

BADBY PARISH COUNCIL
1 London Road
Daventry, NN11 4DA

Tel: 01327 310245

Email: clerk@badby.org.uk

To members of the Parish Council:

You are hereby summoned to attend the Ordinary Meeting of Badby Parish Council at the village hall, Badby at 7.30pm on Monday 14th August 2017 for the purpose of transacting the following business.

Members of the public and press are invited to attend and address the Parish Council during the Public Participation items. Background papers will be available for inspection 15 minutes before the meeting.



Sharon Foster, Clerk to the Council
7th August 2017

AGENDA

001/08/17 Administration

- a. To receive and approve apologies for absence
- b. To receive declarations of interest in items on the agenda
- c. To consider any dispensation requests
- d. To approve the minutes of the Ordinary meeting of the Parish Council held on 10th July 2017
- e. To approve the minutes of the Extraordinary meeting of the Parish Council held on 20th July 2017
- f. To fill vacancy on Parish Council by co-option
- g. To consider appointing a Police Liaison Representative to act as a single point of contact with Northamptonshire Police

002/08/17 Matters arising from the minutes (for information only)

To include actions arising from previous meetings

003/08/17 Public Participation (1)

004/08/17 Planning (KA, PC)

- a. To consider applications received

Application No	Description	Location	Comment due
DA/2017/0656	Listed building consent for formation of shower room in study space	Park House, The Green, Badby NN11 3AF	10.08.17 Extended to 15.08.17
DA/2017/0665	Installation of three new chimney pots on existing chimneys and associated works	Windmill Inn, Main Street, Badby NN11 3AN	07.08.17 Extended to 15.08.17

005/08/17 Ongoing business (To receive reports on the following items and any action to be taken)

- a. Greens, trees and verges (PC, MW)
To update on re-occurrence of Japanese Knotweed behind the village hall
To update on village-wide tree survey
- b. Neighbourhood Plan (KA, NS)
To receive update from NHP Group
To update on meeting with Everdon Parish Council to discuss neighbourhood planning
To update on information paper on the village confines
To report receipt of correspondence with owner of land adjoining Nene Side Close
- c. Soapbox Derby update (SC)

007/08/17 Finance (MR, NS)

- a. To note income received
 - £ 0.17 HSBC - Interest
 - £ 448.00 HMRC - VAT Reclaim re Neighbourhood Plan Group
 - £ 208.00 Groundworks – Reclaim re Neighbourhood Plan Group
 - £ 75.00 Cricket Club rental – 2015/16, 2016/17, 2017/18
 - £ 141.24 NALC - Transparency Funding
 - £ 648.12 NCC - 2016/2017 Mowing Grant
 - £ 11.77 Western Power - Rent Pole Stay
- b. To note bank balances
 - As at 1st August 2017
 - HSBC current a/c £ 8,407.60
 - HSBC deposit a/c £ 5,013.84
 - Uncashed cheques £ 46.50
 - Available funds £ 13,374.94
- c. To update on NCC Empowerment Grant application

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d. To approve payments

Details	Amount (£)	+ VAT (£)	Cheque Total (£)	Within Budget	Payee	Authority	Cheque no
Clerk's salary/benefits – July	378.52	0.00	413.94	Yes	S Foster	LGA 1972 s112	505
Clerk's expenses – July	35.42	0.00				LGA 1972 s112	
Cemetery Mowing July 2017	120.00	0.00	120.00	Yes	F Clark	Open Spaces Act 1906 ss 9 & 10	506
Subscription to LCR 2017-2018	13.50	0.00	13.50	Yes	NALC	LGA 1972 s112	507
Village mowing 05.06.17, 12.06.17, 23.06.17 03.07.17, 21.07.17, 27.07.17	575.00 540.00	0.00 0.00	1115.00	Yes	M Freeman	Open Spaces Act 1906 s 9 & 10	508
Defibrillator sign	20.00	0.00	20.00	Yes	Restyle Graphics	LGA 1972 s112	509
Electricity 01.06.17-30.06.17 01.07.17-31.07.17	198.25 174.82	38.35 33.78	445.20	Yes	SSE SWALEC	PCA 1957	By Direct Debit

008/08/17 Correspondence (Folder in circulation around Parish Councillors)

- ⌚ Chris Heaton-Harris MP – July report (By email)
- ⌚ Invitation to NCALC AGM on Saturday 7th October at Moulton (By email)
- ⌚ NCALC Update – July/August 2017 (Previously by email)
- ⌚ CPRE Outlook – July 2017
- ⌚ The Clerk Magazine – July 2017
- ⌚ Invitation to village photograph on Friday 18th August at 5.30pm at St Mary's Church (By email)
- ⌚ NCALC Training Programme (By email)

009/08/17 Public Participation (2)

010/08/17 New matters requested for next month's agenda

011/08/17 Date of future Ordinary meetings

11th September, 9th October, 13th November, 11th December

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**MINUTES OF THE ORDINARY MEETING OF BADBY PARISH COUNCIL
HELD IN THE VILLAGE HALL AT 7.30 P.M.
ON MONDAY 10TH JULY 2017**

THE FOLLOWING WERE PRESENT:

Councillors: Mr Peter Cooper (PC) (Chairman), Mr Steve Chandler (SC), Mr Peter Johnson (PJ), Mr Richard Piner (RP), Mr Mike Richards (MR), Mr Martin Walton (MW).

