

Cabinet

29 January 2026

Melbury Abbas and Cann Neighbourhood Development Plan For Decision

Cabinet Member:

Cllr S Bartlett, Planning and Emergency Planning

Local Councillor: Cllr J Somper

Executive Director:

J Britton, Executive Director for Place Services

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Statutory Authority: Localism Act 2011

Neighbourhood Planning (General) Regulations 2012 (as amended)

Report status: Public (the exemption paragraph is N/A)

Executive summary

1. The neighbourhood plan has been subject to independent examination and referendum. The purpose of this report is to formally 'make' (adopt) the Melbury Abbas and Cann Neighbourhood Development Plan part of the development plan for use in planning decisions in the Melbury Abbas and Cann Neighbourhood Area.
2. **Recommendations**
 - 2.1 The following recommendations are made:
 - a) That the Council 'makes' the Melbury Abbas and Cann Neighbourhood Development Plan (as set out in Appendix A) part of the statutory development plan for the Melbury Abbas and Cann Neighbourhood Area.
 - b) That the Council offers its congratulations to Melbury Abbas and Cann Parish Council and members of the Neighbourhood Plan Group for producing a successful neighbourhood plan.

3. Reason for the recommendations

- 3.1 To formally 'make' the Melbury Abbas and Cann Neighbourhood Development Plan part of the statutory development plan for the Melbury Abbas and Cann Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Parish Council and members of the Neighbourhood Plan Group in preparing the plan and to congratulate the Council and the Group on their success.

4. Melbury Abbas and Cann Neighbourhood Development Plan

- 4.1 The neighbourhood plan area for Melbury Abbas and Cann was formally designated by the former North Dorset District Council in November 2017. Following significant amounts of consultation and research Melbury Abbas and Cann Parish Council (the Qualifying Body) submitted the Melbury Abbas and Cann Neighbourhood Development Plan, and associated documents, to Dorset Council in March 2025.
- 4.2 The plan, and its associated documents, were subject to formal consultation from 11 April 2025 to 30 May 2025. Dorset Council subsequently made arrangements for an independent examination of the plan as required by The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 4.3 The examination was conducted by Andrew Mead BSc (Hons) MRTPI MIQ and his report on the plan was published on 3 September 2025. The Examiner's Report concluded that subject to a number of modifications the plan should proceed to referendum.
- 4.4 Cllr Shane Bartlett (Portfolio Holder for Planning and Emergency Planning) decided on the 23 October 2025 that the examiner's recommended modifications should be incorporated within an amended version of the neighbourhood plan and that the amended plan should proceed to referendum. Furthermore, Cllr Bartlett decided that a recommendation to 'make' the Melbury Abbas and Cann Neighbourhood Development Plan should be made to a Cabinet meeting after the referendum if the result of the referendum was in support of making the plan and there are no other issues identified that would go against such a decision.
- 4.5 The Council held a referendum on 4 December 2025 with the area covered by the referendum being the same area to which the neighbourhood plan applies. In the referendum 128 people (82%) voted in favour of the plan with 28 people (18%) voting against the plan. The turnout was 22%.
- 4.6 Where a referendum results in more than half of those voting, voting in favour of the plan, the Council must 'make' the plan as soon as reasonably practical unless it considers that this would breach, or be incompatible with relevant environmental regulations or human rights requirements.

- 4.7 The Melbury Abbas and Cann Neighbourhood Development Plan, as proposed to be 'made', is attached at Appendix A. More than 50% of those who voted in the referendum voted in favour of the plan.

5. Alternative options considered

- 5.1 In this instance there are no reasonable alternative options available to the Council following the favourable outcome in the referendum. The Council is legally required to 'make' (adopt) the neighbourhood plan.

6. Legal considerations

- 6.1 A legal challenge could be made against the decision to 'make' the Melbury Abbas and Cann Neighbourhood Development Plan. Such a challenge could be made on the basis that the neighbourhood plan does not meet the basic conditions, is not compatible with the Convention rights or because it does not comply with the definition of a neighbourhood development plan. However, the independent examiner who examined the plan has considered these matters in light of the consultation responses made to the plan. The Council has also considered these matters and is of the view that there is no basis for reaching a different view to the examiner.

7. Financial implications

- 7.1 When a decision has been formally made to progress an original version of a neighbourhood plan (rather than a review) to referendum, Dorset Council becomes eligible for a grant of £20,000 in respect of the plan. This grant is intended to cover the costs associated with the Council's input into the production of the neighbourhood plan including the costs associated with the examination and referendum.

8. Natural environment, climate & ecology implications

- 8.1 The neighbourhood plan has been prepared in accordance with national planning policy and guidance which seeks to deliver sustainable development through planning decisions including by improving biodiversity and mitigating and adapting to climate change. The independent examiner who conducted the examination of the plan considers that the plan contributes to the achievement of sustainable development.
- 8.2 As this report is pertaining to the Melbury Abbas and Cann Neighbourhood Development Plan, there is no specific requirement for including a climate decision-wheel in this instance.

9. Well-being and health implications

- 9.1 The plan has been prepared in accordance with national planning policy and guidance which seeks to deliver healthy, inclusive and safe places.

10. Other implications

- 10.1 The neighbourhood plan will form part of the development plan for the Melbury Abbas and Cann Neighbourhood Area alongside other current adopted plans including the North Dorset Local Plan Part 1 (2016). Planning applications, which will be considered by Dorset Council, will be determined in accordance with the development plan unless material considerations indicate otherwise.

11. Risk implications

- 11.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

12. Equalities

- 12.1 Part of the independent examiner's role was to consider whether the neighbourhood plan would breach or otherwise be incompatible with any of the Convention rights within the meaning of the Human Rights Act 1998. No issues were raised by the examiner in this regard.

13. Appendices

Appendix A: Melbury Abbas and Cann Neighbourhood Development Plan

Appendix B: Examiner's Report

14. Background papers

- 14.1 Documents relating to the Melbury Abbas and Cann Neighbourhood Development Plan can be accessed via the following webpage:

[Melbury Abbas and Cann Neighbourhood Plan - Dorset Council](#)

15 Report sign-off

- 15.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder.