

ADOPTION OF TIVETSHALLS NEIGHBOURHOOD PLAN

Report Author(s): Richard Squires, Senior Community Planning Officer,
richard.squires@southnorfolkandbroadland.gov.uk

Portfolio: External Affairs and Policy; Stronger Economy

Ward(s) Affected: Beck Vale, Dickleburgh and Scole

Purpose of the Report:
To approve the adoption of the Tivetshalls Neighbourhood Plan.

Recommendations:

The Council is RECOMMENDED to adopt the Tivetshalls Neighbourhood Plan, following a successful outcome at the Referendum held on 8 December 2022.

1 Summary

- 1.1 This report provides details of the Referendum held in relation to the Tivetshalls Neighbourhood Plan. Following a successful result at the referendum on 8 December 2022, the report recommends that Council adopts the Tivetshalls Neighbourhood Plan as part of South Norfolk Council's Development Plan.

2 Background

- 2.1 The Neighbourhood Plan for Tivetshalls commenced in 2020 and was submitted to South Norfolk Council in February 2022. The Neighbourhood Plan has been prepared by a steering group of volunteers (aided by a professional consultant) on behalf of Tivetshalls Parish Council.
- 2.2 The Neighbourhood Plan has been developed in consultation with residents and businesses in the neighbourhood area, as well as other stakeholder bodies. The Plan seeks to guide the future development of the parish up until 2042. It includes a vision and a set of objectives for the area, as well as a series of policies that look to shape future development within the respective time period.
- 2.3 The Neighbourhood Plan and supporting documentation was submitted to South Norfolk Council in February 2022 and was approved for publication and examination. In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, a period of consultation on the Neighbourhood Plan ran from Friday 29th April to Wednesday 15th June 2022. The Plan was subsequently subject to an independent examination and the final report was received on 22 August 2022.
- 2.4 South Norfolk Council considered the examiner's recommendations at its Cabinet meeting of 17 October 2022 and issued a Decision Statement detailing the Council's intention to send the Neighbourhood Plan to referendum, subject to modifications being made as recommended by the examiner.
- 2.5 The table below illustrates the date at which South Norfolk Council approved the submitted documents, undertook the required six week publication of the Plan, and approved the final Decision Statement.

Neighbourhood Plan	Approval of submitted Plan	Publication of Plan	Approval of final Decision Statement
Tivetshalls	19/04/2022	29/04/2022 - 15/06/2022	17/10/2022

- 2.6 Following issuing of the Decision Statement, details of the referendum were published. The referendum was announced to be held on 8 December 2022, with details published on the South Norfolk Council website and made available at Long Stratton Library.
- 2.7 The Electoral Services team issued polling cards to registered electors within the neighbourhood area and made other statutory preparations for the referendum.

3 Current Position/Findings

- 3.1 The result of the referendum was a successful one with 89% of those who voted, voting in favour of the Neighbourhood Plan. South Norfolk Council can now formally adopt the Tivetshalls Neighbourhood Plan (the declaration of the result is included as Appendix 1).
- 3.2 The Referendum version of the Neighbourhood Plan can be viewed [here](#). Following the Council's adoption or 'making' of the Plan, the title page will be updated before a final version is published.
- 3.3 Following the successful referendum, the Neighbourhood Plan now forms part of the statutory Development Plan for South Norfolk.
- 3.4 The Plan will therefore be used, alongside existing Local Plan documents, in the determination of planning applications that fall within the Neighbourhood Area (parish boundary).

4 Proposed Action

- 4.1 It is proposed that Council formally adopts (or 'makes') the Tivetshalls Neighbourhood Plan.

5 Other Options

- 5.1 South Norfolk Council can refuse to adopt the Neighbourhood Plan if it considers that the Plan would breach, or would otherwise be incompatible with any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998). In this instance the Neighbourhood Plan would cease to be part of the Development Plan.
- 5.2 However, it is not considered that the Neighbourhood Plan is in breach of this legislation. South Norfolk Council has already approved the Plan in this respect following submission of the documents to the authority.
- 5.3 In addition, the independent examiner of the Neighbourhood Plan stated that, subject to the modifications which they recommended, they were satisfied that the Neighbourhood Plan meets the basic conditions and other statutory requirements.

6 Issues and Risks

6.1 Resource implications

- 6.2 Adoption of the Neighbourhood Plan requires a small amount of officer time in order to publicise the fact that the Plan will now form part of the criteria for determining planning applications within the neighbourhood area.

