

# **Allerthorpe Neighbourhood Development Plan 2019-2034**

**A report to East Riding of Yorkshire Council on the  
Allerthorpe Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by East Riding of Yorkshire Council in June 2019 to carry out the independent examination of the Allerthorpe Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations and a hearing. I visited the neighbourhood plan area on 24 June 2019. The hearing was held on 16 September 2019.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its attractive character. It is an effective Plan which carefully addresses a series of important issues that face the local community.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Allerthorpe Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**30 September 2019**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Allerthorpe Neighbourhood Development Plan 2019-2034 (the Plan).
- 1.2 The Plan has been submitted to the East Riding of Yorkshire Council (ERYC) by Allerthorpe Parish Council (APC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its distinctiveness and rural identity. It includes a policy on holiday accommodation.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ERYC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the ERYC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that all of the points have been met.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the ERYC SEA/HRA Screening report.
- the representations made to the Plan.
- the Parish Council's comments on the representations received.
- the Parish Council's responses to my Clarification Note.
- the exchanges of correspondence following the hearing.
- the East Riding Local Plan 2012-2029 Strategy Document.
- the East Riding of Yorkshire Landscape Character Assessment.
- the Allerthorpe Conservation Area Appraisal.
- the National Planning Policy Framework.
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 24 June 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the majority of the Plan could be examined by way of written representations. However, I concluded that a hearing should be held on Policy ANP07. The hearing was held on 16 September 2019.

3.4 The NPPF was originally published in 2012. It was updated both in 2018 and earlier this year. The 2018 version commented about transitional arrangements for neighbourhood plans being produced at that time. As the Plan was submitted in November 2018 it is assessed in this report against the 2012 version of the NPPF. Any references in this report to the NPPF are to the 2012 version of that document.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is proportionate to the Plan area and its policies. Its strength is the way in which it summarises the key stages of consultation and provides the details in a series of appendices. This contributes significantly to its legibility.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (April to May 2018).
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. It includes details about:
- the initial publicity and engagement processes;
  - the circulation of a community questionnaire (March 2016);
  - the development of initial drafts of the Plan;
  - the Open Day presentations to the community (November 2017); and
  - the preparation of a health check.
- 4.5 Appendices D and E of the Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. They do so in a proportionate and effective way. This wider analysis helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the submitted Plan was undertaken by ERYC that ended on 22 February 2019. This exercise generated representations from the following persons and organisations:
- Highways England
  - Shiptonthorpe Parish Council
  - Coal Authority
  - Flamborough Parish Council
  - Historic England
  - Park Leisure 2000 Limited
- 4.7 I have taken account of all the representations in preparing this report. Where it is appropriate to do so I refer to specific representations on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Allertorpe. It is located to the south of the A1079 which connects Beverley and York. The neighbourhood area is approximately 12 miles to the east of York. It is irregularly- shaped with the A1079 forming its north-eastern boundary. Allertorpe village is the principal settlement and sits in the eastern part of the neighbourhood area. Its population in 2011 was 220 persons living in 106 houses. It was designated as a neighbourhood area on 19 February 2014.
- 5.2 The neighbourhood area is primarily in agricultural use. Its built elements include the village of Allertorpe itself, the hamlet of Waplinton, the Allertorpe business park and tourist accommodation sites. The village of Allertorpe is accessed from the A1079 by a C class road which runs through the village centre.
- 5.3 Allertorpe is an attractive village with several vernacular buildings. Much of its historic core is a designated conservation area. As the Plan describes its special character is defined by attractive green verges facing onto the road through the villages and the various cottages which face onto the green areas.

### *Development Plan Context*

- 5.4 The East Riding Local Plan 2012-2029 Strategy Document was adopted in April 2016. It sets out the basis for future development in the East Riding of Yorkshire up to 2029. Most of the policies in the Strategy Document are strategic policies of the development plan. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan.
- 5.5 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context. The following Local Plan policies have been particularly important in shaping the submitted Plan

Policy S1	Presumption in favour of sustainable development
Policy S3	Focusing development
Policy S4	Supporting development in villages and the countryside
Policy ENV1	Integrating High Quality Design
Policy ENV2	Promoting a high-quality landscape
Policy ENV3	Valuing Our Heritage
Policy EC1	Supporting the growth and diversification of the economy
Policy EC2	Developing and diversifying the visitor economy
Policy C2	Supporting community services and facilities

- 5.6 Allertorpe is identified as one of the villages for the purposes of Policy S4 in the Plan. This policy seeks to support development in villages and the countryside. Villages are

defined based on whether they have at least one of the following services - a village hall (meeting room); a village shop selling everyday grocery items; a public house; or a primary school. Only villages with 35 or more dwellings are included in the schedule of villages. For each such village a development limit is defined on the relevant Policies Map.

