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South Hams District Council

West Devon Borough Council

South Hams District Council

The Modbury Neighbourhood Plan – Regulation 18 Decision Statement

Date of Publication – 27th January 2023

Following an independent examination of the Modbury Neighbourhood Plan and the receipt of the Examiner's Report, the Council has decided that, subject to the Examiner's proposed specific modifications, the Modbury Neighbourhood Plan should proceed to referendum for the following reasons; the Neighbourhood Plan:

- will be compatible with the European Convention of Human Rights, and in particular, to Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (Property);
- will not breach, and is otherwise compatible with European Union obligations;
- is not likely to have significant effect on a European designated site or a European Offshore Marine site either alone or in combination with other plans or projects;
- taken as a whole has regard to national policies and advice contained in guidance issued by the Secretary of state and would contribute to the achievement of sustainable development;
- is in general conformity with the strategic policies contained in the Development Plan for the area;
- meets the Basic Conditions; and
- has undergone consultation in accordance with the requirements of the Regulations.

The Council also agreed with the Examiner's recommendation that the referendum for the Neighbourhood Plan should be based on the designated Neighbourhood Area approved by the Council on 24 February 2015.

This Decision Statement, the Examiner's Report, including the proposed modifications, and the Modbury Neighbourhood Plan can be viewed on South Hams District Council's website:- https://www.neighbourhoodplanning.swdevon.gov.uk/modbury

The Plan is also available for inspection as follows:

- Access to the Council's Offices in Totnes is restricted. If you wish to arrange to view the documents, please contact:-

  Elliott Hale
  Neighbourhood Planning Officer
  South Hams District and West Devon Borough Councils
  Email: elliott.hales@swdevon.gov.uk Telephone: 01803 861178

  Or visit:-

- Modbury Town Council, Parish Office, 2 Galpin Street Modbury Devon PL21 0QA by appointment. Ring Town Clerk, Sally Smale - 01548 830222 or email parishclerk@modburypc.co.uk who will arrange for the Neighbourhood Plan to be viewed.

To meet the requirements of the Localism Act 2011 a referendum which poses the question, 'Do you want South Hams District Council to use the Neighbourhood Plan for Modbury to help it decide planning applications in the Neighbourhood Area?' will be held in the area formally designated as the Modbury Neighbourhood Plan Area.

For any questions please contact the Neighbourhood Planning Team on 01803 861178 or e-mail to SW-Neighbourhood Planning elliott.hales@swdevon.gov.uk