



**Kilsby Review Neighbourhood Development Plan
Decision Statement
Regulation 18 and Regulation 19 of the Neighbourhood Planning (General) Regulations
2012 (as amended)**

6 July 2022

1. Summary

1.1 Following an independent examination, West Northamptonshire Council (the “council”) has considered all of the information available and is publishing its decision to “make” the Kilsby Review Neighbourhood Development Plan. The reviewed neighbourhood plan was not subject to a referendum, the reasons for which are outlined later in this decision statement.

2. Background

2.1 Kilsby Parish Council, as the qualifying body, applied for Kilsby Parish to be designated as a neighbourhood area on 4 July 2013. The council refused the application and instead designated a neighbourhood area on 6 December 2013 that excluded the area occupied by the Daventry International Rail Freight Terminal (DIRFT). Following Regulations 14 and 16 consultation and subsequent examination in 2015, the Kilsby NDP was made on 22 July 2016.

2.2 The draft Kilsby Review Neighbourhood Development Plan was published by Kilsby Parish Council for public consultation from 1 October to 15 November 2021.

2.3 Following submission of the Kilsby Review NDP to the Council on 14 January 2022 the plan was published by the Council for consultation. The consultation period ran from 28 January to 11 March 2022.

2.4 With the agreement of Kilsby Parish Council, the Council appointed an independent Examiner, Christopher Collison BA(Hons) MBA MRTPI MIED IHBC, to review whether the plan met the basic conditions required by the legislation and whether the changes in the Review Plan are significant as to require just examination or more significant to require examination and referendum.

2.5 Following the examination, the Examiner’s report was completed on 11 May 2022 and made available on the council’s website. The report concludes that subject to the making of the modifications recommended in his report the plan meets the basic conditions set out in legislation and should be made. The Examiner also determined that a referendum was not required.

3. Decision and Reasons

3.1 Following its meeting of Planning Policy Committee on 28 June 2022, the Council has made the modifications proposed by the Examiner, to ensure that the plan meets the basic conditions. Table A below sets out these modifications and the action taken in respect of each of them. Depending on the recommended change, these are illustrated differently in the Decision Statement and set out below:

- Modifications of wording by the Examiner are shown as **bold** or ~~striketrough 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 or ~~striketrough for deletions~~. This includes accuracy changes.

3.2 The Examiner has concluded that with the specified modifications the Kilsby Review Neighbourhood Development Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view.

3.3 As per the determination of the Examiner, the Kilsby Review Neighbourhood Development Plan can proceed to be “made” without a referendum.

3.4 In accordance with the Regulations, the Kilsby Review Neighbourhood Development Plan is “made” and planning applications in the Kilsby neighbourhood area must be considered against the Kilsby Review Neighbourhood Development Plan, as well as existing planning policy.

3.5 This decision statement and copies of the Kilsby Review Neighbourhood Development Plan and its supporting documentation, including the Examiner’s report are available to view on the council’s website at:

West Northamptonshire Council Daventry Area – made neighbourhood plans

3.6 Hard copies of this decision statement and the modified version of the neighbourhood plan are available for inspection at the following locations:

- West Northamptonshire Council, Daventry Area Offices (Lodge Road, Daventry, NN11 4FP)
- Kilsby Village Store, Red Lion Car Park, 26 Main Road, Kilsby CV23 8XP
- St Faith’s Church porch, Church Walk, Kilsby CV23 8XZ

Table 1 Examiner’s Recommended Modifications and further editorial changes to the Kilsby Review Neighbourhood Development Plan and actions taken (set out in plan order)

Recommendation ID number	Page/Para/Policy reference in Submission Version of NDP and para in Examiner’s Report	Examiner’s Recommendation	Details of further editorial changes	Reason	Action taken
1	p10, para 1.11	N/A	<p>1.11 The Draft NDP Review was therefore published for 6 weeks formal consultation (Regulation 14). The Modified Plan has been <u>was</u> revised further following consideration of the responses, for submission to West Northamptonshire Council. The Council will undertake <u>undertook</u> a further 6 weeks formal consultation (Regulation 16), and <u>and after which</u> the NDP will <u>proceeded</u> to examination.</p> <p><u>1.12</u> The independent Examiner will produced his final report in <u>May 2022 in which he considered that with modifications, the Review NDP should be made. He also determined whether or not that</u></p>	To ensure it is accurate and factually up to date.	The suggested minor modification has been made.