- 5.7 The development plan also includes the Allocations Document. It was adopted in July 2016. As its title suggests it allocates land for development in the principal settlements identified in the Plan. In these circumstances it has no direct relevance to the neighbourhood area.
- 5.8 The submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Visit to the neighbourhood area*

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 24 June 2019.
- 5.10 I drove into the neighbourhood area from York Road (A1079) to the north. This helped me to understand the neighbourhood area in its wider landscape context. It also highlighted its proximity to the industrial area to the immediate north of the neighbourhood area and the recently-opened Shell/Starbucks service area.
- 5.11 I looked initially at St Botolph Church. I saw its well-maintained churchyard and the plant sale outside the Church gates. I saw the very decorative Irwin family grave and the very unusual pyramid grave stone.
- 5.12 I then looked at the wider village. I saw that it enjoyed an attractive mix of vernacular buildings and more modern buildings. I saw that they were primarily large properties set in large plots. I saw the Old Chapel opposite St Botolph Church, The Gables, the East and West Lodges, Croft Farm and The Plough Inn. I also saw the attractive Green on the northern side of Back Lane. It contributes very significantly to the character and appearance of the village.
- 5.13 I then walked along the northern of the two Back Lanes. I saw the extensive views of the open countryside to the immediate north of the village. This part of the visit highlighted the relationship between the village and its surrounding landscape. I saw the very sharp edges of the built-up part of the neighbourhood area.
- 5.14 I then drove to the Allerthorpe Lakeland Park. I saw the way that the mobile homes and the site office was related to the lake itself.
- 5.15 I then drove to the Allerthorpe Golf and Park Retreat site. I saw the office buildings, the layout of the golf course and the various show mobile homes on the forecourt area.

5.16 I finished the visit by walking from the village to the west to Allerthorpe Common.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) published in 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Allerthorpe Neighbourhood Development Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted East Riding Local Plan 2012-2029 Strategy Document;
  - proactively driving and supporting sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. The NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in

local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of housing and environmental matters. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for infill residential development (ANP01), for employment development (ANP05) and for holiday accommodation (ANP07). In the social role, it includes a policy on telecommunications infrastructure and broadband (ANP06) and on community facilities (ANP09). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (ANP11) and biodiversity (ANP04). This assessment overlaps with the Parish Council's comments on this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider East Riding of Yorkshire area in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Strategy Document. Subject to a series of recommended modifications I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *European Legislation and Habitat Regulations*

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, ERYC undertook a screening exercise in November 2018 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process ERYC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. The screening report includes the responses from the three consultation bodies. This is best practice.
- 6.14 ERYC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. In particular it assesses the likely effects of the implementation of the policies in the Plan on the Lower Derwent Valley SPA/SAC/Ramsar site which lies approximately 8 kilometres from the centre of the village. It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.
- 6.15 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.16 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.17 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report. The next section of this report assesses each

policy against the basic conditions. Where necessary it recommends modifications on a policy-by-policy basis.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-4)*

- 7.8 The Plan as a whole is very well-organised and includes effective maps. It makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9 The Introduction comments briefly about Allerthorpe, the neighbourhood plan process and how the Plan was prepared. It helpfully overlaps with the submitted Consultation Statement.
- 7.10 Section 3 describes the neighbourhood area. It properly includes a map of the designated area.
- 7.11 Section 4 has two purposes. The first identifies the vision for the neighbourhood area. The second helpfully sets out how the Plan fits into the wider planning system. It comprehensively describes the NPPF and the existing development plan context.
- 7.12 Section 5 sets out the various policies. They are accompanied by proportionate supporting text. Section 5.1 usefully includes the policies without the supporting text.

- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

ANP01

- 7.14 This policy sets out the Plan's approach to infill development within the village itself. It identifies a defined development limits within which small scale sensitive infill and redevelopment proposals will be supported where they comply with a series of criteria.
- 7.15 The policy appropriately uses the same defined limits as those identified in the Local Plan (Allerthorpe Inset Map 58). The policy has selected appropriate criteria which are distinctive to Allerthorpe. In particular they take account of its heritage.
- 7.16 I am satisfied that the policy meets the basic conditions in general terms. I recommend a series of modifications to the wording of its various elements so that the overall policy has the clarity provided by the NPPF.

