



**Intelligent Plans**  
and examinations

# **Report on the West Saltdean Neighbourhood Development Plan 2024-2030**

**An Examination undertaken for Brighton & Hove City Council with the support of West Saltdean Neighbourhood Forum on the November 2024 submission version of the Plan.**

Independent Examiner: Derek Stebbing BA(Hons) DipEP MRTPI

Date of Report: 6 August 2025

## Contents

Main Findings - Executive Summary .....	4
1. Introduction and Background .....	4
The West Saltdean Neighbourhood Plan 2024-2030 .....	4
The Independent Examiner.....	6
The Scope of the Examination.....	6
The Basic Conditions .....	7
2. Approach to the Examination .....	8
Planning Policy Context.....	8
Submitted Documents .....	9
Examiner Questions .....	9
Site Visit .....	12
Written Representations with or without Public Hearing .....	12
Modifications.....	12
3. Procedural Compliance and Human Rights.....	12
Qualifying Body and Neighbourhood Plan Area .....	12
Plan Period .....	13
Neighbourhood Plan Preparation and Consultation .....	13
Development and Use of Land.....	14
Excluded Development .....	15
Human Rights .....	15
4. Compliance with the Basic Conditions .....	15
EU Obligations.....	15
Main Assessment .....	16
Synopsis .....	17
Specific Issues of Compliance .....	20
Achieving High Quality Design.....	20
The South Downs National Park.....	21
Creating Future Housing Stock for the Area .....	21
Conserving Local Heritage .....	23
Achieving Water Efficiencies .....	24
Achieving More Sustainable Buildings .....	24
Travel, Transport and Active Movement.....	26
Enhancing Our Open Spaces, Encouraging Biodiversity and Wildlife .....	27
Promoting and Safeguarding the Local Economy .....	29
Encouraging Day Visitors, Improving Facilities on the Beach and Undercliff and..	31

Safeguarding the Beach/Clifftop Flora and Fauna .....	31
Community Infrastructure Levy .....	32
Potential Projects that could be funded by CIL Receipts .....	32
Monitoring and Review.....	32
Appendices .....	33
Other Matters.....	33
Concluding Remarks.....	33
5. Conclusions.....	34
Summary .....	34
The Referendum and its Area .....	34
Overview .....	34
Appendix: Modifications .....	36

## Main Findings - Executive Summary

From my examination of the West Saltdean Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – the West Saltdean Neighbourhood Forum (the Forum);
- the Plan has been prepared for an area properly designated – the West Saltdean Neighbourhood Area;
- the Plan specifies the period to which it is to take effect – from 2024 to 2030; and,
- the policies relate to the development and use of land for a designated neighbourhood plan area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## 1. Introduction and Background

### The West Saltdean Neighbourhood Plan 2024-2030

- 1.1 The settlement of Saltdean lies between Brighton and Newhaven within the Brighton & Hove City Council area and the Lewes District Council area. The administrative boundary between the two authorities bisects the settlement. West Saltdean comprises that part of Saltdean falling within the Brighton & Hove City Council area whilst East Saltdean falls within Lewes district. West Saltdean is within the Rottingdean and West Saltdean electoral Ward of the City Council. East Saltdean is within the Telscombe Town Council area. Lewes District Council designated the whole of Telscombe Town, including East Saltdean, as a neighbourhood area in June 2013 and the submission draft of the Peacehaven and Telscombe Neighbourhood Plan is presently at its examination stage.<sup>1</sup>
- 1.2 Saltdean is approximately 5 miles east of Brighton City Centre, 5 miles west of Newhaven and 6 miles south of the town of Lewes. The settlement is set within areas of agricultural land and the boundary of the South Downs National Park Authority (SDNPA) extends around the

---

<sup>1</sup> View progress at: <https://www.telscombetowncouncil.gov.uk/neighbourhood-development-plan/>

existing built-up limits of Saltdean, on both its eastern and western sides and to the north.

- 1.3 Saltdean is a seaside community, and the settlement has been developed within a 'Dean' (which is the Saxon word for a dry valley) that extends southwards from the surrounding hills of the South Downs, and which forms a distinctive valley leading to the sea. Prior to 1924, there was very little development at Saltdean. In that year, land was sold for speculative housing and property development, some of which was promoted by a local entrepreneur Charles W. Neville who also developed the nearby settlement of Peacehaven and parts of Rottingdean to the west. Development progressed during the late 1920s and 1930s, and was influenced by the international Art Deco movement of that time. The most important building within the Plan area is the Art Deco Grade II\* listed Saltdean Lido, designed by R.W.H. Jones and built in 1937-1938. The Lido's pool and building have been fully restored recently and are now operated by Saltdean Lido CIC. Brighton & Hove City Council retains the freehold of the site.
- 1.4 Saltdean has a mainly shingle beach, fronted by a promenade, the Undercliff, which is accessed directly from the cliff top, the coast road and a pedestrian tunnel that goes under the coast road. The Undercliff extends westwards through to Brighton City Centre.
- 1.5 The principal road serving Saltdean is the A259 which extends along the Sussex and Kent coast from Brighton to Folkestone and serves all of the communities situated along that route. Saltdean is well served by local bus services offering connections to Brighton, Peacehaven, Seaford and Eastbourne. It is not served by rail services, and the nearest railway stations are at Brighton and Newhaven.
- 1.6 The only school in Saltdean is Saltdean Primary School, and students of secondary school age travel to schools beyond Saltdean. There is a public library situated at Saltdean Lido. There are three local shopping centres at Lustrells Vale, Longridge Avenue and Saltdean Vale, of which the centres at Lustrells Vale and Longridge Avenue are designated as Local Centres in the adopted Brighton & Hove City Plan (BHCP) Part 1. West Saltdean is primarily residential in character and most residents of working age travel outside the area for employment. The largest local employers are the Primary School, various nursing and care homes and the businesses and facilities based at Saltdean Lido.
- 1.7 The Neighbourhood Area contains six Local Wildlife Sites and the Cliff Top is a designated Site of Special Scientific Interest (SSSI) and Regionally Important Geological Site (RIGS). The Neighbourhood Area is also within 'The Living Coast' which is a designated UNESCO urban biosphere reserve that stretches between Newhaven and Shoreham-by-Sea and seeks to balance biodiversity and sustainable development.

## The Independent Examiner

- 1.8 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Brighton & Hove City Council (the City Council/BHCC), with the agreement of the West Saltdean Neighbourhood Forum.
- 1.9 I am a chartered town planner, with over 45 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.10 I am independent of the Qualifying Body and the Local Authority and do not have an interest in any of the land that may be affected by the Plan.

## The Scope of the Examination

- 1.11 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.12 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions.
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;

- it does not include provisions and policies for 'excluded development'; and
- it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.13 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### The Basic Conditions

1.14 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>2</sup>; and
- meet prescribed conditions and comply with prescribed matters.

1.15 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations').<sup>3</sup>

---

<sup>2</sup> The existing body of environmental regulation is retained in UK law.

<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

## 2.Approach to the Examination

### Planning Policy Context

- 2.1 At the date of this examination, the adopted Development Plan for this part of the Brighton & Hove City Council area, not including documents relating to excluded minerals and waste development, is the Brighton & Hove City Plan (BHCP) Parts 1 and 2 (CPP1 and CPP2) and the adopted South Downs National Park Local Plan 2014-2033 (SDLP) (adopted July 2019).
- 2.2 The Plan area is also covered by the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013) and its accompanying Sites Plan (adopted February 2017).
- 2.3 Brighton & Hove City Council is presently undertaking a review of the BHCP Parts 1 and 2 and the City Council's latest Local Development Scheme 2025-2028 (LDS) indicates that a Regulation 18 consultation on the Part 1 Preferred Strategy is scheduled for July-September 2026 and that the Regulation 19 pre-submission consultation is scheduled for Autumn 2027. In response to question No. 6 (see paragraph 2.7 below), the City Council has confirmed that (as at 19 May 2025) the preparation of the review City Plan is progressing in accordance with the LDS. A review of the SDLP is also in progress and a Regulation 18 consultation was undertaken from 20 January to 17 March 2025. The Regulation 19 pre-submission consultation stage is programmed for early-2026. Taking account of the advice in the Planning Practice Guidance (PPG) with regard to an emerging local plan<sup>4</sup>, the reviews of the BHCP and the SDLP are not yet at an advanced stage of preparation, and I have not considered any implications for this Plan arising from those reviews in my main assessment.
- 2.4 The Basic Conditions Statement (at Pages 9-16) provides a full assessment of how each of the policies proposed in the Plan are in general conformity with the relevant strategic policies in the adopted BHCP and SDLP. The draft Plan does not include a statement regarding its future Monitoring and Review and I address that deficiency at paragraph 4.80 below.
- 2.5 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The PPG offers guidance on how this policy should be implemented. Unless otherwise stated, all references in this report are to the December 2023 NPPF and its accompanying PPG as the draft Plan was submitted for examination on 1 November 2024.<sup>5</sup>

---

<sup>4</sup> PPG Reference ID: 41-009-20190509.

<sup>5</sup> A revised NPPF was published on 12 December 2024 which includes transitional arrangements for neighbourhood plans. Paragraph 239 of the December 2024 NPPF advises that it will only apply to neighbourhood plans that were submitted after 12 March 2025.

## Submitted Documents

2.6 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- The submission version of the West Saltdean Neighbourhood Plan 2024-2030 (October 2024) and its ten Appendices, including, the
  - West Saltdean Design Guidance and Codes (AECOM) (January 2024);
  - West Saltdean Housing Needs Assessment (HNA) (AECOM) (August 2023); and
  - Local Green Space Assessment (West Saltdean Neighbourhood Forum) (June 2024);
- the Basic Conditions Statement (October 2024);
- the Consultation Statement and Appendices A-C (October 2024);
- the Strategic Environmental Assessment (SEA) Screening Report and the Habitats Regulations Assessment (HRA) Screening Assessment Report (March 2024);
- the Equalities Impact Assessment for the West Saltdean Neighbourhood Plan (October 2024); and
- all the representations that have been made in accordance with the Regulation 16 consultation.<sup>6</sup>

## Examiner Questions

2.7 Following my appointment as the independent examiner and my initial review of the draft Plan, its supporting documents and representations made at the Regulation 16 stage, I wrote to the City Council and the Forum on 15 May 2025<sup>7</sup> seeking further clarification and information on six matters contained in the submission Plan, as follows:

- Firstly, with regard to Policy WS2 (South Downs National Park) in the draft Plan, I noted that, as drafted, this Policy is rather limited in providing guidance on the acceptability or otherwise of proposals for new developments within or impacting upon the National Park, apart from stating that development should have a landscape-led approach to design. Furthermore, there is no supporting text to justify the Policy or to provide any additional policy guidance for its future implementation. I therefore requested that the Qualifying Body and the National Park Authority review this draft Policy and provide me with a note, setting out how the Policy and its supporting text can be enhanced to provide additional detail for future users of the Plan. Specifically, I requested that it should explain how proposals for new development within, or impacting upon, the National Park should be assessed in terms of their design, visual impact, height, massing, etc. I further noted that, in

---

<sup>6</sup> View at: <https://www.brighton-hove.gov.uk/planning/planning-city/west-saltdean-neighbourhood-area-and-forum>. Also see: <https://wsnf.co.uk/external-reports/>

<sup>7</sup> View at: <https://www.brighton-hove.gov.uk/planning/planning-city/west-saltdean-neighbourhood-area-and-forum>

this context, it may be appropriate to make references to relevant adopted policies in the South Downs Local Plan 2014-2033 and any relevant supplementary guidance that is published by the National Park Authority.

