

Ditchling, Streat & Westmeston Neighbourhood Development Plan Decision Statement: January 2018

1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the South Downs National Park Authority has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Ditchling, Streat & Westmeston Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2. Background

- 2.1 The Ditchling, Streat & Westmeston Neighbourhood Development Plan relates to the area that was designated by the South Downs National Park Authority and Lewes District Council as a neighbourhood area on 16 January 2014. This area corresponds with the Ditchling, Streat and Westmeston Parish Council boundaries which lie partially within the South Downs National Park and within Lewes District.
- 2.2 Following the submission of the Ditchling, Streat & Westmeston Neighbourhood Development Plan to the National Park Authority and Lewes District Council, the plan was publicised and representations were invited. The publicity period ended on 28 August 2017.
- 2.3 Mr Christopher Lockhart-Mummery QC was appointed by the South Downs National Park Authority with the consent of Ditchling, Streat & Westmeston Parish Councils, to undertake the examination of the Ditchling, Streat & Westmeston Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

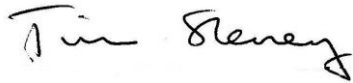
3. Decision

- 3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report 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 by the examiner's report, and the reasons for them, South Downs National Park Authority and Lewes District Council in consultation with Ditchling, Streat & Westmeston Parish Councils have decided to accept the modifications to the draft plan. Table 1 below 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. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the Examiners report.

- 3.3 If the Authority is satisfied that, subject to the modifications being made, the Neighbourhood Plan meets the legal requirements and basic conditions then it can proceed to referendum.

Signed:



Tim Slaney
Director of Planning, South Downs National Park Authority

Date: 7th February 2018

Signed:



Nazeya Hussain
Director of Regeneration and Planning, Lewes District Council

Date: 7th February 2018

Signed:



Councillor Tom Jones
Lead Member for Planning, Lewes District Council

Date: 7th February 2018

Table I

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
The final NDP should include paragraph numbers, and all policy criteria should be numbered rather than using bullet points.	To make the plan more effective and usable for development management purposes.	Accept
In relation to the front cover, the Plan period of 2017-2032 should be added.		Accept
<p>On page 3 replace “aspirational policies” with “community aspirations” (or “community actions”).</p> <p>On page 6 after “land use” delete “(statutory) topics” and replace with “policies”, and replace “aspirational (non-statutory) topics” by “community aspirations”.</p>	References to ‘aspirational policies’ is confusing. It is important to make a distinction between land use policies and other aspirations contained in the NDP.	Accept
<p>Section 1.1</p> <p>In line 6 of the second paragraph, “a Planning Inspector” should be deleted and replaced by “an independent examiner”, and in line 7, the word “plan” should be substituted for “framework”.</p>	For accuracy.	Accept
<p>Section 2.1-2.2</p> <p>In the first paragraph of paragraph 2.1, last sentence, replace with: “The Lewes District Plan Part 1: Joint Core Strategy (JCS) was adopted by Lewis District Council in May 2016 and the SDNPA in June 2016. This Plan covers the whole of the three parishes. In time, the SDNPA will adopt a Local Plan for the entire National Park, at which point this will supersede the Joint Core Strategy and Lewis District Local Plan 2003 for those parts of the parishes within the National Park”.</p> <p>In the fourth paragraph of paragraph 2.2, after “conform” insert “generally”.</p> <p>On page 19, remove “South Downs National Park Local Plan, Preferred Options (September 2015)” from this list (it is not yet a development plan).</p> <p>In paragraph 5, second sentence, delete and replace by: “The JCS covers the period up to 2030 and replaces the Lewes District Local Plan originally adopted in 2003, although some policies were retained after the adoption of the JCS”. Delete footnote</p>	For accuracy.	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>22 and replace by: “This plan has now been superseded in part”.</p> <p>Paragraph 6 delete this sentence and replace by: “This Neighbourhood Plan has been drawn up to conform generally to the strategic policies of the JCS”. In the seventh paragraph, add similar wording regarding the Lewes District Local Plan Part 2.</p>		
<p>Section 2.4</p> <p>Delete the first paragraph and replace by: “The Lewes District Local Plan Part 1: Joint Core Strategy establishes a vision for the district by 2030, including the rural elements of the Low Weald and the rural areas of the South Downs National Park. This vision is translated into a series of strategic objectives, a Spatial Strategy and Core delivery policies, approved adopted by LDC on 11 May 2016 and by the SDNPA on 23 June 2016”.</p> <p>In the heading to Table 2.4 delete “key delivery” and replace by “strategic”. Delete the Note (it is out of date).</p> <p>In paragraph 6, after “2013” add “while not a development plan,”.</p> <p>In the seventh to ninth paragraphs (pages 23-24) amend to reflect the comments of the SDNPA as follows: “The final paragraph of page 23 and the following two paragraphs on page 24 refer to the contents of the emerging South Downs Local Plan but do not make this clear as the preceding paragraph refers to the SDNP Partnership Management Plan. As the emerging South Downs Local Plan has yet to be adopted the policy numbering has changed, and may again change. We would recommend removing reference to specific policy numbers as these may well change ahead of adoption”.</p> <p>In the ninth paragraph, delete the last two sentences and replace by: “Development will only be permitted where it conforms to the countryside policies contained in the development plan for the area. In the Plan, Ditchling has again been allocated a net addition of 15 homes which confirms the allocation in the Lewes District JCS”.</p>	<p>To reflect the statutory requirements as to general conformity.</p>	<p>Accept.</p>
<p>Section 3.1</p> <p>In the first paragraph, the last word of the first sentence should be “thereafter” not</p>		<p>Accept</p>