Others: Mrs Sharon Foster (Clerk), 6 Members of the public.

001/07/17 Administration**a. To receive and approve apologies for absence**

Mrs Karen Alexander (Vice Chair) - Holiday
Mr Neville Snell (NS) – Family matter.

b. To receive declarations of interest in items on the agenda

Later in the meeting, PC declared an interest as the recipient of Cheque number 504.

c. To consider any dispensation requests

None.

d. To approve the minutes of the Annual meeting held on 12th June 2017

The draft minutes had been circulated prior to the meeting.

Proposal: To accept the minutes as circulated as a true and accurate record of the meeting.

Proposed by MR, seconded by MW. All in favour. Carried.

e. To receive report on inspection of assets

PC and MR had carried out an inspection. It was noted that one of the benches in the cemetery needs fixing to the ground [later ascertained instead to be the bench in front of Manor Cottages], the handrail is slightly loose in places and the top pathway needs mending. MW and RP agreed to look into all matters. The Clerk was asked to report a damaged conduit on a Pound Lane streetlight (BPC11) and the need to replace the cover on the box on one of the streetlights on School Lane (BPC30). It was noted that 3 streetlights (BPC5, BPC11 and BPC38) have not yet been tested and certified. The Clerk will obtain the relevant certificates.

**Action: MW/RP to address cemetery actions
Action: Clerk to report issues re streetlights**

f. To advise on vacancy arising due to resignation of Parish Councillor

PC advised that Andy Witcomb had resigned from the Parish Council. The process to either hold an election or fill the vacancy is under way. It was unanimously agreed that Andy had been a valuable member of the Parish Council and Neighbourhood Plan Group during his 7 years on the Parish Council. Members were asked to encourage applications for co-option.

Action: Clerk to follow process

g. To consider interim arrangements arising from vacancy at item 001/07/17f above

In light of the above, it was agreed that MR would take up Leisure, Sport and Recreation and PC would fill the vacant position on Publicity and Website until a new Parish Councillor is appointed.

Action: Clerk to re-publish information on website and noticeboards

h. To receive written report from Annual Parish Meeting held on 12th May 2017

The Clerk had received minimal reports and will now produce a write-up.

Action: Clerk to produce notes

002/07/17 Matters arising from the minutes (for information only)

To include actions arising from previous meetings

The review of Declarations of Interest has now been completed and will be uploaded to the website. Actions from previous meetings had been completed apart from investigation into time switches for streetlights and a meeting with the PCSO. RP noted that the removal of the holly tree will be dealt with later in the year. The Clerk reported that planting of a tree on The Green should be carried out in late August, September or October and so a tree will be purchased nearer the time.

DRAFT**003/07/17 Public Participation (1)**

Members of the public asked to discuss matters on the confines of the village and the high speed of some vehicles entering the village at Pinfold Green.

004/07/17 Planning (KA, PC)

a. To consider applications received

Application No	Description	Location	Comment
DA/2017/0584	Application for prior notification of proposed demolition of lean-to	Rose House, Bunkers Hill, Badby NN11 3AW	Proposal: No objection. Proposed by RP, seconded by MR. All in favour.

Action: Clerk to respond

b. To consider decisions received and related correspondence

Application No	Description	Location	Decision
None			

c. To note non-Material Amendment/Permitted Development applications lodged with DDC

Application No	Description	Location	Approved
None			

d. To consider appeals received
None.

e. To consider nominations for Local Green Space following Part 2 Settlements and Countryside Local Plan workshop (Closes 15th July)
The Neighbourhood Plan Group have drawn up a list of green spaces. It was agreed that the same areas be submitted to DDC.

Action: PC and MR to submit areas

005/07/17 Consultations

a. Police & Crime Commission – Change to the governance of the Fire & Rescue Service (Closes 01.08.17)
PC, PJ and RP will submit a response.

b. DDC – National and Local Requirements for Planning Applications at DDC (Closes 05.08.17)
No comment will be made.

006/07/17 Ongoing business (To receive reports on the following items and any action to be taken)

a. Burial grounds (RP)
RP will carry out an inspection.

Action: RP to do inspection

b. Greens, trees and verges (PC, MW)
To report re-occurrence of Japanese Knotweed behind the village hall
The contractor is due to attend this week and deal with the small re-growth after which the Clerk will confirm that the 5 year eradication guarantee period will re-start.

Action: Clerk to contact contractor

To consider proposed works on The Green in relation to Empowerment Grant Funding
Delayed in view of above Japanese Knotweed matter.