- Secondly, with regard to Policy WS5 (Adaptable Housing) in the draft Plan, I noted that, as drafted, the Policy contains a number of potential internal contradictions for its effective implementation. For example, a proposal which complies fully with clauses 2-4 and 6 of the Policy's requirements, could then fail to meet the requirements of the Policy as a whole by virtue of not complying with Clause 5. I also noted that, with regard to Clause 5, I considered that its thresholds are somewhat arbitrary, namely there being "*no more than one similar unit within 400 metres*". Prior to my detailed assessment of the Policy, I requested that the Qualifying Body direct me to appropriate supporting evidence that justifies the necessity for Clause 5 of the Policy, as there is no indication in the supporting text, e.g. at paragraph 5.3.6, as to why such a clause is necessary for the development of new assisted living units and other specialist housing within the Plan area. I therefore requested that the Qualifying Body review the points that I had raised and provide me with a note that points to the evidence justifying the necessity for the restrictions imposed by Clause 5 of this draft Policy.
- Thirdly, with regard to Policy WS8 (Small-scale Renewable Energy Projects including Community Energy Scheme) in the draft Plan, it was my initial assessment that the Policy requires some significant re-drafting in order that it can be an effective and more concise planning policy for small-scale renewable energy projects within the Plan area. As drafted, the policy sets out certain matters that "*will be acceptable*" or "*will be rejected*". The responsibility for approving or refusing planning applications rests with the City Council and the Policies in the draft Plan can therefore only state that matters would be supported, encouraged or not supported, etc. (I also noted that a number of other Policies also refer to proposals being "*rejected*" or "*refused*", e.g., Policies WS6, WS12 and WS16, and commented that the Qualifying Body may wish to review the wording of those Policies and suggest appropriate focused drafting amendments to address that matter). I considered that the Policy should be seeking to encourage the development of appropriate small-scale renewable energy projects, in order to contribute towards meeting the City Council's Climate Change objectives. Clauses 2, 5 and 6 of the Policy are not central to that over-riding policy objective, and I considered could, rather more appropriately, be the subject of supporting explanatory text (within paragraphs 5.6.1-5.6.6). I further noted that the City Council had made detailed comments regarding this Policy at the Regulation 14 consultation stage, a number of which were repeated at the recent Regulation 16 consultation stage. I indicated that I would take account of the City Council's comments in my own assessment of the Policy. I therefore requested that the Qualifying Body review the various points

that I had made, and provide me with a note that sets out potential drafting amendments to the Policy text that provide the necessary support and encouragement for the development of those renewable energy projects that would require planning permission from the City Council.

- Fourthly, with regard to Policy WS11 (Protecting Local Green Spaces) in the draft Plan, I noted that the City Council, in its Regulation 16 consultation response, had made some detailed comments regarding the boundary of Site 1 (Saltdean United Football Ground and North Saltdean Recreation Ground) and the maps for Sites 5 (Hailsham Avenue) and 6 (Stanmer Avenue). I further noted that the National Park Authority had made comments regarding the maps for Sites 2 (Looes Barn Close) and 4 (Coombe Farm new housing estate). I stated that, if the Qualifying Body agrees with the points made by the City Council and the National Park Authority, could it please supply me with revised maps for Sites 1, 2, 4, 5 and 6 that I may consider as potential modifications to the draft Plan. (In addition, I observed that the site area of Site 1 would be reduced, and I requested that the Qualifying Body advise me of the reduced site area, which is presently 3.5 acres). Furthermore, the draft Policy refers to "Appendix A", and I sought the Qualifying Body's confirmation that this should read "Appendix 5". Appendix 5 suggests that the owner of Site 3 (Westfield Avenue North and South), which is Brighton & Hove City Council, had not been informed of the proposed designation of the site as a Local Green Space. The City Council had not objected to the proposed designation, but did comment that it is a Local Wildlife Site (Ref. BH72). I therefore sought the Qualifying Body's confirmation that the City Council, as the landowner, had been formally advised of the proposed designation of Site 3, and I also requested that the Qualifying Body provide revised text for the site details (on Page 29 of the draft Plan) that includes suitable reference to the designated Local Wildlife Site.
- Fifthly, with regard to Policy WS12 (Enhancing Local Green Spaces, Biodiversity and Wildlife) in the draft Plan, I observed that at Part 3 of this draft Policy, but nowhere else in the Plan, reference is made to "*the Wildlife Corridor*". I therefore requested that the Qualifying Body provide me with a full note providing the necessary explanation and justification for the proposed Wildlife Corridor.
- Finally, with regard to the emerging review of the adopted City Plan Parts 1 and 2, I sought the City Council's confirmation that the emerging new City Plan 2041 is progressing in accordance with the Local Development Scheme (LDS) 2025-2028, with a further Regulation 18 consultation scheduled for Winter 2025/26 and Regulation 19 pre-submission consultation scheduled for Spring/Summer 2026.

2.8 In response to my letter of 15 May 2025, the City Council and the Qualifying Body provided me with responses to the questions on 12 June

2025.<sup>8</sup> I have taken account of the additional information contained in these responses as part of my full assessment of the draft Plan, alongside the documents listed at paragraphs 2.6 above.

### Site Visit

2.9 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7 June 2025 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

### Written Representations with or without Public Hearing

2.10 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases the information provided has enabled me to reach a conclusion on the matters concerned.

### Modifications

2.11 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

3.1 The draft Plan has been prepared and submitted for examination by the West Saltdean Neighbourhood Forum. The West Saltdean Neighbourhood Forum submitted an application to the City Council in March 2022 for a neighbourhood area and to have its Forum formally designated. The Neighbourhood Area and Forum applications were subject to public consultation for six weeks between 10 May and 21 June 2022 and were approved by the City Council's Executive Director - Economy, Environment & Culture on 23 August 2022. As the Neighbourhood Area extends into the South Downs National Park, the applications were also considered by

---

<sup>8</sup> View at: <https://www.brighton-hove.gov.uk/planning/planning-city/west-saltdean-neighbourhood-plan-examination-documents>

the SDNPA.<sup>9</sup> The Neighbourhood Area was designated as the West Saltdean Neighbourhood Area, and membership of the Forum was open to all people who live and work within the Neighbourhood Area. The initial membership of the Forum comprised 21 members who live and work within the area, including an elected Ward Councillor.

- 3.2 The designated Neighbourhood Area comprises the whole of the West Saltdean area that lies within the BHCC administrative area, part of which is also within the SDNPA area. The submission Plan contains a map (Map 1) of the designated area at Page 2. The West Saltdean Neighbourhood Plan is the only Neighbourhood Plan in the designated area.
- 3.3 The Neighbourhood Forum is the designated body for the preparation of the Plan. The preparation of the Plan has been coordinated through the work of five Steering Groups, covering the topics of Transport, Open Spaces and Biodiversity, Business and Economy, Community Spaces and the Beach Front.

#### Plan Period

- 3.4 The draft Plan specifies on its front cover and on Page 4 the period to which it is to take effect, which is from 2024 to 2030. This aligns with the end date of the adopted BHCP Part 1, whilst the adopted SDLP extends to 2033.

#### Neighbourhood Plan Preparation and Consultation

- 3.5 The Consultation Statement and its Appendices sets out a full record of the Plan's preparation and its associated engagement and consultation activity. The decision to undertake the preparation of the Neighbourhood Plan was taken in March 2022, alongside the applications for the designation of the Neighbourhood Area and the Neighbourhood Forum. As noted, these applications were approved in August 2022.
- 3.6 The preparation of the draft Plan has involved four key stages. Stage 1 was the initial consultative work within the West Saltdean community and the identification of the key issues and themes that the Plan would need to address. This work was undertaken in Autumn 2022, and included a newsletter and survey form distributed to every household and business in West Saltdean.
- 3.7 Stage 2 extended through 2023 and involved the analysis of the survey results and the preparation of the first draft of proposed policies to be included in the draft Plan. Regular meetings were held with the Saltdean Residents' Association during this period to keep residents updated on the

---

<sup>9</sup> The SDNPA designated the part of the West Saltdean Neighbourhood Area and West Saltdean Neighbourhood Forum that are within the National Park on 30 August 2022:

<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/west-saltdean-neighbourhood-forum/>

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

progress with the preparation of the Plan. Supporting evidence and studies were also procured during this period, notably the West Saltdean Design Guidance and Codes and the West Saltdean Housing Needs Assessment, completed by AECOM in January 2024 and August 2023 respectively.

