

Working together



South Hams District Council

Kingswear Neighbourhood Plan – Regulation 18 Decision Statement

Date of Publication – 14/12/20

Following an independent examination of the Kingswear Neighbourhood Plan and the receipt of the Examiner's Report, the Council has decided that, subject to the Examiner's proposed specific modifications, the Kingswear 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 19th May 2016.

This Decision Statement, the Examiner's Report, including the proposed modifications and the Kingswear Neighbourhood Plan can be viewed on South Hams District Council's website [Kingswear | Npgroups \(swdevon.gov.uk\)](https://www.southhams.gov.uk/Kingswear/Npgroups)

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

- South Hams District Council, Follaton House, Plymouth Rd, Totnes, TQ9 5NE
Monday to Friday 9am to 4.45pm
- Kingswear Parish Council

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 Kingswear to help it decide planning applications in the Neighbourhood Area?' will be held in the area formally designated as the Kingswear 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