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			<p><u>a Referendum is was not required. West Northamptonshire Council agreed to make the Review NDP at Planning Policy Committee on 28th June 2022. The Kilsby Review NDP replaces the Kilsby NDP which was made in 2016.</u></p>		
2	p19, Objective 3 (para 52 of Examiner's report)	<p>Revise Objective 3 as follows:</p> <p>To ensure that the significance of the historic buildings and environment of the village is sustained and documented and that the village's green spaces, green field boundaries, and, in particular, the ridge and furrow fields, are protected and maintained for the benefit of future residents and the national heritage.</p>	N/A	To ensure that the objective is in accordance with the NPPF.	Objective 3 has been amended in accordance with Examiner's recommendations.

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		<p><u>To ensure that development proposals affecting the heritage and natural environment assets of the village, including green spaces, green field boundaries and ridge and furrow fields are considered having regard to the scale of any harm or loss proposed and the significance of the asset.</u></p>			
3	p19, Objective 7 (para 52 of Examiner's report)	<p>Revise Objective 7 as follows:</p> <p>To ensure that the village infrastructure does not lag behind development and that developers contribute, <u>including</u> through the Community Infrastructure Levy (CIL) towards improved and new village infrastructure. In particular to ensure that the village has reliable service from the utilities and mobile phone companies,</p>	N/A	To acknowledge that developer contributions may arise from mechanisms other than CIL.	Objective 7 has been amended in accordance with Examiner's recommendations.

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		dedicated medical facilities, and improved transport links.			
4	p24 Policy K1 (para 73 of Examiner's report)	<p>Revise part 3 of policy as follows:</p> <p>3. In particular proposals for the development of a new building or the sensitive conversion of an existing building to accommodate the village shop will be encouraged <u>supported</u>. Such proposals should be sensitively designed and be fully accessible to all.</p>	N/A	To provide a basis for determining development proposals.	Policy has been amended in accordance with Examiner's recommendations.
5	p26 Policy K2 (para 78 of Examiner's report)	<p>Revise part 1 of policy as follows:</p> <p>1. Proposals to improve accessibility for walking and cycling and enhancement of routes linking residential areas to community facilities, the <u>and the</u> village centre, and <u>towards</u> nearby towns and villages will be supported. A list of proposed</p>	N/A	To bring clarity required by NPPF.	Policy has been amended in accordance with Examiner's recommendations.

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		routes for improvements to walking and cycling routes is provided Appendix V: Community Infrastructure Projects.			
6	p30 Policy K3 (para 106 of Examiner's report)	<p>Revise policy as follows:</p> <p>2nd para: <u>All development proposals throughout the neighbourhood area should have demonstrate regard to for the following principles of the Kilsby Design Codes in a proportionate way according to the scale, nature and location of development: and demonstrate how they have addressed the detailed principles of the codes in their designs. In particular, proposals should:</u></p> <p>1. Protect the natural environment and mitigate</p>	N/A	To enable the policy to be applied proportionately and to bring clarity required by NPPF for determining development proposals.	Policy has been amended in accordance with Examiner's recommendations.

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		<p>against any loss of <u>demonstrate a net gain in biodiversity (part of Code 1);</u></p> <p>2. Demonstrate that they are responding to climate change. by incorporating the h Highest possible standards of insulation and energy conservation <u>will be supported in line with (part of Code 1) – Sustainability and Climate Change.</u></p> <p>3. Consider and minimise any impacts on views in accordance with Code 2 – Landscape, Views and the Settlement Edge. Where <u>Development proposals are on the settlement edge should be designed so that the spacing of buildings will offer long glimpsed views to the surrounding landscape and achieve a suitable transition between built and rural environments.</u> schemes should be of a lower density</p>			

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		<p>than the rest of the settlement. Where appropriate, access to the network of existing public rights of way surrounding the village should be provided. Grass verges and amenity green should be protected (<u>part of Code 2</u>).</p> <p>4. Where they are for housing, be of a <u>The height and scale of proposed new homes should be</u> which is sympathetic to the character of <u>their setting.</u> the surrounding area in accordance with Code 3—Building Design. Development should have a maximum height of two storeys but may include an additional storey within the roof space with sky lights and/or gable end windows. Scale should be informed by adjacent dwellings. There should be variations in orientation and rigid layouts</p>			

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		<p>where buildings are clustered very formally should be avoided (<u>part of Code 3</u>).</p> <p>5. Include materials informed by the local vernacular in line with Code 3 – Building Design. Traditional materials prevalent in Kilsby include <u>ing</u> ironstone, sandstone, local red brick, limestone, render and painted brick with slate. Thatched roofing <u>will be supported (part of Code 3)</u>; is frequently used on older cottages and where feasible could continue to be used in the future.</p> <p>6. <u>Wherever possible p</u>Provide off-road parking. and boundary treatments in line with Code 4 – Parking, Gardens and Boundary Treatments. On street parking as the only means of parking should be avoided. Where on- <u>Any on-road street parking is</u></p>			