- 3.8 Stage 3 extended from January 2024 through to Summer 2024, with work on the drafting of the Plan, and its publication for Regulation 14 pre-submission public consultation for a period of seven weeks from 12 May to 30 June 2024. The consultation was accompanied by extensive local publicity, a leaflet to every household and business, letters to the owners of land identified as proposed Local Green Spaces and specific consultations to key stakeholders and organisations with interests in West Saltdean. The consultation responses that were received are fully recorded at Pages 5-13 of the Consultation Statement and, in the case of the statutory consultees and other stakeholders, at Appendix A to the Consultation Statement.
- 3.9 Stage 4 commenced following the Regulation 14 pre-submission consultation and involved amendments to the draft Plan, where considered appropriate to take account of the responses received during the consultation (and such amendments and other changes are also fully recorded in the Consultation Statement). This stage concluded with the formal submission of the draft Plan to the City Council for examination on 1 November 2024.
- 3.10 The Consultation Statement provides a comprehensive record of the community engagement and consultation that was undertaken during the preparation of the Plan, including summaries of the various issues that were identified during the engagement process.
- 3.11 The Regulation 16 consultation was then held for a period of six weeks from 27 January to 10 March 2025. I have taken account of the 75 comments that were received from 28 respondents including the SDNPA during that consultation, as well as the Consultation Statement. Additionally, I have taken account of the detailed comments made by the City Council on the submission draft Plan. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

#### Development and Use of Land

- 3.12 I am satisfied that the draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

## Excluded Development

- 3.13 From my review of the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.<sup>10</sup>

## Human Rights

- 3.14 Neither the City Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the Objectives and Policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 The City Council issued a Strategic Environmental Assessment (SEA) Screening Report in March 2024 in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations'). This Screening Report was submitted alongside the draft Plan and, in summary (at Section 6), states that, on the basis of the assessment that was undertaken, significant adverse effects arising from the draft Plan are unlikely and that an SEA is not required. The results of the Screening Assessment were the subject of consultation with the Environment Agency, Natural England and Historic England between 5 February and 18 March 2024, and none of these bodies raised any concerns such that an SEA would be required for the Plan. Their full responses are included at Appendix C to the Screening Report.
- 4.2 I have considered the SEA methodology by which the Plan was duly screened to determine whether the Plan is likely to have significant environmental effects, bearing in mind also that the policies in the adopted BHCP were also subject to separate Sustainability Appraisal at various stages. Overall, I am satisfied that a proportionate approach has been taken and that the Plan was screened to take full account of any potential environmental effects upon interests of importance in the Plan area.
- 4.3 The Plan was also screened by the City Council in March 2024 in order to establish whether the Plan required a Habitats Regulations Assessment

---

<sup>10</sup> The meaning of 'excluded development' is set out in s.61K of the 1990 Act.  
Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL  
Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

(HRA) in accordance with the Habitats Regulations. There is one site of European importance approximately three kilometres to the north-west of the Plan area, which is the Castle Hill Special Area of Conservation (SAC). There are also some other sites of European importance within 20 kilometres from the City Council area including the Lewes Downs SAC, the Ashdown Forest Special Protection Area (SPA) and SAC and the Arun Valley SPA. The HRA Screening Report notes (at Sections 5 and 6) that HRA screening was undertaken for the adopted BHCP Parts 1 and 2 and that the growth resulting from the BHCP, with an increased trajectory to 2033, would not have any likely significant effect on European designated sites, either alone or in combination with growth from other areas.

- 4.4 The HRA Screening Report concludes (at Section 7) that it is considered that the existing HRA assessments cover the impacts of the Neighbourhood Plan and that it does not require its own HRA screening assessment or further detailed assessment under the 2017 Regulations. I have also noted that Natural England (in a consultation response dated 14 March 2024) has not raised any concerns regarding the necessity for an HRA.
- 4.5 Therefore, I consider that on the basis of the information provided and my independent consideration of the SEA/HRA Screening Report and the Plan itself, I am satisfied that the Plan is compatible with EU obligations under retained EU law.

### Main Assessment

- 4.6 The NPPF states (at paragraph 30) that "*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan*" and also that "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*". The NPPF (at paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.
- 4.7 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.14 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.
- 4.8 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 16 policies, which address the following

themes: Achieving High Quality Design; The South Downs National Park; Creating Future Housing Stock for the Area; Conserving Local Heritage; Achieving Water Efficiencies; Achieving More Sustainable Buildings; Travel, Transport and Active Movement; Enhancing Our Open Spaces, Encouraging Biodiversity and Wildlife; Promoting and Safeguarding the Local Economy; and, Encouraging Day Visitors, Improving Facilities on the Beach and Undercliff and Safeguarding the Beach/Cliff-top Flora and Fauna. As part of that assessment, I consider whether the Policies in the Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>11</sup> I recommend some modifications as a result.

## Synopsis

- 4.9 The Plan is addressing a period up to 2030 and seeks to ensure that West Saltdean will be a good place to live, work and visit with a good quality of life for its residents. The Plan seeks to make West Saltdean a healthier, more sustainable environment with good access to quality open spaces, including the South Downs National Park, and with thriving shops, businesses and community groups. Section 5 of the Plan contains specific policies in respect of each of the themes listed above.
- 4.10 Section 1 of the Plan provides an introduction to the Plan following the designation of the Neighbourhood Area in August 2022. The City Council has made detailed comments regarding Map 1 which precedes Section 1. In addition to showing the designated Neighbourhood Area, it also shows certain BHCP policies that affect parts of the area. However, the title of the Map is incorrect (as it does not depict Local Green Space (LGS) designations or the Wildlife Corridor) and, at the small scale of this map, the depiction of other BHCP policy notations detracts markedly from the clarity of the map, and which will be difficult for users of the Plan to interpret with accuracy. In my assessment, this map should only depict the designated Neighbourhood Area, the Built-Up Area boundary and that part of the South Downs National Park (SDNP) area that lies within the Neighbourhood Area. The BHCP policy content and other notations should be removed, in order to improve its clarity. I therefore recommend modification **PM1** accordingly.
- 4.11 Section 2 of the Plan, entitled 'Vision, Aims, Objectives, Policies vs Projects', contains the Plan's Vision, Aims and Objectives. It notes that the Plan contains both Policies and Projects. The Projects are largely covered in Section 7 of the Plan. However, as none of the potential Projects are the subject of land-use planning policies, I have not considered the Projects as part of this examination.

---

<sup>11</sup> PPG Reference ID: 41-041-20140306.

4.12 The Plan's Vision is as follows:

*"Our Vision*

*In 2030 West Saltdean will be a great place to live, work and visit with a good quality of life for residents.*

*We will have preserved and enhanced the unique local character of West Saltdean's built environment and open spaces including the seafront and SDNPA.*

*We will have ensured that the infrastructure is in place to support existing and new residents, businesses and community groups.*

*We will have made West Saltdean a healthier, more sustainable environment with good access to quality open spaces, including SDNPA and thriving shops, businesses and community-run Buildings."*

4.13 The Plan's Aims are as follows:

*"We will have projects that conserve and improve the unique local character of West Saltdean's built environment and open spaces including the seafront and SDNPA.*

*We will establish infrastructure to support existing and new residents, businesses and community groups.*

*We will work to create a healthier, more sustainable environment with good access to quality open spaces and thriving shops, businesses and community-run buildings and land.*

*We will work with residents and businesses to create more sustainable buildings that are more energy and water efficient."*

4.14 The Plan contains nine Objectives, which are derived from the Aims of the Plan, as follows:

- To ensure that all new developments will be designed so that they enhance and complement existing buildings.
- To ensure that improvements to existing walking and cycling routes will be made to encourage and enable more active travel including into, and within, the SDNPA.
- To conserve and enhance green and open spaces in West Saltdean by securing Local Green Space designation for a number of sites which meet the related criteria.
- To protect and improve the biodiversity and wildlife located in West Saltdean's green and open spaces including the SDNPA.
- To create the conditions for success for retail outlets and businesses and to support sustainable trade, tourism and economic development.
- To ensure that the beach and undercliff remain attractive and well-maintained destinations with facilities for visitors and residents of all

- ages.
  - To protect and maintain good quality, accessible and fit-for purpose community facilities within West Saltdean which promote community cohesion and social inclusion.
  - To ensure that CIL money is secured for new and existing facilities in the neighbourhood plan area.
  - To ensure that planning applicants fully engage with residents during the planning process.
- 4.15 Section 3 of the draft Plan, entitled 'West Saltdean Today', provides key socio-economic data regarding West Saltdean, a brief history of the settlement's development and sets out the key issues that were identified by residents in the household survey undertaken in Autumn 2022. Those key issues are:
- Lack of affordable housing for families, couples and single person households
  - Family homes being converted into nursing/care homes or short-term rentals
  - Need to protect the remaining green spaces from over-development and increase biodiversity
  - Increasing congestion on the A259
  - Deteriorating bus service
  - Poorly maintained pavements that discourage walking
  - Hilly topology discouraging cycling
  - Economic situation and low footfall preventing new retail offerings
  - Declining numbers at Saltdean Primary School (following trend across Brighton & Hove).
- 4.16 Section 4 of the draft Plan, entitled 'West Saltdean Tomorrow' is a brief section stating that West Saltdean has limited opportunities for urban growth and that, where developments are proposed, there needs to be policies that can help deliver a sustainable approach which enables the wider community to engage, and delivers a balance between existing and new homes.
- 4.17 Section 5 of the draft Plan contains the 16 Local Area Policies and is in ten parts covering the various themes of the Plan. The Basic Conditions Statement (at Section 3 and at Table 1) describes how the Plan, and its Policies, has regard to national policies contained in the NPPF and (at Table 2) contributes to the achievement of sustainable development. DPFHDPF Table 3 within Section 3 of the Basic Conditions Statement sets out how each of the Plan's 16 policies are in general conformity with the strategic policies in the adopted BHCP Parts 1 and 2 (2016 and 2022) and the adopted SDLP (2019).
- 4.18 I consider that overall, subject to the detailed modifications which I recommend to specific policies below, that individually and collectively the Plan's policies will contribute to the achievement of sustainable patterns of development. There are a number of detailed matters which require amendment to ensure that the policies have the necessary regard to

national policy and the strategic policies of the City Council and the South Downs National Park Authority. Accordingly, I recommend modifications in this report in order to address those matters.

### Specific Issues of Compliance

4.19 I turn now to consider the proposed Policies in the draft Plan, and I take into account, where appropriate, the representations that have been made concerning those policies, together with the responses by the Qualifying Body and the City Council to my questions (see paragraphs 2.7 and 2.8 above). Section 5 of the Plan sets out the proposed policies for the Plan area under the headings defined in paragraph 4.8 above.

### Achieving High Quality Design

4.20 Section 5.1 of the draft Plan addresses the theme of Achieving Good Design within the Plan area and contains one policy (Policy WS1) to meet the Plan's Objective to ensure that all new developments will be designed so that they enhance and complement existing buildings.

4.21 Policy WS1 (Achieving High Quality Design) is in five parts and states that:

- "1. All proposals for development should demonstrate how they have taken into consideration the SPD 17 Urban Design Framework and the West Saltdean design guidance and codes (Appendix 1).
2. All proposals for development should be designed to a high standard, using sustainable materials suitable for the location and setting out how materials have considered "Zero Avoidable Waste" in construction.<sup>12</sup>
3. All proposals should demonstrate consideration to the existing form and street scene in terms of scale, mass, height, siting, character, spacing and materials.
4. Proposals for development should be sympathetic to West Saltdean's local character and history, which includes the spaces around buildings, landscape settings and filtered views.
5. Proposals should seek to protect existing landscaping features and enhance urban greening of the site by retaining existing trees and hedges and using planting rather than fencing or walls for boundary treatments."