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
“therein”.		
<p>Before section 3.3 That Policy HSG3 be deleted, and that a new policy (numbered DSI?) be inserted:</p> <p>Development Strategy The principle of development is supported within the settlement boundary, particularly where this:</p> <ul style="list-style-type: none"> (i) meets identified housing requirements; (ii) supports its role as a service centre for the Plan area; and (iii) provides facilities supporting its role as a gateway to the National Park. <p>Exceptionally, development will be permitted outside of the settlement boundary where it complies with relevant policies in the development plan, and:</p> <ul style="list-style-type: none"> (a) it is allocated for development or safeguard if the use proposed as part of the development plan; or (b) it is for the provision of affordable housing meeting local needs on rural exception sites; or (c) it is for the replacement or extension of existing dwellings providing the resulting floorspace is not increased by more than 30% of the existing dwellings; or (d) it is small-scale development which supports an existing rural business; or (e) it is for facilities for low-key countryside recreation and tourism, particularly those promoting use of the National Park; or (f) in the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or (g) it is an appropriate re-use of a previously developed site, excepting residential gardens”. <p>The supporting text (which could be brief) should be drafted accordingly. The text of former paragraph 3.3 – which will now be 3.4 – should cross-refer to Policy DSI. Consideration should be given as to whether Policy DSI should include the last two paragraphs of (former) Policy HSG3 – or whether there should be a separate policy for St. George’s Park.</p> 	To remove confusion between Policy HSG3 and Policy CONS 1.	Accept
<p>Section 3.3 Housing (now section 3.4) In the third paragraph, the second sentence should be deleted and replaced by: “The</p>	For clarification	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>area covered by the NP that is not in the National Park is covered by LDC which has made similar allocations for each settlement”. The third sentence should be deleted and replaced by: “In the Joint Core Strategy 2016, Ditchling was given a target of a minimum of 15 new dwellings (net)”.</p> <p>In the fifth paragraph, the first sentence should be deleted and replaced by: “Ditchling’s settlement boundary is very tightly drawn around the developed core, leaving little or no room for further development within the planning boundary”.</p> <p>On Figure 3.3/1, the proposed extension to the settlement boundary should be shown.</p>		
<p>Policy HSG1 Policy HSG1 be deleted, and replaced by: “Housing proposals will be supported that provide: (1) 1, 2 or 3 bedroom houses or flats; (2) housing units for an ageing population in close proximity to village services and suitable for adapted living. Affordable housing will be delivered in accordance with the development plan”.</p>	To ensure the policy conforms adequately with the development plan or national policy / guidance.	Accept
<p>Policy HSG2 The policy be deleted and replaced by: “Housing proposals should be developed at the maximum density appropriate to the location, while retaining the character of the Beacon villages. The sub-division of existing buildings and plots, and the conversion of agricultural units, will also take into account this objective. Where appropriate, gardens should be provided for every unit. Car parking should be provided in accordance with highway authority standards”.</p>	To ensure the policy conforms adequately with national policy / guidance.	Accept
<p>Policy HSG4 In the last bullet point, the gap between “of” and “local” is missing, and the last phrase should read “...amenity of the local road network”.</p>		Accept
<p>Policy HSG5 As a consequence of the earlier recommendation in relation to Policy HSG3,</p>		Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
reference to this policy should be deleted from Policy HSG5		
<p>Policy HSG6</p> <p>I Recommend: that the second sentence of the policy be deleted and replaced by: “New and improved utility infrastructure will be supported where the design minimises the impact on the natural beauty, wildlife and cultural heritage of the National Park and the amenity of local communities”.</p> <p>In the third sentence, the word following “commercial” should be “development” not “infrastructure”.</p>	To ensure the policy conforms adequately with national policy / guidance.	Accept
<p>Development sites</p> <p>As I understand the position, 3 units at Lewes Road/Nye Lane, have planning permission. If so, that should be specified in Table 3.3/2.</p> <p>If it is the intention (see the Park Barn Farm Development Framework) that the 9 “community housing units” proposed for this site through the medium of a Community Land Trust, will be affordable, this should be indicated both in Table 3.3/2 and in the Development Framework.</p>	For clarity	Accept
<p>Policy HSG7A and related Development Framework</p> <p>I Recommend: that Policy HSG7A be deleted and replaced by: “Applications for residential development on the land identified in Figure 3.3/4 for 12 residential units will be supported where it is demonstrated that proposals:</p> <p>(1) conform to the Park Barn Farm Development Framework (below); and</p> <p>(2) meet the requirements set out in other appropriate policies of the development plan”.</p> <p>The Development Framework should be amended to ensure the following:</p> <p>(1) that access is taken solely through Long Park Corner;</p> <p>(2) that surface treatment works on Beacon Road are related solely to the needs of the development;</p> <p>(3) that a full site survey is undertaken, and that development be required to take place in line with BS5837;</p>	It is not the role of the NDP to ‘grant’ planning permission. Provide greater protection to the National Park environment.	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>(4) under the heading “Conservation”, delete “...under the segregation rule imposed by the planning authority”;</p> <p>(5) that views from the Sussex Border Path are protected by appropriate measures; and</p> <p>(6) delete the reference to Appendix A, and amend the adjoining text accordingly.</p>		
<p>Policy HSG7B and its related Development Framework</p> <p>That Policy HSG7B be deleted and replaced by:</p> <p>“Applications for residential development for up to an additional 4 residential units (in addition to the 3 already permitted), on the land identified in Figure 3.3/5 will be supported where it can be demonstrated</p> <p>(1) that the proposals conform to the Development Framework given below, and</p> <p>(2) meet the requirements set out in other appropriate policies of the development plan”.</p> <p>The text should be clarified to show (if this be the case) that planning permission exists for 3 units. The reference to an increase of 2 is presumably part of the additional 4, and it may be better to omit this in the interests of clarity. The reference to the site block plan should be deleted.</p> <p>I recommend the following amendments to the Development Framework:</p> <p>(1) delete the reference to Appendix A and adjust the text accordingly;</p> <p>(2) under the heading of Traffic Access and Parking –</p> <p>Delete the second sentence and replace by: “The existing road access junction will need to be improved. The nature of these improvements should take into account the effect on the local environment”.</p> <p>Delete the third and fourth sentences and replace with: “Alterations to the surface treatment of Lewes Road may be required, so far as related to the development”.</p>	<p>To reflect that there are a number of constraints affecting development of the site.</p> <p>For clarification.</p>	<p>Accept</p>
<p>Policy HSG7C</p> <p>The site boundary in Figure 3.3/6 should be amended to reflect the existing planning permission.</p>	<p>For clarification</p>	<p>Accept</p>

