

## The 'Making' of the North Cadbury and Yarlington Neighbourhood Plan

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### Purpose of the Report

1. To note the result of the referendum in relation to the North Cadbury and Yarlington Neighbourhood Plan and to confirm that the Plan be 'made' (or adopted).

### Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of October 2022.

### Public Interest

3. The Neighbourhood Plan represents the views of North Cadbury and Yarlington Parish Council and other stakeholders on the preferred approach to future development in the Parish. This Plan has been the subject of Independent Examination by a qualified person and proceeded to a referendum by the local electorate, with the result being in favour of the Plan. Once the making of the Plan is confirmed by the District Council, it will become part of the Statutory Development Plan with equal status to the Local Plan and will be used in the determination of planning applications.
4. The Neighbourhood Plan has been the subject of various events and meetings which have been used to engage with interested parties and public consultations. The Parish also have a website dedicated to the Neighbourhood Plan: <https://www.northcadburyneighbourhoodplan.org.uk/>

### Recommendations

5. That the District Executive:
  - a. agrees to the making of the North Cadbury and Yarlington Neighbourhood Plan.

### Background



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6. Neighbourhood planning helps local communities play a direct role in planning for the areas in which they live and work. The plan can show how the community wants land in its area to be used and developed. If a plan is ‘made’ following a successful referendum, it becomes part of the development plan for that area. Planning applications are determined by local planning authorities in accordance with the adopted development plan, unless material considerations indicate otherwise.
  
7. The North Cadbury and Yarlington Neighbourhood Area designation was approved by the District Council in July 2019. Since then, the Neighbourhood Plan for the area was prepared and a ‘Pre-Submission’ Plan was consulted upon by the local Steering Group in July 2021 (Regulation 14). This initial consultation was followed by formal submission of the Plan in December 2021 and the District Council carried out formal consultation in line with procedures set out in the relevant Regulations (Regulation 16), and in accordance with Covid Regulations. The Plan was then subject of independent examination and the District Council agreed the Examiner’s recommendations and the next step of a local referendum on 7 July 2022.

## The North Cadbury and Yarlington Neighbourhood Plan

8. The North Cadbury and Yarlington Neighbourhood Plan seeks to shape the physical development of the area in a way that balances the need to look after our environment and at the same time meet the needs of a growing population. The plan includes a vision which is then used as a basis for a series of objectives grouped into six themes: Heritage and Design; Environment, Housing; Business and Employment; Community Services and Facilities; and Transport, which provide the framework for the subsequent general policies. Further policies are proposed for the individual settlements of North Cadbury, Galhampton, Yarlington and Woolston.
  
9. The Neighbourhood Plan sets out the following objectives:

*Table 1: North Cadbury and Yarlington Neighbourhood Plan Objectives*

<b>Theme</b>	<b>Objectives</b>
Heritage and Design	<ul style="list-style-type: none"> <li>• Protect, preserve and enhance the Conservation Areas and historically important buildings and other heritage assets.</li> <li>• Ensure that the character of the area and the setting of these assets is not compromised by the design, scale or presence of new development, or by the materials used.</li> <li>• Make a positive contribution to reducing the rate of climate change by promoting and supporting sustainable energy initiatives (integrated with new buildings).</li> </ul>
Environment	<ul style="list-style-type: none"> <li>• Ensure that development is sensitive to the rural setting of the area and does not erode our existing environment and character.</li> <li>• Protect the green spaces and recreational trails that are valued by local residents and create new ones where possible.</li> </ul>