**At the beginning of the first bullet point insert 'The proposal incorporates'**

**In the third bullet point replace 'significant' with 'unacceptable'**

**In the fourth bullet point replace 'any significant loss of' with 'an unacceptable impact on the'**

ANP02

- 7.17 This policy addresses development proposals outside the defined development limits. It takes a positive approach to the matter in general, and seeks to provide a local dimension to national policy in particular. It comments about proposals for replacement dwellings and other new dwellings in these parts of the neighbourhood area.
- 7.18 I am satisfied that the policy meets the basic conditions in general terms. I recommend a series of modifications to the wording of elements of the policy so that it has the clarity provided by the NPPF. The policy has correctly referenced policy 55 from the 2012 version of the NPPF. This is the version against which I need to assess the Plan against the basic conditions. Nevertheless, at the time that this report was produced the 2019 version of the NPPF was in effect for development management purposes. In this context the reference to a superseded paragraph of the NPPF would be unhelpful for the determination of planning applications in the Plan period. In these circumstances I recommend its replacement with a more general reference to national policy

**Replace 'described in.... NPPF' with 'included in national policy'**

**In the final sentence of the policy replace 'does' with 'should'**

*In paragraph 5.2.11 replace 'and NPPF paragraphs..... status of development' with 'Policy ANP02 refers to national policy on this matter. This is currently captured in paragraph 79 of the NPPF (2019). Its effect is to identify the limited range of houses which are appropriate for a countryside location.'*

## ANP03

- 7.19 This policy addresses flooding matters in the neighbourhood area. The supporting text comprehensively describes the location of the neighbourhood area within the upper section of the Lower Derwent Valley. Figure 13 of the Plan also includes information from the Environment Agency on flood zones.
- 7.20 The policy seeks to prevent new development within Flood Zones 2 and 3. I sought advice from APC on the extent to which the policy added any value to national policy. Its response highlighted the local significance of this matter and its relationship to Local Plan policies. On the balance of the evidence I am satisfied that with modifications the policy meets the basic conditions. In particular I recommend that the policy makes a more explicit linkage to local data within the submitted Plan. I also recommend the replacement of the second sentence with the approach taken on such matters in the NPPF.

**Replace the policy with: ‘Built development will not be supported within Flood Zones 2 and 3 as shown on Figure 13. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.’**

## ANP04

- 7.21 This policy offers support to proposals which would safeguard and where possible enhance biodiversity, wildlife habitats, the rural landscape and accessibility.
- 7.22 It is well-constructed and distinctive. It meets the basic conditions.

## ANP05

- 7.23 This policy offers support to economic development proposals. It has a sharp focus on the following types of development:
- the extension of existing employment sites;
  - the conversion of buildings to employment uses; and
  - the use of vacant and under-used agricultural buildings.
- 7.24 The policy is well-considered. It includes an appropriate range of criteria to control the scale and nature of any environmental impacts. Nevertheless, I recommend a replacement policy so that it has the clarity provided by the NPPF. However, its purpose remains unaffected.

**Replace the policy with:**

**‘Proposals for employment development through the appropriate extension of existing employment sites accessible to and from the A1079 and through the conversion of existing buildings to employment uses will be supported where their scale is appropriate to their surroundings and where they do not have unacceptable traffic, environment, amenity and landscape impacts.’**

**Proposals for the use of vacant or under-used agricultural buildings for employment uses will be particularly supported where they meet the criteria included in the first part of this policy'**

ANP06

- 7.25 This policy addresses new telecommunications infrastructure. It takes a positive approach to a matter which can be controversial.
- 7.26 I am satisfied that the policy meets the basic conditions in general terms. I recommend a series of modifications to the wording of elements of the policy so that it has the clarity provided by the NPPF.

**Replace the first sentence with:**

**'Proposals for new telecommunications infrastructure will be supported where their design and location are appropriate to the character and landscape of the neighbourhood area.'**

**In the second sentence insert 'also' between 'will' and 'be'**

ANP07

- 7.27 This policy addresses proposals for lodges, mobile homes and caravans in the neighbourhood area. It was the basis of the hearing held on 16 September 2019.
- 7.28 The Plan sets out the Parish Council's view on the need for such a policy. In summary it highlights the number of existing holiday sites in the neighbourhood area (paragraph 5.5.2), the community's concerns about previous development proposals (paragraph 5.5.5) and the impact of traffic from such development on the nature of the village (paragraph 5.5.6).
- 7.29 The policy itself is criteria based. It comments that development of the holiday related uses specified will only be permitted where six criteria are met. In summary the criteria are as follows:
- the proposal would not harm the historic character of the village by way of increased traffic;
  - the proposal would not detract from the rural character of the neighbourhood area;
  - the balance between the permanent population of the neighbourhood area and of holiday visitors would not result in the latter becoming more dominant;
  - the proposal is of a scale appropriate to Allerthorpe and is not a new or a significant intensification of an existing holiday park;
  - the proposals include provision for access to shops and other services; and
  - the proposal does not result in the loss of any designated open space in the Local Plan
- 7.30 Park Leisure 2000 Limited have made extensive representations to the policy. It is the owner of the Allerthorpe Golf and Park Retreat. In general terms it argues that the

policy in the submitted Plan neither has regard to national policy nor is in general conformity with the development plan.

