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| Report to | Planning Committee |
| Date | 13 November 2025 |
| By | Director of Planning |
| Title of Report | East Dean & Friston Neighbourhood Development Plan Decision Statement |
| Purpose of Report | To consider and agree the Examiner's recommended modifications to the East Dean & Friston Neighbourhood Development Plan and publish these in the Authority's 'Decision Statement |

Recommendation: The Committee is recommended to

- 1) Agree the Decision Statement as set out at Appendix 2 of the report, which sets out the modifications that will be made to the East Dean & Friston Neighbourhood Development Plan in response to the Examiner's recommendations.**
 - 2) Note the Examiner's Report at Appendix 3 and recommended modifications to make the East Dean & Friston Neighbourhood Development Plan meet the Basic Conditions.**
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Executive Summary

- This report presents a Decision Statement setting out the modifications required to allow the East Dean & Friston Neighbourhood Development Plan (ED&FNDP) to proceed to Community Referendum.
- The Examiner's report recommended relatively few modifications to the policies in the ED&FNDP. The recommended modifications include amending or deleting specific criteria to come into line with the NPPF or Local Plan policy. It should be noted there are no allocations for development in the ED&FNDP. The Examiner's recommended modifications are set out in detail in Appendix 2 in the Decision Statement. This report recommends these modifications are accepted.
- If the Decision Statement is approved the ED&FNDP will be modified and subject to a Community Referendum in late 2025 or early 2026.

1. Introduction and Summary

- 1.1 East Dean & Friston Parish Council (ED&FPC) submitted the ED&FNDP to the South Downs National Park Authority (SDNPA) for examination in April 2025. Following the Regulation 16 Submission consultation (19 May – 30 June 2025), an Independent Examiner was appointed to examine the Plan. The Examiner considered representations and determined that no public hearing was required. The Examiner has now issued his final report and concludes that subject to several modifications, the ED&FNDP can proceed to referendum. The SDNPA must issue a Decision Statement setting out how the ED&FNDP will be modified in response to the Examiner’s Report.
- 1.2 This is the first neighbourhood plan covering an area wholly within the South Downs National Park since Twyford in 2021 to reach this stage. All the neighbourhood plans in the interim period have been split between planning areas usually with the other local planning authority taking the lead with the main settlements outside the National Park.

2. Background

- 2.1 East Dean & Friston Parish Council (ED&FPC) are to be congratulated on progressing the ED&FNDP to the final stage ahead of a community referendum. To reach this stage has required considerable commitment and hard work by local volunteers and members of the ED&FPC over several years. The Examiner has also congratulated ED&FPC and the NDP steering group on producing a Neighbourhood Plan that includes a range of policies, which encourage positive and sustainable development in the neighbourhood area with a clear focus on safeguarding local character.
- 2.2 The ED&FNDP covers the plan period 2024 to 2042 and has been prepared for a designated neighbourhood area as shown in Appendix 1, which follows the East Dean & Friston Parish boundary.
- 2.3 The following stages in the preparation of the NDP have been completed. Links to all relevant documents are included below and more detailed information on each stage is also on the website at [East Dean and Friston Neighbourhood Plan - South Downs National Park Authority](#)

| Stage | Detail |
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| Designated a Neighbourhood Area | 10 April 2019. |
| Pre-submission consultation on the plan (Reg 14) | This consultation was carried out by the Parish Council between 2 September and 27 October 2024. The consultation was referred to in the Community Planning update at Planning Committee on 10 October 2024 , see item 7. |
| Submitted to SDNPA and published for consultation (Reg 16) | This consultation was carried out by the SDNPA between 19 May and 30 June 2025. The consultation was referred to in the Community Planning update at Planning Committee on 10 April 2025 , see item 11. |
| Independent Examination | Undertaken by Mr John Slater in September 2025. The examiner’s report is |

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| | on the East Dean & Friston NDP webpage on the SDNPA website. |
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3. Recommended modifications to the East Dean & Friston NDP to meet the Basic Conditions

3.1 The Examiner was appointed to assess whether the ED&FNDP meets certain legal requirements for NDPs, known as the ‘Basic Conditions’, these state NDPs should:

- i) Have regard to national policies and advice contained in guidance issued by the Secretary of State,
- ii) Contribute to the achievement of sustainable development,
- iii) Be in general conformity with the strategic policies contained in the development plan for the area,
- iv) Not breach, and otherwise be compatible with, EU obligations.

3.2 The Examiner has now issued his report and identified a significant number of modifications, which are necessary to ensure the ED&FNDP meets the Basic Conditions. There are no allocations for development in the ED&FNDP. Officers have reviewed the Examiner’s report in consultation with the ED&FNDP steering group. The following modifications are highlighted for Members:

- Housing policy EDF1 amended to refer to essential local workers in line with the term used in the NPPF and encouragement to meet specific principles and criteria for housing in relation to older persons rather than a more onerous requirement that would have applied unnecessarily for all residential development.
- For policy EDF2 remove a criteria creating a responsibility for applicants in relation to land owned by the highway authority that would fail the test of a planning obligation. Also reword other criteria to ensure the aspirations of the policy can be met for the boundaries of private (unadopted) roads in the Parish.
- Amend policy EDF4 to avoid being overly onerous by applying only to specified archaeological notification areas published by East Sussex County Council.
- Modify EDF5 to ensure the requirements are in line with the national scheme for BNG in the absence of specific evidence to support a local policy uplift.
- Amend policy EDF7 to ensure the specified views to be covered by the policy are within the neighbourhood area.
- Amend policy EDF9 to come in line with the NPPF and ensure impact on heritage assets is weighed against the public benefits of a scheme.