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>I Recommend: that Policy HSG7C be deleted and replaced by: “Applications for residential development on the land identified in Figure 3.3/6 for 3 residential units will be supported provided that the proposals meet the requirements set out in appropriate policies of the development plan”.</p>		
<p>Transport Paragraphs 6 and 7 of the text on page 41 support TRANS 3, 5, 6 and 7. These are not policies, but community aspirations. Their supporting text should therefore be transferred to Part B.</p> <p>In the eighth paragraph, the first sentence should read: “A number of policies in this Plan are also concerned with traffic”.</p> <p>In line 2 the reference to four approaches should be to three approaches (SDNPA).</p> <p>In the ninth paragraph, replace “policies” with “aspirations”.</p>	<p>To clearly distinguish between policies and community aspirations.</p>	<p>Accept</p>
<p>Policy TRANS1 If planning permission has now been granted for this proposal (see SDNPA) it seems doubtful that this policy is still necessary. If it is not necessary, there will only be one TRANS policy, calling for further amendment to the eighth and ninth paragraphs of the text.</p>	<p>Remove policy if no longer necessary</p>	<p>Accept</p>
<p>Policy TRANS2 I Recommend: that Policy TRANS 2 be deleted and replaced by: “Transport Infrastructure Improvements Associated with New Housing Developments</p> <p>Applications for housing development may need to be accompanied by appropriate transport infrastructure improvements (e.g. footways and pedestrian crossings, cycle routes, bus stop improvements) required for and related to the development”.</p>	<p>To ensure the policy conforms adequately with national policy / guidance.</p>	<p>Accept</p>
<p>Business and Tourism The second sentence of paragraph 3.5 of the NP is not accurate, and should be replaced by: “LDC and the SDNPA classify Ditchling Village as a Local Centre where</p>	<p>For accuracy</p>	<p>Accept</p>