- 7.31 The hearing explored the extent to which the submitted policy added appropriate local detail to Policy EC2 in the adopted Local Plan. I am satisfied that a policy on this matter is appropriate for inclusion within the Plan. The local community has reasonably concluded that this is an important local issue. In addition, the submitted policy provides the opportunity to add specific local detail to the more general policy in the Local Plan. This conclusion was also accepted by Park Leisure and ERYC.
- 7.32 The hearing allowed a very useful discussion about the way in which a local iteration of the strategic policy in the Local Plan could be developed and practically applied through the development management process. In general terms there was common ground on the following matters:
- the character and appearance of Allerthorpe conservation area was an important factor in the neighbourhood area;
  - traffic to and from the holiday parks from the strategic road network/A1079 was focused through the village; and
  - new holiday-related development proposals should be of a scale appropriate for their location.
- 7.33 The hearing explored the reasoning behind APC's formulation of the policy in the submitted Plan. In particular it considered APC's view about the potential impact of additional holiday-related accommodation on the social fabric of the village itself and the wider neighbourhood area. APC contended that continued development of holiday accommodation had the potential to impact on the social dimension of sustainable development. It raised its concerns about the imbalance between the holiday-related population within the neighbourhood area and the resident population in the village and the potential impact of visitors on the use and delivery of its commercial and community services. It also commented about the potential wider environmental consequences of such development which included increased traffic passing through the village and the potential for cars parking on the distinctive green verges in the village centre. In different ways these issues were raised in the debates on the criteria in the submitted policy. Whilst conflicting views were expressed there was a general consensus that ERYC may need to make balanced and evidence-based judgements within the Plan period on any proposals for additional holiday accommodation. I recommend a modification to the supporting text so that this wider issue is captured in the Plan.
- 7.34 The hearing inevitably explored the nature of the submitted policy and its relationship to Policy EC2 of the adopted Local Plan. In this context ERYC confirmed that Policy EC2 is a strategic policy for the purpose of neighbourhood planning activity. On this basis I am required to assess in the round whether the policy in the submitted Plan is in general conformity with the strategic policies in the development plan. The Local Plan policy takes a supporting view of new tourism/visitor related development in general terms. The submitted neighbourhood plan policy takes a less positive approach insofar as it commented that such development will only be permitted where a series of criteria are met. It was agreed by all parties at the hearing that the use of

the word 'only' was unnecessary in the context of the policy. I recommend a modification accordingly. I also recommend that the use of the word 'permitted' is replaced by 'supported'. This will ensure that the wording in this policy is consistent with the other policies in the Plan. More importantly it acknowledges that ERYC will need to consider both policy matters and any other material considerations as it determines planning applications. Finally, I recommend that the policy acknowledges that the various criteria will not necessarily all be applicable to individual development proposals.

- 7.35 The criteria in the policy are identified by use of Roman numerals. Whilst this is a design issue rather than a matter relating to the basic conditions, I recommend that the numerals become bullet points so that they conform with the approach taken in other policies in the Plan.
- 7.36 I turn now to the substantive debate at the hearing was on whether or not the various criteria meet the basic conditions. This approach provides a very helpful context within which I can assess this policy.

*Criterion (i)*

- 7.37 This criterion relates to the relationship between proposed development and the historic character of the village in general, and the designated conservation area in particular.
- 7.38 The Plan includes an element of supporting text on this matter (paragraph 5.5.6). Its focus is on the potential for growth in traffic to discourage families from living in the village. At the hearing APC commented about vehicle parking either on the main road in the village or on the grass verges. It commented that this has an impact on the flow of HGV traffic using the road. Its focus was however on the impact of such circumstances on the character of the conservation area rather than any technical highway safety and/or accident information.
- 7.39 Park Leisure raise a series of issues about the criterion both in its representation and at the hearing. The first relates to the wording of the criterion. The second relates to the linking of heritage and highways issues. The third is the failure of the policy to consider the available evidence base that indicates there is sufficient capacity in the local highway network. It proposes a revised criterion to address the impact of development on the highway network. It also proposes a new criterion to address any specific impact on the conservation area. APC argued that the two matters were not divisible given that its concerns were based on the likely impact of additional traffic associated with further holiday and leisure parks.
- 7.40 Having considered all the evidence I am not satisfied that the first criterion meets the basic conditions. Whilst it is clear that there is potential for increased traffic movements to impact on the character of the conservation area in general terms, and some of its distinctive features as identified the Conservation Area Character Appraisal there is no direct evidence that this will happen. I am however satisfied that it would be appropriate for a policy on this broader matter to take account of both the impact of traffic movement in its own right and on the potential impact of any development on the