Theme	Objectives
	<ul style="list-style-type: none"> <li>• Protect existing historic trees (some of which may lie outside the Conservation Areas and may need to be identified) and also support the planting of further native trees as part of any development, given their wildlife and climate benefits and how trees can soften the visual impact of development given the rural character of the area.</li> <li>• Protect people, property and roads from flooding (in particular highlighting any local knowledge of flooding which may not be clear from the flood risk maps).</li> <li>• Maintain the current good air quality and low levels of pollution – in particular recognising the dark night skies and general tranquillity of the area (away from the A303).</li> </ul>
Housing	<ul style="list-style-type: none"> <li>• Provide opportunities for local people to continue living in the area.</li> <li>• Ensure any housing development provides for a variety of tenures which meet local needs. This should include affordable homes for young families / first time buyers as well as housing suitable for retirement / older age.</li> </ul>
Business and Employment	<ul style="list-style-type: none"> <li>• Provide opportunities for local people to work close to home.</li> <li>• Support local businesses to set up or expand their premises, providing services and employment in the community, including through the provision of better broadband.</li> </ul>
Community Services and Facilities	<ul style="list-style-type: none"> <li>• Maintain, improve and extend community services and recreational facilities that better meet the needs of local residents of every age and ability, including the services provided from the church, recreation ground, village hall and pub.</li> </ul>
Transport	<ul style="list-style-type: none"> <li>• Reduce problems associated with on-street parking, especially outside the school.</li> <li>• Identify and where opportunities arise create new safe routes for walkers, cyclists and horse riders – particularly linking to the various community facilities and utilising the public rights of way network as far as possible.</li> <li>• Consider how the community can access the local bus service and how the current service might be improved.</li> </ul>

10. The Plan explains that the proposed housing target for the area is 45 dwellings for the period 2018 – 2033 and for which a potential supply of 61 homes is identified. The Plan demonstrates that 34 of the dwellings would be allocations within the Plan, 12 of them affordable, added to which there are extant planning permissions for 27 dwellings. A total of five sites are allocated and details are set out in Table 2 below.



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Table 2: North Cadbury and Yarlington Neighbourhood Plan Site Allocations

Policy	Site	Number of Dwellings (Affordable)
18	Cary Road, West of Brookhampton, North Cadbury	14 (6)
19	Cary Road, East of Brookhampton, North Cadbury	14 (6)
20	North Town Farm Barns, North Town	3
21	Barns at Hill Farm, North Town	2
30	Stoke Lane Barn, Woolston	1
<b>Total</b>		<b>34 (12)</b>

11. The Plan includes nine Projects to deal with the monitoring and implementation of the Plan and other actions. The Projects reflect intentions of the Parish Council and consider locally important buildings, the public rights of way network, housing supply monitoring, improvement of the local bus services and the potential relocation of the bus stop at Galhampton, road safety improvements, the school parking area, the potential for part of Yarlington to be a conservation area and also to work with the Emily Estate about any future plans for Yarlington Lodge.
12. The Examiner's Report concluded that the correct procedure for the preparation and submission of the North Cadbury and Yarlington Neighbourhood Plan was followed and that it meets the 'Basic Conditions', subject to the proposed modifications being made. The Examiner proposed 13 modifications in all. The referendum version the Plan, the original Submission Plan, supporting documents and summary of representations received are all available on the District Council's website [here](#).
13. The District Council held a local referendum on the 8 September 2022. The prescribed question asked was:  
  
*"Do you want South Somerset District Council to use the Neighbourhood Plan for North Cadbury and Yarlington to help it decide planning applications in the Neighbourhood Area?"*
14. The Referendum results were as follows: 410 votes were cast; 336 voted in favour (Yes) of the Plan, with 74 voting against (No). As more than 50% of those who voted said 'Yes', the Neighbourhood Plan can now be 'made' (or adopted). A neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. A development plan sets out the planning policies for the development and use of land.
15. Under the Community Infrastructure Levy Regulations, 15% of Community Infrastructure Levy receipts are generally passed directly to those parish and town councils (in England) where development has taken place. In England, communities that draw up a neighbourhood plan and secure the consent of local people in a referendum, will benefit



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from 25% of the levy revenues arising from the development that takes place in their area.

## Financial Implications

16. There are no additional financial implications as the £20,000 grant claimable from Department for Levelling Up Housing and Communities (DLUHC) will be sufficient to cover the costs of the referendum. A claim has already been submitted.

