

Teignbridge District Council Decision Statement on Abbotskerswell Neighbourhood Development Plan to proceed to Referendum



1 Summary

- 1.1 Teignbridge District Council have considered each of the examiners recommendations and the reasons for them and agree the recommendations should be implemented, as proposed in their entirety to ensure the plan meets the basic conditions. The District Council considers that the Abbotskerswell Neighbourhood Plan is compatible with the Convention rights and complies with the definition of a Neighbourhood Development Plan and does not include 'Excluded Development'.
- 1.2 Teignbridge District Council are resolved to progress the Abbotskerswell Neighbourhood Development Plan to referendum.

2. Background

- 2.1 On 15th May 2014 Teignbridge District Council resolved to designate the whole of the parish of Abbotskerswell as a Neighbourhood Area in accordance with Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011). The designation of a Neighbourhood area being one of the statutory requirements needed to be in place to enable a neighbourhood plan to be adopted and formally become part of the Development Plan, and be used in the determination of planning applications by the District Council.
- 2.2 Following the submission of Abbotskerswell Neighbourhood Development Plan to the District Council, the plan was publicised from 20th February 2017 to 3rd April 2017 with representations on the plan invited during that period. A total of 17 representations were received.
- 2.3 The District Council, in agreement with Abbotskerswell Parish Council appointed an independent examiner, Mr John Slater, BA (Hons), DMS, MRTPI to review whether the Plan met the basic conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) and whether the Abbotskerswell Neighbourhood Development Plan should proceed to referendum.
- 2.4 The examiner's report concludes that subject to a number of recommended modifications that the Abbotskerswell Neighbourhood Plan is able to comply with the Basic Conditions and other relevant statutory provisions, and that the draft plan as modified can be submitted for a referendum to the local electorate of the parish of Abbotskerswell.
- 2.5 The recommended modifications have been reviewed by Abbotskerswell Parish Council and approved through delegated authority on 22nd June 2017 and confirmed through a formal parish council meeting on 26th June 2017.

- 2.6 Having considered each of the recommendations made by the examiner's report, and the reasons for them, the District Council has resolved that the modifications are required in order for the Abbotskerswell Neighbourhood Development Plan to meet the 'basic conditions' set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended)

3. Decision and Reasons

- 3.1 To enhance the clarity of the plan, the Parish Council and District Council, in addition to the examiners recommendations, have made a number of minor modifications, particularly relating to matters of factual accuracy, grammar and spelling. The District Council confirms that the modifications made to the Plan are in accordance with the examiners recommendations and provisions set out in the Town and Country Planning Act 1990 (as amended) and their implementation ensures the plan meets the basic conditions.

- 3.2 The examiner concluded that with the modifications made to the plan, it meets the basic conditions and other relevant legal requirements. The District Council concur with this view. Therefore to meet the requirements of the Localism Act 2011 a referendum will be held in the parish which poses the following question:

Do you want Teignbridge District Council to use the Neighbourhood Plan for Abbotskerswell to help it decide planning applications in the Neighbourhood Area?

- 3.3 The examiner did not recommend an extension of the referendum area beyond the existing boundaries of the designated neighbourhood area. As such the referendum area which is to be applied to the Abbotskerswell Neighbourhood Plan referendum is the same as the designated neighbourhood area and parished area.

- 3.4 The date of the referendum is to be conducted on Thursday 28th September 2017.