character and appearance of the conservation area. In coming to this judgement, I am satisfied that the two issues are divisible. ERYC will be able to come to its own view about the way in which further development of holiday accommodation had any impact on the character and appearance of the conservation area. This recommended approach recognises that there is only one road to the village from the A1079, and that the conservation area is both based around this road which includes the two community facilities (the pub and the church) which may be attractive to those people staying in any of the holiday parks.

- 7.41 In this context I recommend that the criterion is replaced by a variation of that proposed by Park Leisure. The variations reflect the discussion at the hearing. Firstly, it relates to the discussion about the scale and significance of any increased traffic from holiday accommodation within the neighbourhood area. I recommend that this refers to the proposal not having an unacceptable impact on the highway network rather than not resulting in a severe impact on the network as proposed by Park Leisure. Secondly it includes a more general approach towards the conservation area rather than seeking to identify the scale of any harm which would be acceptable.

*Criterion (ii)*

- 7.42 This criterion relates to the wider rural character of the neighbourhood area and its relationship with the designated conservation area.
- 7.43 Paragraph 5.5.6 of the Plan addresses this matter in general terms. At the hearing APC commented about the various views across open fields in the parish and its past experiences of seeking to refine planning applications to respect the landscape character of the neighbourhood area. It also drew my attention to various elements of the ERYC Landscape Character Assessment and the Conservation Area Character Appraisal
- 7.44 Park Leisure raise three issues with this criterion. The first relates to the wording of the criterion, the second to heritage matters, and the third to the evidence base associated with landscape and visual impact considerations. At the hearing it commented that the Plan had produced no detailed evidence to the extent that the landscape in the neighbourhood area was of sufficient importance to justify the approach within the criterion. In addition, it argued that development can take place within the neighbourhood area without causing a harmful impact. It proposes that the intentions of the criterion are incorporated into a revised criterion (iv). On this point APC commented that the proposed revised criterion would be a bland restatement of Policy EC2 of the Local Plan. In addition, it would not reflect the intentions that it had in mind in formulating the policy.
- 7.45 Having taken account of all the evidence available to me, I am not satisfied that the criterion meets the basic conditions. It is overly-restrictive and does not take account of the potential of the local landscape to accommodate further holiday-related development. I recommend a modified criterion which addresses the matter in a more general capacity. This reflects one of the Core Planning Principles in paragraph 17 of the NPPF that the planning system should 'take account of the different roles and

character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'. The recommended modification sets out to ensure that any development proposals take account of the character of the countryside in the neighbourhood area

*Criterion (iii)*

- 7.46 This criterion relates to the balance between the permanent population of the parish and the numbers of holiday visitors. It seeks to ensure that the resulting balance would not result in the character of the parish being 'dominated' by seasonal holiday accommodation. Paragraph 5.5.6 of the Plan addresses this issue in general terms. It comments about the existing concentration of holiday accommodation in the neighbourhood area and its potential impact on its attractiveness to tourists.
- 7.47 At the hearing APC commented about the way in which it had developed this part of the policy. It related the concerns which the wider population has about the increasing amount of holiday accommodation. It was keen to ensure that the policy addresses the socio-economic issues that were likely to arise from continued development of holiday parks. I was advised that the community had its own concerns about such development on the wider character of the parish. APC was also concerned on the impact of such development on its attractiveness to tourism. This was suggested would arise through a combination of matters including increased traffic, impact on the character of the wider landscape and an effect on the character of the designated conservation area
- 7.48 At the hearing ERYC commented about the potential significance of this criterion. It recognised it was a complicated area. However, I was advised that it related to a sense of place, specific impacts and the wider impact on the existing sense of tranquillity.
- 7.49 Park Leisure commented that the number of tourists attracted by a development, when compared with the existing population of Allerthorpe, does not in itself mean that the development in question will have a harmful impact on the character of the parish. At the hearing Park Leisure commented that it was illogical for APC to seek to draw any direct connection between any harm which may arise from further holiday related development and the respective sizes of the resident and visitor populations.
- 7.50 I have considered this matter very carefully both generally and given its importance to APC in particular. I have concluded that the criterion does not meet the basic conditions. I have reached this decision for the following reasons. The first is that there is no direct evidence to suggest that any further increases in holiday accommodation in the parish would cause the harmful effects which APC considers would arise. Secondly the criterion is based on a numerical relationship between the two population sets rather than any demonstration of harm that would arise from an increase in the holiday population. Thirdly as submitted the policy would be impractical for ERYC to apply in a clear fashion throughout the Plan period. Whilst the resident population may be relatively simple to identify, the holiday population will vary throughout the seasons. In any event it would be invasive to attempt to monitor the actual occupancy of particular holiday units. In addition, the submitted policy offers no guidance on the point at which the holiday population would become 'dominant'.

