

EAST DEVON DISTRICT COUNCIL

CHARDSTOCK NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

- 1.1 Following an independent examination, East Devon District Council now confirms that the Chardstock Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.

2. Background

- 2.1 On 16 October 2012, East Devon District Council designated the area comprising the parish of Chardstock as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.
- 2.2 Following the submission of the Chardstock Neighbourhood Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on 20 March 2017.
- 2.4 East Devon District Council appointed an independent examiner, Mr Robert Yuille, to review whether the Plan should proceed to referendum.
- 2.5 The examiner's report concludes that subject to making the minor modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Decision and Reasons

- 3.1 The District Council has made the following modifications, (incorporating the examiners modifications and the additional minor correction), to secure that the draft plan meets the basic conditions set out in legislation, for the reasons given:

<u>Examiner's Reason for Change</u>	<u>Recommended change</u>
<p><i>Policy CPNP 02 b) states that development affecting any listed buildings in the parish should be permitted only 'where it will offer a specific and measurable improvement to the historical integrity of the area and avoid harm to the setting of a heritage asset.'</i> The Framework on the other hand, while seeking to conserve and enhance the historic environment, calls for a balancing of harm against public benefits (<i>paragraphs 132 - 135</i>). <i>Policy EN9</i> of the East Devon Local Plan takes a similar approach. I note the importance the local community attach to preserving the parish's heritage assets undamaged, but have seen no substantial evidence which would warrant taking what would be a more stringent approach to development affecting such heritage assets in</p>	<p><u>PM1-</u> Policy CPNP 02 b) Development affecting any listed building, within or outside the Conservation Area should will be permitted only where it will offer a specific and measurable improvement to the historical integrity of the area and avoid harm to the setting of a heritage asset <u>that outweighs any harm that it would cause to that heritage asset or its setting.</u></p>

<p>the parish than is taken either nationally in the Framework or more locally in the Local Plan.</p>	
<p>This policy seeks to protect the landscapes, habitats and watercourses in the parish. This clearly has regard to the Framework which similarly seeks to conserve and enhance the natural environment (<i>paragraphs 109 and 110</i>). Indeed, by using the word enhancing the Framework goes further than the policy. This is a distinction of some significance and should be reflected in the policy.</p>	<p><u>PM2-</u> Policy CPNP 04: Protecting <u>and enhancing</u> the natural environment.</p>

- 3.2 The District Council has considered whether to extend the area in which the referendum is to take place. Like the examiner, the District Council has decided that there is no reason to extend the Neighbourhood Plan area for the purpose of holding the referendum.
- 3.3 The examiner has concluded that with the minor modifications made the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view. Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the question ‘Do you want East Devon District Council to use the Neighbourhood Plan for Chardstock to help it decide planning applications in the neighbourhood area?’ will be held in the parish of Chardstock.
- 3.4 The date on which the referendum will take place is agreed as 20 July 2017.

EAST DEVON DISTRICT COUNCIL CABINET
22 June 2017