



Your ref:

Our ref: NYM/2018/3055/2/PF

Date: 16 February 2018

By email: Mr George Hunter
Chair of Ingleby Arncliffe Neighbourhood Plan Steering Group

Dear George,

Ingleby Arncliffe Neighbourhood Plan

I am writing in response to your letter of 1st February in which you seek reassurance that if a suitable site can be found in your Parish it will not fail in the examination phase.

We met with Mark Harbottle and Sue Walter Thompson at Hambleton District Council on 16 February to discuss the way forward and concluded that we need a catch up meeting with yourselves to gauge a way forward, ideally at Ingleby Arncliffe so we can view potential sites.

In the meantime you ask for assurance that the plan proposals will not fail 'in the local planning authority examination phase'. We can't answer that question as firstly we have no proposals or evidence before us to make any judgement and secondly there is no local authority examination process as such – it is the responsibility of the neighbourhood planning body to demonstrate that the entire draft neighbourhood plan meets the 'basic conditions' and can be viably delivered before the independent Examiner.

To explain, Neighbourhood Planning procedures effectively treat local planning authorities as a consultee throughout the early process (although they have procedural responsibilities) and they can neither 'sign off', or prevent a neighbourhood plan from proceeding to independent examination. The statute actually prevents a local planning authority from taking a view on whether the basic conditions are met prior to Examination, as this is the job of the Examiner as an independent party.

That said, as a consultee we can provide an opinion to the Examiner on whether we thought the draft plan met the basic conditions on which it is tested, and it is open to the neighbourhood planning body to contest this view, with the Examiner making the final judgement.



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You have been investigating a scheme on the Grain Store site has been investigated as a possible site. Should this site be chosen we do have some concerns over whether the Examiner will be able to conclude that the draft plan meets the basic conditions and can conclude that the draft plan can proceed to a referendum. The testing of a neighbourhood plan is confined to and Examiner checking whether the plan meets the basic conditions (a series of seven legal tests, as set out para 8 (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011):

<http://www.legislation.gov.uk/ukpga/1990/8/schedule/4B>

Two of these tests are the test of general conformity with our development plan and need to have regard to national policy can be met. With the help of a Housing Association you have modelled a twenty house development with 30-50% affordable homes. The modelling has concluded that at least half of the houses will need to be market housing. This is a larger scheme than originally mooted and one with a significant element of market housing on site. It would be an unusually large housing scheme compared to what is normally delivered in the National Park – a scheme of 20 units is by far the largest housing development proposed in the National Park (outside Helmsley) since the year 2000. Our current Core Strategy identifies the part of Ingleby Arncliffe in the National Park as Open Countryside and as such Core Policy J restricts any housing development to only that proven as essential for farming, forestry or other essential land management uses. It would also not qualify as a rural exceptions site under Core Policy J as currently configured. National policy (the 2010 English National Parks Circular) states that the Government recognises that National Parks are not suitable sites for unrestricted housing and the expectation is that new housing will be focussed on meeting affordable housing requirements.

A smaller scheme may be more able to meet this test of general conformity if it came forward an affordable 'exception scheme' (i.e. for 100% affordable housing), however this will depend on the range of tenures, viability and the availability of grant funding. One option is that we are about to commission consultants to carry out work on viability assessment and could appraise this scheme as part of that work to see if a viable scheme is possible. We, along with Hambleton District Council can also work with you to see if an alternative site, or split of smaller sites may be deliverable.

We do still very much support your intention to produce a plan that helps meet housing needs in the village. We would be keen to meet with yourselves and Hambleton to see if we can find a way forward.

Yours sincerely,



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