- 7.51 On this basis I recommend the deletion of the criterion. Whilst I recognise that this will be a disappointment to APC the broader issue of the scale of proposed new holiday accommodation to Allerthorpe will remain within the modified policy. Plainly the matter continues to be safeguarded in the Local Plan policy.

*Criterion (iv)*

- 7.52 This criterion relates to the scale of new development to the size of the village. It specifies that the development should not be a new holiday park or a significant intensification of an existing park. Paragraph 5.5.7 of the Plan relates this criterion to Policy EC2 of the Local Plan.
- 7.53 At the hearing APC commented that it wishes to refine the approach contained within the Local Plan to reflect the scale and significance of the holiday accommodation in the parish. In particular it expressed its concerns about the size and scale of the existing developments, and the extent of the various landholdings.
- 7.54 Park Leisure comments that the criterion is clearly contrary to the Development Plan EC2 which states that all tourism developments including attractions, facilities and accommodation will be encouraged to help strengthen and broaden the tourism offer across the East Riding. It also comments that there is no mention within the Development Plan or the 2012 Framework that would indicate a need to preclude the establishment of new sites or indeed the appropriate expansion of existing sites as a matter of principle.
- 7.55 Having considered all the evidence I am not satisfied that the criterion meets the basic conditions. Its approach is not in general conformity with the development plan. In particular Policy EC2 of the Local Plan encourages new holiday development and which supports, amongst other things, new, expanded or upgraded holiday accommodation. At the same time that policy does not allow for a different approach to be considered or taken where there is a concentration of holiday accommodation in any one area or where the principal resident community is of a small scale.
- 7.56 In these circumstances I recommend that the criterion is replaced with one which makes a closer and functional relationship with the Local Plan on the relationship between the scale and cumulative impact of the proposed development and the location in which it is proposed. There was a discussion at the hearing about whether the location should be the area around the application site or the village of Allerthorpe itself. I have concluded that the general reference to location would be the most appropriate. Firstly, it acknowledges that most of the existing holiday sites are not directly adjacent to the village. Secondly the wording better reflects that in the Local Plan policy.

*Criterion (v)*

- 7.57 This criterion requires that new developments provide for access to shops and other services by non-car modes of travel. The issue is not directly addressed in the supporting text.

- 7.58 At the hearing APC commented about its wider ambition to promote sustainable traffic movements both in principle, and to reduce or limit the number of visitor car movements to and from the various sites.
- 7.59 Park Leisure support the principle of the criterion insofar as it seeks to promote sustainable forms of travel. However, it does not feel that the criterion fully recognises national guidance on sustainable modes of travel in general, and paragraph 29 of the 2012 Framework in particular.
- 7.60 The hearing considered the ability or otherwise of commercial operators to provide facilities of this kind. Park Leisure commented about its own plans to provide a shop on its site and to promote sustainable transport in and around the parish. ERYC commented that the ability for operators to make any such provision may depend on the scale of the sites concerned.
- 7.61 Based on the debate at the hearing and the wider evidence on this matter I recommend that the policy is modified so that it responds more generally to the sustainable transport issue. As submitted the policy requires provision for access to shops and other services which may be impracticable both by virtue of distance and personal choice. The modified policy refers more generally to the need for any new or extended holiday parks to promote sustainable modes of travel. I also recommend additions to the supporting text to elaborate on the matter.

#### Criterion (vi)

- 7.62 This criterion comments that the proposal would not involve the loss of any open space as identified in the Local Plan. The issue is not directly addressed in the supporting text.
- 7.63 At the hearing APC commented about the importance of safeguarding open space in the parish. It also commented about discussion that it had had recently with ERYC officers about the prescriptive nature of the wording in the criterion and its potential conflict with Policy C3 of the Local Plan. That policy provides for exceptions and for the provision of replacement open spaces in certain circumstances
- 7.64 Park Leisure strongly objects to the wording of this criterion. It asserts that it allows no loss of open space under any circumstance. As the criterion indicates land designated as open space is protected under Policy C3 of the Local Plan. However, the criterion ignores some fundamental aims and objective of the policy, and also the operation of policy C3 itself.
- 7.65 The discussions at the hearing focused on a potential alternative form of wording for the criterion. Its wider intentions were supported by all concerned. A proposed form of wording was subsequently agreed by APC. I recommend a modification accordingly. It remedies the conflicts between the submitted criterion and Policy C3 of the adopted Local Plan.