The City Council has made detailed comments regarding this Policy and suggests amendments to Part 2 of the Policy text. I concur with those suggestions, and I also consider that several focused amendments to the Policy and text are required to ensure the necessary clarity and accuracy. These amendments are addressed by recommended modification **PM2**.

---

<sup>12</sup> Examiner's note – 'Zero Avoidable Waste' refers to the Government's Waste Prevention Programme for England, published in August 2023, and specifically to the Routemap for Net Zero Avoidable Waste in Construction by 2050).

4.22 With recommended modification PM2, I consider that the draft Plan's section on Achieving High Quality Design and its accompanying policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### The South Downs National Park

4.23 Section 5.2 of the draft Plan addresses the theme of the South Downs National Park and contains one policy (Policy WS2) concerning development proposals that are within, or impacting upon, the National Park.

4.24 Policy WS2 (South Downs National Park) states that development within, or impacting upon, the SDNPA should have a landscape-led approach to design, having regard to the setting of the National Park in terms of its landscape and visual amenity. It further states that development within or impacting upon the SDNPA must respect the landscape setting of West Saltdean, including meeting the purposes of the SDNPA.

4.25 Upon my initial assessment of the draft Plan, I noted that, as drafted, this Policy is rather limited in providing guidance on the acceptability or otherwise of proposals for new developments within or impacting upon the National Park, and that there is no supporting text to justify the Policy or to provide any additional policy guidance for its future implementation. I raised this issue with the Qualifying Body as the first of my questions (see paragraph 2.7 above). In my full assessment of the Policy, I have taken into consideration the Qualifying Body's response to the matters raised in my question and the comments of the City Council regarding this Policy. I consider that an amendment is necessary to the Policy text, for accuracy, and that the Policy should be accompanied by appropriate supporting text and justification. These necessary amendments are addressed by recommended modification **PM3**.

4.26 With recommended modification PM3, I consider that the draft Plan's section on the South Downs National Park and its accompanying Policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Creating Future Housing Stock for the Area

4.27 Section 5.3 of the draft Plan addresses the theme of Creating Future Housing Stock for the area and contains three policies (Policies WS3-WS5) concerning the residential developments within the Plan area.

4.28 Policy WS3 (Affordable Housing) states that planning applications involving affordable housing should have regard to the local needs

identified in the West Saltdean Housing Needs Assessment (HNA) 2023, which is at Appendix 2 to the Plan. In particular, it states that schemes should prioritise afforded rented tenures at 65% with affordable home ownership products at 35% and that viability assessments should be undertaken in accordance with the NPPF and guidance published by the Royal Institution of Chartered Surveyors (RICS).

4.29 The City Council has made a comment regarding this Policy. I concur with that comment, and recommend an amendment to the Policy text accordingly which is addressed by recommended modification **PM4**.

4.30 Policy WS4 (Other Types of Low-Cost and Specialist Housing) states that planning applications that provide the following elements will be supported:

1. Well-designed schemes developed through community land trusts, housing associations or co-operative housing schemes which demonstrate that they help meet the needs of the local area.
2. Well-designed schemes which involve the provision of land for self-build projects which demonstrate that they help meet the needs of the local area.
3. Applications for specialised housing/accommodation which have regards to the local needs identified in the West Saltdean HNA.
4. Housing for older people provided in partnership with specialist developers which will provide a greater choice of sheltered housing options for people who want to move in later life.

4.31 I am satisfied that this Policy is suitably drafted, subject to two focused amendments to Part 3 of the Policy text, for improved clarity. These amendments are addressed by recommended modification **PM5**.

4.32 Policy WS5 (Adaptable Housing) is a lengthy Policy and states that support will be given for adaptation of existing buildings to create high-quality sustainable accommodation suitable for people of differing levels of physical and mental abilities that adhere to existing BHCP policies. It goes on to advise that adapted housing proposals will need to demonstrate that the intended units will meet an identified local need and be easily accessible to shops, public transport, medical facilities, community facilities and services appropriate to the needs of the intended occupiers. Proposals should also demonstrate that they meet or exceed the Building Regulations requirements for "Accessible and adaptable dwellings" (M4(2)) or successor regulations. It also states that developments and adaptations should include adequate amenity space indoors as well as outdoors and, where appropriate, should consider opportunities for sitting together, socialising, gardening and the promotion of active leisure and community pursuits. Where appropriate, proposals should provide suitable facilities for care/medical staff and visitors, such as day rooms, dedicated parking, additional washrooms and overnight accommodation. The Policy provides that proposals for new assisted living units and other specialist housing will only be supported if there is no more than one similar unit

within 400 metres and indicates that this is because such developments create more traffic movements and will put increased pressure on the on-street parking. Finally, it outlines that proposals to extend an existing facility into an adjoining property will be supported subject to additional off-street parking being made available for visitors and site employees.

- 4.33 Upon my initial assessment of the draft Plan, I noted that, as drafted, this Policy contains a number of potential internal contradictions for its effective implementation. For example, a proposal which complies fully with Parts 2-4 and 6 of the Policy's requirements, could then fail to meet the requirements of the Policy by virtue of not complying with Part 5. I raised such concerns with the Qualifying Body as the second of my questions (see paragraph 2.7 above), and have taken the Qualifying Body's response into consideration, together with the comments of the City Council, as part of my detailed assessment. It is the case that parts of the Policy do duplicate policy requirements in the adopted BHCP. However, I recognise the justification for the Policy and Part 1 of the Policy text acknowledges the need for proposals to adhere to relevant BHCP policies. Nevertheless, I do not identify any justification or evidence that supports Part 5 of the Policy, and I conclude that this part of the Policy should be deleted. In my assessment, the broader issue of increased on-street car parking in West Saltdean cannot, and should not, be linked directly to development proposals covered by this Policy when compared to other categories of development, including that generated by existing dwellings and businesses. This necessary amendment to the Policy text is addressed by recommended modification **PM6**.
- 4.34 With recommended modifications PM4-PM6, I consider that the draft Plan's section on Creating Future Housing Stock for the Area and its accompanying Policies is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Conserving Local Heritage

- 4.35 Section 5.4 of the draft Plan addresses the theme of Conserving Local Heritage within the Plan area and contains one policy (Policy WS6) to address this theme.
- 4.36 Policy WS6 (Conserving Local Heritage) states that proposals to replace the existing green-tiled roofs on buildings with tiles of another colour will be rejected. It goes on to state that any development of dwellings on plots identified as being a typical house type or a building of note in the West Saltdean Design Guidance and Codes (at Appendix 1 to the Plan) should preserve the features that contribute to West Saltdean's special character, including architectural details, materials, scale, plot coverage and boundary treatments.

- 4.37 The City Council has made a number of comments regarding this Policy, which I have considered alongside my own assessment. I consider that a number of amendments are necessary to ensure the Policy's requirements are clear, for the benefit of users of the Plan, and these are addressed by recommended modification **PM7**.
- 4.38 With recommended modification PM7, I consider that the draft Plan's section on Conserving Local Heritage and its accompanying Policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Achieving Water Efficiencies

- 4.39 Section 5.5 of the draft Plan addresses the theme of Achieving Water Efficiencies within the Plan area and contains one policy (Policy WS7) to promote water efficiencies in new developments, by measures such as water recycling, harvesting and conservation.
- 4.40 Policy WS7 (Incorporating Sustainable Drainage and Water Efficiency Measures) states that all developments within the Plan area should seek to incorporate Sustainable Drainage Systems and proposals should incorporate, where possible, rainwater harvesting and water recycling measures, and, through landscape design, maximise the use of permeable surfacing that allows surface water run-off to be infiltrated where possible.
- 4.41 I have taken into account the representations made by Southern Water concerning this Policy, and recommend a series of amendments to the Policy text to ensure that it provides appropriate and clear guidance for users of the Plan. These amendments are addressed by recommended modification **PM8**.
- 4.42 With recommended modification PM8, I consider that the draft Plan's section on Achieving Water Efficiencies and its accompanying Policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Achieving More Sustainable Buildings

- 4.43 Section 5.6 of the draft Plan addresses the theme of Achieving More Sustainable Buildings within the Plan area and contains one Policy (Policy WS8).
- 4.44 Policy WS8 (Small Scale Renewable Energy Projects including Community Energy Scheme) is in six parts and states that:
1. Applications for small scale\* renewable energy projects to (part)

power new or retro-fit buildings that are not submitted under Permitted Development will be acceptable.

[\*Small-scale is defined as roof-mounted solar panels and micro-wind turbines, surface or underground battery storage (internal or external), and EV battery exports (from charging points) for both residential community and BHCC-owned assets].

2. Applications from community-led or by a not-for-profit organisation such as a Co-operative are welcomed.
3. Such projects must demonstrate the current carbon footprint for the buildings and how the scheme will reduce this and when.
4. Any application that includes renewable energy must conserve and enhance the landscape and should be sensitively designed, taking account of noise, air pollution and long-term management.
5. The ground-mounting of on-premise installations which involves the paving-over of lawns or other green spaces is strongly discouraged unless technically essential.
6. Planning applications for new build homes with coal/wood fireplaces and wood burning stoves will be rejected.

4.45 Upon my initial assessment of the draft Plan, I considered that this Policy requires some substantive re-drafting in order that it can be an effective and more concise planning policy for small-scale renewable energy projects within the Plan area. I also noted that the City Council had made detailed comments regarding this Policy at the Regulation 14 consultation stage, a number of which were repeated at the Regulation 16 consultation stage. Accordingly, as the third of my questions (see paragraph 2.7 above), I requested that the Qualifying Body review the various points that I had made, and provide me with a note that sets out potential drafting amendments to the Policy text that provide the necessary support and encouragement for the development of those renewable energy projects that would require planning permission from the City Council. I have taken account of the Qualifying Body's response, alongside the other representations that have been made concerning the Policy.

4.46 I consider that a series of amendments are necessary to the Policy text and its supporting text, including the addition of further supporting text, in order that this Policy can be implemented effectively and that it provides appropriately clear guidance for users of the Plan. Recommended modification **PM9** addresses the necessary revisions to this Policy and its supporting text.