To consider replacing rubbish bins around the village
The Clerk circulated a number of options for replacement bins on Pinfold Green (x 2) and The Green (x 2) which were agreed. It was noted that the CIL monies received recently should be used to finance the purchases. However, later in the meeting, it was agreed that an Empowerment Grant application be made instead.

Action: Clerk to purchase bins
Action: Clerk to make empowerment grant application

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To update on meeting with PCSO following damage to trees on Pound Lane and other events
The Clerk is yet to arrange a meeting.

Action: Clerk to arrange meeting with PCSO

To update on request to NCC for works to trees on Chapel Lane
The Clerk has yet to receive a response from NCC.

Action: Clerk to chase

To request quotes for village-wide tree survey
The Clerk reported that the likelihood of obtaining numerous quotes is low and, under Standing Orders, is not required. It was also noted that inspection reports carried out in recent years have been carried out by the same contractor which has the benefit of consistency.

Proposal: To request a quote from Bruce Hatton for a tree inspection survey of all Parish Council-owned trees. If the quote is less than £500, MR and NS to agree contract award.

Proposed by PC, seconded by SC. All in favour.

Action: Clerk to contact contractor

To consider invitation from DDC to join 'Paint Means Poo' campaign
KA and NS (as dog walkers) would be asked to find out if there are enough volunteers to take part in the campaign.

Action: KA and NS to progress

To update on registration of area of land on Stoneway
PC reported that despite the two applications having been sent together, unfortunately, Land Registry had rejected the resident's application and had no record of the Parish Council's application. The Parish Council application will be re-submitted. The Clerk has an appointment to sign the appropriate statements on Tuesday 11th July.

c. Highways, lighting and road safety (PJ, NS)

To update on parking in the vicinity of the church and Parish Council actions

PC reported that he had written to all residents in the vicinity of the church outlining actions undertaken by the Parish Council and PCC. Some residents had offered the use of their private driveways for parking and their names had been passed to the PCC.

Action: PC to draft parking notice

Action: Clerk to research costings for notices for graveyard wall

Action: Clerk to contact NCC re Unsuitable for HGV signs at bottom of both hills

To receive update on incident involving BPC38 on Bunkers Hill

The streetlight has now been connected and is working.

The Clerk gave an update on other outstanding streetlight issues.

BPC24 on The Glebe had been replaced in May and not re-inspected after further reports that it was not working due to the loss of emails by the maintenance contractor. The contractor has raised a job ticket for an early visit, noting that there may be a fault on the new light which would incur no cost.

BPC18, also due to the loss of emails, had not been inspected but will be dealt with at the same time as BPC24 above. The Clerk reported that notification of issues with streetlights will be sent to two different email addresses in order to avoid recurrence of the problem. PC asked that Aylesbury be reminded that we required notification when work had been done, and for the Clerk to obtain details of how long a call-out should take.

Action: Clerk to chase

To update regarding request from resident for streetlights to be switched off from approximately 1am
Deferred to next meeting

To update on require for yellow lines on Pinfold Green and a recent incident reported by a councillor
The Clerk reported that yellow lines are due to be painted at the end of the summer. However, recent dangerous incidents had occurred which the Parish Council felt called for urgent action to be taken. The Clerk was tasked with writing to the following parties about the dangers of the junction and parking: NCC to request the date be bought forward; school to request that an item be added to the Bulletin; and the resident at Pinfold House.

Action: Clerk to write appropriate letters

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- d. Neighbourhood Plan (AW)
 To receive update from NHP Group
 PC read out a report provided by Andy Witcomb. Following a recent health check, recommendations had been discussed and the Group, under Ken Morris, is now updating the documentation. Discussion took place involving members of the public with regards to their concerns over the proposed re-drafting of the confines of the village. It was noted that the confines are being reconsidered by the Neighbourhood Plan Group and that the public consultation will allow for all residents to make comments.
- To consider request of the Neighbourhood Plan Group that the current draft Neighbourhood Plan document be presented for consultation to Badby residents
 The public consultation should take place in early autumn this year after DDC has undertaken its screening.
- To consider a draft information paper on the village confines and the means of enabling an informed debate
 It was noted that this is a complex issue and, as a result, PC had produced a draft paper providing factual information on confines. Parish Councillors had no comments and so the document will be finalised and published. A request was made that this be issued alongside the Neighbourhood Plan documents during the public consultation period. PC also requested that paper copies (along with his correspondence with J Parry of DDC on the subject) be provided to all residents in Neneside.
Action: Paper to be finalised, published and circulated to residents
- To consider invitation to meet with Everdon Parish Council to discuss neighbourhood planning
 A meeting will be arranged involving PC and Andy Witcomb.
Action: Clerk to arrange meeting
- e. Newsletter
 The latest newsletter had been published. Offers of help to distribute The Link each month were received and will be passed to Alan Roddis.
Action: Clerk to pass on details
- It was noted that the Clerk had missed out the article on the Soap Box derby. This will be publicised via a post on the parish website as soon as possible.
Action: Clerk to publish post
- f. Leisure, Sport and Recreation (MR, NS)
 To update on request for playground or park from residents
 Research on grants had been done. Nothing further to report at this time.
- It was noted that the playing field grass is getting very long. However, the contract only makes mention of the football pitch and the BMX track. A review will be required with the contractor.
Action: Clerk and PC to review
- With regards to the Soap Box Derby, SC reported that he has received positive feedback from mainly-younger members of the community and is in the process of putting together a committee consisting of approximately 15 people. Offers have been made for sponsorship and services. SC will look into dates available when there's no clash with other local events. With regards to the funds raised, agreement needs to be reached as to what these will be spent on. It was agreed that a consultation be carried out through the website to obtain feedback from villagers and produce a list of projects. SC agreed that Hoffman will sponsor the production of leaflets and already has something drafted. This will be added to the agenda for the next meeting.
Action: SC to progress
- An update on the golf day will be provided at the next meeting.
- g. Public works (PJ, MW)
 To update and review regular working parties around the village
 The last two working parties have not been well attended. Following discussion, it was agreed that they be fully publicised with a plan of works for the day and monitored going forward.
Action: Clerk and PC to progress