*The supporting text of the policy*

- 7.66 The supporting text associated with the policy provides both a context to the policy itself, and the way in which APC and the wider community has addressed planning applications as the Plan was being developed. This is helpful in explaining the evolution of the policy.
- 7.67 However I recommend that elements of the supporting text are either deleted or modified. The recommended deletions recognise that, in the event that the Plan is 'made', it will become a forward-looking Plan which will form part of the development plan. In this context the history about earlier planning applications has little relevance. The recommended modifications to the existing supporting text seek to ensure that it is consistent with the recommended modified policy.

**Replace the policy with:**

**Development proposals for the use of land for stationary lodges, mobile homes or caravans (residential or touring) will be supported subject to the following criteria insofar as they are relevant to the site and/or the development concerned:**

- **they would not result in an unacceptable impact on the highway network or highway safety;**
- **they would preserve or enhance the character or appearance of the Allerthorpe Conservation Area;**
- **they can be satisfactorily accommodated within the countryside;**
- **they are of an appropriate scale to their locations and will not result in an unacceptable cumulative impact of holiday accommodation within the neighbourhood area;**
- **they promote sustainable modes of travel appropriate to the location of the site and its size; and**
- **they would not involve an unacceptable loss of any Open Space (as designated in Policy C3 of the East Riding Local Plan).**

*Replace paragraph 5.5.5 with:*

'Policy ANP07 takes account of the community's view about the potential impact of additional holiday-related accommodation on the social fabric of the village itself and the wider neighbourhood area. The Parish Council considers that the development of additional holiday accommodation has the potential to impact on the social dimension of sustainable development. It wishes to avoid an imbalance between the holiday-related population within the neighbourhood area and the resident population in the village. It also has concerns about the potential impact of visitors on the use and delivery of its commercial and community services. In a wider context the policy seeks to balance the strategic support for new holiday accommodation set out in Policy EC2 of the East Riding Local Plan Strategy Document with retaining the sense of place and tranquillity in the neighbourhood area in general and within Allerthorpe village in particular.'

*In paragraph 5.5.6 replace the text after the first sentence with:*

*‘Policy ANP07 has been designed to ensure that any further holiday accommodation in the neighbourhood area is of a scale and cumulative impact which is appropriate for its location within the countryside. It also seeks to ensure that such proposals take account both of the character and appearance of the Allerthorpe Conservation Area and the capacity of the local road network. In general terms the policy sets out to limit the potential impact of additional holiday-related accommodation on the social fabric of the village itself and the wider neighbourhood area.’*

*At the end of paragraph 5.5.7 add:*

*‘Policy ANP07 has also been designed to add distinctive local value to Policy EC2 of the East Riding Local Plan. In particular it seeks to identify key features in the neighbourhood area which need to be respected by any further tourism development. It includes a criterion on the need to promote sustainable modes of travel. It has sufficient flexibility to allow developers to respond to local circumstances. Such initiatives could include the provision of cycle hire schemes, the provision of information about bus timetables and the local footpath network. Wherever practical the developer should make appropriate connections to any public footpaths or similar elements of sustainable travel adjacent to the site concerned.’*

#### ANP08

- 7.68 This policy supports proposals which would enhance and extend cycle and pedestrian access to and from the A1079 to Allerthorpe. It does not identify any specific projects.
- 7.69 I sought advice from APC on the extent to which the policy supports physical improvements to cycle and pedestrian routes or whether it would support general development which would extend cycle and pedestrian access in the neighbourhood area. APC clarified that the policy objective relates specifically to support for enhancements of cycle and pedestrian access to existing leisure points and destinations in the Parish. It is not intended to promote unspecified general developments that might offer such improvements, unless, of course, they are developments that conform to all other relevant policies in the Plan and, most notably, Policy ANP02.
- 7.70 I recommend modifications to the policy to make this distinction clearer. Otherwise it meets the basic conditions.

**Replace ‘Proposals which....and extend’ with ‘Proposals for enhanced or extended’**

#### ANP09

- 7.71 This policy takes account of the limited range of community facilities in the parish. In its response to the clarification note the Parish Council advised that the intention of the policy is to support proposals for the development of new facilities and for the modification/extension of existing facilities. Similarly, it would not support proposals that would result in the loss of community facilities.

