

North Yorkshire Council

Full Council

13 November 2024

Neighbourhood Planning – Making of the Malton & Norton on Derwent Neighbourhood Development Plan

Report of the Corporate Director – Community Development

1.0 PURPOSE OF REPORT

- 1.1 To present the results of the Malton and Norton on Derwent Neighbourhood Plan 2020-2027 (the Neighbourhood Plan) referendum and the requirements of North Yorkshire Council as the Local Planning Authority to formally 'make' or adopt the Neighbourhood Plan.
- 1.2 To present the Regulation 19 Decision Statement, included at Appendix A to this report, which sets out the Local Planning Authority's decision in terms of 'making' or adopting the Neighbourhood Plan and the reasons for that decision.

2.0 BACKGROUND

- 2.1 On 5 November 2024, Executive considered the results of the Malton & Norton on Derwent Neighbourhood Development Plan Referendum, held on the 3 October 2024, which was successful. As a result, the Malton & Norton on Derwent Neighbourhood Development Plan now forms part of the statutory development plan for the area along with the adopted Ryedale Local Plan (2013). 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 Malton & Norton on Derwent Neighbourhood Development Plan and the reasons for making that decision.
- 2.2 Following the identification of missing text from paragraph 2.5 in Appendix A to the Executive Report (Regulation 19 Decision Statement for the Malton and Norton on Derwent Neighbourhood Plan), this was verbally raised during the meeting of Executive on 5 November 2024 and corrections were ratified by Members. Appendix A to this report to Full Council incorporates the missing text. The minutes of the meeting reflect this missing text 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 Malton and Norton on Derwent Neighbourhood Plan 2020- 2027

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 Malton & Norton on Derwent Neighbourhood Development Plan 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 Malton & Norton 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



Malton and Norton on Derwent Neighbourhood Plan 2020-2027

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 Malton and Norton on Derwent Neighbourhood Plan (the 'Plan').

1.2 Following a positive result at a referendum held on Thursday 3rd October 2024, North Yorkshire Council has 'made' (brought into legal force) the Malton and Norton on Derwent Neighbourhood Plan 2020-2027. The Plan now forms part of the statutory development plan for North Yorkshire and will be used to determine planning applications in the Malton and Norton on Derwent designated neighbourhood area (the area comprising the two respective administrative parishes of Malton and Norton on Derwent).

2. Reason for this Decision

2.1 An independent examination of the Plan, carried out by Peter D Biggers 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 Malton and Norton on Derwent parishes.

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 Thirsk and Malton Area Constituency Committee (ACC) on 14 June 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 the Malton and Norton on Derwent parishes (the designated neighbourhood area). Further information on the decision to proceed to referendum can be found in the Malton and Norton on Derwent Neighbourhood Plan Regulation 18 Decision Statement available on the Council's website at: <https://www.northyorks.gov.uk/planning->

[and-conservation/planning-policy/neighbourhood-planning/malton-and-norton-neighbourhood-plan](https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/neighbourhood-planning/malton-and-norton-neighbourhood-plan)

2.4 A referendum was held on Thursday 3rd October 2024 within the Malton and Norton on Derwent designated area and posed the following question:

"Do you want North Yorkshire Council to use the Neighbourhood Plan for Malton and Norton on Derwent 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 83.13% voted 'yes' and 16.17% voted 'no', therefore more than half of those voting voted in favour of the Plan.

2.5 Following this outcome, on the 5th November 2024, the Executive of North Yorkshire Council agreed to recommend to Full Council that the Malton and Norton on Derwent Neighbourhood Plan 2020-2027 is formally made on or before 29th November 2024 and that this Decision Statement is approved for publication. At a meeting on the 13th 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 (Malton and Norton on Derwent Town Councils); 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, Ryedale House, Old Malton Road, Malton, YO17 7HH between 9am and 4:30pm on Mondays, Tuesdays, Thursdays and Fridays and between 9:30am and 4:30pm on Wednesdays
- On the North Yorkshire Council website at: <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/neighbourhood-planning/malton-and-norton-neighbourhood-plan>

3.3 For more information, please contact: localplan.rye@northyorks.gov.uk

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