3.3 The Decision Statement (**Appendix 2**) sets out in detail how the ED&FNDP will be modified to meet the Basic Conditions. Further information and commentary on the Examiner’s justification for modifications can be found in the Examiner’s report (**Appendix 3**).

4. Decision Statement

4.1 The Regulation 14 and 16 stages of the neighbourhood plan making process offers those

parties affected by the NDP the opportunity to make representations on the plan. That is not just the right to object but also to support proposals in the plan or make comments. This is followed by an examination and the issuing of a report (by an independent Examiner) containing a series of recommendations. The Neighbourhood Planning (General) Regulations 2012 state that a Local Planning Authority must then publish what actions will be taken in response to the recommendations of the Examiner. This is known as the ‘Decision Statement’.

- 4.2 The Neighbourhood Plan Regulations impose no obligations for the examiner or the LPA to consult on the changes to the Plan, which they are minded to accept. Those that do not endorse the plan have the chance to vote to reject it at referendum.
- 4.3 However, if the Authority propose to make a decision, which differs from that, recommended by the examiner, it must notify relevant people and invite representations. Any representations must be submitted within six weeks of the local planning authority inviting representations. The Local Planning Authority may, if it considers it appropriate to do so, refer the issue to further independent examination. Once the period for representations is over, the Local Planning Authority must issue its final decision within five weeks. The submission version of the ED&FNDP would then be revised and a Referendum would take place.
- 4.4 It is recommended that Members accept the Examiner’s modifications to the ED&FNDP and approve the Decision Statement as attached at Appendix 2.

5. Planning Committee

- 5.1 The ED&FNDP is being considered by Planning Committee as it forms part of the Development Plan for the parish of East Dean & Friston.

6. Next steps

- 6.1 Following the publication of the Decision Statement, the ED&FNDP can proceed to referendum. If over 50% of those voting support the NDP, then the Plan can be ‘made’ (adopted) by the SDNPA and will form part of the statutory Development Plan for that part of the National Park located in the Parish of East Dean & Friston.

7. Other Implications

| Implication | Yes*/No |
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| Will further decisions be required by another committee/full authority? | Yes. In the event of a successful referendum with more than 50% of participants voting yes, the neighbourhood plan will be made at a future Planning Committee. |
| Does the proposal raise any Resource implications? | No. All within budget and/or grants received. |
| How does the proposal represent Value for Money? | The Authority seeks to achieve best value in all the work it undertakes on community planning across the South Downs National Park. Working in partnership with the parish council is an effective way to share costs and reduce the burden of community planning. |
| Does the proposal seek to | Yes, the East Dean & Friston Neighbourhood Development Plan must demonstrate general conformity |

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| <p>further National Park Purposes as required under Section 11A(2) duty of the National Parks and Access to the Countryside Act 1949 as amended by Section 245 of the Levelling Up and Regeneration Act 2023?</p> | <p>with the strategic policies in the South Downs Local Plan.</p> |
| <p>Which PMP Outcomes/ Corporate plan objectives does this deliver against</p> | <p>PMP Outcome 9.2 and Policy 34. The neighbourhood plan also has the potential to contribute to the three corporate plan objectives in relation to climate change, nature recovery, and a National Park for all.</p> |
| <p>Links to other projects or partner organisations</p> | <p>The Development Plan for the South Downs National Park.</p> |
| <p>How does this decision contribute to the Authority's climate change objectives</p> | <p>Policy EDF3 Energy Efficiency and Design supports proposals: that adapt to and mitigate the harmful impacts of climate change; for the retrofitting of existing buildings to reduce energy demand and generate renewable energy; for community scale energy schemes within the neighbourhood area.</p> |
| <p>Are there any Social Value implications arising from the proposal?</p> | <p>The requirements of the Public Services (Social Value) Act 2012 is considered for appropriate expenditure and programmes undertaken by the Authority.</p> |
| <p>Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?</p> | <p>Due regard has been taken of the SDNPA's equality duty as contained within the Equalities Act 2010. East Dean & Friston Parish Council who have the responsibility for preparing the neighbourhood plan have also prepared a Consultation Statement demonstrating how they have consulted the local community and statutory consultees. The Examiner was satisfied that the consultation and publicity undertaken meets regulatory requirements.</p> |
| <p>Are there any Human Rights implications arising from the proposal?</p> | <p>No.</p> |
| <p>Are there any Crime & Disorder implications arising from the proposal?</p> | <p>No.</p> |
| <p>Are there any Health & Safety implications arising from the proposal?</p> | <p>No.</p> |
| <p>Are there any Data Protection implications?</p> | <p>No.</p> |

8. Risks Associated with the Proposed Decision

| Risk | Likelihood | Impact | Mitigation |
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| The Examiner has recommended modifications to ensure the ED&FNDP meets the Basic Conditions. If these modifications are not implemented the ED&FNDP would be at risk of legal challenge on the basis it does not meet the legal requirements for NDPs. | Low | Medium | The Examiner’s recommended modifications are agreed in full. |

TIM SLANEY

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Appendices: 1. East Dean & Friston Neighbourhood Area
2. Decision Statement
3. Examiner’s Report

SDNPA Consultees: Legal Services; Chief Financial Officer; Monitoring Officer; Director of Planning.

External Consultees: None

Background Documents: [East Dean and Friston Neighbourhood Development Plan: Submission Version](#)
[East Dean & Frison Neighbourhood Plan: Consultation Statement](#)
[East Dean & Frison Neighbourhood Plan Basic Conditions Statement](#)