



**Agenda Item:  
Council  
16 October 2023**

## **ADOPTION OF DISS & DISTRICT NEIGHBOURHOOD PLAN**

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**Portfolio:** External Affairs and Policy; Stronger Economy

**Ward(s) Affected:** Beck Vale, Dickleburgh & Scole; Bressingham & Burston;  
Diss & Roydon;

**Purpose of the Report:**  
To approve the adoption of the Diss & District Neighbourhood Plan.

### **Recommendations:**

1. The Council is RECOMMENDED to adopt the Diss & District Neighbourhood Plan, following a successful outcome at the referendum held on 28 September 2023.

## **1 Summary**

- 1.1 This report provides details of the referendum held in relation to the Diss & District Neighbourhood Plan (DDNP). Following a successful result at the referendum on 28 September 2023, the report recommends that Council adopts the Diss & District Neighbourhood Plan as part of South Norfolk Council's Development Plan.

## **2 Background**

- 2.1 Diss Town Council has, since 2017 and with the surrounding parishes of Burston & Shimpling, Roydon and Scole (in South Norfolk); and Brome & Oakley, Palgrave and Stuston (in Mid Suffolk District), been preparing a multi-parish, cross-county Neighbourhood Plan. A steering group, featuring representation from each of these communities, has been leading the project with assistance from professional consultants.
- 2.2 Officers at South Norfolk Council and Mid Suffolk District Council have been working collaboratively to support and advise the DDNP Steering Group. South Norfolk Council has acted as the lead local authority in this arrangement.
- 2.3 The Neighbourhood Plan has been developed in consultation with the local communities, as well as with stakeholder bodies. The Plan seeks to guide the future development of the parish up until 2038. It includes a vision and a set of aims for the growth of the area, as well as a series of policies that look to inform and influence development within this time period.
- 2.4 In particular, the Neighbourhood Plan allocates sites for residential development within Diss and the surrounding villages within the DDNP area, in order to meet the overarching housing targets set out within the emerging Greater Norwich Local Plan and the emerging Babergh & Mid Suffolk Joint Local Plan.
- 2.5 Diss Town Council (as the 'qualifying body') submitted the Diss and District Neighbourhood Plan (DDNP) and other required documents to both South Norfolk Council and Mid Suffolk District Council in July 2022. A consultation, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations, 2012 (as amended), was subsequently carried out by both local planning authorities, which finished on 16 December 2022.
- 2.6 The Plan was subsequently subject to an independent examination and, on 19 May 2023, the Examiner issued his final report. It contains a number of recommended modifications and states that, subject to these being implemented, the DDNP meets the basic conditions and that it should proceed to a local referendum.
- 2.7 South Norfolk Council and Mid Suffolk District Council subsequently issued a joint Decision Statement detailing their intention to send the Neighbourhood Plan to a referendum, subject to modifications being made as specified by the examiner.

- 2.8 Following issuing of the Decision Statement, details of the referendum were published. The referendum was announced to be held on 28 September 2023, with details published on the South Norfolk Council and the Mid Suffolk District Council websites. Information was also made available at Diss Library and The Octagon, within Diss.
- 2.9 The Electoral Services team issued polling cards to registered electors within the neighbourhood area and made other statutory preparations for the referendum, in collaboration with the equivalent team at Babergh & Mid Suffolk District Councils.

### **3 Current Position/Findings**

- 3.1 The result of the referendum was a successful one with 84% of those who voted doing so in favour of the Neighbourhood Plan. South Norfolk Council and Mid Suffolk District Council can now formally adopt the Diss & District 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 both Councils' adoption or 'making' of the Plan, the title page and preface 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 and for Mid Suffolk.
- 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.

### **4 Proposed Action**

- 4.1 It is proposed that Council formally adopts (or 'makes') the Diss & District 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 the original 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 he recommended, he is 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 of determining applications and should not require extra resources.

6.4 The adoption of the Neighbourhood Plan will mean that Diss Town Council and the surrounding parish councils within the neighbourhood area will receive 25% of future Community Infrastructure Levy receipts from development that is approved within their respective parishes, 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 Diss & District Neighbourhood Plan, following a successful outcome at the Referendum held on 28 September 2023.

### APPENDIX 1 – Declaration of Referendum Result

### APPENDIX 2 – Equality Impact Assessment