



Daventry District Council

Badby Parish Neighbourhood Development Plan

Decision Statement

25 January 2019

1. Summary

- 1.1 Following a positive referendum result, Daventry District Council is publishing its decision to 'make' the Badby Parish 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 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 District 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 District Council on 22nd March 2018 the plan was published for consultation by the District Council. The consultation period ran from 9th April 2018 to 25th May 2018.
- 2.4 Following the submission consultation, Daventry District 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 his report (Appendix 2 and appendix 3 to that report) the plan meets the Basic Conditions set out in legislation and should proceed to a referendum. At its meeting on 6th December 2018 Daventry District Council considered a report on the Badby Parish Neighbourhood Plan. Having considered that report, Council resolved that:

- 1) That the significant progress in making the neighbourhood development plan (NDP) by the Badby community be noted and welcomed.
- 2) That the Examiner's recommended modifications in respect of the Badby Parish 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 Badby be accepted.
- 4) That subject to items (2) and (3) the proposed Decision Statement set out in Appendix 1 be approved.
- 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 24th January 2019. Those voting were asked the following question:

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

3.3 The count took place on Friday 25th January 2019, the result of the referendum was as follows:

Response	Number of Votes	Percentage of Total
Yes	203	90.22%
No	21	9.33%
Turnout : 43.10%		
Number of Ballot Papers Rejected: 1 (0.45%)		

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. Based on the Screening Report for Strategic Environmental Assessment and Habitats Regulation

Assessment (July 2016) and confirmed by the examiner in her report (August 2018) and that nothing has come to light subsequently, there is no evidence to suggest any such contravention would occur. I am satisfied that 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 Badby Parish Neighbourhood Plan is made and planning applications in the Badby Neighbourhood Area must be considered against the Badby Parish Neighbourhood Plan, as well as existing planning policy.

I certify that the above statements are true.

Signed: 

Tom James, Principal Policy Officer (Planning)

Date..... 25/01/19

I certify that I am satisfied that the making the Badby Parish Neighbourhood Development Plan would not contravene Convention rights or European Union obligations.

Signed: 

Simon Bowers, Business Manager

Date..... 25 January 2019