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To update on requests to NCC for works to be carried out
All works requests made to NCC to be reviewed and outstanding matters followed up.

- h. Publicity and Website (SC, PC)
Nothing to report.

- i. Training
To include report on any other matters arising from Councillors' Training Session
Nothing to report.

To include update on EMAS training
The Clerk is in the process of finding out how many people can attend a date to be arranged for late summer.

- j. Village Hall (KA, RP)
To report on AGM
PC gave an update on the recent AGM.

To update on replacement defibrillator sign
The sign is currently being made. MW offered to erect it when it's ready. The Clerk was asked to forward to PC contact details of the company producing the sign.

- k. Forthcoming events and reports from events attended
Parish & Town Councils' Meeting – Minutes had been circulated.

Finance Training Course – The Clerk had attended the training.

004/07/17 Finance

- a. To note income received
£ 0.16 HSBC Interest
£ 60.00 Headstone fee – D Hill
£ 59.38 Allotment Association ½ year rental

- b. To approve payments

Details	Amount (£)	+ VAT (£)	Cheque Total (£)	Budget	Payee	Authority	Cheque no
Insurance cover June 2017-May 2018	494.00	0.00	494.00	Below	Came & Co	LGA 1972 s111 & 140	498
Clerk's salary/benefits – June	405.89	0.00	453.31		S Foster	LGA 1972 s112	499
Clerk's expenses – June	47.42	0.00				LGA 1972 s112	
Cemetery mowing 03.06.17, 15.06.17, 24.06.17	210.00	0.00	210.00		YF Clark	Open Spaces Act 1906 s 9 & 10	500
Electricity - 01.05.17-31.05.17	242.51	48.50	291.01		EON	PCA 1957	501
Printing - Summer newsletter	88.50	17.70	106.20		YImagelT	LGA 1972 s112	502
Training - Finance 28.06.17	75.00	0.00	75.00		NCALC	LGA 1972 s112	503
Refreshments for APM – 12.05.17	55.00	0.00	55.00		P Cooper	LGA 1972 s112	504

Proposal: To approve the above cheques for payment.

Proposed by MR, seconded by SC. 5 for, 1 abstained.

Action: Clerk to distribute cheques

- c. To note bank balances
As at 1st July 2017
- | | | |
|------------------|------------|-----------------|
| HSBC current a/c | £ 8,914.92 | |
| HSBC deposit a/c | £ 5,013.67 | £13,928.59 |
| Uncashed cheques | | <u>£ 715.70</u> |
| Available funds | | £13,212.89 |

- d. To confirm application to Transparency Fund
The Clerk confirmed that an application has been made.

- e. To confirm application to Empowerment Fund
Discussion took place and it was agreed that an application be made for replacement bins as

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discussed at item 006/07/17b above with the addition of £50 fixing costs, instead of using the CIL fund.

Action: Clerk to progress

- f. To include first quarter financial review and revised 4-year forecast
MR confirmed that he and the Clerk had met and carried out the first quarter review. The figures had been circulated. PC had raised some queries which he and the Clerk would discuss. Outstanding letters requesting agreed payments from residents following tree works and from the Cricket Club will be sent by the Clerk as soon as possible.

Action: Clerk to progress

- g. To report on actions arising from review of financial position at the June meeting
PC had prepared a paper which had been circulated. It was agreed that, going forward, prompt invoicing has to be carried out and, in January, the Clerk would chase any payments which need to be made by the Parish Council before the year end. It was agreed that a review of burial fees would be carried out as well as a request made to the Village Hall Management Committee for a reduction or waiver of village hall fees. It was agreed to amend the 2017/2018 budgets as proposed in the paper.

Action: Clerk to progress

- h. To receive the external audit report for financial year 2016/2017
The Clerk confirmed that the Annual Return has been sent to the external auditor. No response has yet been received from them.

