

# North Cadbury and Yarlington Neighbourhood Plan

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## Basic Conditions Report

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Prepared by: Dorset Planning Consultant Ltd, on behalf of North Cadbury and Yarlington Parish Council

Plan period: 2018-2033

*Date of report: November 2021*

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## 1. Introduction

When a neighbourhood plan proposal is submitted to the local planning authority, it needs to be accompanied by a statement, known as the basic conditions statement, which explains how:

- the plan meets the legal requirements in terms of its contents and coverage
- the plan has had appropriate regard to national policy and is in general conformity with the strategic policies in the development plan for the area
- the plan will contribute to the achievement of sustainable development, is compatible with EU obligations, and would not be likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, etc.) Regulations 2007) (either alone or in combination with other plans or projects).

## 2. Legal Requirements

### **Has the draft plan been submitted by a qualifying body?**

Yes – North Cadbury and Yarlington Parish Council agreed the submission of the draft plan and supporting documents at its meeting in December 2021.

### **Does the proposed neighbourhood plan state the period for which it is to have effect?**

Yes – the plan makes clear in para 1.14 that it is intended to cover the period from 2018 to 2033.

### **Is what is being proposed a neighbourhood development plan making provision in relation to land or sites in the Neighbourhood Plan Area?**

Yes - the Neighbourhood Plan policies relates to planning matters (the use and development of land) and to the designated Neighbourhood Plan area or parts thereof.

### **Do any of the policies relate to excluded development?**

The policies are contained in Sections 5-14 of the plan and cover:

- Policy 1. The Area's Rich Heritage
- Policy 2. Character and Design Guidance
- Policy 3. Buildings Fit for the Future
- Policy 4. Practical Garden Sizes
- Policy 5. The Area's Rural Character
- Policy 6. Recreational routes and views
- Policy 7. Protecting Local Wildlife
- Policy 7b. Phosphorous Neutrality
- Policy 8. Flood Risk
- Policy 9. Scale and Location of New Housing
- Policy 10. Use of Rural Buildings
- Policy 11. House types
- Policy 12. North Cadbury Business Park
- Policy 13. Other employment opportunities
- Policy 14. Parking
- Policy 15. North Cadbury - Built Character
- Policy 16. North Cadbury – Local Green Spaces
- Policy 17. North Cadbury – Facilities