- 6.3 Planning officers will have to consider the adopted Neighbourhood Plan alongside existing Local Plan documents when determining planning applications within the neighbourhood area. However, this will form part of the existing process in determining applications and should not require extra resources.
- 6.4 The adoption of the Neighbourhood Plan will mean that Tivetshalls Parish Council will receive 25% of future Community Infrastructure Levy receipts from development that is approved within their parish, for spending on local infrastructure projects.
- 6.5 **Legal implications**
- 6.6 The steps outlined in this report comply with appropriate legislation within the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (Referendums) Regulations 2012.
- 6.7 **Equality implications**
- 6.8 There are no significant equalities implications associated with the proposed Neighbourhood Plan. A full Equality Assessment was carried out in relation to the Submission Version of the Neighbourhood Plan. Given there have been no substantial changes to the Neighbourhood Plan, the original EQIA has been included with this report as Appendix 2.
- 6.9 **Environmental impact**
- 6.10 There are no significant risks associated with the environmental impact in this report.
- 6.11 **Crime and disorder**
- 6.12 There are no significant risks associated with crime and disorder in this report.
- 6.13 **Risks**
- 6.14 There are no significant risks associated with other matters covered in this report.

7 Conclusion

- 7.1 The appropriate legislation within the Neighbourhood Planning Act 2017 states that at the point of a successful outcome being declared, following a referendum, the Neighbourhood Plan in question immediately forms part of the statutory Development Plan. The adoption (or 'making') of the Plan is therefore the last formal stage in the process.
- 7.2 Unless the Council considers that the Plan would breach, or would otherwise be incompatible with any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998), then it cannot refuse to adopt the Neighbourhood Plan. As detailed in section 5 of this report, it is not considered that the Plan is in breach of this legislation.

8 Recommendations

- 8.1 The Council is **RECOMMENDED** to adopt the Tivetshalls Neighbourhood Plan, following a successful outcome at the Referendum held on 8 December 2022.

APPENDIX 1 – Declaration of Referendum Result

APPENDIX 2 – Equality Impact Assessment

Declaration of Result of Poll

Referendum on the Neighbourhood Plan for the Tivetshall Area

8 December 2022

I, Nicola Tullock, being the Deputy Counting Officer at the above referendum held on Thursday 8 December 2022 do hereby give notice that the number of votes recorded at the said Referendum on the question:

“Do you want South Norfolk Council to use the **Neighbourhood Plan for Tivetshall area** to help them decide planning applications in the neighbourhood area?”

was as follows:

	Votes	Percentage
Number of votes cast for YES	101	89%
Number of votes cast for NO	12	11%

The number of ballot papers rejected was as follows:	
a) want of official mark	
b) voting for more than one answer	
c) writing or mark by which the voter/proxy could be identified	
d) unmarked or void for uncertainty	
Total	0

The total number of votes cast was 113 Total Electorate 497

The total number of votes recorded represented 23% of the registered electors.

And I do hereby declare that the result of the Referendum is as follows

More than half of those voting have voted in favour of the Tivetshall Neighbourhood Plan

Date 8 December 2022

Nicola Tullock

Deputy Counting Officer



Equalities and Communities Impact Assessment

Name of Officer/s completing assessment: Vicky West

Date of Assessment: 15/02/2022

1. What is the proposed Policy (please provide sufficient detail)?

For the purposes of the assessment the term 'Policy' relates to any new or revised policies, practices or procedures under consideration.

The **Tivetshalls Neighbourhood Plan** is a community-led document for guiding the future development of the parish. It concerns the use and development of land between 2022 and 2042. It is the first Neighbourhood Plan that has been developed by and for the communities of Tivetshall. Once the Plan is made (adopted), it will become part of the statutory Development Plan for South Norfolk, and South Norfolk Council will use it (alongside documents making up the Local Plan) to determine planning applications covered by the neighbourhood area. The Parish Council will also use the Plan to respond to planning applications.

The Neighbourhood Plan has been developed under the Localism Act (2012) and the Neighbourhood Planning (General) Regulations 2012 (as amended), giving communities the right to shape future development at a local level. The Tivetshall Neighbourhood Plan will complement existing local and national planning policy, providing a valuable level of local detail attained through consultation with residents and businesses, as well as through desk-based research.