4.47 With recommended modification PM9, I consider that the draft Plan's section on Achieving More Sustainable Buildings and its accompanying Policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## Travel, Transport and Active Movement

- 4.48 Section 5.7 of the draft Plan addresses the theme of Travel, Transport and Active Movement within the Plan area and contains two policies (Policy WS9 and WS10).
- 4.49 Policy WS9 (Encouraging and Enabling Better Travel Planning) is in three parts and states, firstly, that planning applications that would result in a net gain of three or more dwellings should set out the site connectivity to nearby services and community spaces. Secondly, it states that transport statements/ assessments should positively encourage higher levels of walking, cycling and public transport use by demonstrating how the proposed scheme links to existing walking, cycling and public transport infrastructure and where possible providing new or improved facilities to achieve this. Thirdly, it states that for major proposals where a new development is proposing new footways and vehicle highways that will not be managed by either the City Council or the SDNPA, a long term management strategy for their maintenance should be submitted.
- 4.50 The City Council has made two comments regarding the text of this Policy. I concur with those comments and recommended modification **PM10** sets out the necessary amendments to the Policy text.
- 4.51 Policy WS10 (Parking) is also in three parts and states, firstly, that planning applications that would result in a net gain of dwellings should include dedicated off-street vehicle parking spaces unless they are specified as car-free. Secondly, it states that parking provided on driveways should be designed to minimise the visual impact on the street scheme and that new parking spaces should have greenery incorporated on boundaries. Thirdly, it states that the removal of grass verges or trees to enable access to a new parking space is prohibited.
- 4.52 The City Council has also made a number of comments regarding this Policy. I concur with these comments, and in particular with the comment regarding the lack of a definition for 'car-free' dwellings, which in practice would be extremely difficult to control and enforce by the Local Planning Authority.
- 4.53 I therefore recommend a series of amendments to this Policy, in order that it provides the necessary clarity for users of the Plan, and also to correct a typographical error. These amendments are addressed by recommended modification **PM11**.
- 4.54 With recommended modifications PM10 and PM11, I consider that the draft Plan's section on Travel, Transport and Active Movement and its accompanying Policies is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## Enhancing Our Open Spaces, Encouraging Biodiversity and Wildlife

- 4.55 Section 5.8 of the draft Plan addresses the theme of Enhancing Our Open Spaces, Encouraging Biodiversity and Wildlife within the Plan area and contains two policies (Policies WS11 and WS12) to meet the Plan's twin Objectives of seeking to conserve and enhance green and open spaces in West Saltdean by securing Local Green Space designation for a number of sites which meet the related criteria and seeking to protect and improve the biodiversity and wildlife located in West Saltdean's green and open spaces including the South Downs National Park.
- 4.56 Policy WS11 (Protecting Local Green Spaces) states that the following 16 areas listed below and described within Appendix A (which should correctly be Appendix 5) are designated as Local Green Spaces.
1. SUFC and North Saltdean Recreation Ground\*
  2. Looes Barn Close. (Land behind\*)
  3. Westfield Avenue North and South\*
  4. Coombe Farm new housing estate\*\*
  5. Hailsham Avenue\*
  6. Stanmer Avenue\*
  7. Hempstead Road\*
  8. Mount Estate Plot 1\*\*\*
  9. Mount Estate Plot 2\*\*
  10. Mount Estate Plot 3\*\*
  11. Saltdean Primary School\*
  12. St Nicholas Church\*\*\*\*
  13. Saltdean Vale\*
  14. Saltdean Oval Park\*
  15. Saltdean Lido\*\*\*
  16. The Cliff Top\*

The ownership of the sites is coded above, as follows:

- \* Owned by Brighton & Hove City Council (BHCC)
- \*\* Privately owned
- \*\*\* Owned by Community Interest Companies  
(The freehold of Saltdean Lido is owned by BHCC)
- \*\*\*\* Owned by the Church of England

- 4.57 Upon my initial assessment of this Policy and the representations that had been made at the Regulation 16 consultation stage, I noted that the City Council and the SDNPA had made some detailed comments regarding a number of the proposed Local Green Spaces, including the mapping of those sites. Accordingly, as the fourth of my questions (see paragraph 2.7 above), I requested that the Qualifying Body supply me with revised maps for Sites 1, 2, 4, 5 and 6 and verify the site area of Site 1 in order that I may consider the revised mapping and information as potential modifications to the draft Plan. I also sought the Qualifying Body's confirmation that the City Council, as the landowner, had been formally advised of the proposed designation of Site 3. I have taken account of the Qualifying Body's response to this question, which included amended

site maps for Site Nos. 1,2, 4, 5 and 6 (all at a scale of 1:2500), together with a revised Index Map (at a suitable scale).

- 4.58 I am satisfied that the revised mapping, information and proposed text amendments that have been supplied by the Qualifying Body addresses all of the matters that were raised in representations to the draft Plan and from my own assessment, and I recommend the necessary revisions and amendments as part of consolidated modification **PM12**.
- 4.59 I visited each of the proposed Local Green Spaces during the course of my site visit, taking into account the assessments provided in the draft Plan at pages 27-42 and at Appendix 5 and the various representations that had been made. It is my assessment and conclusion that all of the 16 proposed sites should be designated as Local Green Spaces. Whilst they vary considerably in terms of their size and characteristics, I do consider that they each meet the national policy criteria for designation in the NPPF (paragraph 106) as Local Green Spaces and are also important assets that contribute significantly to the wider environmental qualities of West Saltdean. I am also content that the Local Green Spaces are capable of enduring beyond the end of the Plan (NPPF, paragraph 105).
- 4.60 Some amendments are necessary to the Policy text, including the descriptors of a number of the sites for improved geographical accuracy. The NPPF states that "*Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts*" (Paragraph 107). This is a clear and precise statement of national policy. I therefore recommend that the policy text should be extended to have proper regard to Paragraph 107 of the NPPF in order to satisfy the Basic Conditions. These matters are also addressed as part of consolidated modification **PM12**.
- 4.61 Policy WS12 (Enhancing Local Green Spaces, Biodiversity and Wildlife) is in three parts, as follows:
1. Proposals for new development which would cause any potential harm to the Wildlife sites or Local Green Spaces will not be supported unless they are justified in the public interest and suitable mitigation measures are proposed.
  2. Planning applications that will require the removal of trees with TPOs<sup>13</sup> will be refused.
  3. Proposals will be supported that:
    - conserve and enhance the landscape of the South Downs and its special qualities
    - conserve and enhance wildlife and biodiversity
    - respect, enhance and provide green linkages with biodiversity and green space within and around developments, particularly where the space forms part of, or is adjacent to, the Wildlife Corridor or Local Green Spaces

---

<sup>13</sup> Tree Preservation Orders.

- include planting of tree species that are suitable to Brighton & Hove
- include new grassland areas including verges which should be seeded (if necessary) and managed to enhance existing Chalk Downland wildflowers
- provide opportunities for gardening, wildlife and food production within new residential areas
- provide outdoor space including private and community gardens, as well as contributing to the provision of new tree cover.

4.62 Upon my initial assessment of the draft Plan, I noted the reference in Part 3 of this Policy to the 'Wildlife Corridor'. However, I was unable to identify at any point in the Plan, including in its supporting studies, any further information regarding this proposed Policy designation in the Plan, as a part of this Policy. Accordingly, as my fifth question (see paragraph 2.7 above), I requested further clarification.

4.63 The Qualifying Body responded that the inclusion of a reference to the 'Wildlife Corridor' was a mistake, and that there are no Wildlife Corridors in West Saltdean nor are any being proposed. The Qualifying Body suggested that the reference be amended to refer to the Local Wildlife Site, which is within Local Green Space Site No. 3. I take this response into account in my assessment of the Policy.

4.64 The City Council and the SDNPA have made comments regarding this Policy. I have also taken these comments into consideration, and I recommend a series of amendments to this Policy, which are set out in recommended modification **PM13**, to ensure that the Policy provides clear and accurate guidance for users of the Plan.

4.65 With recommended modifications PM12 and PM13, I consider that the draft Plan's section on Enhancing Our Open Spaces, Encouraging Biodiversity and Wildlife and its accompanying Policies is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Promoting and Safeguarding the Local Economy

4.66 Section 5.9 of the draft Plan addresses the theme of Promoting and Safeguarding the Local Economy within the Plan area and contains two policies (Policies WS13 and WS14) to meet the Plan's Objective to create the conditions for success for retail outlets and businesses and to support sustainable trade, tourism and economic development.

4.67 Policy WS13 (Saltdean Lido) states that planning proposals relating to Saltdean Lido should support the year-round community, leisure, events, office, café/restaurant, library and recreation role of the Lido for residents

and visitors whilst safeguarding the heritage importance of the Grade II\* listed building.

4.68 I consider that this Policy is suitably drafted. However, paragraph 5.9.9 in the supporting text requires an amendment as it states that "*the heritage and recreational aspects of the Lido buildings and pool are addressed elsewhere in the Plan*". However, these aspects are not covered in any other parts of the Plan. Recommended modification **PM14** addresses the necessary amendment.

4.69 Policy WS14 (Supporting Local Businesses and Providing a Mix of Employment Opportunities) is in two parts, and states that:

1. Applications for business and retail development in the three main shopping areas of the Neighbourhood Plan area will be supported where they seek to:
  - Provide additional services to residents and increase employment opportunities.
  - Introduce (where possible) flexible workspaces that allows for co-shared and affordable working spaces and training facilities to support the local economy affordably as outlined in CPP2 Policy DM11 and DM12.
  - Improve the public realm and create more attractive user experience, where appropriate, which can be enjoyed by all people of all ages and abilities as outlined in CPP2 Policy DM18.
  - Increase and expand the retail offering in the area for residents and visitors.
2. Proposals that provide for local employment opportunities within the Plan area, including small-scale, not-for-profit social enterprises, small and medium size businesses, and livework units, are welcome, particularly where they reduce out-commuting and are in compliance with CPP2 policies.

4.70 The City Council has made a number of comments regarding this Policy. I concur with those comments, and recommended modification **PM15** sets out the necessary revisions to the Policy text, in order to provide greater clarity for future users of the Plan.

