



**Davertry District Council**

**Barby and Onley Neighbourhood Development Plan**

**Decision Statement**

**30<sup>th</sup> September 2016**

**1. Summary**

- 1.1 Following a positive referendum result, Daventry District Council is publishing its decision to 'make' the Barby and Onley Neighbourhood Development Plan as part of Daventry District's Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

**2. Background**

- 2.1 Barby and Onley Parish Council, as the qualifying body, applied for Barby and Onley to be designated as a Neighbourhood Area on 11<sup>th</sup> February 2013. Following consultation on the application the District Council approved the application and subsequently designated the area as Barby and Onley Neighbourhood Area on 25<sup>th</sup> July 2013.
- 2.2 The draft Neighbourhood Development Plan was published by Barby and Onley Parish Council for public consultation from 21<sup>st</sup> September 2015 and closed on the 1<sup>st</sup> November 2015.
- 2.3 Following submission of the Barby and Onley Neighbourhood Development plan to the District Council the plan was subsequently published for consultation by the District Council. The consultation period ran from 11<sup>th</sup> January 2016 to 26<sup>th</sup> February 2016.
- 2.4 Following the submission consultation, Daventry District Council, with the agreement of the Parish Council, appointed an independent Examiner, Janey Cheesley BA(Hons) DipTP MRTPI, to review whether the plan met the Basic Conditions required by the legislation and should proceed to a referendum.
- 2.5 Following the examination, which was dealt with through written representations, the Examiner's report was completed in May 2016 and made available on the Council's website. The report concludes that subject to the making of the modifications recommended in her report the plan meets the Basic Conditions set out in legislation and should proceed to a referendum. At its meeting on 28<sup>th</sup> July 2016 Daventry

District Council considered a report on the Barby and Onley Neighbourhood Development Plan. Having considered that report, Council resolved that:

- 1) That the significant progress in making the neighbourhood development plan (NDP) by the Barby and Onley communities be noted and welcomed.
- 2) That the Examiner's recommended modifications in respect of the Barby and Onley NDP are accepted.
- 3) That the Examiner's recommendation that the NDP as modified in accordance with recommendation (2) should proceed to a referendum of voters within the Parish of Barby and Onley be accepted.
- 4) That subject to items (2) and (3) above, the proposed Decision Statement set out in Appendix 1 to the report be approved subject to any necessary factual alterations.
- 5) That the costs of the referendum be met from the earmarked reserve for neighbourhood planning.

### 3. Decision and Reasons

3.1 With the Examiner's recommended modifications the Neighbourhood Plan meets the Basic Conditions set out in paragraph (8) (2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention Rights and complies with relevant provision made by or under Sections 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

3.2 A referendum into the Plan was held on Thursday 29<sup>th</sup> September 2016. Those voting were asked the following question:

*'Do you want Daventry District Council to use the Neighbourhood Plan for Barby and Onley to help it decide planning applications in the neighbourhood area?'*

3.3 The count took place on Friday, 30<sup>th</sup> September 2016, the result of the referendum was as follows:


Response	Number of Votes	Percentage of Total
Yes	348	93.04%
No	26	6.96%
Turnout : 34.79%		

3.4 The regulations require that a majority of those voting vote in favour for the plan to be made. **This requirement is therefore satisfied.**

- 3.5 To be legally compliant, neighbourhood development plans must not contravene Convention rights or European Union obligations when made. There is no evidence to suggest any such contravention would occur. This requirement is met and it is possible for the plan to now be made.

**Upon the signing of this document by the Business Manager, the Barby and Onley Neighbourhood Development Plan is made and planning applications in the Barby and Onley Neighbourhood Area must be considered against the Barby and Onley Neighbourhood Development Plan, as well as existing planning policy.**

I certify that the above statements are true.

Signed: 

Jane Parry, Senior Policy Officer (Planning)

Date... 30/09/16 .....

I certify that I am satisfied that the making the Barby and Onley NDP would not contravene Convention rights or European Union obligations.

Signed: 

Simon Bowers, Business Manager

Date... 30/9/2016 .....