

*Working together*



## **South Hams District Council**

### **Malborough Neighbourhood Plan – Regulation 18 Decision Statement**

**Date of Publication – 19<sup>th</sup> December 2018**

Following an independent examination of the Malborough Neighbourhood Plan and the receipt of the Examiner's Report, the Council has decided that, subject to the Examiner's proposed specific modifications, the Malborough 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 of the Neighbourhood Plan should be based on the designated Neighbourhood Area approved by the Council on 6<sup>th</sup> January 2014.

This Decision Statement, the Examiner's Report, including the proposed modifications and the Malborough Neighbourhood Plan can be viewed on South Hams District Council's website <https://www.southhams.gov.uk/article/3882/Neighbourhood-Development-Plans->

[and-Orders](#) and the Malborough Neighbourhood Plan website  
<http://malboroughvillage.org.uk/about-the-plan>

The documents are also available for inspection, by prior notice, at the following venues:

- South Hams District Council offices – Follaton House, Plymouth Road, Totnes TQ9 5NE
- Malborough Parish Council, Collaton Road, Malborough TQ7

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 Malborough to help it decide planning applications in the Neighbourhood Area?” will be held in the area formally designated as the Malborough Neighbourhood Area.

The referendum will take place within 56 working days of this notice.

For any questions please contact the Neighbourhood Planning Team on 01803 861234 or e-mail to SW-Neighbourhood Planning [NeighbourhoodPlan@swdevon.gov.uk](mailto:NeighbourhoodPlan@swdevon.gov.uk)