



Seaford Neighbourhood Development Plan

The Neighbourhood Planning (General) Regulations 2012 (as amended)

Regulation 18 – Publication of the examiner’s report and plan proposal decisions

Decision Statement – 19th December 2019

1. Introduction

1.1 Under the Town and Country Planning Act 1990 (as amended), Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning Act 2017, Lewes District Council has a statutory duty to support and advise communities in the preparation of neighbourhood development plans and to take such plans through the process of examination, referendum and to ‘make’ (adopt) them. The Localism Act 2011 (Part 6 chapter 3) and Neighbourhood Planning Act 2017 set out the Local Planning Authority’s responsibilities under Neighbourhood Planning.

1.2 This statement confirms that the modifications proposed in the Examiner’s Report have been accepted, the draft Seaford Neighbourhood Development Plan consequently amended; and that this plan may now proceed to referendum.

2. Background

2.1 The Seaford Neighbourhood Area corresponds with the Seaford Town Council boundary and covers the Plan period 2017-2030.

2.2 The Neighbourhood Area lies partly within Lewes District and partly within the South Downs National Park. It was designated by Lewes District Council and the South Downs National Park Authority in January 2016. Lewes District Council and the South Downs National Park Authority have an agreement in place to determine which authority provides the support in parishes straddling both planning authorities. This agreement confirms that support will be given by the planning authority where the main centre of population is based and so, as the majority of the population is located outside of the National Park, the decision was made that Lewes District Council would assume responsibility.

2.2 The Seaford Neighbourhood Plan was submitted to Lewes District Council in May 2019. The Regulation 16 consultation took place between 24th May-5th July 2019 whereby the Plan was publicised and representations were invited on the Plan.

2.3 Mr Nigel McGurk was appointed by Lewes District Council and the South Downs National Park Authority, with the approval of the Town Council, to undertake the examination of the Seaford Neighbourhood Development Plan and to prepare a report of the independent examination.

2.4 The Examiner's Report concluded that subject to a series of modifications, the Plan met the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and should proceed to a Neighbourhood Planning referendum.

3. Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 (as amended) require the local planning authorities to outline what actions they will take in response to the recommendations in an Examiner's report made under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Development Plan.

3.2 Having considered each of the recommendations made in the Examiner's Report, and the reasons for them, Lewes District Council and the South Downs National Park Authority in consultation with Seaford Town Council decided to accept the modifications to ensure that the Plan meets the basic conditions set out in legislation.

3.3 Table 1 outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations and the justification for this.

4. Conclusion

4.1 The Independent Examiner recommended that, subject to the modifications proposed, the Seaford Neighbourhood Plan should proceed to referendum. Lewes District Council and the South Downs National Park Authority are therefore satisfied that the Seaford Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act and complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. Therefore, the Neighbourhood Plan can proceed to referendum.

4.2 The Independent Examiner considered the neighbourhood area (as defined by Lewes District Council on 13th January 2016 and the South Downs National Park Authority on 18th January 2016) to be appropriate for the purposes of holding a referendum. Lewes District Council and the South Downs National Park Authority have taken account of this advice; therefore the neighbourhood area is the same as the referendum area.

4.3 The referendum is due to be held on 6th February 2020 and poses the following question:

'Do you want Lewes District Council and the South Downs National Park Authority to use the neighbourhood plan for Seaford to help it decide planning applications in the neighbourhood area?'




Signed.....

Ian Fitzpatrick

Director of Regeneration and
Planning
Lewes District Council

Date: 19th December 2019

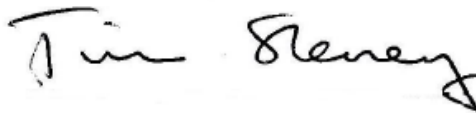


Signed.....

Councillor Emily O'Brien

Lead Member for Planning
Lewes District Council

Date: 19th December 2019



Signed.....

