

Daventry District Council
Badby Parish Neighbourhood Development Plan Decision Statement
Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

1. Summary

1.1 Following an Independent Examination, Daventry District Council (the “Council”) now confirms that the Badby Parish Neighbourhood Development Plan will proceed to a neighbourhood planning referendum.

1.2 This decision statement and copies of the Badby Parish Neighbourhood Development Plan and its supporting documentation, including the Examiner’s report are available to view on the Council’s website at;

<https://www.daventrydc.gov.uk/living/planning-policy/neighbourhood-planning/>

1.3 Hard copies of this decision statement and the modified version of the Neighbourhood Plan are available for inspection at the following locations:

- Daventry District Council Offices (Lodge Road, Daventry, NN11 4FP)
 - Monday to Thursday 9.00 - 17.00, Friday 9.00 – 16.30
- The Maltsters (The Green, Badby, NN11 4FP)
 - Tuesday to Wednesday 4pm-11pm
 - Thursday to Saturday 12pm-11pm
 - Sunday 12pm-10.30pm
- St Mary’s Church (Church Hill, Badby, NN11 3AR)
 - Monday to Sunday 10am-5pm, except during services

2. Background

2.1 Badby Parish Council, as the qualifying body, applied for Badby Parish to be designated as a neighbourhood area on 1st September 2014. Following consultation on the application the Council designated Badby Parish as a neighbourhood area on the 26th February 2015.

2.2 The draft Neighbourhood Development Plan was published by Badby Parish Council for public consultation on 26th October 2017 and closed on the 8th December 2017.

2.3 Following submission of the Badby Parish Neighbourhood Development plan to the Council on 22nd March 2018, the plan was published for consultation by the Council. The consultation period ran from 9th April 2018 to 25th May 2018.

- 2.4 Following the submission consultation, the Council, with the agreement of the Parish Council, appointed an independent Examiner, Liz Beth, BA Hons, MA, Dip Design in the Built Environment, 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, the Examiner's report was completed in October 2018 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.

3. Decision and Reasons

- 3.1 The Council has made the modifications proposed by the Examiner, to ensure that the plan meets the basic conditions. Table 1 below sets out these modifications and the action to be taken in respect of each of them. Depending on the recommended change, these are illustrated differently in the Decision Statement and set out below. All deletions will also be shown with a ~~strikethrough~~.
- Modifications of wording by the Examiner are shown as underlined or ~~strikethrough for deletions~~.
 - Where the Examiner has not recommended specific wording and the Council has had to interpret the recommendation and identify specific wording this is double underlined and in red or ~~double strikethrough for deletions~~. This includes accuracy changes.
- 3.2 The Council has considered whether to extend the area in which the referendum is to take place and agrees with the Examiner that there is no reason to extend the referendum area beyond the Badby Neighbourhood Area.
- 3.3 The Examiner has concluded that with the specified modifications the Badby Parish Neighbourhood Development Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view.
- 3.4 To meet the requirements of the Localism Act 2011, a referendum will be held which poses the question; 'Do you want Daventry District Council to use the Neighbourhood Plan for Badby to help it decide planning applications in the neighbourhood area?'
- 3.5 The referendum will take place on 24th January 2019 and will be held at Badby Village Hall.

Table 1 Examiner’s Recommended Modifications and further editorial changes to the Badby Parish Neighbourhood Development Plan and actions to be taken