008/07/17 Correspondence (Folder in circulation around Parish Councillors)

- 🕒 Daventry District Council – Official Guide 2017
- 🕒 Chris Heaton-Harris – Westminster Report Election Special (By email)
- 🕒 Police & Crime Commissioner – Crime Plan 2017-2021
- 🕒 NCALC Update – May-June 2017
- 🕒 Clerks & Councils Direct – July 2017

009/07/17 Public Participation (2)

Nothing to report.

010/07/17 New matters requested for next agenda

An extraordinary meeting will be held on Thursday 20th July at 7.30pm to discuss a new planning application received, Soap box derby and external audit.

011/07/17 Date of future Ordinary meetings

14th August (if required), 11th September, 9th October, 13th November, 11th December.
However, an extraordinary meeting will be held on Thursday 20th July.

The Chairman closed the meeting at 10.10pm.

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**MINUTES OF THE EXTRAORDINARY MEETING OF BADBY PARISH COUNCIL
HELD IN THE VILLAGE HALL AT 7.30 P.M.
ON THURSDAY 20TH JULY 2017**

THE FOLLOWING WERE PRESENT:

Councillors: Mr Peter Cooper (PC) (Chairman), Mrs Karen Alexander (Vice Chair), Mr Steve Chandler (SC), Mr Peter Johnson (PJ), Mr Mike Richards (MR), Mr Martin Walton (MW).

Others: Mrs Sharon Foster (Clerk), 0 Members of the public.

001/07e/17Administration

- a. **To receive and approve apologies for absence**
Mr Richard Piner (RP) - Holiday
Mr Neville Snell (NS) – Working.
- b. **To receive declarations of interest in items on the agenda**
None.
- c. **To consider any dispensation requests**
None.

002/07e/17Public Participation

No comment made.

003/07e/17Planning (KA, PC)

- a. To consider applications received

Application No	Description	Location	Comment
DA/2017/0604	Listed building consent for replacement of flat roof on side and rear elevation, repair and rebuilding of central chimney, re-pointing works to all elevations and garden wall, replacement of two external doors and insertion of water tank	Home Farm House, School Lane, Badby N11 3AJ	Proposal: Support. Proposed by KA, seconded by MR. All in favour.
DA/2017/0648	Single storey rear extension to form orangery style conservatory	White House, Badby Lodge Farm, Staverton Road, Badby NN11 3DD	Proposal: No objection. Proposed by PC, seconded by KA. All in favour.

Action: Clerk to respond

004/07e/17Update on proposed Soap Box Derby 2017

SC and MW reported that they had attended the recent Welton Soapbox Derby. This event has now been taken over by a management company as it has grown so large. SC will arrange a meeting with them to discuss an event in Badby.

Action: SC to hold meeting

During discussion about proposed routes, it was noted that undergrowth on Chapel Lane may need to be removed.

Action: Clerk to contact I Boyes at NCC

Having looked at various routes within the village, it was agreed that a proposed route be from the Woods car park at the top of Chapel Lane down to Park Close sometime during mid-August 2018. Profits raised would primarily be put towards a play area for the village, followed by a defibrillator and works to the bike track on the playing field.

005/07e/17Update on external audit report for financial year 2016/2017

No report yet received.

006/07e/17Date of future Ordinary meetings

14th August, 11th September, 9th October, 13th November, 11th December.

The Chairman closed the meeting at 8.05pm.

BADBY PARISH COUNCIL

Village Confines

The Badby Neighbourhood Plan (BPNP) Group is preparing a draft Plan for public consultation over this summer. The latest draft includes defining the Village Confines and these proposals have led to questions being asked by a good number of parishioners.

The purpose of this paper is to set out information about Village Confines to assist in an informed debate. The paper does not make any recommendations – the view of the Parish Council is that, having established a BPNP Group with membership across the parish with the remit to consult and debate widely and openly, that Group should make its recommendations and that an informed consultation will enable those proposals to be assessed by all parishioners. The results of that consultation must be taken into account in revising the draft Plan before it goes forward for Examination and finally to a Referendum of all parishioners.

The issue is complex – that’s the nature of Planning. There’s no quick answer, and every decision – even leaving things ‘as they are’ – has consequences and possible repercussions. So, I am sorry that the paper is long, but we urge all parishioners to read it and to give thought to the issue.

1. Why do Village Confines matter?

Badby is one of several villages in the Daventry area that are termed ‘Restricted In-fill Villages’ in the DDC Retained Policies [1]. In such villages development is allowed only as in-fill within the Village Confines – development outside the Confines is not permitted and the Parish Council has (successfully) used this principle to respond to Planning Applications on or outside these boundaries.

The DDC Planning Policies are being replaced by a new DDC Settlements & Countryside Local Plan, building on the West Northamptonshire Joint Core Strategy [2] which sets the overall planning policies for the area. Like the DDC Retained Policies, this also states that residential development in rural areas will only be permitted within existing Confines, with strict limitations on any development outside the Confines. The Joint Core Strategy introduces a Settlement Hierarchy of villages and hamlets, which sets the scale and positioning of development depending on the services and facilities available. Where Badby sits in the hierarchy and what limits will be set will be part of the DDC Settlements & Countryside Local Plan and DDC has not released the final draft yet.

