

# North Yorkshire Council

## Full Council

13 November 2024

### Neighbourhood Planning – Making of the Pannal & Burn Bridge Neighbourhood Development Plan

#### Report of the Corporate Director – Community Development

#### **1.0 PURPOSE OF REPORT**

- 1.1 To present the results of the Pannal & Burn Bridge Neighbourhood Development Plan (the Neighbourhood Plan) referendum and the requirements of North Yorkshire Council as the Local Planning Authority to formally 'make' or adopt the Pannal & Burn Bridge Neighbourhood Development Plan.
- 1.2 To present the Regulation 19 Decision Statement, set out at Appendix A, which sets out the Local Planning Authorities' decision in terms of making or adopting the Pannal & Burn Bridge Neighbourhood Development Plan and the reasons for making that decision.

#### **2.0 BACKGROUND**

- 2.1 On 5 November 2024, Executive considered the results of the Pannal & Burn Bridge Neighbourhood Development Plan Referendum, held on 3 October 2024, which was successful. As a result, the Pannal & Burn Bridge Neighbourhood Development Plan now forms part of the statutory development plan for the area along with the adopted Harrogate District Local Plan (2020). North Yorkshire Council is now required to formally 'make' or adopt the Neighbourhood Development Plan and is required to publish a Regulation 19 Decision Statement, which sets out the authority's decision relating to making the Pannal & Burn Bridge Neighbourhood Development Plan and the reasons for making that decision.
- 2.2 Following the identification of factual errors in paragraph 3.11 of the Executive report, these were verbally raised during the meeting of Executive on 5 November 2024 and corrections were ratified by Members. The minutes of the meeting reflect these errors and corrections, and will be available prior to the meeting of Council here - [Agenda for Executive on Tuesday, 5th November, 2024, 11.00 am | North Yorkshire Council](#)

#### **3.0 FINANCIAL IMPLICATIONS**

- 3.1 These are covered in the report that went to the Executive on 5 November 2024.

#### **4.0 LEGAL IMPLICATIONS**

- 4.1 These are covered in the report that went to the Executive on 5 November 2024.

#### **5.0 CLIMATE CHANGE IMPLICATIONS**

- 5.1 These are covered in the report that went to the Executive on 5 November 2024.

#### **6.0 EQUALITIES IMPLICATIONS**

- 6.1 These are covered in the report that went to the Executive on 5 November 2024.

## **7.0 RECOMMENDATIONS**

### **7.1 That Council:**

- 7.1.1 make the Pannal & Burn Bridge NDP on or before the 29 November 2024.
- 7.1.2 approve the Regulation 19 Decision Statement set out at Appendix A to this report. As recommended by Executive following consideration of the Pannal & Burn Bridge Referendum results, the Regulation 19 Decision Statement and the requirements of North Yorkshire Council as the Local Planning Authority to formally 'make' or adopt the Pannal & Burn Bridge Neighbourhood Development Plan, at their meeting on 5 November 2024.

Nic Harne  
Corporate Director – Community Development  
County Hall, Northallerton

5 November 2024

## **BACKGROUND DOCUMENTS**

**Appendix A** : Regulation 19 Decision Statement

## Appendix A



### **Pannal and Burn Bridge Neighbourhood Development Plan 2021-2035**

#### **Regulation 19 Decision Statement**

Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended)

Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

#### **1. Summary**

1.1 In line with Regulation 19 of the regulations set out above, North Yorkshire Council has produced this 'Decision Statement' in relation to the Pannal and Burn Bridge Neighbourhood Development Plan 2021-2035 (the 'Plan').

1.2 Following a positive result at a referendum held on Thursday 3<sup>rd</sup> October 2024, North Yorkshire Council has 'made' (brought into legal force) the Pannal and Burn Bridge Neighbourhood Development Plan 2021-2035. The Plan now forms part of the statutory development plan for North Yorkshire and will be used to determine planning applications in the Pannal and Burn Bridge designated neighbourhood area (the Pannal and Burn Bridge Parish).

#### **2. Reason for this Decision**

2.1 An independent examination of the Plan, carried out by Ann Skippers MRTPI through consideration of written representations, has taken place. The Examiner concluded that, subject to a number of recommended modifications, the Plan meets the basic conditions set out by law and that the Plan, as modified in-line with the recommendations, should proceed to a referendum with a recommended voting area of Pannal and Burn Bridge parish.

2.2 On 16 July 2024 the Executive of North Yorkshire Council met to consider the Examiner's report and recommendations. The consideration of the Executive was informed by prior consideration by the Harrogate and Knaresborough Area Constituency Committee (ACC) on 30 May 2024, which recommended that Executive agree the Examiner's findings.

2.3 The Executive agreed each of the modifications recommended by the Examiner and the reasons put forward for them. It also agreed that, as modified, the Plan meets the basic conditions and other relevant requirements, and that the Plan should proceed to a referendum of electors in Pannal and Burn Bridge parish (the designated neighbourhood area). Further information on the decision to proceed to referendum can be found in the Pannal and Burn Bridge Neighbourhood Plan Regulation 18 Decision Statement available on the Council's website at:

[www.northyorks.gov.uk/pannalandburnbridgeneighbourhoodplan](http://www.northyorks.gov.uk/pannalandburnbridgeneighbourhoodplan)

2.4 A referendum was held on Thursday 3<sup>rd</sup> October 2024 within the Pannal and Burn Bridge designated area and posed the following question:

**"Do you want North Yorkshire Council to use the Neighbourhood Plan for Pannal and Burn Bridge to help it decide planning applications in the neighbourhood area?"**

2.3 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must make the Plan if more than half of those voting have voted in favour of the Plan.

2.4 On the day of the referendum 95.7% voted 'yes' and 4.3% voted 'no', therefore more than half of those voting voted in favour of the Plan.

2.5 Following this outcome, on the 5<sup>th</sup> November 2024, the Executive of North Yorkshire Council agreed to recommend to Full Council that the Pannal and Burn Bridge Neighbourhood Development Plan 2021-2035 is formally made on or before the 29 November 2024 and that this Decision Statement is approved for publication. At a meeting on the 13<sup>th</sup> November 2024, Full Council agreed the Executive's recommendations.

### **3. Inspection of Regulation 19 Decision Statement**

3.1 A copy of this Decision Statement is being sent to:

- The qualifying body that prepared the Plan (Pannal and Burn Bridge Parish Council); and
- Any person who asked during either Regulation 16 consultation or Further Consultation, which took place during the Examination, to be notified of the decision.

3.2 This Decision Statement, the made Plan and other supporting documents can be inspected at:

- North Yorkshire Council Customer Services Centre, Harrogate Civic Centre, St Luke's Avenue, Harrogate HG1 2AE. Opening hours: Monday, Tuesday, Thursday and Friday 9am to 4.30pm; Wednesday 9.30am to 4.30pm.
- On the North Yorkshire Council website at:  
[www.northyorks.gov.uk/pannalandburnbridgeneighbourhoodplan](http://www.northyorks.gov.uk/pannalandburnbridgeneighbourhoodplan)

3.3 For more information, please contact: [planpolicy.har@northyorks.gov.uk](mailto:planpolicy.har@northyorks.gov.uk).

3.4 This Decision Statement is dated 5<sup>th</sup> November 2024 (Date of Executive Committee)