The Neighbourhood Plan incorporates an overall vision for the parish, a series of objectives on different themes, and a range of policies that seek to achieve these objectives. The Plan was developed over a period of two years before being submitted to South Norfolk Council in February 2022, and the process has involved an exhaustive programme of evidence gathering and community and stakeholder involvement. South Norfolk Council will shortly be considering the submitted documents to ensure they meet certain criteria, before progressing the Plan to a Regulation 16 consultation. Following this, the Plan will undergo an independent examination, a referendum and (if successful) its final adoption.

The Neighbourhood Plan vision is as follows:

'Tivetshall parish will continue to be a rural community with a range of housing types and tenures to suit all ages and incomes, supported by village amenities. Development will be appropriately located, well designed and fit within the linear character of the parish, whilst ensuring the protection of green spaces, the natural environment and local heritage. Tivetshall will remain a peaceful, quiet and friendly place to live, work and visit for current and future generations.'

The objectives that seek to achieve this are split amongst the themes of:

- Housing and design
- Business and Employment
- Access
- Environment and Landscape
- Community Infrastructure

The Neighbourhood Plan also incorporates a Design Guide and Code.

2. Which protected characteristics under the Equalities Act 2010 does this Policy impact:
(indicate whether the impact could be positive, neutral, or negative)

Protected Characteristic	Positive Impact	Neutral Impact	Negative Impact
Age	✓		
Disability	✓		
Race		✓	
Sex		✓	
Religion or Belief		✓	
Sexual Orientation		✓	
Marriage/Civil Partnership		✓	
Pregnancy/Maternity		✓	
Gender Reassignment		✓	

3. Which additional Communities characteristics does this policy impact?

Protected Characteristic	Positive Impact	Neutral Impact	Negative Impact
Health	✓		
Place inc. Rurality	✓		
Low Income and Poverty	✓		

4. What do you believe are the potential equalities impacts of this policy?

Please include:

- Partnership organisations worked with in the development of this policy
- Evidence gathered to inform your decision
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

Note: Impacts could be positive, neutral, or negative and impact groups differently

Like most Local Plan documents that are concerned with the development and use of land, the Protected Characteristics that are most impacted are Age and Disability. The former due to the pressures facing young people being able to afford housing in the community, and access employment locally, for example. Elderly people face issues such as being able to down-size to smaller, more suitable homes and being able to access community facilities. The Neighbourhood Plan takes measures to address these issues, primarily through Policy TIV2 (Housing size, type and tenure), which supports a range of housing which would provide for the needs of these different groups within the community. In addition, Policy TIV15 seeks to improve and protect existing community infrastructure as well as encourage new facilities.

The Neighbourhood Plan includes statements of evidence and justification alongside each of the proposed policies, explaining how public consultation with residents, as well as factual research, has informed the policy being proposed. One of the supporting documents published alongside the Neighbourhood Plan is a Consultation Statement which provides more detail of how and when public consultation and engagement was carried out, what the results of this were, and how these results have impacted subsequent development of the policies.

A Neighbourhood Plan Steering Group was formed by the Parish Council to lead on the project with the help of external consultants. Throughout the process the steering group ensured that the local community and stakeholders were kept informed of the process and were able to get involved in the development of the Neighbourhood Plan. Stakeholder bodies that were consulted

included Norfolk County Council, neighbouring parish and town councils, the Environment Agency, Natural England, Historic England, and South Norfolk Council, amongst others.

Communications methods used during the process included a local Neighbourhood Plan website; the parish magazine; Facebook; posters; flyers; A-boards; local radio etc. During the plan process, several public and stakeholder engagement methods were utilised, including online mapping, Zoom meetings, a business survey, a household survey and a face-to-face exhibition. This culminated in a statutory, pre-submission Neighbourhood Plan consultation that took place with the community and stakeholder bodies prior to the Plan being submitted to the Council.

The engagement and consultation process allowed the emerging policies to be discussed, tested and updated with local residents and stakeholders, before the draft Plan was finalised for submission.

Support has been provided by South Norfolk Council, in the form of officer guidance, but also through a grant award. Financial support was also provided by the national support body, Locality.

5. What do you believe are the potential communities' impacts of this policy?

Please include:

- How the policy can meet agreed priorities
- Evidence gathered to inform your decision
- Partnership organisations worked with in the development of this policy
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

Note: Impacts could be positive, neutral, or negative and impact groups differently

As explained above, the overall intention of the Neighbourhood Plan (as demonstrated by the Vision) is to encourage sustainable development and seek to benefit the entire community. The Neighbourhood Plan is required to demonstrate its contribution to sustainable development (encompassing economic, environmental and social sustainability). This is addressed in detail within the Basic Conditions Statement, which is one of the additional, supporting documents that the Parish Council is required to submit alongside its Neighbourhood Plan.