Tim Slaney

Director of Planning
South Downs National Park Authority

Date: 19th December 2019

Table 1

Policy/ Map/Para./ Page in draft NP	Position in Examiner's Report	Independent Examiner's Recommended Modification	Justification
Introductory Section			
Map 1, page 14	Para. 48, page 13	Map 1, change the reference in the Key from " <i>Parish Boundary</i> " to " <i>Neighbourhood Area</i> ." Agreed to and modified accordingly.	In the interests of the accuracy of the document
Pages 1-11	Para. 64, page 16	Delete the " <i>List of Planning Policies and Community Aspirations proposed in this plan</i> " (delete from two thirds down page 1 to the end of page 11) Agreed to and modified accordingly.	For precision and clarity
Para. 1.6, page 13	Para. 65, page 16	Page 13, Para 1.6, retain first sentence and delete the rest of the paragraph Agreed to and modified accordingly.	For clarity
Para. 2.1, page 15	Para. 66, page 16	Delete Para 2.1 Agreed to and modified accordingly.	For clarity
Para. 2.2, page 15	Para. 66, page 16	Change Para 2.2 to " <i>...conformity with local strategic planning policies and it must have regard to national policy. Neighbourhood plans are...</i> " Agreed to and modified accordingly.	For clarity
Para. 2.3, page 15	Para. 67, page 16	Para 2.3, correct font size and change middle sentence to " <i>...set out in the Sustainability Appraisal, which forms part of the background information supporting this Plan.</i> " Agreed to and modified accordingly.	For clarity
Pages 15-16 and anywhere else it appears in the document	Para. 68, page 17	Change the " <i>NPPF 2018</i> " references on pages 15 and 16 (and anywhere else " <i>NPPF 2018</i> " appears) to " <i>NPPF</i> " Agreed to and modified accordingly.	For precision
Para. 2.7, page 16	Para. 69, page 17	Para 2.7, change second sentence to " <i>...strategic policies of the development plan.</i> " Agreed to and modified accordingly.	For precision
Para. 2.7,	Para. 70,	Para 2.7, bullet points, delete " <i>and emerging Part 2</i> " and change to " <i>The South Downs Local Plan</i> "	For precision and clarity

page 16	page 17	2019” Agreed to and modified accordingly.	
Para. 2.9, page 17	Para. 70, page 17	Para 2.9, delete last sentence, which is not the case Agreed to and modified accordingly.	For precision and clarity
Para. 2.10, page 17	Para. 70, page 17	Delete Para 2.10 Agreed to and modified accordingly.	For precision and clarity
Para. 2.11, page 17	Para. 70, page 17	Change Para 2.11 to “ <i>The South Downs Local Plan was adopted in 2019.</i> ” Agreed to and modified accordingly.	For precision and clarity
Paras. 2.13 & 2.15, pages 17-18	Para. 71, page 17	Para 2.13, first line, delete “have” and delete last sentence “ <i>This means...</i> ” Agreed to and modified accordingly.	For clarity
Para. 2.15, page 18	Para. 71, page 17	Delete Para 2.15 Agreed to and modified accordingly.	For clarity
Para. 2.16, page 18	Para. 72, page 17	Para 2.16, second sentence, change to “ <i>This comprised:</i> ” Agreed to and modified accordingly.	For clarity
Para. 2.16, page 18	Para. 72, page 17	Para 2.16, second bullet point, delete “ <i>(current stage);</i> ” Agreed to and modified accordingly.	For clarity
Para. 2.17, page 19	Para. 73, page 18	Para 2.17, change first sentence to “ <i>The Neighbourhood Plan must meet the ‘Basic Conditions.’ The Basic...</i> ” Agreed to and modified accordingly.	For clarity
Para. 2.19, page 19	Para. 73, page 18	Para 2.19, change first sentence to “ <i>The Neighbourhood Plan must also meet other legislative requirements, namely.</i> ” Agreed to and modified accordingly.	For clarity
Paras. 2.20 & 2.21, page 19	Para. 73, page 18	Delete Paras 2.20 and 2.21 Agreed to and modified accordingly.	For clarity
Neighbourhood Plan Policies			
SEA1, page 31	Para. 93, page 22	Change Policy SEA1 to “ <i>Development within or impacting upon the South Downs National Park should have a landscape led approach to design, having regard to the setting of the National Park</i> ”	To ensure the Neighbourhood Plan meets