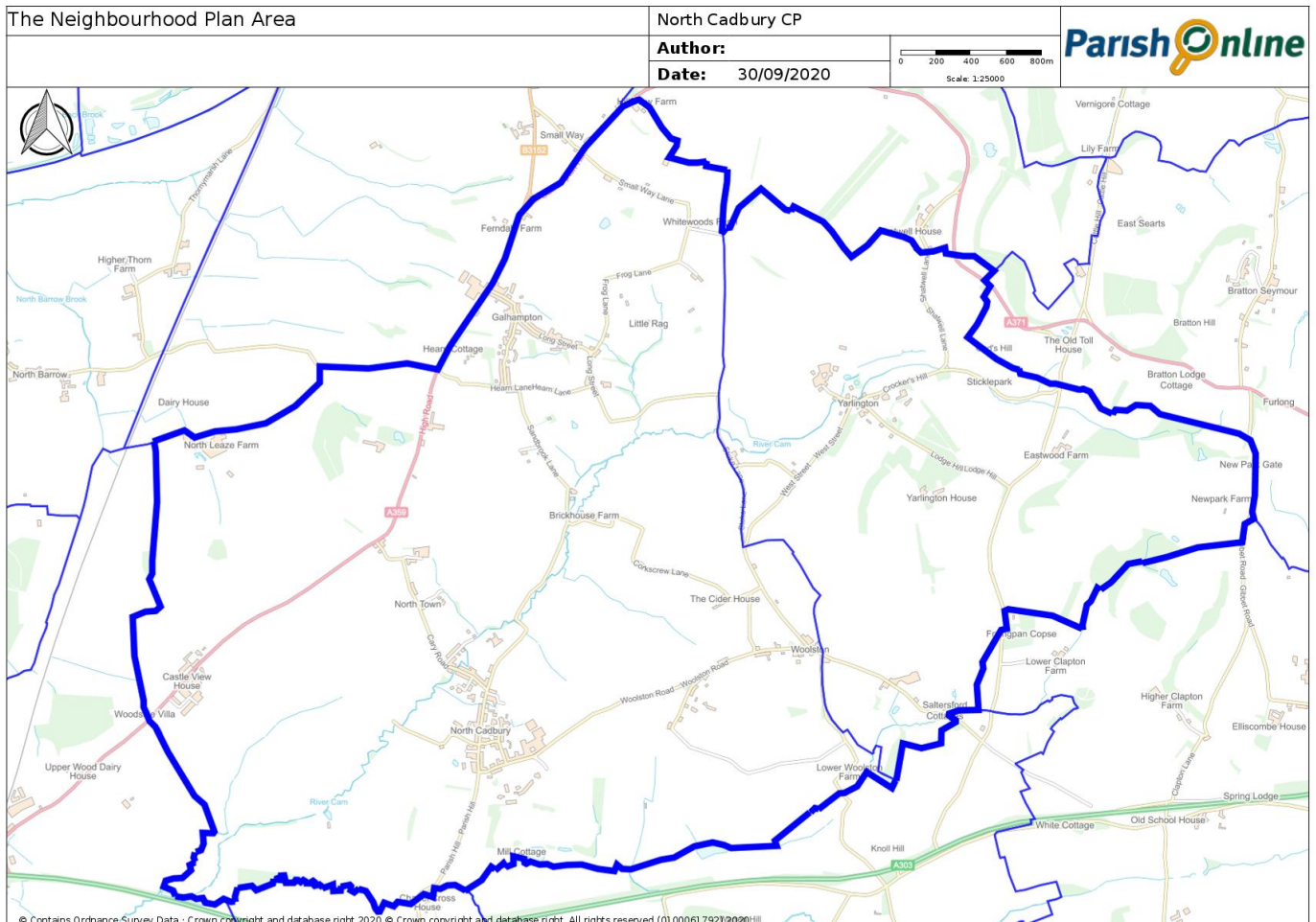
- Policy 18. Land North of Brookhampton, West of Cary Road
- Policy 19. Land North of Brookhampton, East of Cary Road
- Policy 20. Barns at North Town Farm
- Policy 21. Barns at Hill Farm
- Policy 22. Galhampton - Built Character
- Policy 23. Galhampton – Local Green Spaces
- Policy 24. Galhampton – Community Facilities
- Policy 25. Yarlington - Built Character
- Policy 26. Yarlington – Local Green Spaces.
- Policy 27. Yarlington – Community Facilities
- Policy 28. Woolston - Built Character
- Policy 29. Woolston – Community Facilities
- Policy 30. Barn off Stoke Lane

The Neighbourhood Plan policies do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or development that falls within Annex 1 to Council Directive 85/337/EEC.

**Do any of the policies extend beyond the neighbourhood area or cover an area where there is a neighbourhood development plan already in place?**

No - the Neighbourhood Plan policies relate only to North Cadbury and Yarlington parish (which is the designated Neighbourhood Plan Area) and to no other area. There are no other neighbourhood plans relating to North Cadbury and Yarlington Parish.

**Map 1 – Neighbourhood Plan Designated Area**



### 3. Consideration of National and Strategic Policies

The Neighbourhood Plan must have regard to national policy and guidance from the Secretary of State and be in general conformity with the strategic policies of the development plan that covers the area.

The following conformity assessment summarises how the Neighbourhood Plan relates to the relevant national planning guidance and strategic development plan policies.

#### National Planning Policy and Guidance

National planning guidance comes primarily from the National Planning Policy Framework (NPPF) as issued in July 2021, but where appropriate, reference is made to the online National Planning Policy Guidance (NPPG) and Ministerial Statements.

#### The Development Plan for the Neighbourhood Plan area

The South Somerset Local Plan 2006 - 2028, prepared by South Somerset District Council and adopted March 2015, contains the bulk of the development plan policies for the area. The saved policies from the South Somerset Local Plan 1991 – 2011 are not strategic in nature. Somerset County Council has a Minerals Plan (adopted February 2015) also forms part of the development plan for the area, together with the Waste Core Strategy (adopted 2013). Neither the waste or minerals plans contain specific proposals for the Neighbourhood Plan Area, other than defining minerals safeguarding areas.

Strategic policies are described in the NPPF (para 21) as “those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed”.

The South Somerset Local Plan 2006 – 2028 includes a settlement strategy that focusses new development at Yeovil, with significant growth also planned at the Primary Market Towns of Chard, Crewkerne, Wincanton and Ilminster. Less growth is proposed at the Local Market Towns, Rural Centres and Rural Settlements. There are no specific housing or employment land targets for North Cadbury and Yarlington (with the villages of North Cadbury and Galhampton likely to be considered as falling within the ‘Rural Settlement’ category of settlement), and no site-specific allocations.