4.71 With recommended modifications PM14 and PM15, I consider that the draft Plan's section on Promoting and Safeguarding the Local Economy and its accompanying Policy is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## Encouraging Day Visitors, Improving Facilities on the Beach and Undercliff and Safeguarding the Beach/Clifftop Flora and Fauna

- 4.72 Section 5.10 of the draft Plan addresses the theme of Encouraging Day Visitors, Improving facilities on the Beach and Undercliff and Safeguarding the Beach/Clifftop Flora and Fauna. It contains two policies (Policies WS15 and WS16) to meet the Plan's Objective to ensure that the beach and undercliff remain attractive and well-maintained destinations, with facilities for visitors and residents of all ages.
- 4.73 Policy WS15 (Improving Facilities. Safeguarding the Beach/Clifftop Flora and Fauna) states that support will be given to planning applications on the Undercliff promenade and beach that comply with Policies SA1 and DM39 in the adopted BHCP and seek to provide additional and appropriate small-scale facilities, including pop-up outlets and water-sport facilities which support and maintain the beach area as a safe and pleasant place to use for all ages and abilities. It goes on to state that any impacts of planning proposals that would impact the coastal flora and or fauna should be assessed through an Ecological Impact Assessment and be fully mitigated. Finally, it states that support will be given to planning applications from not-for-profit organisations wanting to provide additional built facilities on the Undercliff or shingle beach to the east of Saltdean tunnel.
- 4.74 The City Council has made a number of comments regarding this Policy. I agree with those comments and have identified a further necessary amendment as part of my own assessment. Recommended modification **PM16** sets out the necessary amendments to this Policy, in order to provide greater clarity for users of the Plan.
- 4.75 Policy WS16 (Retaining Whitecliffs Café/Bar as a Café/Bar/Restaurant and an Employment Site) is a short policy and states that this facility is much valued by residents and visitors and applications to change its ground floor usage from the existing bar/café will be rejected.
- 4.76 Two focused amendments are necessary to the text of this Policy, which is otherwise suitably drafted. Recommended modification **PM17** sets out the two amendments. Since June 2025, the Café/Bar is now known as "Kitti's", and thus the Policy title would benefit from being updated accordingly. However, this is not a matter for the Basic Conditions and any such retitling of the Policy can be undertaken as a non-material minor modification (if considered appropriate).<sup>14</sup>
- 4.77 With recommended modifications PM16 and PM17, I consider that the draft Plan's section on Encouraging Day Visitors, Improving facilities on the Beach and Undercliff and Safeguarding the Beach/Clifftop Flora and Fauna and its accompanying Policies is in general conformity with the strategic policies of the adopted BHCP and SDLP, has regard to national guidance, would

---

<sup>14</sup> See paragraph 4.83 below.

contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Community Infrastructure Levy

4.78 Section 6 of the draft Plan is entitled 'Community Infrastructure Levy' and notes that the Community Infrastructure Levy (CIL) is a charge that local authorities can set on new developments in their area. Its purpose is to raise funds for infrastructure needs in the area to support growth. It further notes that a portion of the CIL income raised from development within a neighbourhood area is spent in that neighbourhood area, and this is referred to as Neighbourhood CIL. The Neighbourhood CIL is increased from 15% to 25% in those areas that have an adopted Neighbourhood Plan. The City Council and the SDNPA are responsible for collecting CIL monies within their respective Local Planning Authority areas. Within West Saltdean the Forum has identified, from its 2022 Residents Survey and feedback from the Regulation 14 consultation, possible (non-land use planning) projects that it would like to take forward, many of which would be delivered by the City Council.

### Potential Projects that could be funded by CIL Receipts

4.79 Section 7 of the draft Plan is entitled 'Potential Projects that could be funded by CIL Receipts' and sets out a series of potential projects that could be funded and delivered through the use of CIL receipts. These projects are categorised under the topics of Travel, Business and Economy, Seafront and Green Spaces. As none of the potential projects are the subject of land-use planning policies, I have not considered this section of the Plan as part of this examination.<sup>15</sup> It will be for the Forum in conjunction with other stakeholders, including the City Council and the SDNPA, to consider how such projects should be taken forward and, if appropriate, subject to further actions under other relevant legislation. I have no comments to make on this section of the draft Plan.

### Monitoring and Review

4.80 The draft Plan does not contain a clear statement regarding its future monitoring and review. The Plan's relationship with the BHCP and the SDLP is particularly important and both of those Local Plans are now being reviewed. There is the likelihood that there will be a need to formally review the Plan during the Plan period, following the completion of those Local Plan reviews and also to take account of any changes to national planning policies. I consider that the Plan should contain a statement regarding the necessity to undertake a future review in order to take account of the new Local Plans and to address the implications for West Saltdean, that may arise from those reviews. I therefore recommend modification **PM18** to add appropriate text to Section 1 of the Plan, in order to address this matter.

---

<sup>15</sup> See PPG Reference ID: 41-004-20190509.

## Appendices

4.81 The draft Plan contains ten Appendices, as follows:

1. West Saltdean Design Guidance and Codes (AECOM) (January 2024)
2. West Saltdean Housing Needs Assessment (HNA) (AECOM) (August 2023)
3. Brighton & Hove City Council Transport Survey Q4 2023
4. Ecological Data Search SxBRC/23/564 – Summary Report (Sussex Biodiversity Record Centre) (January 2024)
5. Local Green Space Assessment (West Saltdean Neighbourhood Forum) (June 2024)
6. List of Community Buildings and Spaces (West Saltdean Neighbourhood Forum) (Undated)
7. Facilities and Services Available at Saltdean Seafront and on the Undercliff (West Saltdean Neighbourhood Forum) (Undated)
8. Shopping Centres and Survey of Residents' Shopping Habits (West Saltdean Neighbourhood Forum) (Undated)
9. Results of Residents and Business Survey - November-December 2022 (West Saltdean Neighbourhood Plan) (Undated)
10. Saltdean Climate Action Network (SCAN) – Community Biodiversity Action Plan (Dr. Richard Stow in collaboration with SCAN) (January 2023)

I have reviewed each of the Appendices, which are appropriately referenced in the main body of the Plan, where necessary. My only comment is that Appendices 6-9, which have been prepared by the Forum, are all undated, and would benefit for future reference from being dated according to when they were prepared, in a similar way to Appendix 5.

## Other Matters

4.82 The draft Plan contains a number of small inconsistencies which have been identified in representations from the City Council and the SDNPA and through my own detailed assessment of the Plan. In the interests of brevity, these are summarised at recommended modification **PM19** and are, in all cases, additional to the matters covered by recommended modifications **PM1-PM18**. The Qualifying Body's attention is drawn to the need to make the necessary amendments set out at **PM19**, and reference should also be made to the representations submitted by the City Council and SDNPA for more detailed information.

## Concluding Remarks

4.83 I consider that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the West Saltdean Neighbourhood Plan 2024-2030 meets the Basic Conditions for neighbourhood plans. Other changes (that do not affect the Basic

Conditions) could be made prior to the referendum at the Council and Forum’s discretion. These could include minor non-material amendments, consequential amendments resulting from the policy modifications, typographical corrections and factual up-dates.<sup>16</sup>

## 5. Conclusions

### Summary

- 5.1 The West Saltdean Neighbourhood Plan 2024-2030 has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Plan, and the supporting documents submitted with the Plan, together with the responses to my questions.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The West Saltdean Neighbourhood Plan 2024-2030, as modified, has no policies or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Area boundary, requiring the referendum to extend to areas beyond the Plan boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Area.

### Overview

- 5.4 It is clear that the West Saltdean Neighbourhood Plan is the product of much hard work undertaken since 2022 by the Forum, its Steering Group and the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the land use aspirations and objectives of the West Saltdean community for the future planning of their area up to 2030. The output is a Plan which should help guide the area’s development over that period, making a positive contribution to informing decision-making on planning applications by Brighton & Hove City Council and the South Downs National Park Authority.

---

<sup>16</sup> PPG Reference ID:41-106-20190509.

*Derek Stebbing*

Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 2	<p><u>Map 1 – BHCC City Plan Policies, LGS Designation, Wildlife Corridor, Shopping Areas</u></p> <p>Delete existing title and replace with “<b>The West Saltdean Neighbourhood Area</b>”, and amend Contents Page accordingly.</p> <p>Delete all BHCP Policy content and other notations from the map, with the exception of the Neighbourhood Area boundary, the Built-Up Area boundary and that part of the South Downs National Park (SDNP) that lies within the Neighbourhood Area.</p> <p>Adjust Notation Panel accordingly.</p>
PM2	Page 13	<p><u>Policy WS1 – Achieving High Quality Design</u></p> <p>Amend Part 1 of the Policy text to read:</p> <p><b>“Where appropriate, all proposals for development should demonstrate how they have taken into consideration the City Council’s Supplementary Planning Document (SPD) No. 17 ‘Urban Design Framework’ (June 2021), the South Downs National Park Authority’s SPD ‘Adopted Design Guide’ (July 2022) and the West Saltdean Design Guidance and Codes (January 2024) (at Appendix 1 to this Plan).”</b></p> <p>Delete the text of Part 2 in full, and replace with:</p> <p><b>“All proposals for development should be designed to a high standard of design, minimise construction and demolition waste and use sustainable materials suitable for the location which have low embodied carbon. Developers are encouraged to consider circular</b></p>

		<p><b>economy principles* and 'Zero Avoidable Waste' principles**."</b></p> <p>Amend Part 4 of the Policy text to read as follows:</p> <p><b>"Proposals for development should be sympathetic to West Saltdean's local character and history, which includes the spaces around buildings, landscape and heritage settings and filtered views."</b></p> <p>Add new Parts 6 and 7 to the Policy text, as follows:</p> <p><b>"6. Existing flow routes and drainage features within the development site should be identified and preserved, such as ditches, seasonally dry watercourses and historic ponds.</b></p> <p><b>7. Proposals should integrate sustainable drainage measures to minimise and control surface water run-off and improve habitats and species migration. Such measures include rainwater re-use/harvesting, green roofs, rain gardens, trees and permeable paving."</b></p> <p>Add footnotes to the Policy, as follows:</p> <p><b>"* Circular economy principles encourage material and resources to be kept in use for as long as possible by re-using, recycling, re-manufacturing and sharing resources."</b></p> <p><b>**Zero Avoidable Waste' refers to the Government's Waste Prevention Programme for England, published in August 2023, and specifically to the Routemap for Net Zero Avoidable Waste in Construction by 2050."</b></p>
PM3	Page 14	<p><u>Policy WS2 – South Downs National Park</u></p> <p>Delete Policy text in full, and replace with:</p>