		<i>in terms of its landscape and visual amenity. Development within or impacting upon the South Downs National Park must respect: a) the landscape...e) features of biodiversity, geological and heritage interest.”</i> (end of Policy) Agreed to and modified accordingly.	the Basic Conditions
Paras. 6.3 & 6.4, pages 27-28	Para. 93, page 22	Delete Paras 6.3 and 6.4 Agreed to and modified accordingly.	For clarity
Para. 6.7, page 28	Para. 93, page 22	Para 6.7, delete last sentence on page 28 (“ <i>Any...example</i> ”) Agreed to and modified accordingly.	For clarity
SEA2, pages 32-33	Para. 102, page 24	Policy SEA2, delete the introduction (first two sentences) and replace with: “ <i>Development in the Neighbourhood Area should demonstrate high design quality. Development should have regard to the General Design Guidelines for Seaford and give consideration to the following criteria.</i> ” (retain criteria a) to j) here Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.11, page 31	Para. 102, page 24	Page 31, supporting text, delete everything after first sentence (from “Criteria g)...” to “...and wildlife.”) and replace with “ <i>Policy SEA2 requires development to demonstrate high quality and encourages developers to take these Guidelines and other relevant factors into account.</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA3, page 34	Para. 112, page 26	Policy SEA3, delete text and replace with “ <i>Conservation Areas and their settings must be conserved or enhanced in a manner appropriate to their significance. The enhancement of a Conservation Area or its setting will be supported.</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.12, page 33	Para. 112, page 26	Supporting text, page 33, delete last sentence of Para 6.12 (“ <i>It is considered...text.</i> ”) Agreed to and modified accordingly.	For clarity
SEA4, page 36	Para. 119, page 27	Change wording of Policy SEA4 to “ <i>Development affecting Bishopstone Conservation Area or its setting must demonstrate how it respects the isolated character and downland setting – including the valley and ridgelines around the valley – of the village.</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.16, page 27	Para. 119, page 27	Supporting text, page 36, change second sentence of Para 6.16 to “ <i>The Town Council is concerned to ensure that further development beyond the existing limits of development adjacent to these ridgelines does not damage the setting of the Conservation Area.</i> ”	For precision and clarity

		Agreed to and modified accordingly.	
Para. 6.17, Page 28	Para. 119, page 28	Change second sentence of Para 6.17 to " <i>Whilst not a Policy requirement, the Town Council would be supportive of the creation of an off-street parking area that enhances historic environment and improves amenity in this area.</i> " Agreed to and modified accordingly.	For precision and clarity
SEA5, Page 29	Para. 126, page 29	Policy SEA5, change first sentence to " <i>Development within Areas of Established Character, as shown on Map X (provide appropriate number, consecutive to previous Map and change subsequent numbers), must demonstrate how it respects and appears in keeping with the existing character of the Area in terms of spaciousness...trees and landscaping. The Areas of Established Character in Seaford are: (retain bullet point list)</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Map 3, Page 35	Para. 126, page 30	Remove Areas of Established Character from Map 3 and change title of that Map to Conservation Areas. For precision and clarity, identify each Conservation Area in the key Agreed to and modified accordingly.	For precision and clarity
Page 35	Para. 126, page 30	Provide a new Map, entitled " <i>Areas of Established Character,</i> " showing the location of each Area and clearly identifying each Area in the key Agreed to and modified accordingly.	For precision and clarity
Para. 6.27, page 38	Para. 126, page 30	Supporting text, page 38, delete last two sentences (which are incorrect and unnecessary, respectively) Agreed to and modified accordingly.	For clarity
SEA6, page 40	Para. 130, page 31	Policy SEA6, change first sentence to: " <i>Development at Seaford Seafront, as identified on Map 4, should have regard to the General Design Guidelines for Seaford and should respond to the following design principles, as appropriate:</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA6, page 40	Para. 130, page 31	Change bullet points to " <i>a) development should not detract...Seafront. b) development should be designed...maintenance; c) development should be...vistas and respects the setting...Gateways; d) development should conserve or enhance the...Tide Mills); e) development should conserve or enhance the...seafront; and f) development should take opportunities to enhance the public realm and improve walking and</i> "	To ensure the Neighbourhood Plan meets the Basic Conditions