Policy SS2 set out the approach to considering development in rural settlements.

#### **POLICY SS2: DEVELOPMENT IN RURAL SETTLEMENTS**

Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.

Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41.

The ‘key services’ listed in Para 5.41 which would make the settlements potentially appropriate for housing development are listed below. On this basis, the villages of North Cadbury and Galhampton

would be deemed suitable for housing growth, provided that growth was meeting an identified need, is commensurate with the scale and character of the settlement, and supported by the local community.

- Local convenience shop
- Post office
- Pub
- Children’s play area / sports pitch
- Village hall
- Health centre
- Faith facilities
- Primary school

The adopted plan also contains a series of more generic, topic-based policies, covering: economic prosperity, housing, transport and accessibility, health and well-being, and environmental quality.

The NPPG also states that it is important to minimise any conflicts between policies in a neighbourhood plan and an emerging Local Plan, and that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.

The review of the Local Plan has commenced, and consultation on the Preferred Options ran from June through to September 2019. The draft plan proposes a change to the approach taken in the adopted Local Plan, by adding a further category of ‘village’ between the rural centres and rural settlements. North Cadbury is named as one of the 12 villages. The Local Plan suggests (in the case of Queen Camel) the housing target should be the pro-rata proportion of the remaining need for growth (ie  $722/12 = 60$ ). However this may change (and could go higher or lower) in response to the feedback received through the consultation and possible updates to the national housing need projections.

### Conformity Testing

The NPPG makes clear that in considering whether a policy is in general conformity, a view should be taken on whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with and the degree, if any, of conflict and the rationale and evidence to justify that approach.

The following table considers each policy in turn, against the relevant national and local policies for that particular topic.

<b>Vision and Overview of Plan</b>	The plan’s vision and objectives are set out in Section 3 and form the structure for the remaining plan.
<b>Overview of national policy and guidance - NPPF section 3: Plan making</b>	
<b>NPPF para 60.</b> Plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings	
<b>Assessment of general conformity</b>	
The Neighbourhood Plan includes a vision and aims for the area (Section 4) accompanied by topic-based objectives. Policy wording has been chosen with the aim of being clear and unambiguous, but recognising that there may need to be flexibility. Landowners, service providers and local residents have been consulted to ensure the plan is deliverable. The plan is aspirational, and aims to retain the distinctive character of the various settlements and their surrounds.	
<b>HOUSING</b>	Policy 9. Scale and Location of New Housing Policy 10. Use of Rural Buildings Policy 11. House types Policy 18. Land North of Brookhampton, West of Cary Road Policy 19. Land North of Brookhampton, East of Cary Road Policy 20. Barns at North Town Farm



	Policy 21. Barns at Hill Farm Policy 30. Barn off Stoke Lane
<b>Overview of national policy and guidance - NPPF section 5: Delivering a sufficient supply of homes and NPPF section 11: Making effective use of land</b>	
<p><b>NPPF para 60.</b> To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.</p> <p><b>NPPF para 62.</b> Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies</p> <p><b>NPPF para 63-64.</b> Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site. However provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (which does not apply to this Neighbourhood Plan area).</p> <p><b>NPPF para 65.</b> Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership</p> <p><b>NPPF para 66 - 67.</b> Strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Where it is not possible to provide a requirement figure for a neighbourhood area through the Local Plan, the Local Planning Authority should provide an indicative figure, if requested to do so by the Neighbourhood Planning Body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.</p> <p><b>NPPF para 70.</b> Neighbourhood planning groups should consider the opportunities for allocating small and medium-sized sites suitable for housing in their area.</p> <p><b>NPPF para 78-79.</b> In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this. Housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.</p> <p><b>NPPF para 80.</b> Planning policies and decisions should avoid the development of isolated homes in the countryside unless: a) there is an essential need for a rural worker; b) it would secure the future of heritage assets; c) it would re-use redundant or disused buildings and enhance its immediate setting; d) it would involve the subdivision of an existing residential building; or e) the design is of exceptional quality.</p> <p><b>NPPF para 124.</b> Planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.</p> <p><b>NPPF para 125.</b> Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.</p>	

**NPPG Paragraph: 009 Reference ID: 41-009-20190509.** Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.

**NPPG Paragraph: 002 Reference ID: 10-002-20190509.** It is the plan policies should be informed by engagement with developers, landowners, and infrastructure and affordable housing providers. Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs, without the need for further viability assessment at the decision making stage.