Recommendation reference ID number (in Examiner’s Report)	Page/Paragraph/Policy reference in Submission version of Plan and Examiner’s Report	Examiner’s Recommendation	Reason	Action to be taken
1	Front cover/footer	BPNP Referendum Version (January 2019) revised Feb 2018	To ensure it is factually up to date	Make the suggested minor modification
2	Page 14, first paragraph	<p>Amend first paragraph as follows:</p> <p>The vision and objectives for the Neighbourhood Development Plan have been prepared taking into consideration the results of consultation with parishioners detailed in Section 3 and to ensure compliance with National, Regional and Local Government <u>planning</u> policy.</p>	To correct an error	Make the suggested minor modification
3 (1 in Examiner’s Report)	<p>Page 9, para 2.9 (page 12 of Examiner’s Report)</p> <p>Page 17, para 5.2.4 (page 12 of Examiner’s Report)</p>	<p>The text of the BPNP is recommended to be altered as follows in order that it is accurate and clear as required by the NPPF:</p> <p>Para 2.9 add an additional sentence: Not all of the Local Plan’s policies are still extant and in 2010, the Council published a list of “saved” policies, in line with a direction from the Department of Communities and Local Government. <u>This was further amended in 2015 after the adoption of the WNJCS.</u></p> <p>Para 5.2.4 amend as shown the phrase:</p>	For clarity and in order to meet the basic conditions	Amend paragraphs 2.9 and 5.2.4 in accordance with Examiner’s recommendation.

		Under the emerging DDC Settlements and Countryside <u>Local Plan Part 2A</u> a new hierarchy of settlements is being proposed.		
4	Page 17, para 5.2.4	Amend the last sentence of paragraph 5.2.4 as follows: This currently classifies Badby as a Secondary Service Village, a classification that Badby Parish Council has concerns about and has submitted alternative arguments in response to the consultation <u>s</u> on the Draft <u>and Proposed Submission Plans</u> .	Factual update to reflect the stage in the preparation of the Part 2 Local Plan	Make the suggested minor modification
5 (2 in Examiner's Report)	Page 15, policy B1 (page 13 of Examiner's Report)	Policy B1 to be amended as follows: Development proposals that respect Badby's setting will be supported provided that: 1. They maintain the compact nature of the village and are located within the 'Built Confines' (as shown on Map 8.3) or are 'Exception Sites' for Affordable Housing in compliance with WNJCS Policy H3; 2. They maintain the scale, form and character of the existing settlement' and 3. They preserve or enhance <u>the significant</u> views into and out from the village <u>listed below</u> regarded as significant and identified on Map 8.2 The views identified (all accessible from public footpaths, rights of way or roads) are as shown in section 8.1 A. Looking south-east towards Badby Woods from the footpath to the south of the cricket pitch B. Looking north-west from the Knightley Way	For clarity and in order to meet the basic conditions	Amend policy B1 and Map 8.2 in accordance with Examiner's recommendation.

	<p>Pages 42-44, section 8.1</p>	<p>C. Looking west towards Park Close from Chapel Lane D. Looking south from Newnham Road E.<u>D.</u> Looking south towards Badby Village from the footpath between A361 layby and Newnham Road F. <u>E.</u> Looking east towards Badby Village from the Staverton direction footpath G. <u>F.</u> Looking west towards the village from the playing field boundary H. <u>G.</u> Looking south and south-west from Newnham Road over the valley with Badby nestling into the contours</p> <p>Map 8.2 to be altered so that view D is no longer indicated and photo evidence removed. The identification letters on the views to be made more visible and references altered as necessary.</p> <p>A consequence of the deletion of view D from policy B1 is the need to delete the photograph and description of view D on page 42 and change the subsequent identification letters on pages 43-44 as follows:</p> <p>D. Looking south from Newnham Road E. <u>D.</u> Looking south towards Badby Village from the footpath between the A361 layby and Newnham Road. F. <u>E.</u> Looking east towards Badby Village from the Staverton direction footpath G. <u>F.</u> Looking west towards the village from the playing fields boundary</p>	<p>A consequential change is required to pages 42-44, section 8.1 as a result of the Examiner's recommendation to delete view D.</p>	<p>Make consequential amendment to section 8.1 Identified Important Views.</p>
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		<p>H <u>G</u>. Looking south-west over the valley from Newnham Lane</p>		
6 (3 in Examiner's Report)	Page 18, para 5.2.12 (page 15 of Examiner's Report)	<p>The text of the BPNP is recommended to be altered as follows:</p> <p>Para 5.2.6 is to be deleted:</p> <p>The Badby Parish Neighbourhood Plan is defining the confines on a map for the first time. They are being defined using a joint evidence base with DDC which includes criteria for defining the confines and the sharing of draft maps of confines being produced by DDC for the emerging Part 2 Local Plan.</p> <p>Paragraphs after to be renumbered consecutively.</p> <p>Para 5.2.13 is to be altered as follows:</p> <p>5.2.13 <u>12</u> DDC Guidance Note for defining village confines supports the exclusion of groups of dwellings where they are detached or peripheral to the main body of the village. <u>Paragraph 4.90 of the Daventry District Local Plan 1997 sets out the definition of village confines which also confirms that peripheral buildings including groups of dwellings will be excluded if they are not closely related. The boundary shown is as surveyed on an informal basis by the District Council in 2003.</u></p> <p>5.2.13 Doing so here <u>Defining the built confines as</u></p>	In order to meet the basic conditions	Delete paragraph 5.2.6 and amend paragraph 5.2.13 in accordance with Examiner's recommendation.

		<u>shown</u> will make a significant contribution to the environmental dimension of sustainable development in the plan area by safeguarding the valuable contribution of Badby's encircling unspoilt landscape to the character of their village and all that this means for its residents sense of place and quality of life.		
7 (4 in Examiner's Report)	Page 23, Policy B3 (page 16 of the Examiner's Report)	<p>I recommend that Policy B3 is amended as shown in order that it complies with the Basic Conditions:</p> <p>Development will be supported provided that:</p> <ol style="list-style-type: none"> 1. It preserves or enhances the character or appearance of the conservation area and is in keeping with adjacent buildings and spaces; 2. Proposals for new build adjacent to Listed Buildings are of a form and scale in keeping with their neighbours and retain the overall look and character of the area 3. 2. The historic stone boundary walls designated SW1-13 as shown on Map 8.3 and listed in Appendix C are preserved or enhanced. 4. 3. It preserves the grass verges <u>green spaces</u> designated GS1-6 as shown on Map 8.3. <p>Para 5.3.6 change as follows:</p> <p>5.3.6 Several grass verges <u>green spaces</u> contribute to the appearance and setting of the Conservation Area.</p>	In order to meet the basic conditions	Amend policy B3 and para 5.3.6 in accordance with Examiner's recommendation.
8 (5 in Examiner's	Pages 28-29, Policy B5	Policy B5 is recommended to be altered as shown:	In order to meet the Basic	Amend policy B5 and Table 1 in

Report)	and Table 1 (page 17 of Examiner's Report)	<p>1. The following <u>Pinfold Green</u> as shown on map 8.3 is designated as a local green space is designated within this plan in accordance with paragraph 76 and 77 of the NPPF. New development which impacts adversely on the function, openness and permanence of <u>the</u> Local Green Spaces or Important Open Spaces will not be permitted except in very special circumstances.</p> <p>LGS1 Pinfold Green</p> <p>2. The tract of land adjoining Nene Side Close and the A361 <u>and also shown on map 8.3</u> is designated as an Important Open Space and should so remain.</p> <p>3. New development which impacts adversely on the function, openness and permanence of Local Green Spaces or Important Open Spaces will not be permitted except in very special circumstances.</p> <p>4. 3. Development which adversely impacts on the protection, retention and maintenance of the <u>registered village greens shown on map 8.3</u> will not be permitted.</p> <p>Amend Table 1, column 2 as follows:</p> <table border="1" data-bbox="678 1054 1301 1238"> <tr> <td data-bbox="678 1054 1301 1094">Distance from Community</td> </tr> <tr> <td data-bbox="678 1094 1301 1129">Within Village <u>On edge of village</u> –</td> </tr> <tr> <td data-bbox="678 1129 1301 1165">Within the group of houses comprising Pinfold Green</td> </tr> <tr> <td data-bbox="678 1165 1301 1200">Contains the bus stop used by all</td> </tr> </table>	Distance from Community	Within Village <u>On edge of village</u> –	Within the group of houses comprising Pinfold Green	Contains the bus stop used by all	Conditions	accordance with Examiner's recommendation.
Distance from Community								
Within Village <u>On edge of village</u> –								
Within the group of houses comprising Pinfold Green								
Contains the bus stop used by all								
9 (6 in Examiner's	Page 32, Policy B7 (page	Policy B7 is recommended to be amended as	For clarity and in order to	Amend policy B7 in accordance				

