



**ESCRICK NEIGHBOURHOOD DEVELOPMENT PLAN:
POST-EXAMINATION DECISION STATEMENT**

**Regulation 18 of the Neighbourhood Planning
(General) Regulations 2012 (as amended)**

22 July 2022

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to Selby District Council of the independent examination of the Escrick Neighbourhood Development Plan ("the Plan") by Independent Examiner Mr Patrick T Whitehead, which was submitted to the Council on 29th June 2022.

This decision statement and the Independent Examiner's Report can be viewed online at <https://www.selby.gov.uk/escrick-neighbourhood-development-plan>. Paper copies can be obtained by contacting Selby District Council by email at localplan@selby.gov.uk.

1.0 BACKGROUND

- 1.1 Under the Town and Country Planning Act 1990 (as amended), Selby District Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.
- 1.2 This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.
- 1.3 The Escrick Neighbourhood Development Plan relates to the area that was designated by the Council as a Neighbourhood Plan Area in November 2017. This area is conterminous with the boundary of the parish of Escrick and is entirely within the Local Planning Authority's area.
- 1.4 Escrick Parish Council undertook consultation on its pre-submission draft in accordance with Regulation 14 of The Neighbourhood Planning (General) Regulations 2012 (as amended). This pre-submission consultation took place between 7th June and 18th July 2021.

1.5 Following the submission of the Escrick Neighbourhood Development Plan to the Council in January 2022, the Council publicised the draft Plan for an six-week period and representations were invited in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended). The submission consultation on the Plan took place between 21st February and 4th April 2022.

2.0 INDEPENDENT EXAMINATION

2.1 The Council appointed Mr Patrick T Whitehead DipTP (NOTT) MRPTI, with the consent of Escrick Parish Council, to undertake the independent examination of the Escrick Neighbourhood Development Plan and to prepare a report of the independent examination.

2.2 The Examiner dealt with the examination by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area on 26th April 2022.

2.3 The Examiner's Report was formally submitted on 29th June 2022. The Report concludes that subject to making modifications recommended by the Examiner, the Plan meets the basic conditions and other legal requirements set out in the legislation and should proceed to referendum. The Examiner also recommends that the referendum area should be the same as the designated Neighbourhood Plan Area, which is the same as the administrative boundary for Escrick parish.

2.4 Following receipt of the Examiner's report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

3.0 DECISION AND REASONS

3.1 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.

3.2 The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Escrick Neighbourhood Development Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and is compatible with the Convention rights and meets the requirements of paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

3.3 As a consequence of the required modifications, the Escrick Neighbourhood Development Plan will be modified accordingly, prior to the Plan proceeding to referendum.

- 3.4 The Examiner recommended that the Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council has considered this recommendation and the Examiner's reasons for it and agree with the recommendation of the Examiner. The referendum area for the Escrick Neighbourhood Development Plan will therefore be based on the Escrick Neighbourhood Plan Area.
- 3.5 This decision statement is dated 30th June 2022 and has been approved by the Director of Economic Regeneration and Place, in consultation with the Lead Councillor for Place Shaping.

Other information:

The Escrick Neighbourhood Development Plan will be updated to incorporate all the modifications required. The date for the referendum and further details will be publicised on the Escrick Neighbourhood Development Plan webpage (<https://www.selby.gov.uk/escrick-neighbourhood-development-plan>) once a date is set by the Council.

Table 1: Examiner’s Recommended Modifications

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
PM1	Objective 2	Page 18	<p>Amend the first bullet point as follows:</p> <p>“To enable sustainable growth of the community through appropriate levels of new home construction in small <u>appropriate</u> scale developments that meet the needs of existing and future residents”.</p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>
PM2	Policy CF1 – Community Facilities	Page 22	<p>Amend the Policy text as follows:</p> <p><i>“Existing community facilities and services, as identified below, will be protected, for continued community use. Proposals that seek to remove community facilities will be opposed unless alternative provision is provided to an equivalent or superior standard within close proximity to the community.</i></p> <p><i>a) Escrick Village Hall</i> <i>b) Escrick & Deighton Club & adjacent green space</i> <i>c) Tennis courts</i> <i>d) Cricket pitch & club house</i> <i>e) Queen Margaret’s School Swimming pool & sports facilities</i> <i>f) Black Bull Public House</i></p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p><i>g) Parsonage Hotel, Cloisters Spa and Health Club</i> <i>h) Fat Abbot Public house</i> <i>i) St Helen's Church</i> <i>j) Allotments (behind St Helen's church)</i></p> <p><i>The Development of new additional community facilities, especially where there is no current provision, and in particular those aimed at young people and senior citizens, are encouraged within and adjoining the village (or within reasonably close proximity of it), including sports pitches and facilities, allotments and/or green spaces for recreational use.</i></p> <p><i>Proposals that seek to remove community facilities will be opposed except in exceptional circumstances, when where alternative provision must be is provided to an equivalent or superior standard in an appropriate and equally convenient location within reasonably close proximity to the existing community.</i></p> <p><u><i>The loss of a commercially operated facility or service will not be supported unless it can be shown to be no longer economically viable for its current use and has been marketed at</i></u></p>	