From these policies (see Annex A) it can be seen that Village Confines are an important criterion in where development can, and cannot, take place in Badby.

2. How are ‘Village Confines’ defined?

The term comes from Policy HS22 of the DDC Retained Policies [1], which says (para. 4.90):

“existing confines of the village” will be taken to mean that area of the village defined by the existing main built-up area but excluding those peripheral buildings such as free-standing individual or groups of dwellings, nearby farm buildings or other structures which are not closely related thereto. Gardens, or former gardens, within the curtilages of dwelling houses, will not necessarily be assumed to fall within the existing confines of the village.

The criteria for determining the Confines are expanded in a DDC guidance document [3]:

Principles for inclusion within the confines:

- 1. Buildings, curtilages and open spaces which are contained and visually separate from the open countryside that are clearly part of a network of buildings that form the village, but refer to point 2 - exclusions) below regarding gardens.*
- 2. Land with planning permission for built development.*
- 3. Allocations for built development in the local plan or a neighbourhood development plan.*
- 4. Boundaries should include the entire part of a dwelling house and attached outbuildings, but not those that are physically separate.*

Principles for exclusion from the confines:

- 1. Property ownership boundaries should not form the basis for defining the confines. The key is the visual openness of the land and whether it relates best to the built-up area or countryside.*
- 2. Gardens or former gardens within the curtilages of dwellings will not necessarily fall within the confines. If a garden is visually open and related to the open countryside, it should be regarded as being outside the confines.*
- 3. Individual or groups of dwellings, areas of employment, agricultural buildings or other structures that are detached, peripheral and not closely related to the built-up area.*
- 4. Land between the natural edge of a settlement and a bypass.*
- 5. Open space including recreation uses, which is detached or peripheral to the settlement.*

3. Where are Badby’s Village Confines?

Beyond the DDC definitions and criteria, there are no precisely-drawn (i.e. geographically-defined) Confines for Badby. We have seen two different maps, both quite old and both marked as ‘draft’. It is fair to say that the Confines map at Annex B has been assumed by many to reflect the practical Confines.

As will be appreciated, the definition of Village Confines in DDC Policy HS22 above is open to some interpretation, in particular the terms “*peripheral buildings*”, “*not closely related*” and “*will not necessarily be assumed*” leave open alternative judgements whether particular properties (or groups of properties) should or should not be included.

4. Who determines the Village Confines?

The DDC Guidance [3] states that Village Confines can only be defined or amended through the production of a local plan or neighbourhood development plan. Up to now, for restricted infill villages such as Badby the definitions above provided principles to work to; however there is now encouragement for Neighbourhood Plans, including those for infill villages, to include clearly-defined boundaries within which the Plan’s policies will relate.

5. Once defined, how strong are the Village Confines?

The basis of the legislation that introduced Neighbourhood Plans, and one of the reasons why the Parish Council concluded that a Neighbourhood Plan would be beneficial to Badby, is that Village Confines set into our Neighbourhood Plan, once agreed through the consultation and referendum process and ‘adopted’ by DDC, will have legal standing to control development within and outside the Confines.

Thus, the DDC Policies prevent any development outside approved Village Confines, whether the development is adjacent to or separated from the defined Confines. (At one stage a BPNP draft policy document referred to allowing development “adjacent to” the Confines, but that was removed and now only refers to development within the Confines.)

Concerns have been expressed whether DDC could over-ride the Confines set, or whether any Confines could be challenged by a developer, for instance. That is not clear and there are mixed reports on experience elsewhere in such circumstances. There are concerns that, even when Confines have been defined (in some cases through a Neighbourhood Plan) the local authority has approved planning applications that are outside the Confines. And there is also the issue of Exception Sites...

6. What about Exception Sites?

Exception Sites are exceptional in many ways. They are intended to provide “Affordable Housing to meet identified local needs in rural areas” (but Affordable Housing has a particular meaning in Planning – it is “housing that is provided to eligible households at a price/rent below the market rate, whose housing needs are not met by the market. It includes socially rented, affordable rented and intermediate housing”).

Exception Sites are controlled by special policies H3 in the Joint Core Strategy [2] and the DDC Housing Supplementary Planning Document [4] – see Annex A. Crucially, Exception Sites can be built outside (but only immediately adjoining) a village’s Confines but do not extend the Confines as a result. The regulations require and ensure that the housing (Affordable and non-Affordable) remains closely linked to local need, as measured by a Housing Needs Survey [5], in terms of their scale and to whom properties are available. Planning regulations still apply in respect of accessibility, the surrounding countryside and suitability of location, character and appearance.

7. So what’s the issue in Badby?

The currently-assumed Confines in Annex B notably omit two groups of houses which adjoin the main village – Nene Side Close and the group of 6 bungalows at the top of Bunkers Hill. The BPNP undertook consultations about whether these should be included in the Village Confines. Responses were not high but the majority view was that they should, and a vote at the BPNP Group agreed to include them. Thus the BPNP is proposing in its draft Plan to show Village Confines as in Annex C.