### Overview of development plan policies

#### Policy SS2: Development in Rural Settlements

Development in Rural Settlements will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services.

#### Policy HG5: Achieving a Mix of Market Housing

A range of market housing types and sizes should be provided on large sites to contribute to the provision of sustainable and balanced communities. On small sites, housing types and sizes should be provided that, taken in the context of existing surrounding dwellings, contribute to that provision of sustainable, balanced communities.

#### Policy HG3: Provision of Affordable Housing

Where it is viable to do so, housing schemes of [6\*] or more dwellings provides 35% affordable housing on-site.

### Assessment of general conformity

**Policy 9:** the current adopted Local Plan does not set a specific housing target for the NP area. South Somerset District Council, as the local planning authority, was first approached for an indicative housing needs figure in October 2019. The officers suggested this should be set at 60 dwellings or the equivalent of 3 dwellings per year. This figure was derived from the proposed settlement hierarchy and associated housing targets within the Local Plan Review Preferred Options document. They advised that this should be focussed on the most sustainable location (i.e. the settlement of North Cadbury), but acknowledged that there would be windfall developments (conversions, development on previously developed land, and dwellings arising through permitted development) and this is something for the neighbourhood planning group to consider should they wish to calculate a windfall allowance to form part of the housing requirement. In January 2021 the officers re-confirmed that 60 dwellings (3 dwellings per annum) remained the most appropriate housing target, which would next be reviewed once the LPR evidence base had been completed – including North Cadbury’s proposed status as a Village. They also confirmed that existing commitments and completions could be taken into account when determining how many homes to allocate. They reiterated that this should be focused at North Cadbury, but acknowledged that Galhampton could also be considered under Policy SS2 in the adopted Local Plan (but pointed out that this would not be the case under Policy SS4 of the LPR Preferred Options document). They also considered that neither North Town or Down Ash Farm were well connected to the village and therefore would be unsuitable for major development. This has informed the housing requirement and strategy in Policy 9 which seeks to direct development at an appropriate scale to the most sustainable locations in line with the Local Plan and NPPF. Whilst the Local Plan does not include an affordable housing exceptions sites policy per se, Policy 9 reflects national policy on this and helps identify the settlements to which this approach should apply. Possibly the most relevant policy in this context is SS2 and emerging policy SS4, under which Yarlinton would also qualify for 100% affordable housing exception site given it has a small hall, pub and church, but given the lack of



potential sites promoted for housing and poor public transport, this smaller settlement has not been included.

**Policy 11:** reflects the main findings of the housing need assessment and consultations in terms of the type and mix of housing sought, and has also reflected the provision of affordable home ownership as advised in the NPPF. The final paragraph that requires a local connection agreement with respect to affordable housing is considered to be in line with Policy SS2, which requires housing in the rural settlements to meet an identified housing need, particularly for affordable housing.

**Policies 18 and 19:** are the main site allocations which would provide up to 28 homes including 12 affordable homes across the two sites. These are located adjoining the village of North Cadbury (in line with the spatial strategy of the Local Plan) and have been subject to testing through the site options stage and SEA process, which have helped identify the most sustainable options and appropriate mitigation measures. The landowners support the policies including the level of affordable housing proposed (which at 43% is marginally higher than the 35% required under the existing policy) in recognition of the affordable housing need and anticipated site viability. The level of development proposed seeks to balance the need to make an efficient use of land with rural character of the area. It is not considered that the housing land supply would justify a higher density being an over-riding factor.

Consideration was given to whether it maybe appropriate to phase delivery (given that it exceeds the housing target) but based on the need for a masterplanned approach to coordinated design, access and phosphate mitigation, together with the likely viability benefits, a phased approach with part of the site being ‘reserved’ was not consider a reasonable option.

**Policies 10, 20, 21 and 30:** these policies deal with windfall development that may come forward on previously development land through the conversion or sympathetic replacement of agricultural and other rural buildings. Policy 10 provides the generic context, with the other policies identifying specific sites which have come forwards as part of the call for sites, and which have been subject to more detailed scrutiny and testing through the SEA process. There is no specific strategic policy on this type of windfall development in the Local Plan, which for this matter relies on National Policy. NPPF para 80(c) allows the re-use redundant or disused buildings in isolated locations only if this would enhance their immediate setting. The policy has also been drafted to broadly reflect the permitted development right considerations under Class Q conversions (accepting that this may provide a fallback), and recognizing the likely heritage values (potentially undesignated) of many of the area’s rural buildings.