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		<p>delivered, it should be provided in <u>the form of small groupings</u> with appropriate landscaping. Back gardens should be of sufficient size to provide reasonable and useable amenity space. When rear boundaries <u>Boundary materials should be in keeping with their setting and where they abut the settlement edge, surrounding landscape or open green spaces, boundaries should be formed of hedgerows and trees (part of Code 4).</u> should be used.</p> <p>7. In addition, developments <u>Development proposals</u> should provide safe access for all and be accessible to local facilities by walking and cycling. Schemes should also demonstrate consideration of 'Secured by Design' principles.</p>			

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		8. Where new homes housing development adjoins the M45, A5 or A361 a noise buffer should be provided using planting or fencing. Where development is adjacent to the A5 or A361 this buffer should be appropriately designed to avoid a fortress appearance.			
7	Para 106 of Examiner's report	Include the Kilsby Design Code as an appendix to the Review Neighbourhood Plan and clearly state: "The Design Code does not form part of the statutory Development Plan. Where specific principles are referred to in Policy K3, and with respect to the Kilsby Conservation Area in Policy K5, of the Review Neighbourhood Plan they do form part of the statutory Development Plan"	N/A	For ease of reference to users of the Review NDP.	The Kilsby Design Code has been included as an appendix in accordance with Examiner's recommendations.
8	p34 policy K4	Revise part 3 of policy as follows:	N/A	To provide the clarity required	Policy has been amended in

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	(para 106 of Examiner's report)	<p>3. In line with the West Northamptonshire Joint Core Strategy (H2), the tenure mix of affordable housing should reflect local housing need and viability on individual sites. Affordable housing will be sought for schemes in line with Policy HO8 – Housing Mix and Type Parts B i and B ii in the Settlements and Countryside Local Plan (Part 2). Where affordable housing is proposed there will be a preference for <u>this should be affordable housing for rent from a registered provider unless this is demonstrated not to be deliverable.</u></p>		by the NPPF for determining development proposals.	accordance with Examiner's recommendations.

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9	p38 Policy K5 (para 128 of Examiner's report)	<p>Revise policy as follows:</p> <p>1. Development proposals must conserve designated and non-designated heritage assets and their settings in a manner appropriate to their significance.</p> <p>3. Development proposals <u>within or affecting the setting of the Kilsby Conservation Area</u> should respond positively to the established form, scale, design and materials used within the conservation area as highlighted in the <u>Kilsby Conservation Area Appraisal and Management Plan SPD Appraisal and Kilsby Design Codes unless an alternative approach is clearly demonstrated to be appropriate.</u></p>		To ensure that the policy is in accordance with the NPPF.	Policy has been amended in accordance with Examiner's recommendations.

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		<p>5. 'Important views' 2, 7, 8, 9, 10 and 11 identified within the CAAMP (see Map 5 Kilsby Conservation Area, Important Views and Vistas and Heritage Assets in Appendix 1 Map 2: Kilsby Review NDP Policies Map and Map 2A Kilsby Review NDP Policies – Village Inset) are all views within, into and out of the conservation area and should be <u>sustained and enhanced</u> the <u>significance of which should not be significantly adversely affected by development proposals</u> and any adverse impacts mitigated through detailed designs.</p>	Consequential change to re-number sequentially the important views.	To provide the clarity required by the NPPF for determining development proposals.	Consequential changes have been made to re-number views in Table 2.
10	p66 Map 5 (para 128 of Examiner's report)	<p>Modify Map 5 so that important view reference numbers 2, 7, 8, 9, 10, and 11 are more clearly identifiable. Alternatively, an approach to rely on the Policies Map rather than</p>	N/A	To provide the clarity required by the NPPF for determining development proposals.	NDP Map 2 has been amended in accordance with Examiner's recommendations.

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		<p>Map 5 would be equally satisfactory.</p> <p>Delete other important views and vistas numbered 1,3, 5, and 6.</p>		<p>The quality and importance of views 1, 3, 5 and 6 are not sufficiently well evidenced.</p>	<p>Specified views have been deleted from Map 5.</p>
11	P41, policy K6 (para 136 of Examiner's report)	<p>Revise policy as follows:</p> <p>2. Development outside the existing confines of Kilsby village, should be appropriate to the open countryside and seek to sustain the character and setting of the village and local landscape, including any areas of archaeological significance.</p> <p>3. Areas of ridge and furrow identified as significant through policy documents or the planning process should be sustained and enhanced. <u>Development proposals directly</u></p>	N/A	<p>To ensure that the policy is in accordance with the NPPF in respect of an area of ridge and furrow identified as a non-designated heritage asset and to afford it appropriate protection. To provide the clarity required by the NPPF for determining</p>	<p>Policy has been amended in accordance with Examiner's recommendations.</p> <p>Viewpoint 4 has been added to Map 2 Kilsby Review NDP Policies Map and Map 2A Kilsby Review NDP Policies Map Village Inset.</p>

