



## **Rufforth with Knapton 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 20<sup>th</sup> November 2018, City of York Council is publicising its decision made on 20<sup>th</sup> December 2018 by the Executive to 'make' the Rufforth with Knapton Neighbourhood Plan part of the City of York Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

#### **2. Background**

Rufforth with Knapton Parish Council, as the qualifying body, successfully applied for the parish of Rufforth with Knapton to be designated as the Rufforth with Knapton Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012). Following the submission of the Rufforth with Knapton Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 2<sup>nd</sup> May 2018.

#### **3. Decision and Reasoning**

City of York Council appointed an independent Examiner; Mr Andrew Ashcroft BA (Hons) MA, DMS, 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 the plan meets the Basic Conditions, and that subject to the modifications proposed in the report and which are set out in the Rufforth with Knapton Neighbourhood Plan Decision Statement (discussed at LPWG and Executive on 20<sup>th</sup> and 27<sup>th</sup>

September 2018 respectively), the plan should proceed to a Referendum.

A referendum was held on Tuesday 20<sup>th</sup> November 2018 and 93% 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 20<sup>th</sup> November 2018 met the requirements of the Localism Act 2011; it was held in the Rufforth with Knapton Neighbourhood Area and posed the question:

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

The count took place on the 20<sup>th</sup> November 2018 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:

<b>Response</b>	<b>Votes recorded (percentage)</b>
Yes	93%
No	7%
Turnout	32.9%

The Council considers that the Rufforth with Knapton 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 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 and the Rufforth with Knapton Neighbourhood Plan website:

[www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning)

<https://www.rufforth-knaptonplan.co.uk/>

In accordance with Regulation 20 of the Regulations, the Rufforth with Knapton Neighbourhood Plan can be viewed on the Council's website and the Rufforth with Knapton Neighbourhood Plan website:

[www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning)

<https://www.rufforth-knaptonplan.co.uk/>

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

- The qualifying body, namely Rufforth with Knapton 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:

- **City of York Council**, West Offices, Station Rise, York, YO1 6GA (Mon-Fri 8.30am-5.00pm)
- **York Explore Library, Library Square, York, YO1 7DS** (Wednesday 9am-8pm, Thursday 9am-8pm, Friday 10am-6pm, Saturday 9am-5pm, Sunday 11am-4pm, Monday 9am-8pm, Tuesday 9am-8pm)
- **The Chapel, Rufforth** (Monday and Thursday 9:30am-12:30pm)
- **Tearooms/Shop, The Old School Rufforth, Rufforth House, Wetherby Road, Rufforth, York YO23 3QB** (Tuesday-Wednesday 8:30am-6pm, Sunday 10am-4pm and Monday Closed)
- **Rufforth Primary School, Wetherby Road, Rufforth, York, YO23 3QF** (Monday – Friday 8:45-3:15pm, Closed Saturday and Sunday and School Holidays)
- **The Red Lion, Knapton** (Tuesday-Saturday 12pm-3pm, 6pm-11pm, Sunday 12-4pm, Monday Closed)

For further information please contact the Neighbourhood Planning team on [neighbourhoodplanning@york.gov.uk](mailto:neighbourhoodplanning@york.gov.uk) or 01904 552255

Signed

A handwritten signature in black ink, appearing to read 'Mike Slater', with a stylized flourish at the end.

Mike Slater  
Chief Planning Officer

20<sup>th</sup> December 2018