The concern expressed to the Parish Council is that the inclusion of these two areas will increase the likelihood that development could take place on land outside but adjacent to the BPNP-defined Confines.

There seem to be two key questions:

Question 1: By the definitions of Village Confines, do Nene Side Close and the Bunkers Hill bungalows fall within or outside the Village Confines?

The question needs to be addressed for each of the two areas separately. How far is there a continuous building line/road system/pathways joining the area to the main part of Badby village? How far is there a degree of physical separation from, or connectivity with, the rest of village?

Question 2: If they are included, what areas could then be possible development sites with the ‘new’ Confines (Annex C) that would not be with the ‘old’ Confines (Annex B)?

Arguably, if the Village Confines are firm, and there can be no building outside the Confines, there is no difference whether these two areas are included or not. The Confines are the Confines, and development outside the Confines – whether adjacent to the Confines or not, and even if there is a ‘hole’ in the overall shape – makes no difference to the Policies. And much of the area around Nene Side is on the boundary of the Village Confines or limited by roads whichever set of Confines is set.

Neither question is easy. But importantly, Question 2 is only an issue in respect of any development outside the Confines, i.e. Exception Sites or if there is a possibility that other development on land outside the Confines could be permitted or if the definition of the Confines can be challenged. As regards Exception Sites, the latest Badby Housing Needs Survey [5] does show a need for Affordable Housing and while the regulatory and economic aspects of Exception

Sites make them less attractive to developers, a housing association or similar might make a case. Such an application – which does not imply approval would be granted – could be anywhere within or adjoining the Confines. But then the issue is not then just whether these two areas should be included or not – if development can take place outside the Confines, then this could take place anywhere, whichever Village Confines are agreed.

Badby Parish Council, August 2017

References (all documents can be found on www.BadbyVillage.com):

- [1] DDC Retained Policies, 1 October 2007
- [2] West Northamptonshire Joint Core Strategy, adopted December 2014
- [3] “Guidance Note for Defining Village Confines”, Version 1, DDC (April 2016)
- [4] **DDC Housing Supplementary Planning Document (July 2017)**
- [5] Badby Parish Housing Needs Survey, October 2016

Annex A: Planning Policies defining development within and outside the Confines

DDC Saved Policy (HS22):

Planning permission will normally be granted for residential development in the restricted infill villages provided that:

- A it is on a small scale, and
- B it is within the existing confines of the village, and
- C it does not affect open land which is of particular significance to the form and character of the village, or
- D it comprises the renovation or conversion of existing buildings for residential purposes provided that the proposal is in keeping with the character and quality of the village environment.

West Northamptonshire Joint Core Strategy Policy R1 covering Rural Development:

Residential development in rural areas will be required to:

- A) provide for an appropriate mix of dwelling types and sizes, including affordable housing to meet the needs of all sectors of the community, including the elderly and vulnerable; and
- B) not affect open land which is of particular significance to the form and character of the village; and
- C) preserve and enhance historic buildings and areas of historic or environmental importance including those identified in conservation area appraisals and village design statements; and
- D) protect the amenity of existing residents; and
- E) be of an appropriate scale to the existing settlement; and
- F) promote sustainable development that equally addresses economic, social and environmental issues; and
- G) be within the existing confines of the village.

Development outside the existing confines will be permitted where it involves the re-use of buildings or, in exceptional circumstances, where it will enhance or maintain the vitality of rural communities or would contribute towards and improve the local economy.

West Northamptonshire Joint Core Strategy Policy H3 covering Exception Sites:

The provision of affordable housing to meet identified local needs in rural areas on 'exception sites' will be supported. Schemes must either be purely affordable housing or mixed tenure schemes including an element of market housing where this is essential to the delivery of the affordable housing. It will be a requirement that the market housing:

- 1) is the minimum necessary to make the scheme viable; and
- 2) meets specific locally identified housing needs. In all cases the following criteria must be met:
 - a) the site is within or immediately adjoins the main built-up area of a rural settlement;
 - b) the form and scale of development should be clearly justified by evidence of need through a local housing needs survey; and
 - c) arrangements for the management and occupation of affordable housing must ensure that it will be available and affordable in perpetuity for people in local housing need.

DDC Housing Supplementary Planning Document, extracts from paragraph 5.11 covering Exception Sites:

Proposals on exception sites should still take full account of planning considerations, such as site access, accessibility to the settlement, impact on the settlement and the surrounding countryside and other environmental considerations. They can consist of solely affordable housing or can include an element of market housing to cross-fund the scheme.

Identified sites must form suitable extensions to the villages, that is, be set in appropriate locations in planning terms and have a character and appearance appropriate to the existing settlement.