		<i>cycling facilities.</i> "	
		Agreed to and modified accordingly.	
Para. 6.28, page 39	Para. 130, page 31	Supporting text, Para 6.28, delete last sentence " <i>It is considered...policy.</i> "	For clarity
		Agreed to and modified accordingly.	
SEA7, page 44	Para. 136, page 32	Policy SEA7 change first sentence to " <i>The development of existing...playing fields, will not be supported unless.</i> " (retain bullet points a. to c.)"	To ensure the Neighbourhood Plan meets the Basic Conditions
		Agreed to and modified accordingly.	
SEA7, page 44	Para. 136, page 32	Move second part of Policy (" <i>The following...Crouch</i> ") to the supporting text, to form a new paragraph following Para 6.32	For clarity
		Agreed to and modified accordingly.	
SEA8, page 45	Para. 150, page 35	Policy SEA8 delete sites 4, 10 and 12	To ensure the Neighbourhood Plan meets the Basic Conditions
		Agreed to and modified accordingly.	
Map 6, page 46	Para. 150, page 35	Update Map 6 to take the above into account	For clarity
		Agreed to and modified accordingly.	
Map 6, page 46	Para. 150, page 35	Provide a new set of plans, to be provided within the Neighbourhood Plan, following Map 6, clearly identifying the precise boundaries of each Local Green Space on an Ordnance Survey (or similar) base	For clarity
		Agreed to and modified accordingly.	
SEA8, page 45	Para. 150, page 35	Change first sentence of Policy SEA8 to " <i>...as shown on Map 6 and the following plans.</i> "	For clarity
		Agreed to and modified accordingly.	
SEA8, page 45	Para. 150, page 35	Change last sentence of Policy SEA8 to " <i>The management of development within areas of Local Green Space will be consistent with that for development within Green Belts.</i> "	To ensure the Neighbourhood Plan meets the Basic Conditions
		Agreed to and modified accordingly.	
Para. 6.34, page 45	Para. 150, page 35	Supporting text, page 45, delete second, third and last sentence of Para 6.34 (" <i>This reviewed...to Map 6.</i> ")	For clarity
		Agreed to and modified accordingly.	
SEA9, page 47	Para. 153, page 36	Change Policy SEA9 to " <i>...Map 7 will only be supported if it is demonstrated...</i> "	To ensure the Neighbourhood Plan meets

		Agreed to and modified accordingly.	the Basic Conditions
Para. 6.35, page 47	Para. 153, page 36	First line of supporting text, page 47, change typo to " <i>indicated</i> " Agreed to and modified accordingly.	For clarity
SEA10 and paras. 6.37A- 6.37C, pages 49-50	Para. 157, page 37	Delete Policy SEA10 and all supporting text (Paras 6.37A – 6.37C, inclusive) Agreed to and modified accordingly.	For clarity
SEA11, page 52	Para. 163, page 38	Policy SEA11, first sentence, delete " <i>, subject to other relevant development plan policies and the following criteria:</i> " and replace with "subject to the following criteria." Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA11, page 52	Para. 163, page 38	Delete bullet points a) and c) (NB, if off-road highway works are a pre-requisite of development, then they will, in any case, need to be provided) Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA11, page 52	Para. 163, page 39	Change bullet point d) to " <i>but no less than four metres.</i> " (delete rest of sentence) Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA11, page 52	Para. 163, page 39	Provide two new bullet points <ul style="list-style-type: none"> • "<i>Development should be designed to minimise visual impacts on the South Downs National Park.</i>" • "<i>Development must not harm highway safety and should provide for safe access.</i>" Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.42, page 52	Para. 163, page 39	Supporting text, page 52, line 7, change to " <i>...extension may need to be excavated to ensure that buildings do not appear visually intrusive. The provision of a landscape buffer will screen the estate from wider views and again, prevent the site from appearing visually intrusive in its surroundings.</i> " Agreed to and modified accordingly.	For precision and clarity
Para. 6.42, page 52	Para. 163, page 39	Supporting text, delete from " <i>Access to the area of land...</i> " to the end of the Para on page 52 Agreed to and modified accordingly.	For precision and clarity
SEA12, page 54	Para. 166, page 40	Change wording of Policy SEA12 to " <i>The development of visitor accommodation within Seaford will be supported, subject to it respecting local character, residential amenity and highway safety.</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions

Para 6.43, page 54	Para. 166, page 40	Delete last sentence of Para 6.43 (“ <i>A number...town.</i> ”) Agreed to and modified accordingly.	For clarity
SEA13, page 55	Para. 171, page 41	Policy SEA13, first line, delete “(<i>meeting recognised standards</i>)” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA13, page 55	Para. 171, page 41	Delete last sentence (“ <i>The local...way.</i> ”) Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA13, page 55	Para. 171, page 41	Provide a plan in addition to Map 9, at an appropriate scale, so that the precise boundaries of the safeguarded route are clearly discernible against an Ordnance Survey, or equivalent, base. Agreed to and modified accordingly.	For clarity
SEA14, page 56	Para. 176, page 42	Policy SEA14, change wording to “ <i>The land identified on Map 9 (and further Maps if required in order to show precise boundaries) is safeguarded from any development that would prevent the re-dualling of the train line.</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Map 9, page 57	Para. 176, page 42	Provide a replacement Map 9 (on more than one plan if necessary) to show the precise boundaries of the land to be safeguarded Agreed to and modified accordingly.	For clarity
Para.6.48, page 55	Para. 176, page 42	Delete the second bullet point of Para 6.48 Agreed to and modified accordingly.	For clarity
Para. 6.50, page 56	Para. 176, page 42	Delete Para 6.50 Agreed to and modified accordingly.	For clarity
SEA15, page 62	Para. 181, page 43	Change wording of Policy SEA15 to “ <i>To contribute to the development of at least 185 dwellings in the Neighbourhood Area during the plan period, the following sites, as defined on Map 10, have been identified as sites where residential development (approximate number of dwellings shown in brackets) will be supported:</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA15, page 62	Para. 181, page 43	Add new sentence to follow on from list of sites, “ <i>Site viii, the Old House Depository site was delivered during the plan period, prior to the making of the Neighbourhood Plan.</i> ” Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions