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p><u>an independently agreed price by a property professional for at least a year as a community use or other suitable employment or service trade uses and it is verified that no interest in acquisition has been expressed.</u></p>	
PM3	Policy CF2 – Local Green Spaces	Page 24	<p>The text of the Policy should be amended as follows:</p> <p><u>"The following sites as identified on the map, are to be designated Local Green Spaces, and will therefore be given protection protected from future development consistent with the Green Belt policy in section 13 of the NPPF. Development will not be permitted other than in very special circumstances. However, appropriate eEnhancement of these sites, including that provides improved amenity, access, or biodiversity enhancements in the future will be given due consideration, provided the openness of the Green Belt is preserved.</u></p> <p>A) Village green B) Recreation ground and play area C) Gashouse plantation D) Woodland buffer & QM pond E) St Helens Church precinct & associated Allotments</p>	Agree with the modifications for the reasons set out in the Examiners Report.

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p><i>F) Green space alongside Bridge Dike</i>”.</p> <p>Amend the second paragraph of the supporting text to read: “Paragraph 100 <u>102</u> of the National Planning Policy Framework (NPPF) states Local Green Space designation should only be used where the green space is:”.</p>	
PM4	Policy H1 – Allocated Housing Numbers	Page 28	<p>The title of the Policy should be amended to read:</p> <p><i><u>“H1 – Allocated Housing Numbers Development”</u></i></p> <p>The text of the Policy should be amended as follows:</p> <p><i><u>“There are no new housing land allocations for the Plan period.</u></i></p> <p><i><u>New residential development within the Development Limits The number of dwellings included in any development should be limited to of an appropriate a scale reflecting proportionate to Escrick’s and reflecting its role in the settlement hierarchy. , a Tier 2 Village with circa 300 dwellings, and be in line with the approach</u></i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p><i>set out in the Local Plan and NDP policies MT1 and NE1</i></p> <p><i><u>Outside the Development Limits, residential development will not be supported other than the replacement or extension of existing buildings or entry-level exception sites to meet rural affordable housing need</u></i>.</p> <p>The following explanatory text should be added following the second paragraph of the supporting text to the Policy:</p> <p><u>“The types of housing developments appropriate within Development Limits include conversions, replacement dwellings, redevelopment of previously developed land and the in-filling of gaps within a continuous frontage. New residential developments, other than entry-level exception sites, are not appropriate outside of the built-up area of the village in view of the rural character of the Parish. There are no new housing land allocations within the Escrick Plan Area in the adopted Selby District Core Strategy Local Plan 2013.”</u></p> <p>Delete part of the final sentence of the supporting text, as follows:</p>	

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p>"The current approach is to not allocate any further land for development in Escrick in light of the Green Belt constraint, however, there may be opportunities for infill development outside of the Green Belt."</p>	
PM5	Policy H2 – Sustainable Design & Construction	Page 29	<p>Delete the final sentence of the Policy as follows:</p> <p>"Applicants should refer to the Escrick Design Code for examples on how this policy can be achieved."</p>	Agree with the modifications for the reasons set out in the Examiners Report.
PM6	Policy H3 – Housing Mix	Page 30	<p><u>"Proposals for major new housing developments of 10 or more dwellings or 0.5 hectares or more will be expected to provide a mix of dwelling types, sizes and tenures based on the latest evidence of to meet local needs."</u></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PM7	Policy H4 – Homeworking	Page 30	<p>The Policy should be amended to read:</p> <p><u>"New housing developments should will be encouraged to provide adequate internal space for members of a household to study or work from home.</u></p> <p><u>Reasonable levels of private outside amenity space should also be provided/retained to support mental health and wellbeing. Proposals must should adhere to the space standards set out in the Escrick Design Code"</u>.</p>	Agree with the modifications for the reasons set out in the Examiners Report.

