



April 2024

Silverton Neighbourhood Plan

ADOPTION DECISION STATEMENT

**REGULATION 19 – THE NEIGHBOURHOOD PLANNING (GENERAL)
REGULATIONS 2012**

1.0 Summary

1.1 Mid Devon District Council is publishing its decision to 'make' the Silverton Neighbourhood Plan part of the statutory development plan for Mid Devon District in accordance with Regulation 19 of The Neighbourhood Planning (General) Regulations 2012. This follows a positive referendum result on Thursday 29th February 2024.

2.0 Background

2.1 Silverton Parish Council (as the qualifying body) applied to designate Silverton Parish as neighbourhood area. The Silverton Neighbourhood Area was designated on 7th July 2014.

2.2 The Silverton Neighbourhood Plan submission version was submitted to Mid Devon District Council on the 14th December 2022. Mid Devon District Council undertook the statutory consultation, in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012, between 18th January 2023 and 3rd March 2023.

2.3. Mid Devon District Council, with the agreement of Silverton Parish Council, appointed an Independent Examiner (John Slater) to assess whether the plan met the Basic Conditions required by legislation; and whether it should proceed to referendum. Due to an earlier version of the Environmental Report being advertised through the statutory consultation (Regulation 16), the Examiner suggested to redo the Regulation 16 consultation. Both Silverton Neighbourhood Planning group and Mid Devon District Council agreed and the re-consultation then ran from 17th July to 29th August 2023.

2.4. The examination into the Plan was carried out by written representations and a public hearing, held on 29th September 2023. The Examiner's report was received on the 2nd November 2023. The report concluded that the Plan met

the basic conditions and other statutory requirements, and subject to the modifications set out in the report, that the Plan should proceed to a local referendum.

- 2.5 On the 12th December 2023 Mid Devon District Council agreed the Examiner’s modifications to the Silverton Neighbourhood Plan, and agreed that the plan should proceed to a local referendum. A Decision Statement was also approved and published for this.

3.0 Decision and Reasons

- 3.1. The local referendum was held on the 29th February 2023 and met the requirements of the Localism Act 2011. It returned a ‘yes’ majority of 90.53%, to the question:

“Do you want Mid Devon District Council to use the neighbourhood plan for Silverton to help it decide planning applications in the neighbourhood area?”

- 3.2 The results of the local referendum were as follows:

| Ballot papers | Votes Recorded |
|--------------------------------|----------------|
| Number cast in favour of a Yes | 459 |
| Number cast in favour of a No | 37 |
| Number of spoilt ballot papers | 11 |
| Total number of votes cast | 507 |
| Electorate: 1636 | Turnout: 31% |

- 3.3. Following the positive referendum outcome, the Silverton Neighbourhood Plan was ‘made’ (adopted) by Mid Devon District Council at a meeting of the Council on the 24th April 2024.
- 3.4. It is considered that the Plan meets the Basic Conditions set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990; complies with the provision made by or under Sections 38A and 38B of The Planning and Compulsory Purchase Act 2004 (as amended); and is compatible with EU obligations, as incorporated into UK law and Convention obligations (within the meaning of the Human Rights Act 1998).
- 3.5. The Silverton Neighbourhood Plan now forms part of the development plan for the Silverton Neighbourhood Area (the parish of Silverton). In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the determination of planning applications in Silverton Parish will need to be made in accordance with the development plan (i.e. the adopted Mid Devon Local Plan 2013 – 2033, the adopted Devon Minerals and Waste Plans, and the ‘made’ Silverton Neighbourhood Plan), unless material considerations indicate otherwise.

4.0 Where to view this Adoption Decision Statement

- 4.1. The Adoption Decision Statement can be viewed at:

Mid Devon District Council's Offices, Phoenix House, Phoenix Lane, Tiverton,
Devon, EX16 6PP

Opening hours (via appointment, please contact 01884 255255):

- Monday - 9 am to 1 pm
- Tuesday - 9 am to 1 pm
- Wednesday - CLOSED
- Thursday - 9 am to 1 pm
- Friday - 9 am to 1 pm

Online on the Council's website:

<https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/silverton-neighbourhood-plan/>

[Silverton Neighbourhood Plan - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/silverton-neighbourhood-plan/)

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