SEA15, page 62	Para. 181, page 43	Delete site x. (further to deletion of Policy SEA10) Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.52, page 56	Para. 181, page 43	Para 6.52, change "6,900" to "6,926" and "100 homes" to "125 homes" Agreed to and modified accordingly.	For precision and clarity
Para. 6.53, page 56	Para. 181, page 43	Para 6.53, last sentence, change to "...leaves a minimum requirement of 183 (rounded up...)" Agreed to and modified accordingly.	For precision and clarity
Para. 6.56, page 59	Para. 181, page 44	Delete last bullet point on page 59, which is confusing and unnecessary Agreed to and modified accordingly.	For clarity
Paras. 6.59 and 6.60, page 61	Para.181, page 44	Delete Paras 6.59 and 6.60 Agreed to and modified accordingly.	For precision and clarity
SEA16, page 70	Para. 188, page 45	Policy SEA16, delete text and replace with " <i>The comprehensive masterplan-led development of the Dane Valley Project area, identified on Map 11, for residential and employment use will be supported. Development proposals must demonstrate how they take into account the following: High quality design; flood risk; contaminated land; biodiversity; sustainable patterns of movement; surface and foul drainage; highway safety; phasing.</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.61, page 69	Para. 188, page 45	Supporting text, Para 6.61, delete everything after second sentence (" <i>In November...Christmas 2018.</i> ") Agreed to and modified accordingly.	For precision and clarity
Para. 6.62, page 69	Para. 188, page 45	Delete Para 6.62 Agreed to and modified accordingly.	For precision and clarity
Para. 6.63, page 72	Para. 190, page 46	Change line three to "... <i>Local Plan 2003.</i> " Agreed to and modified accordingly.	For precision
SEA18, page 72	Para. 194, page 47	Delete Policy SEA18 Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Para. 6.63, page 72	Para. 194, page 47	Delete Para 6.63 Agreed to and modified accordingly.	For precision and clarity

Map 12, page 73	Para. 194, page 47	Delete Map 12 Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA19, page 74	Para. 200, page 48	Change wording Policy SEA19 to " <i>The redevelopment of brownfield or previously-developed land will be supported, subject to respecting local character, residential amenity and highway safety.</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
SEA19, page 74	Para. 200, page 48	Change title of Policy and supporting text to " <i>Brownfield Development</i> " Agreed to and modified accordingly.	For clarity
Paras 6.64 and 6.65, page 74	Para. 200, page 48	Delete Paras 6.64 and 6.65 and replace with " <i>National and local policy supports the reuse of brownfield land. Policy SEA19 encourages the re-use of brownfield land within the Neighbourhood Area.</i> " Agreed to and modified accordingly.	For precision and clarity
SEA20, page 75	Para. 204, page 49	Change wording of Policy SEA20 to " <i>The development of new and improved utility infrastructure that meets the needs of the community will be supported.</i> " Agreed to and modified accordingly.	To ensure the Neighbourhood Plan meets the Basic Conditions
Other Matters			
Para. 8.2, page 87	Para. 207, page 50	Delete Para 8.2 Agreed to and modified accordingly.	For clarity
Para.8.3, page 87	Para. 207, page 50	Para 8.3, change last sentence " <i>It will also seek to work with...</i> " Agreed to and modified accordingly.	For clarity
Para 8.5, page 89	Para. 207, page 50	Para 8.5, change to " <i>Seaford Town Councillors involved in...Workshops will give a high priority...</i> " Agreed to and modified accordingly.	For precision and clarity
Para. 8.6, page 89	Para. 207, page 50	Para 8.6, change second sentence to " <i>...These will be regularly monitored by the Town Council as a significant change...</i> " Agreed to and modified accordingly.	For precision and clarity
Throughout	Para. 209, page 50	Update the Contents and where necessary, Policy, paragraph, Map and page numbering, to take into account the recommendations contained in this Report. Agreed to and modified accordingly.	In the interests of the accuracy of the document