The following summary of how the Neighbourhood Plan contributes to sustainability is an excerpt from the Basic Conditions Statement:

'The plan has been formulated with Sustainable Development at its heart. The embedded theme of sustainability is reflected in the overarching vision for the plan, which reflects the three distinct strands of sustainability – economic, environmental, and social.'

The Basic Conditions Statement also assesses the Plan against the National Planning Policy Framework Sustainable Development Objectives. The following illustrates those Neighbourhood Plan objectives and policies that help to address the social sustainability objective within the NPPF:

NPPF 2021:

A social objective: 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;

Contribution through Tivetshall Neighbourhood Plan Objectives and Policies:

Objective 1: To support a range of development that is well designed and suitably located, which complements the rural character of the Tivetshalls.

Objective 2: To support new and existing businesses and employment.

Objective 3: To encourage safe and integrated routes throughout the parish, and appropriately designed parking.

Objective 4: To protect and enhance the green and open character of the parish and improve surface water drainage issues.

Objective 5: To enable a range of suitable amenities to benefit all ages in the community.

TIV1: Pattern and quantity of development

This policy looks to enhance form, character and setting of development within the parish.

TIV2: Housing size, type and tenure

This policy sets out the preferred mix of housing to be provided in new developments.

TIV3: Design guideline and codes

This policy looks to ensure that all development use the design guide to create an attractive parish in keeping with the current character.

TIV4: Non-designated Heritage Assets

This policy looks to identify and protect non-designated heritage assets.

TIV5: Employment

This policy seeks to support employment opportunities that fit with the immediate rural surroundings.

TIV6: Potential employment sites

This policy looks to support employment site proposals that have a positive visual or environmental enhancement.

TIV7: Walking. Cycling and horse riding

This policy looks to contribute and enhance the network between Tivetshall St Mary and Margaret.

TIV8: Traffic and road safety

The policy looks to ensure that planning applications identify and mitigate potential increased traffic as a result of any development.

TIV9: Parking

This policy looks to implement parking standards and minimise on street parking.

TIV10: Landscape setting and views of community importance

This policy looks to protect important views by ensuring development is positioned appropriately.

TIV11: Natural Assets

The policy looks to promote the positive conservation of the natural assets listed, with larger sites contributing to biodiversity net gain.

TIV12: Local Green Space

This policy identifies a number of Local Green Spaces within the Neighbourhood Plan area which are to be protected in accordance with the NPPF.

TIV13: Dark Skies

This policy looks to discourage the use of excessive street lighting.

TIV14: Surface Water Drainage

This policy looks to ensure that appropriate drainage methods are used to prevent/alleviate flooding issues in identified locations.

TIV15: Community infrastructure

This policy looks to improve and enhance existing community infrastructure.

6. How is it proposed that any identified negative impacts are mitigated?

Please include:

- Steps taken to mitigate, for example, other services that may be available
- If a neutral impact has been identified can a positive impact be achieved?
- If you are unable to resolve the issues highlighted during this assessment, please explain why
- How impacts will be monitored and addressed?
- Could the decision/policy be implemented in a different way?
- What is the impact if the decision/policy is not implemented?

This assessment does not identify any particular negative impacts or equalities-related issues concerning the Tivetshall Neighbourhood Plan. This is due, in large part, to the fact that the statutory planning process requires an assessment of the proposed plan's contribution to sustainable development as a matter of course. Neighbourhood Plans are required by law to have undergone appropriate community and stakeholder consultation, and to demonstrate that policies are evidenced, justified, deliverable, and sustainable.

If successful, and once made by South Norfolk Council, the Neighbourhood Plan will primarily be monitored by Tivetshall Parish Council, but the District Council will also be able to assess its implementation from a development management point of view and the determination of planning applications within the parish.

Signed by evaluator: Vicky West

Signed by responsible head of department: Helen Mellors

Please send your completed forms to the equalities lead (Victoria Parsons) to be reviewed and stored in accordance with our legal duty.

REVIEW DATE - _____

(See Page 2 for details of reviews. Please send a copy of the reviewed document to Victoria Parsons)