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
PM8	Policy H5 – Siting, Scale & Density of Residential Development	Page 31	<p>The Policy should be amended as follows:</p> <p><i><u>“Proposals for residential development within the defined Development Limits should:</u></i></p> <ul style="list-style-type: none"> ● <i>Be proportionate to the scale of the village in accordance with the expected growth levels of a Tier 2 Village as set out by SDC</i> ● <i>Respect existing settlement size, along with key elements of the rural character and nature of the village, including <u>its local distinctiveness, character and form.</u></i> ● <i>Include, appropriate to development size, additional road safety measures on the A19/Skipwith Road junction and/or traffic calming measures through Escrick itself.</i> ● <i>Ideally <u>Should</u> be well sited in terms of connection to the highway network to maximise safety and minimise through traffic in the village on the A19 and Skipwith Road.</i> ● <i>Promote and facilitate safe and convenient pedestrian and cycle access and movement in the village, including to public transport connections and connections with the wider</i> 	Agree with the modifications for the reasons set out in the Examiners Report.

Examiner proposed modification number (PM)	Escrick NDP Section	Escrick NDP Page no./ other reference	Recommended Modification	SDC consideration / justification
			<p><i>network of footpaths, cycle tracks and bridleways locally.</i></p> <p><i>• Integrate well with the landscape, designed to a density appropriate to its rural setting, including in relation to neighbouring developments. All mature garden planting should be retained where possible as part of any plan for development of land. Existing tree preservation orders should be obeyed at all times. Where trees are replaced this should be at a ratio of 3:1 as sited by policy NE1 Green Infrastructure”.</i></p>	
PM9	Policy H7 – Infill, Backland & Replacement Dwellings	Page 32	<p>The Policy should be amended as follows:</p> <p><i>“<u>Within the Development Limits P proposals for infill housing, replacement dwellings or backland development should will be supported provided they add to the coherence and integrity of the village and should adhere to the principles set out in the Escrick Design Code. Wherever possible, existing trees should be retained.</u>”</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PM10	Policy ED1 – Small Business Development	Page 36	<p>Amend the Policy as follows:</p> <p><i>“Proposals for new small-scale spaces of economic activity based around existing business hubs, that would cause no undue negative impact on the residential amenity of</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

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			<p><i>the Parish through increased vehicular traffic, HGVs, waste, pollution or noise associated with uses such as industrial, warehousing or manufacturing will be supported providing the proposal complies with other relevant development plan policies provided they do not result in harm to the rural character or amenity of the area.</i></p> <p><i>Applications for new development should demonstrate how the proposal supports and facilitates sustainable and active travel.</i></p> <p><i>The development of co-working, flexible or managed business workspace within the Parish, of appropriate scale, design and use is encouraged and will be supported."</i></p>	
PM11	Policy ED2 – Village Amenities	Page 37	<p>Amend the Policy as follows:</p> <p><i>"Development proposals that support the day-to-day needs of residents, such as suitable required including retail and service outlets, will be supported providing the proposal complies with other relevant development plan policies. Preferably t</i> <i>These should be located in a suitable central location in the village, to the east of the A19 where the majority of parishioners reside.</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

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			Existing amenities that support the needs of residents should be retained unless it can be demonstrated the amenity is no longer viable".	
PM12	Policy ED3 – Reuse of Redundant Buildings	Page 37	The final part of the second bullet point should be deleted as follows: ”; and complies with other relevant development plan policies.”	Agree with the modifications for the reasons set out in the Examiners Report.
PM13	Policy ED4 – Agriculture	Page 38	Amend the Policy text as follows: <u>“Support will be given to proposals for agricultural diversification of agricultural or other land-based rural businesses providing the proposal:</u> <ul style="list-style-type: none"> ● <u>Supports an existing agricultural or rural business.</u> ● <u>Does not have a significant impact on production or lead to the loss of best and most versatile agricultural land and does not harm the character of the area.</u> ● <u>Does not result in significant increase in traffic movements, particularly HGVs.</u> ● <u>Complies with other relevant development plan policies.”</u> 	Agree with the modifications for the reasons set out in the Examiners Report.

