was compliant with legal and procedural requirements and it does not breach the legislation (set out in Section 38A(6) of the Planning and Compulsory Purchase Act 2004).

4. Inspection of Decision Statement and made Neighbourhood Plan

This decision statement can be viewed on the City of York Council website: <https://www.york.gov.uk/planning-policy/strensall-towthorpe-neighbourhood-plan>

The decision statement can also be viewed on the Strensall with Towthorpe Neighbourhood Plan website: <https://www.plan4strensall.co.uk>

In accordance with Regulation 20 of the Regulations, the made Strensall with Towthorpe Neighbourhood Plan can be viewed on the Council's website: <https://www.york.gov.uk/planning-policy/strensall-towthorpe-neighbourhood-plan>

The Neighbourhood Plan can also be viewed on the Strensall with Towthorpe Neighbourhood Plan website: <https://www.plan4strensall.co.uk>

A copy of this decision statement is being sent to:-

- The qualifying body, namely Strensall with Towthorpe Parish Council; and
- To any person who asked to be notified of the decision.

Paper copies of this statement and the made Neighbourhood Plan can also be viewed at:

York Libraries

If open at the time of the Neighbourhood Plan Adoption (post 15th June 2023) hard copies are available in both York Explore Library and Strensall Library.

The Neighbourhood Plan Adopted Version and this Decision Statement will also be available to view online via computer access at Explore Libraries, if open at Adoption (post 15th June 2023). Computer access will be in line with the library opening hours and protocols. For further information on computer access, please see: <https://www.exploreyork.org.uk/libraries/>

Current opening times are as follows:

York Explore Library, Library Square, York, YO1 7DS

(Monday 9am-8pm, Tuesday 9am-8pm, Wednesday 9am-8pm, Thursday 9am-8pm, Friday 10am-6pm, Saturday 9am-5pm, Sunday 11am-4pm)

Strensall Library, 19 The Village, Strensall, York, YO32 5XS

(Monday 2pm-5pm, Tuesday 10am-12.30pm and 2pm-5pm), Wednesday closed, Thursday 10am-12.30pm and 2pm-5pm, Friday 2pm-5pm, Saturday 10am-12.30pm, Sunday closed)

City of York Council Offices, West Office's Station Rise, York, YO1 6GA

Hard copies of the Neighbourhood Plan Adopted Version and this Decision Statement will be made available, after adoption (post 15th June 2023), at West Offices and will be available to view by appointment only. Should you wish to arrange an appointment, you should contact the Forward Planning team directly on (01904 552255).

For further information please contact the Neighbourhood Planning team on neighbourhoodplanning@york.gov.uk or 01904 552255.

Neil Ferris
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15th June 2023