		<p><b>“POLICY WS2 – South Downs National Park</b></p> <p><b>1. Development within, or impacting upon, the South Downs National Park should have a landscape-led approach to design, having regard to the special qualities of the National Park and, as appropriate, in accordance with the policies of the adopted South Downs Local Plan 2014-2033, including Policies SD4 Landscape Character, SD5 Design, SD6 Safeguarding Views and SD8 Dark Night Skies, and the guidance contained in the Adopted Design Guide SPD.</b></p> <p><b>2. Development within, or impacting upon, the South Downs National Park must respect the landscape setting of West Saltdean, including meeting the purposes of the South Downs National Park.”</b></p> <p>Add the following supporting text to precede the Policy:</p> <p><b>“5.2.1 West Saltdean lies in a valley bordered by the sea to the south, the South Downs National Park (SDNP) to the north and the neighbouring settlements of Rottingdean to the west and East Saltdean to the east. Large parts of the Plan area lie within the SDNP.</b></p> <p><b>5.2.2 The South Downs National Park Authority (SDNPA) is the local planning authority for those areas of West Saltdean that are within the SDNP. The SDNPA when making planning decisions is guided by the statutory purposes and duty of the National Park, and by national and local policies.</b></p> <p><b>5.2.3 The National Park purposes are:</b></p> <p><b>1) To conserve and enhance the natural</b></p>
--	--	--

		<p><b>beauty, wildlife and cultural heritage of the area, and</b></p> <p><b>2) To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public</b></p> <p><b>5.2.4 The duty of the SDNPA in carrying out these purposes is to seek to foster the economic and social well-being of the local communities within the National Park.</b></p> <p><b>5.2.5 The National Planning Policy Framework (NPPF), paragraph 189 (as revised December 2024) states:</b></p> <p><b>“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”</b></p> <p><b>5.2.6 The adopted South Downs National Park Local Plan (SDLP) 2014-2033 requires that a landscape led approach is adopted for those areas of West Saltdean within the SDNP. The landscape led approach to design is defined in the SDNPA’s ‘Adopted Design Guide’ Supplementary Planning Document (SPD), which states that “Design, which is strongly informed by understanding the essential character of</b></p>
--	--	--

		<p><b>the site and its context (the landscape), creates development which speaks of its location, responds to local character and fits well into its environment. It needs to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and create sustainable and successful places for people.”</b></p> <p><b>5.2.7 For the landscape led approach in the SDLP see in particular Policies SD4 Landscape Character, SD5 Design and SD6 Safeguarding Views. The landscape led approach is expanded upon in the SDNPA’s ‘Adopted Design Guide’ Supplementary Planning Document (SPD).</b></p> <p><b>5.2.8 The landscape led approach notes that the SDNP is an International Dark Skies Reserve. Development needs to conserve and enhance the dark night skies of the SDNP as set out in the SDLP 2014-2033, Policy SD8 Dark Night Skies. Further guidance is provided in the SDNPA’s ‘Dark Skies’ Technical Advice Note (TAN) (May 2021).</b></p> <p><b>5.2.9 The SDNP was designated in recognition of its exceptional natural beauty, for the opportunities to learn about and appreciate its special qualities and as a landscape of national importance. The special qualities are expanded upon in the Introduction chapter of the SDLP.</b></p> <p><b>5.2.10 Proposals should reflect the setting of the National Park including the guidance provided by the South Downs Landscape Character Assessment, Appendix A Landscape Character Type A: Open Downland and specifically A2: Adur to Ouse Open Downs including the Landscape</b></p>
--	--	--

		<b>Management/Development considerations for that area.</b>
PM4	Page 15	<p><u>Policy WS3 – Affordable Housing</u></p> <p>Amend the second paragraph of Policy text to read as follows:</p> <p><b>“In those circumstances where a case is made that the inclusion of affordable housing within a development scheme would be unviable, where such provision is a policy requirement, robust ‘open-book’ viability assessments should be undertaken in accordance with the National Planning Policy Framework and the guidance contained in ‘Assessing Viability in Planning’ (April 2023), published by the Royal Institution of Chartered Surveyors (RICS) (including any subsequent updates), and should be based on Benchmark Land Values as undertaken by a qualified RICS Assessor.”</b></p>
PM5	Page 16	<p><u>Policy WS4 – Other Types of Low-cost and Specialist Housing</u></p> <p>Amend Part 3 of the Policy text to read as follows:</p> <p><b>“Proposals for specialised housing/accommodation which take account of the local needs identified in the West Saltdean Housing Needs Assessment (HNA) (August 2023) which is at Appendix 2 to this Plan.”</b></p>
PM6	Page 17	<p><u>Policy WS5 – Adaptable Housing</u></p> <p>Delete the text of Part 5 of the Policy text in full, and re-number Part 6 as Part 5.</p>
PM7	Page 19	<p><u>Policy WS6 – Conserving Local Heritage</u></p> <p>Number the two separate paragraphs of this Policy as <b>1.</b> and <b>2.</b></p> <p>Delete in full the existing text of the first paragraph, and replace with:</p>

		<p><b>“Development proposals should seek to retain the original green roof tiles and pantiles that are characteristic of many existing buildings in the Plan area, and proposals that seek to replace them with tiles of another colour will not be supported.”</b></p>
PM8	Page 20	<p><u>Policy WS7 – Incorporating Sustainable Drainage and Water Efficiency Measures</u></p> <p>Insert “<b>(SuDS)</b>” after the words “Sustainable Drainage Systems” in the second line of policy text.</p> <p>Delete bullet points and replace with <b>1.</b> and <b>2.</b></p> <p>Add new points 3 and 4 to the Policy text, as follows:</p> <p><b>“3. To minimise the risk of sewer flooding and to protect water quality, surface water will not be allowed to discharge to the wastewater drainage network.</b></p> <p><b>4. Where developments are proposed in areas overlying Source Protection Zones (SPZ), proposals must demonstrate how SuDS designs will protect groundwater quality sufficiently to protect public water supply. SuDS designs should be agreed with the statutory water supplier, and be supported by a hydrogeological risk assessment where required.”</b></p>
PM9	Page 22	<p><u>Policy WS8 – Small Scale Renewable Energy Projects including Community Energy Scheme</u></p> <p>Amend Policy title to read “<b>Renewable Energy and Low Carbon Technology (LCT) Projects including Community Energy Scheme</b>” and amend Contents Page.</p> <p>Amend Policy text to read as follows:</p>

		<p><b>“1. Proposals for renewable energy or Low Carbon Technology (LCT) projects in new or existing developments and Brighton &amp; Hove City Council-owned properties and assets, that are not covered by Permitted Development rights will be supported in principle.</b></p> <p><b>2. Proposals should seek to conserve and enhance the surrounding landscape and be sensitively designed, taking account of noise, air pollution and long-term management.</b></p> <p><b>3. The ground-mounting of on-site installations which would involve the paving over of gardens or other green spaces will be discouraged, unless this is technically essential and is mitigated by other clearly demonstrable environmental benefits.</b></p> <p><b>4. All proposals that require planning permission should satisfy the requirements of the relevant policies in the adopted Brighton &amp; Hove City Plan and South Downs Local Plan.</b></p> <p><b>5. Proposals for new developments in the Plan area should seek to incorporate low carbon or renewable heating sources and avoid the use of gas and solid fuels.”</b></p> <p>Delete existing Policy footnote.</p> <p>Delete the final sentence of paragraph 5.6.6.</p> <p>Add new paragraphs 5.6.7-5.6.10 as follows:</p> <p><b>“5.6.7 As part of West Saltdean’s Decarbonisation Strategy, West Saltdean’s potential largest roof-mounted solar opportunities have been identified as the Lido building and the Lido’s two car parks, Saltdean United Football Club’s building and the roof-spaces of blocks of flats. There are only</b></p>
--	--	--

		<p><b>small publicly owned plots (which are designated as Local Green Spaces) that would be suitable for ground-mounted solar and wind.</b></p> <p><b>5.6.8 West Saltdean has the capacity to launch a community energy scheme and work on this is ongoing. A community energy scheme is defined as a defined group of import and/or export electricity meters that are aggregated into a single entity for the purpose of sharing costs and benefits between scheme members served by those meters. The scheme would have a charter, or statement of objectives and rules that detail how the scheme works, what Low Carbon Technologies (LCTs) may be used in the scheme, and how costs and benefits are spread equitably among its members. Larger-scale projects will be encouraged to join the Saltdean community energy scheme.</b></p> <p><b>5.6.9 Management of the community energy scheme will be left to its members. Links (technical and financial) to neighbouring community energy schemes will be strongly encouraged, especially where economies of scale and other benefits from linkage can be demonstrated. Therefore, applications from community-led or by a not-for-profit organisation such as a Co-operative are welcomed by the West Saltdean Neighbourhood Forum.</b></p> <p><b>5.6.10 Where there are alternative choices of Renewable Energy or Low Carbon Technology* (LCT) to implement, the fitting of the technology most suitable for the property in question will be encouraged, with reference to the Saltdean Decarbonisation Feasibility</b></p>
--	--	---

		<p><b>Study and Energise Sussex Coast Carbon Footprint Report.”</b></p> <p>Add Footnote as follows:</p> <p><b>“*Low Carbon Technology means insulation (external and internal), roof or ground-mounted solar panels and micro-wind turbines, surface or underground battery storage (internal or external), and electric vehicle (EV) charging points for residential, community, private sector and Brighton &amp; Hove City Council-owned assets.”</b></p>
PM10	Page 24	<p><u>Policy WS9 – Encouraging and Enabling Better Travel Planning</u></p> <p>Amend Part 2 of the Policy text to read as follows:</p> <p><b>“Transport statements/assessments should positively encourage reducing the need to travel and facilitate higher levels of walking, cycling and public transport use by demonstrating how the proposed development creates links to existing walking, cycling and public transport infrastructure and, where possible, by providing new and/or improved facilities to achieve this.”</b></p> <p>Amend Part 3 of the Policy text to read as follows:</p> <p><b>“For major development proposals where the development includes new footways, cycleways and highways that will not be adopted by the Highway Authority, a long-term management strategy for their future maintenance and funding, where appropriate, should be submitted as part of the development proposals.”</b></p>
PM11	Page 24	<p><u>Policy WS10 – Parking</u></p> <p>Amend Part 1 of the Policy text to read as follows:</p>