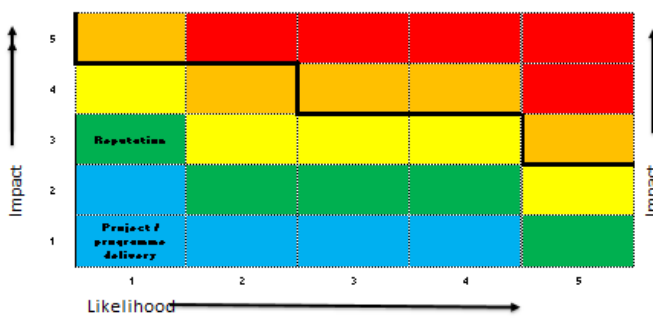
## Legal implications (if any) and details of Statutory Powers

17. Neighbourhood Plans are prepared in accordance with a statutory process and are subject to the following legislation:
  - a. Town and Country Planning Act 1990 (as amended)
  - b. Human Rights Act 1998 (as amended)
  - c. Planning and Compulsory Purchase Act 2004
  - d. Environmental Assessment of Plans and Programmes Regulations 2004
  - e. Localism Act 2011
  - f. Neighbourhood Planning (General) Regulations 2012
  - g. Neighbourhood Planning (General) (Amendment) Regulations 2015
  - h. Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016
  - i. Neighbourhood Planning (General) and development Management Procedure (Amendment) Regulations 2017
  - j. Neighbourhood Planning Act 2017
  - k. Conservation of Habitats and Species regulations 2017 (as amended)
18. As explained in paragraph 14 of this report once a neighbourhood plan is 'made' (adopted) by the District Council it becomes part of the Development Plan and has the same weight as an adopted Local Plan in the planning application decision-making process. Planning application decisions must be made in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004.

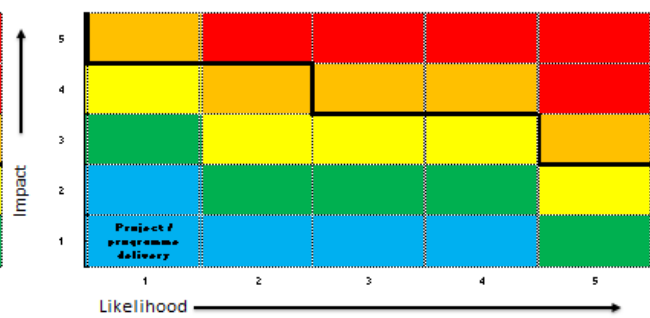
## Risk Matrix



**INHERENT RISK RATING (Before application of Report Recommendations)**



**RESIDUAL RISK RATING (After application of Report Recommendations)**



Risk No	Risk Category	Inherent Risk Rating	Residual Risk Rating
1	Project / programme delivery	1	1
2	Financial	1	1
3	Delivery of Services	1	1
4	Staffing & Capacity	1	1
5	Reputation	6	1
6	Health & Safety	1	1
7	Governance & Legal	1	1

Risk Description	Mitigation / Controls
No impact on delivery of projects	0
No financial impact as SSDC can recover £20,000 to cover costs of referendum from DLUHC	0
Council services are not disrupted	0
No impact on staff turnover	0
No negative impact on public opinion if neighbourhood plan is not 'made' given positive result at referendum.	Members vote to 'Make' (adapt) the neighbourhood plan.
No health and safety implications	0
Governance generally effective	0

## Council Plan Implications

19. The North Cadbury and Yarlington Neighbourhood Plan accords with the Council Plan and in particular Priority 1 Environment and Priority 4 Places where neighbourhood planning is referenced. The Neighbourhood Plan has been prepared by the local community who wish to have an influence on future development in the Parish.

## Carbon Emissions and Climate Change Implications

20. The North Cadbury and Yarlington Neighbourhood Plan includes amongst its objectives to “Make a positive contribution to reducing the rate of climate change by promoting and supporting sustainable energy initiatives (integrated with new buildings).”

21. Policy 3 is supportive of renewable energy and other measures to mitigate the impact of climate change in new buildings and Policy 8 seeks to reduce flood risk and manage surface water runoff through the use of sustainable urban drainage systems (SUDS).

## Equality and Diversity Implications

22. The Impact Relevance Check Form is provided as Appendix A to this report. No full Equality Impact Assessment is required.



## South Somerset District Council

An Equality Impact Relevance Check Form has been completed in respect of the Proposal?	Yes / <del>No</del>
The Impact Relevance Check indicated that a full EIA was required?	<del>Yes</del> / No
If an EIA was <b>not</b> required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.	
If an EIA <b>was</b> required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.	
<b>Additional Comments</b>	
None	

### Privacy Impact Assessment

23. Personal contact data from respondents will be used to notify them of the Council's decision where they have requested notification.

### Background Papers

- Appendix A – Impact Relevance Check Form