Report)	18 of Examiner's Report)	<p>shown in order that it complies with the basic conditions and is in general conformity with strategic policies in the development plan:</p> <ol style="list-style-type: none"> 1. Proposals for agricultural development will be supported provided they do not detract from the character and appearance of the area. They should not cause adverse impact on the local area by reason of noise, light pollution, or traffic levels beyond the capacity of the local rural roads. 2. New business and industrial development within the parish <u>confines</u> will be supported provided the scale and character of the proposal reflects the residential nature of the surroundings and provides vehicle parking and access using the NCC Parking Standards and Standing Advice as a guide. 3. <u>Proposal for new business and industrial development within the open countryside will not normally be supported, exceptions may include proposals for small-scale developments related to the re-use of buildings.</u> 4. Proposals that promote homeworking and self-employment through small scale changes of use of buildings and improvements in the telecommunications infrastructure will be supported. 	meet the basic conditions.	with Examiner's recommendation.
10 (7 in Examiner's Report)	Page 35, Policy B9 (page 19 of Examiner's Report)	<p>Policy B9 to be altered as follows: Developments will be supported providing that They have satisfactory means of access and adequate parking provision using the NCC Parking Standards and Standing Advice as a guide.</p>	For clarity and in order to meet the basic conditions.	Amend policy B9 in accordance with Examiner's recommendation.

		Roads within the village to access the development will support the additional traffic or <u>would be capable of supporting the development with appropriate upgrades providing this does not result in loss of local character, can be</u> appropriately adapted at the cost of <u>which will be borne by</u> the developer.		
11 (8 in Examiner's Report)	Page 36, Policy B10 (page 19 of Examiner's Report)	Policy B10 to be amended as follows: Development will be supported providing that 1. It is not located in an area designated at risk in the Environment Agency's Long-term Flood Risk Assessment 2. Where required, it has the necessary Land Drainage Consents 3. It incorporates the latest Sustainable Drainage Systems proposed by the Northamptonshire County Council to maximise water retention within the site and minimise run off <u>It incorporates Sustainable Drainage Systems as detailed within Northamptonshire County Council Lead Local Flood Authority Local Standards and Guidance document.</u>	For clarity and in order to meet the basic conditions	Amend policy B10 in accordance with Examiner's recommendation.
12	Page 40, Chapter 7 Next Steps, paras 7.1-7.7	Delete paragraphs 7.1, 7.2 and 7.3 as follows and re-number subsequent paragraphs: 7.1 This Neighbourhood Plan (with revisions resulting from the Regulation 14 Public Consultation) is being submitted by Badby Parish Council (the qualifying body) to Daventry District	Factual update to reflect the status of the neighbourhood plan	Make the suggested minor modification

		<p>Council with the following documents:-</p> <ul style="list-style-type: none"> a) The Consultation Statement. b) A map identifying the area covered by the plan. c) A Basic Conditions Statement. d) SEA/HRA Screening report <p>7.2 On receipt of the submitted plan Daventry District Council will publicise it and invite comments (for a 6 week period). These comments will be sent with the plan and associated documents to an independent examiner.</p> <p>7.3 Daventry District Council will organise the appointment of the independent examiner with the consent of Badby Parish Council. The independent examiner can recommend that the plan proceeds direct to a referendum (i.e. it meets all the legal requirements), may suggest that modifications are needed to the plan before it proceeds to referendum or that it should not proceed to referendum.</p> <p>Amend paragraph 7.5 (now 7.2) as follows:</p> <p>7.5 <u>7.2</u> If the <u>neighbourhood plan is made</u>, t^{the} Parish Council will monitor and, if appropriate, undertake a review of the neighbourhood plan.</p>		
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