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		<p><u>or indirectly affecting the significance of ridge and furrow fields must demonstrate appropriate consideration of the significance of the heritage asset, and detail the scale of harm or loss. Development proposals affecting views of the ridge and furrow fields north of the village (identified as a non-designated heritage asset through the Conservation Area Appraisal and Management Plan SPD) seen from viewpoint 4 identified on Map 5 should minimise any adverse impact on those views.</u></p> <p>An alternative approach to rely on the Policies Map rather than Map 5 would be equally satisfactory.</p>		development proposals.	
12	P39, para 4.3.10	Modify paragraph 4.3.10 of the supporting text to more	N/A	Explanation of status of	Para 4.3.10 has been amended in

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		<p>accurately explain that an area of ridge and furrow north of Rugby Road is included in the Local List.</p> <p>4.3.10 The surrounding countryside is protected by Daventry Settlements and Countryside Local Plan (Part 2) Policy RA6 – Open Countryside. However the ridge and furrow fields, of which there are particularly fine examples on the northern boundary of the village have no formal, specific protection. They <u>The area around Kilsby village includes several ridge and furrow fields which</u> are the remains of a medieval, open field system of farming far older than any village buildings standing today. This feature is rare, valued by residents as part of the village's</p>		<p>heritage asset will enable clarity required by the NPPF for determining development proposals.</p>	<p>accordance with Examiner's recommendations.</p>

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		<p>heritage, and needs to be protected and preserved. <u>The Local List for Kilsby has been adopted by West Northamptonshire Council and this includes one area of ridge and furrow off Rugby Road. This specific area of ridge and furrow therefore has the status of a non-designated heritage asset. This is shown in figure 35 (page 36) of the Kilsby Conservation Area Appraisal and Management Plan (CAAMP). The CAAMP identifies other areas of ridge and furrow, which are shown in Figure 17 (page 26), although they are not on the Local List. The CAAMP itself is an adopted supplementary planning document which is a material consideration in decision making. The Kilsby Conservation Area Appraisal identifies several</u></p>			

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		<p>areas in the Parish and those around the village are shown on Figure 17 A map showing important open spaces within the village, TPOs (Tree Preservation Orders) and ridge and furrow. The Conservation Area Appraisal. This sets out in Section 11.2 Threats and Recommendations the following in relation to ridge and furrow:</p>			
13	P47, para K7 (para 146 of Examiner's report)	<p>Revise policy as follows:</p> <p>The sites listed below and shown on Map 2 Kilsby Modified NDP Policies Map and Maps 6a, 6b, 6c, 6d, 6e and 6f in detail at Appendix III, are designated as Local Green Spaces.</p> <p><u>Inappropriate development</u> of Local Green Space is ruled out other than in very special circumstances</p>	N/A	<p>To correct a typographical error.</p> <p>To ensure that the policy is in accordance with the NPPF and to</p>	Policy has been amended in accordance with Examiner's recommendations.

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				provide the clarity required by the NPPF for determining development proposals.	
14	Annex: Minor corrections to the Review Neighbourhood Plan" of Examiner's report	Modify policy explanation sections, general text, figures and images, and supporting documents to achieve consistency with the modified policies, and to achieve updates and correct identified errors.	<p>Executive Summary Revise penultimate para as follows: The NDP Policies are also supported by a number of actions to address issues related to <u>employment</u>, transport and infrastructure which lie beyond the role of neighbourhood plan policies.</p> <p>Chapter 4.0 Modified Neighbourhood Plan Policies, Revise 2nd para as follows:</p> <p>The Made NDP policies were prepared to address the issues and concerns of local residents</p>	<p>To achieve consistency between policies and supporting text.</p> <p>For the avoidance of doubt.</p>	The minor corrections have been made as required in accordance with Examiner's recommendations.

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			<p>in Kilsby and were identified through the formal and informal consultation processes undertaken as part of the preparation of the emerging Plan. The policies have been through a process of review, and this has resulted in changes to some of the original policies in the made NDP <u>the deletion of one policy and one new policy. All the other policies have been subject to a degree of modification.</u></p> <p>Consultation Statement: Heading 4.0 should be corrected as follows: 15 October 16 November</p>	To correct a minor error.	