		<p><b>“Proposals for new development that would result in a net gain of residential dwellings should include, where possible, dedicated off-street vehicle parking spaces with electric vehicle (EV) charging points.”</b></p> <p>Amend Part 2 of the Policy text to read as follows:</p> <p><b>“Vehicle parking on driveways should be designed to minimise the visual impact on the street scene. Parking areas should include appropriate landscaping features, wherever possible, to reduce the visual impact.”</b></p> <p>Amend Part 3 of the Policy text to read as follows:</p> <p><b>“The removal of existing grass verges and trees to facilitate vehicle parking will not be supported.”</b></p>
PM12	Pages 26-42	<p><u>Policy WS11 – Protecting Local Green Spaces</u></p> <p>Delete existing Policy text in full and replace with:</p> <p><b>“The areas listed below and shown on the accompanying map and on the Inset Maps at Pages 27-42 are designated as Local Green Spaces:</b></p> <ol style="list-style-type: none"> <li><b>1. Saltdean United Football Club (SUFC) and North Saltdean Recreation Ground</b></li> <li><b>2. Land to the rear of Looes Barn Close</b></li> <li><b>3. Green Space at Westfield Avenue North and Westfield Avenue South</b></li> <li><b>4. Green Space at Coombe Farm Estate</b></li> <li><b>5. Green Space at Hailsham Avenue</b></li> <li><b>6. Green Space at Stanmer Avenue</b></li> <li><b>7. Green Spaces at Hempstead Road</b></li> <li><b>8. Green Space at Mount Estate – to the rear of Saltdean Vale</b></li> </ol>

		<p> <b>9. Green Space at Mount Estate – to the rear of Heathfield Avenue</b>  <b>10. Green Space at Mount Estate – to the rear of Arlington Gardens</b>  <b>11. Playing Fields at Saltdean Primary School</b>  <b>12. Churchyard surrounding St. Nicholas Church</b>  <b>13. Green Spaces at Saltdean Vale</b>  <b>14. Saltdean Oval Park</b>  <b>15. Green Space at Saltdean Lido</b>  <b>16. The Cliff Top</b> </p> <p> <b>Development proposals in the 16 designated Local Green Spaces listed above and defined on the accompanying maps to this Policy will be managed in accordance with national policy for Green Belts.”</b> </p> <p>Amend the site descriptors to conform with the descriptions stated above, including the titles of all relevant maps.</p> <p>Replace the maps for the Index Map (on Page 26), Site 1 (on Page 27), Site 2 (on Page 28), Site 4 (on Page 30), Site 5 (on Page 31) and Site 6 (on Page 32) with the revised maps supplied by the Qualifying Body in response to the fourth of my questions (see also paragraph 4.57 of this report).</p> <p>Amend the site area of Site 1 (on Page 27) to read “<b>2.3 acres</b>”.</p> <p>Add the following text to the description of Site 3 (on Page 29):  <b>“This site is also a designated Local Wildlife Site (Ref. BH72) as listed at paragraph 5.8.18.”</b> </p>
--	--	--

PM13	Page 44	<p><u>Policy WS12 – Enhancing Local Green Spaces, Biodiversity and Wildlife</u></p> <p>Amend Part 1 of the Policy text to read as follows:</p> <p><b>“Proposals for new development which would cause any potential harm to the designated Site of Special Scientific Interest (SSSI), Local Wildlife Sites (LWS) or Local Green Spaces (LGS) within the Plan area will not be supported unless they are justified in the public interest and appropriate mitigation measures are proposed.”</b></p> <p>Amend Part 2 of the Policy text to read as follows:</p> <p><b>“Proposals for new development that would require the removal of any trees that are protected by Tree Preservation Orders (TPOs) will not be supported.”</b></p> <p>Amend Part 3 of the Policy text as follows:</p> <ol style="list-style-type: none"> <li>1. Replace the seven bullet points with the letters <b>a)-g)</b> respectively.</li> <li>2. Amend the second bullet point text (to be b)) to read as follows: <b>“conserve and enhance wildlife and biodiversity, and provide Biodiversity Net Gains when required”</b></li> <li>3. Amend the third bullet point text (to be c)) to read as follows: <b>“respect, enhance and provide green linkages with biodiversity and green space within and around developments, particularly where the space is in the vicinity of a Local Wildlife Site or Local Green Space”</b></li> <li>4. Amend the fourth bullet point text (to be d)) to read as follows:</li> </ol>
------	---------	--

		<p><b>“include the planting of tree species that are suitable to Brighton &amp; Hove and, where appropriate, to the South Downs National Park”</b></p> <p>Amend paragraph 5.8.17 of the supporting text to refer to <b>“5 Local Wildlife Sites”</b> rather than 6 Local Wildlife Sites.</p> <p>Add new paragraph 5.8.18 to the supporting text, to read as follows:</p> <p><b>“5.8.18: There are five Local Wildlife Sites within the Plan area:</b></p> <ol style="list-style-type: none"> <li><b>1. BH54 - Wivelsfield Rd Grassland – within the South Downs National Park (SDNP). (Also part of an ecological corridor within both the Plan area and the SDNP. This forms part of the existing Nature Improvement Area/Green Network which is designated under the Brighton &amp; Hove City Plan Part 1 Policy CP10)</b></li> <li><b>2. BH56 - Quarry Field - within the SDNP</b></li> <li><b>3. BH57 - Looes Barn Woodland – within the SDNP</b></li> <li><b>4. BH58 - Coombe Farm - within the SDNP</b></li> <li><b>5. BH72 - Westfield Avenue North and South – also designated as a Local Green Space (Site No. 3)</b></li> </ol> <p><b>These sites are shown on the accompanying map.”</b></p> <p>Add the map entitled ‘Local Wildlife Sites’ supplied by the Qualifying Body on 12 June 2025 with its response to the questions to follow new paragraph 5.8.18 and to precede Policy WS12.</p>
--	--	---

PM14	Page 47	<p><u>Policy WS13 – Saltdean Lido</u></p> <p><u>Paragraph 5.9.9</u></p> <p>Delete the words “While the heritage and recreational aspects of the Lido buildings and pool are addressed elsewhere in this plan” from the second sentence of text.</p> <p>Amend the third sentence to read as follows:</p> <p><b>“The following policy specifically relates to the Lido:”</b></p>
PM15	Page 47	<p><u>Policy WS14 – Supporting Local Businesses and Providing a Mix of Employment Opportunities</u></p> <p>Amend the opening sentence of Part 1 of the Policy text to read as follows:</p> <p><b>“Proposals for business and retail developments in the three main shopping areas of the Plan area will be supported, where the developments would meet the following criteria, as relevant to the specific nature and use of the proposed development:”</b></p> <p>Amend the four bullet points in Part 1 of the Policy text to the letters <b>a)-d)</b> respectively.</p> <p>Amend the first bullet point text (to be a)) to read as follows:</p> <p><b>“Provide additional services for residents and visitors and increase local employment opportunities;”</b></p> <p>Amend the second bullet point text (to be b)) to read as follows:</p> <p><b>“Include flexible workspaces that would allow for shared and affordable working spaces and training facilities to support the local economy;”</b></p> <p>Amend the third bullet point text (to be c)) to read as follows:</p> <p><b>“Provide opportunities for public realm improvements that would create a more</b></p>

		<p><b>attractive user experience, which can be enjoyed by people of all ages and abilities;”</b></p> <p>Amend the fourth bullet point text (to be d)) to read as follows:</p> <p><b>“Would support and maintain the retail offering within the Plan area, for the benefit of residents and visitors.”</b></p>
PM16	Page 48	<p><u>Policy WS15 – Improving Facilities. Safeguarding the Beach/Clifftop Fauna and Fauna</u></p> <p>Amend the first paragraph of Part 1 of the Policy text to read as follows:</p> <p><b>“Support will be given to planning applications on the Undercliff promenade and beach that comply with Policies SA1 (The Seafront) and DM39 (Development on the Seafront) in the Brighton &amp; Hove City Plan - Part 2, and:”</b></p> <p>Amend the second and third paragraphs of text in Part 1 of the Policy text to be preceded by the letters <b>a)</b> and <b>b)</b> respectively.</p> <p>Amend the text of Part 2 of the Policy text to read as follows:</p> <p><b>“The impacts of development proposals upon the designated Site of Special Scientific Interest (SSSI) and Regionally Important Geological Site (RIGS), and on the coastal flora and fauna, should be assessed through an Ecological Impact Assessment and will need to be taken fully into account in accordance with Policy DM37 (Green Infrastructure and Nature Conservation) in the Brighton &amp; Hove City Plan - Part 2.”</b></p>

PM17	Page 49	<p><u>Policy WS16 – Retaining Whitecliffs Café/Bar as a Café/Bar/Restaurant and an Employment Site</u></p> <p>Amend the words “much-valued” in the Policy text to read “<b>much valued</b>”.</p> <p>Delete the word “rejected.” in the Policy text and replace with “<b>will not be supported.</b>”</p>
PM18	Page 5	<p><u>Section 1 – Introduction to Neighbourhood Planning</u></p> <p>Add new sub-section entitled ‘<b>Monitoring and Review</b>’ to follow paragraph 1.4.</p> <p>Add new paragraph 1.5 to read as follows:</p> <p><b>“1.5 The effectiveness of the policies in the NP will be monitored on a regular basis up to 2030. BHCC and the SDNPA are presently reviewing their current Local Plans, and it may be necessary to formally review the NP prior to 2030 to take account of the policies and proposals in those updated Local Plans, in order that the NP will remain as a key part of the statutory development plan for West Saltdean.”</b></p>
PM19	Various	<p><u>Other Matters</u></p> <ol style="list-style-type: none"> <li>1. The SDNPA advises that specific references to BHCP policies should be removed where those policies apply to <u>both the Brighton &amp; Hove and SDNP areas of West Saltdean, e.g. at Policies WS7 and WS14.</u></li> <li>2. The City Council suggests an amendment to the Foreword.</li> <li>3. Paragraph 1.3 – “Local Plan” should be “Neighbourhood Plan”.</li> <li>4. Check and amend references to the SDNPA throughout the Plan where the South Downs National Park is being referred to rather than the SDNPA, e.g. two references within ‘Our Vision’.</li> </ol>

		<p>5. Amend all references to “NA” to the “Neighbourhood Area”.</p> <p>6. Areas of Outstanding Natural Beauty (AONBs) are now known as National Landscapes.<sup>17</sup> However, as the Plan has been prepared and examined in accordance with the NPPF (December 2023), the AONB reference can be retained in the Plan and its supporting documents but will need to be amended in a future review of the Plan.</p> <p>7. Amend text of paragraph 5.8.5 to also add “or the South Downs Local Plan.”</p>
--	--	--

---

<sup>17</sup> Notwithstanding this, the extant relevant legislation has not been revised and continues to utilise the term Areas of Outstanding Natural Beauty.