In considering exceptions schemes the Council would expect the non-affordable element of such schemes to comply with the following:

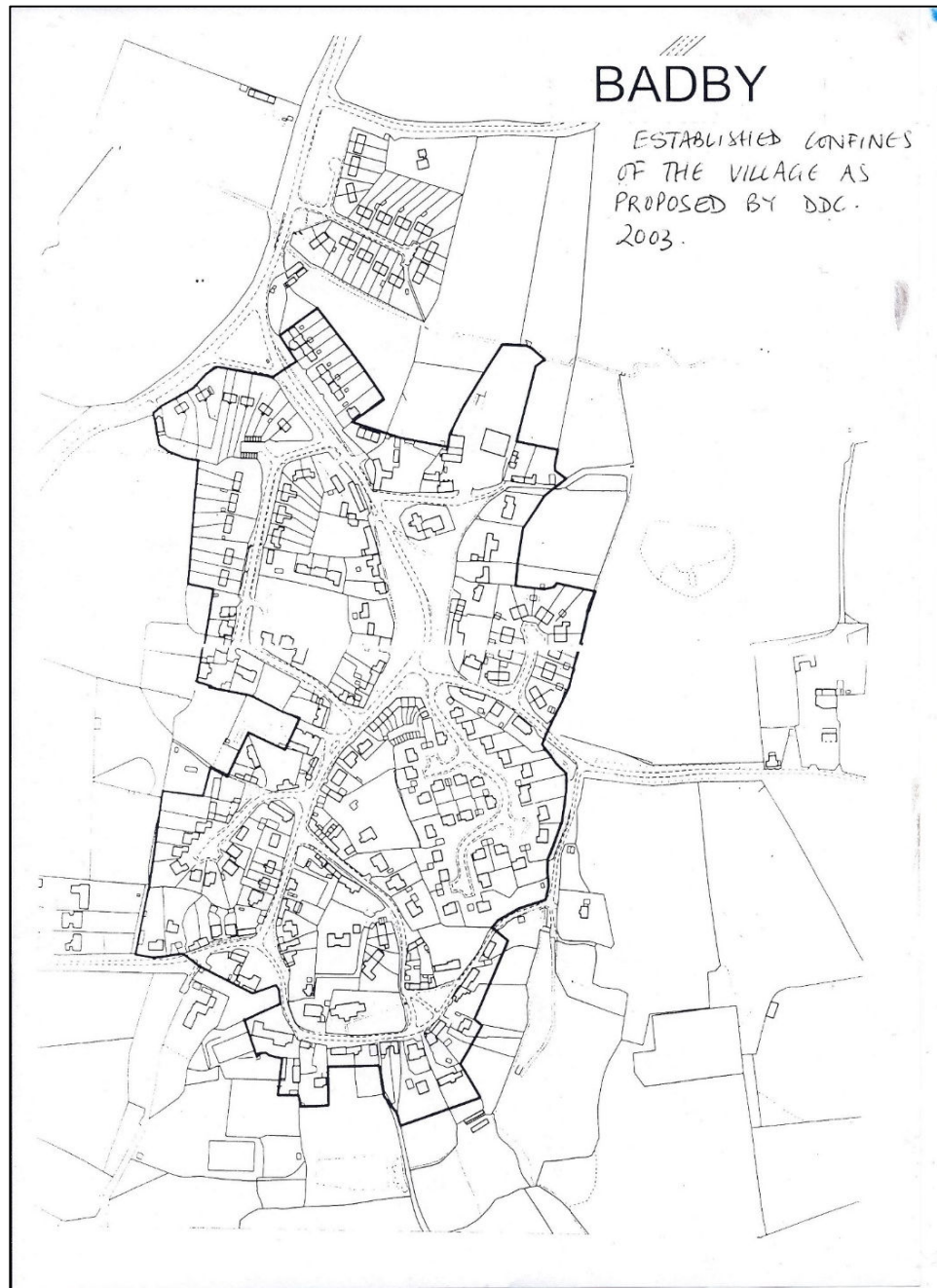
- To reflect other local needs for housing accommodation in the settlement in question (or, exceptionally, a nearby settlement) such as those particularly suitable for older people, those with disabilities or to enable living and working in one location where the work in question is particularly suited to a rural location.
- To be the minimum reasonably required to make the affordable accommodation viable.
- To include a scheme for marketing the local needs market housing for a period of a minimum of 3 months

Rural exception schemes require occupants to be in housing need and have a residential, family or employment connection to the local parish. Priority will be given to households with a local connection to the Parish.

Exception sites should be small in scale and should secure the affordable and local needs housing in perpetuity. This will be secured through a legal agreement, which will ensure that the housing scheme remains available to those in local need and that the affordable remains at an affordable rate in perpetuity, and is managed appropriately.

Local need within the relevant settlement must be established, and provision should initially be for households with a local connection to the relevant village. Parish level housing need surveys are normally the required method for the assessment of local housing needs and will be required to support any exceptions development. In some cases it may be appropriate for an exceptions scheme to serve a cluster of well related villages.

Annex B: Village Confines map currently in use but not formally agreed



Annex C: Village Confines map proposed by the Badby Parish Neighbourhood Plan Group