- 7.72 I recommend that the policy structure is refined. As submitted its intentions are slightly unclear. In particular I recommend the removal of any reference to ‘generally’. It adds little to the policy and may generate uncertainty within the Plan period. I also recommend that viability issues are included within the second part of the policy.

**Replace the policy with:**

**‘Proposals for the development of new community facilities and for the upgrading and/or modification of existing community facilities will be supported.**

**Proposed developments which would result in the loss of existing community facilities will not be supported other than where they are accompanied by evidence on viability grounds or where they incorporate suitable replacement community facilities’**

ANP10

- 7.73 This policy addresses proposals for outdoor recreational facilities. It provides a positive context for such developments.
- 7.74 I am satisfied that the policy meets the basic conditions in general terms. However, I recommend a series of modifications to the wording of elements of the policy so that it has the clarity provided by the NPPF
- 7.75 The supporting text in paragraph 5.7.7 has correctly referenced several paragraphs from the 2012 version of the NPPF. This is the version against which I need to assess the Plan against the basic conditions. Nevertheless, at the time that this report was produced the 2019 version of the NPPF was being used for development management purposes. In this context the reference to a superseded paragraph of the NPPF would be unhelpful for the determination of planning applications in the Plan period. In these circumstances I recommend their replacement with a more general reference to national policy.
- 7.76 I recommend the deletion of the third bullet point. It is unnecessary as the development plan needs to be considered and applied in the round.

**In the opening part of the policy replace ‘Planning Permission’ with Development proposals’ and delete ‘and’**

**In the first bullet point replace ‘not adversely impacting’ with ‘not having an unacceptable impact’**

**In the second bullet pint replace ‘not having any adverse’ with ‘not having an unacceptable’**

**Delete the third bullet point**

*In paragraph 5.7.7 replace ‘NPPF....74’ with ‘relevant parts of the NPPF’*

## ANP11

- 7.77 This policy comments that new development proposals should have regard to the Design Guides included in the Plan. The Parish Council clarified that the Design Guides referenced in the policy are Section 6.1 (Residential Guidance) and Section 6.2 (Commercial Guidance)
- 7.78 The Plan takes a positive approach to the wider design initiative. Nevertheless, its format does not provide the clarity required for a development plan document. In this context I recommend a package of modifications as follows:
- making a stronger relationship between the policy and the Design Guides;
  - ensuring that the policy is explicit on the types of development that will be supported; and
  - including the design guides as appendices to the Plan rather than as supporting text.
- 7.79 I also recommend detailed modifications to the two detailed guidance notes. They are designed in a way that will assist ERYC as it discharges its development management function throughout the Plan period.

**Replace the policy with:**

**'Where proposals otherwise conform with the development plan in general, and the locational requirements of Policies ANP01 and ANP02 of this Plan in particular, new development will be supported where it meets the relevant Design Guidance Note at Appendix [insert number] and Appendix [insert number]'**

**Reposition Sections 6.1 and 6.2 to the two appendices.**

*Include new supporting text before the policy to read:*

*6.1 The Plan has taken account of the importance of good design in national planning policy. In this context it has assessed the way in which the character and appearance of the neighbourhood area should influence the design of new development.*

*6.2 On this basis Policy ANP11 indicates that new development will be supported where it meets the requirements of detailed design guidance notes. They are included at Appendix insert number (for residential development) and at Appendix insert number (for commercial development).*

*In the submitted Guidance Notes (6.1 and 6.2):*

*6.1.1 Delete 'considered' (second sentence)*

*6.1.1 Replace adopted with 'selected' (final sentence)*

*6.1.2 In the final sentence delete 'Exemptions may be given for' and insert 'will be supported' at the end*

*6.1.4 Replace 'should be encouraged' with 'will be supported'*

6.1.5 *Replace 'are encouraged' with 'will be supported'*

6.1.6 *Replace 'must' with 'should'*

6.1.7 *Replace 'will need to' with 'should'*

6.1.8 *Replace 'is encouraged' with 'will be supported'*

6.2.1c *Replace 'detrimental' with 'an unacceptable' and delete 'as a result... consequences'*

6.2.1d *Replace 'significant' with 'unacceptable'*

6.2.1e *Replace 'a harmful' with 'an unacceptable'*

Other Matters - General

- 7.80 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for ERYC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2034. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its community facilities.
- 8.2 Following my independent examination of the Plan I have concluded that the Allertorpe Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report I recommend to East Riding of Yorkshire Council that subject to the incorporation of the modifications set out in this report that the Allertorpe Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the East Riding of Yorkshire Council on 19 February 2014.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. In particular I am grateful for the positive and open way in which the various participants approached the hearing on Policy ANP07.

**Andrew Ashcroft**  
**Independent Examiner**  
**30 September 2019**