<b>EMPLOYMENT</b>	Policy 12. North Cadbury Business Park Policy 13. Other employment opportunities
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#### **Overview of national policy and guidance - NPPF section 6: Building a strong, competitive economy**

**NPPF para 84.** Planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. This should include sustainable rural tourism and leisure developments which respect the character of the countryside.

**NPPF para 85.** Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

#### **Overview of development plan policies**

##### **Policy EP4: Expansion of Existing Businesses in the Countryside**

Proposals for the expansion of existing businesses in the countryside will be permitted where:

- The business has been operating successfully for a minimum of 3 years, and is a viable business;

- It is demonstrated that the proposal is needed in this location;
- The proposal is of a scale appropriate in this location and appropriate to the existing development;
- Existing buildings are reused where possible;
- Firstly, use is made of land within the curtilage of the development where possible, and outside of the curtilage only where it is demonstrated that additional land is essential to the needs of the business;
- There is no adverse impact on the countryside in terms of wildlife / character / traffic

**Policy EP8: New and Enhanced Tourist Facilities**

New and enhanced tourist facilities will be supported where:

- They are of a scale appropriate to the size and function of the settlement within which they are to be located;
- They are accessible through sustainable modes of travel including cycling and walking;
- They do not harm the district’s environmental, cultural or heritage assets; or its designated nature conservation features;
- They benefit the local community through access to facilities and services.

There must be an identified need for tourist facilities in the open countryside, which is not met by existing facilities.

**Assessment of general conformity**

**Policies 12 and 13** aim to provide a slightly more flexible and supportive policy basis for new and expanded employment uses than currently contained in the Local Plan, as some of the requirements (particularly for start-up businesses) were considered to be overly onerous and potentially reducing opportunities for local employment. The site allocations proposed at the North Cadbury Business Park were proposed in the Local Plan Review and the recent approval of the outline permission confirmed that these were considered acceptable in light of the changes to the NPPF had that come about in the interim. The policies will help to support rural businesses in a manner that also respects the rural character of the area and the likely higher degree of reliance on the car / vans for transport.

The lack of a tourism policy was questioned but it was felt that the existing Local Plan policy was appropriate and no change or additional requirements were needed. This has now been clarified in the supporting text.

<b>COMMUNITY FACILITIES AND LOCAL GREEN SPACES</b>	Policy 6. Recreational routes and views Policy 16. North Cadbury - Local Green Spaces Policy 17. North Cadbury - Facilities Policy 23. Galhampton - Local Green Spaces Policy 24. Galhampton - Community Facilities Policy 26. Yarlington - Local Green Spaces. Policy 27. Yarlington - Community Facilities Policy 29. Woolston - Community Facilities
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**Overview of national policy and guidance - NPPF section 8: Promoting healthy and safe communities**

**NPPF para 84.** Planning policies and decisions should enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

**NPPF para 85.** Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

**NPPF para 95.** It is important that a sufficient choice of school places is available to meet the needs of existing

and new communities.

**NPPF para 98.** Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

**NPPF para 100.** Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.

**NPPF para 101-103.** Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period. The designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

### Overview of development plan policies

#### Policy EP15: Protection and Provision of Local Shops, Community Facilities and Services

Provision of new community facilities and services will be supported. Proposals that would result in a significant or total loss of site and/or premises currently or last used for a local shop, post office, public house, community or cultural facility or other service that contributes towards the sustainability of a local settlement will not be permitted except where the applicant demonstrates that:

- alternative provision of equivalent or better quality, that is accessible to that local community is available within the settlement or will be provided and made available prior to commencement of redevelopment; or
- there is no reasonable prospect of retention of the existing use as it is unviable as demonstrated by a viability assessment, and all reasonable efforts to secure suitable alternative business or community re-use or social enterprise have been made for a maximum of 18 months or a period agreed by the Local Planning Authority prior to application submission.

#### Policy HW3: Protection of Play Spaces and Youth Provision

Development which would result in the loss of equipped play areas and youth facilities will only be permitted where: there is a partial development of a site and the remaining site will be retained at its current provision and improved; alternative provision of equivalent community benefit of a similar nature which is accessible and made available locally within the same catchment; there is a proven oversupply of equipped play areas and youth facilities, or they are not appropriately located.