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PM14	Policy ED6 – Business Expansion	Page 40	<p>Amend the Policy as follows:</p> <p>“ED6 - BUSINESS EXPANSION-DEVELOPMENT</p> <p><u>The suitability of applications Proposals for further development on or adjacent to existing business locations will be assessed supported provided that the following criteria are met on the basis of:</u></p> <ul style="list-style-type: none"> • The proposal is for size and scope of the business operation i.e. small-scale business units are felt to be preferable. • Compliance with the relevant development plan policies. • Proposed suitability of Adequate parking arrangements are incorporated. • and iImprovements to be are made to the A19 junction where relevant and required. • The likely level of There is no significant environmental impact, including noise, The proposal having no undue negative impacts on surrounding nearby uses, e.g residential”. 	Agree with the modifications for the reasons set out in the Examiners Report.

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PM15	Policy MT1 – Traffic Flow Along A19	Page 44	Amend the final part of the Policy text to read: <i>“...that new traffic safety measures to address traffic safety and congestion will be part of any proposal made.”</i>	Agree with the modifications for the reasons set out in the Examiners Report.
PM16	Policy MT2 – Car Parking	Page 45	Amend the second and fourth paragraphs as follows: <i>“Where garages are being included as part of any development proposal, they should be located to the side or rear of the property or be integrated and should adhere to the principles outlined in the Design Code”.</i> <i>“On-site secure cycle storage and <u>the provision of electric vehicle charging points</u> in the village should be provided in <u>any all new developments</u>.”</i>	Agree with the modifications for the reasons set out in the Examiners Report.
PM17	Policy MT3 – Pedestrian & Cycle Connections	Page 46	Amend the first paragraph as follows: <i>“The creation of new or the enhancement and/or extension of existing cycle lanes and footpaths within the Parish is encouraged and will be supported, providing the proposal complies with other relevant development plan policies”.</i>	Agree with the modifications for the reasons set out in the Examiners Report.
PM18	Policy MT4 – Village Bus Infrastructure	Page 47	The Policy and its supporting text should be deleted and replaced as a Community Aspiration in an Annex to the Plan.	Agree with the modifications for the

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				reasons set out in the Examiners Report.
PM19	Policy NE1 – Green Infrastructure	Page 50	Amend the text of the fourth bullet point as follows: <i>“to replace any trees which are proposed to be removed due to development at a ratio of at least 3 1:1. If it is not possible to secure <u>Where new or replacement tree planting cannot be achieved within the site, the trees should be planting at a suitable location within the Plan area should be sought. Replacement planting should consist of native species and be consistent with guidance provided by SDC and/or Natural England;</u></i>” .	Agree with the modifications for the reasons set out in the Examiners Report.
PM20	Policy NE3 – Accessing Nature	Page 52	The Policy and its supporting text should be deleted and replaced as a Community Aspiration in an Annex to the Plan.	Agree with the modifications for the reasons set out in the Examiners Report.
PM21	Policy BEH1 – Drainage & Flood Prevention	Page 56	Amend the third bullet point as follows: <i>“Unnecessary culverting and the constriction of watercourses and their immediate environs will not be permitted supported”</i> .	Agree with the modifications for the reasons set out in the Examiners Report.
PM22	Policy BEH2 – Respecting Traditional Design	Page 58	The Policy should be amended as follows:	Agree with the modifications for the reasons set out in the Examiners Report.

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			<p><i>"Proposals for new developments <u>within the Escrick Conservation Area or within it's setting will be expected to:"</u></i></p> <p><i>"Demonstrate how the recommendations of the Escrick Design Code have been incorporated into the proposal"</i></p>	
PM23	Policy BEH3 – Historic Rural Environment	Page 59	<p>Amend the first sentence as follows:</p> <p><i>"Proposals for developments that have an undue adverse effect on the historic rural character of the Parish will not be supported"</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PM24	Policy BEH4 – Streets & Street Scene	Page 59	<p>The third bullet point should be deleted as follows:</p> <p><i>"Management of safe and sensible car parking practices – in adherence to NYCC guidelines on car parking spaces for houses;"</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Additional points raised by the Examiner				
Policies Map			<p>Paragraph 4.83 of Examiner Report states:</p> <p>Whilst a policies map is not a statutory requirement of a neighbourhood plan, reference is made to their use in the PPG, for example at Reference ID: 41-098-20190509 (albeit there are no new sites being allocated for development in the Plan). In the case of the ENDP, a policies map would be helpful by illustrating the locational</p>	Following consultation with Escrick Parish Council, it is agreed a Policies Map should be included within the final version of the NDP for clarity and ease of use.

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			aspects of policies. Accordingly, EPC is encouraged to incorporate a policies map in the final version of the Neighbourhood Plan.	