#### Policy EQ5: Green Infrastructure

Existing Green Infrastructure will be protected against any adverse impact of development proposals. If loss of existing green infrastructure assets is unavoidable in order to accommodate necessary development, appropriate mitigation for the loss will be required.

### Assessment of general conformity

**Policies 17, 24, 27 and 29:** are similar to the Local Plan policies supporting the retention and improvement of community facilities, but make explicit those facilities which would fall to be considered as valued community facilities and also seek to address specific needs for new or improved facilities that have been identified in relation to each area. Both national and local plan policies recognise the essential role such facilities play in the sustainability of more rural settlements.

**Policy 6:** seeks to protect and enhance public rights of way and access. The first part is very much aligned to para 106 of the NPPF. The second element (protection of views) is not something that is specifically referenced in either National Policy or the strategic policies. These are clearly of local (rather than strategic) value, and important in the enjoyment of the countryside and use of the public rights of way network. The identified views have not been drawn extensively and therefore are not likely to prohibit development that may require a rural

location.

**Policies 16, 23 and 26:** deal with the rural character of each settlement and in particular the designation of Local Green Spaces. In the case of Policy 16 it also identifies an important open gap. The LGS meet the definition of green infrastructure (under the Local Plan policies) and the proposed LGS have been assessed against the criteria set out in the NPPF (a separate evidence documents has been produced to demonstrate this). The policy wording with regard to LGS has been drafted in a manner that is considered consistent with Green Belt policy, in that it provides a strong degree of protection (recognising that such areas should be retained beyond the plan period) but not ruling out development that would be appropriate if it would not harm their character or reason for designation of these spaces. This is considered more appropriate than simply referring to the NPPF Green Belt tests, as the spaces are local rather than strategic in extent and therefore aspects such as ‘limited infilling in villages’ within these LGS would not be appropriate.

## TRAVEL AND TRANSPORT

Policy 14. Parking  
*Plus development / site-specific allocations (see above)*

### Overview of national policy and guidance - NPPF section 9: Promoting sustainable transport

**NPPF para 104.** Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; c) opportunities to promote walking, cycling and public transport use are identified and pursued; e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

**NPPF para 105.** Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

**NPPF para 106.** Planning policies should: b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils; identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; d) provide for attractive and well-designed walking and cycling networks and supporting facilities such as secure cycle parking.

**NPPF para 107.** If setting local parking standards, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

### Overview of development plan policies

#### Policy TA5: Transport Impact of New Development

All new development shall be required to address its own transport implications and shall be designed to maximise the potential for sustainable transport through: Safeguarding existing and new transport infrastructure, which is important to an efficient and sustainable transport network from development that would prejudice their transport use; securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all; ensuring that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated; and assessing the transport impact of development and ensuring delivery of the necessary transport infrastructure for the proposal and requiring larger schemes to prepare Transport Assessments.

#### Policy TA6: Parking Standards

Parking provision in new development should be design-led and based upon site characteristics, location and accessibility. The parking standards within the County Parking Strategy will be applied in South Somerset.

**Assessment of general conformity**

**Policy 14:** focuses on motor vehicle parking, and in particular the design of parking spaces to ensure they are well used (making efficient use of land) and do not adversely impact on local character. The plan does not propose to require a different quantum of spaces than the adopted standards for the area, and both national and local planning policies allow parking standards to be set to reflect local circumstances.

Somerset County Council as the highways authority have been consulted throughout the plan-making process and have not raised any highway or transport related concerns in relation to the development proposals.

**DESIGN**

Policy 2. Character and Design Guidance  
 Policy 3. Buildings Fit for the Future  
 Policy 4. Practical Garden Sizes  
 Policy 15. North Cadbury - Built Character  
 Policy 22. Galhampton - Built Character  
 Policy 25. Yarlington - Built Character  
 Policy 28. Woolston - Built Character

**Overview of national policy and guidance - NPPF section 12: Achieving well-designed places**

**NPPF para 127.** Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

**NPPF para 128.** the geographic coverage and level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety where this would be justified.

**NPPF para 130.** Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**NPPF para 131.** Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

**Overview of development plan policies****Policy EQ2: General Development**

Development will be designed to achieve a high quality scheme, which promotes local distinctiveness and preserves or enhances the character and appearance of the district. Development proposals should help create quality places; reinforcing local distinctiveness and respect local context. Innovative designs delivering low energy usage and/or wastage will be encouraged, and making efficient use of land whilst having regard to: housing demand and need; infrastructure and service availability; accessibility; local area character; and site specific considerations.

<b>Assessment of general conformity</b>	
<p><b>Policies 2, 15, 22, 25 and 28</b> all seek to protect and reinforce the distinctive local character of the area and include design guidance specific to that village / locality. National policy is very clear that Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> <p><b>Policies 3 and 4</b> focus more on practical measures to ensure places will function well and have regard to the need to reduce energy and achieve a more sustainable design that can adapt more readily for future users.</p> <p>Whilst the design policies do not specifically prevent increased densities, they do recognize the need for the design and layout to include sufficient space for the needs of future occupants (such as space to sit out and to hand out the washing), and also for tree planting etc in order to retain the rural character of the area.</p> <p>The site specific allocations have also included relevant design guidelines as appropriate. The plan includes an indicative layout for the two main sites but this is intended to be illustrative only and would not prohibit from a different layout that meets the policy criteria from being acceptable. With regard to street trees, Policies 18 and 19 refer to hedgerow / tree planting along and adjoining the site boundaries to achieve a similar goal that is more in keeping with local character.</p>	
<b>FLOOD RISK</b>	Policy 8. Flood Risk
<b>Overview of national policy and guidance - NPPF section 14: climate change and flooding</b>	
<p><b>NPPF para 167.</b> When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.</p> <p><b>NPPF para 169.</b> Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.</p>	
<b>Overview of development plan policies</b>	
<b>Policy EQ1: Addressing Climate Change in South Somerset</b>	
Development should reduce and manage the impact of flood risk by incorporating Sustainable Drainage Systems, and through appropriate layout, design, and choice of materials	
<b>Assessment of general conformity</b>	
<b>Policy 8</b> highlights the need to consider local risk of flooding, with the supporting text providing more information on known local sources of flood risk.	
<b>NATURAL AND HISTORIC ENVIRONMENT</b>	Policy 1. The Area's Rich Heritage Policy 5. The Area's Rural Character Policy 7. Protecting Local wildlife Policy 7b. Phosphorous Neutrality
<b>Overview of national policy and guidance - NPPF section 15 and 16: Conserving and enhancing the natural and historic environment</b>	
<p><b>NPPF para 174.</b> Planning policies and decisions should contribute to and enhance the natural and local environment, by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.</p>	



**NPPF para 179.** To protect and enhance biodiversity, plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, and identify and pursue opportunities for securing measurable net gains for biodiversity.

**NPPF para 185.** Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

**NPPF para 189.** Heritage assets range from sites and buildings of local historic value to those of the highest significance, ... and should be conserved in a manner appropriate to their significance.

**NPPF para 203.** The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

## Overview of development plan policies

### Policy EQ2: General Development

Development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district, including its landscape character.

### Policy EQ3: Historic Environment

Heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. Their potential to contribute towards the economy, tourism, education and local identity will be exploited.

### Policy EQ4: Biodiversity

All proposals for development, will: protect the biodiversity value of land and buildings and minimise fragmentation of habitats and promote coherent ecological networks; maximise opportunities for restoration, enhancement and connection of natural habitats; incorporate beneficial biodiversity conservation features where appropriate.

## Assessment of general conformity

**Policy 1:** relates to local heritage and specifically refers to key features identified through the Conservation Area Appraisal, heritage assessment and related research, identified Locally Important Buildings that may be appropriate in due course to be locally listed. The policy has been based on an understanding and evaluation of the area's heritage, and no obvious conflicts with national or local policy have been identified. It also seeks to highlight the rich archaeological interest of the area (which was identified as part of the SEA process).

**Policy 5:** relates to features that contribute to the area's rural character that were identified through the landscape character assessments and related research. Whilst the area is not part of a designated nationally valued landscape (such as an AONB or National Park) both the Local Plan and the National Planning Policy Framework seek to recognise the intrinsic character and beauty of the countryside.

**Policy 7:** takes account of the wildlife areas and species identified through the evidence (recognising that not all areas have been surveyed) and aims to ensure adverse impacts on wildlife should be avoided or mitigated.

**Policy 7b:** has been introduced in response to the Habitat Regulations Assessment. Given that Local Plan policy does not currently address the issue of phosphorus neutrality (as the issue with this in relation to Somerset Moors and Levels Ramsar site only became apparent in Summer 2020), the Habitat Regulations Assessment recommended that the Plan should acknowledge this issue and explicitly require mitigation measures for residential developments.

## Conformity conclusions

The Neighbourhood Plan includes a positive vision for the future of the area and explains how this translated into objectives and in turn relate to the relevant policies.

The analysis of the Plan in relation to national planning policy and guidance and the strategic policies of the local plan, as shown in the preceding tables, does not highlight any fundamental conformity issues. No specific conformity issues were raised by the Local Planning Authority. Where the plan does vary, the changes are considered to be relatively minor in nature and justified by locally-specific evidence, and therefore still in general conformity.

On this basis, there are no apparent reasons to conclude other than the Neighbourhood Plan meets the basic condition of having regard to national policy and guidance from the Secretary of State and being in general conformity with the strategic policies of the development plan for the area.

#### 4. EU and sustainability obligations

The pre-submission draft of the Neighbourhood Plan has been subject to a full Strategic Environmental Assessment, including the relevant scoping stage. The reports were sent to the statutory consultees (the Environment Agency, Natural England and Historic England) and published at the relevant times. A Habitats Regulations Assessment based on the pre-submission draft Plan.

The Strategic Environmental Assessment concluded that the pre-submission draft Neighbourhood Plan would be likely to:

- positively contribute to the creation of mixed, balanced, and sustainable communities
- protect and enhance the special qualities of the parishes, conserving and enhancing the significance of heritage assets, supporting the quality of the public realm, and by incorporating high-quality and sensitive design in new development areas
- retain habitats, enhancing ecological networks, and delivering net biodiversity gains
- lead to positive effects through tackling flood risk issues, and supporting carbon energy sources to address the climate crisis, but would also lead to the loss of the best and most versatile agricultural land to the north of North Cadbury village.

No specific changes to the Plan were deemed necessary as a result of this assessment, and no major changes made to the Plan to suggest the Assessment needs to be updated.

The Habitats Regulations Assessment concluded that the Neighbourhood Plan could deliver up to 34 new dwellings. These will increase the total volume of treated wastewater effluent produced and surface run-off occurring within the area. Phosphorus neutrality calculations show that all five allocations are associated with a phosphorus surplus and will require mitigation measures. These interventions will need to be delivered as part of the wider nutrient-neutral strategic approach across South Somerset District. Until such a time that a district-wide Phosphate Management Strategy is developed and an adequate nutrient policy has been incorporated in the overarching South Somerset Local Plan, it would be prudent to include a mitigation policy text in the Neighbourhood Plan to ensure that the Conservation Objectives of the Somerset Levels & Moors Ramsar are met and that the Neighbourhood Plan will not result in adverse effects on site integrity regarding water quality, both alone and in-combination. This Neighbourhood Plan has been updated in line with these recommendations.

The Neighbourhood Plan's policies were also assessed against the sustainability objectives as set out in paragraph 8 of the NPPF:

- **an economic objective** - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure

Positive ✓	Neutral --	Negative ✘
The plan includes proposals that will enable businesses to grow	The level of business growth is moderated by the rural character and sustainable travel options, but the level of need is also likely to remain low.	<i>No adverse economic impacts identified</i>
<p>– <b>a social objective</b> - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being</p>		
Positive ✓	Neutral --	Negative ✘
The plan is likely to meet and exceed the indicative housing target. This includes a range of house types tailored to local needs. The plan includes design guidance that has considered health and wellbeing. It should also help retains and improve local services and green spaces.	The level of growth should not require additional school places (for which options are limited)	The level of affordable housing needed is difficult to gauge accurately. However if the need is greater than anticipated and no exception sites come forward this would trigger the need to review the plan.
<p>– <b>an environmental objective</b> - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>		
Positive ✓	Neutral --	Negative ✘
The plan includes a range of policies that help raise awareness of the various environmental features that enhance the area's character, and encourages more energy efficient designs provided the resulting building would not have a detrimental impact on the local character of the area. Local sources of potential flood risk have been identified so that planning decisions may be better informed.	Mitigation measures have been identified that should be capable of mitigating any potential harm in relation to Somerset Levels and Moors SPA Ramsar site	In order to accommodate housing and business needs the plan is allocated some greenfield sites, which will have some adverse impact on the character of the countryside and result in the loss of agricultural land. The SEA and heritage assessment has helped direct this development to the least harmful options.

No issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations, and given the conclusions on the plan's general conformity with the strategic policies of the Local Plan and regard to National Planning Policy, it is reasonable to conclude that the making of the plan should not breach human rights.