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
existing retail units will be safeguarded for retail use”.		
Policy COMIB I Recommend: that “existing shopping” be deleted from Policy COMIB	To ensure the policy conforms adequately with national policy / guidance.	Accept
Policy BIZ1 That Policy BIZ1 be deleted and replaced by: “Retention of Local Shops and Businesses Local shops and businesses are vital to the economic and social life of the Beacon villages. Proposals for change of use of such shops and businesses to other uses will be resisted, unless it can be demonstrated that the use is no longer viable. This will normally require at least a 12-month genuine and robust marketing campaign, which demonstrates lack of effective market demand.”	To ensure the policy conforms adequately with national policy / guidance.	Accept
Policy BIZ2 I Recommend: that Policy BIZ2 be deleted and replaced by: “Development proposals for farm diversification which are in line with national sustainability policies for rural development, and are of an appropriate scale and in an appropriate location, will be supported. Existing farm buildings should be re-used wherever possible and diversification proposals supported where they are ancillary to farming operations”.	Modifications are necessary to ensure compliance with national policy and guidance.	Accept
Conservation Land Use Policies The phrase in paragraph 3.6.1 “as endorsed by SDNPA officers” is superfluous, and should be deleted. In the second paragraph the reference to NPPG should be to NPPF. In the third paragraph the reference to HSG3 should be replaced by DSI.		Accept
Policy CONSI I Recommend: that the first paragraph of the policy is deleted and replaced by: “The overall development strategy of the Plan is set out in Policy DSI”. The second and third paragraphs should be retained.	The first paragraph of the policy is redundant in the light of Policy DSI.	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>The boundaries of the two industrial estates, and the “established developed areas” at St. George’s Park should be identified on maps within the supporting text.</p>		
<p>Policy CONS2 Consideration should be given to the following: In the fifth bullet point, adding “where practicable” after “rights of way”. In the seventh bullet point, adding “where possible” after “drainage principles”.</p>		Accept
<p>Policies CONS3 and 4 I Recommend: delete Policies CONS 3 and 4, and replace by: “CONS 3 Proposals for development which affect heritage assets, whether designated or non-designated, will be considered under the provisions of paragraphs 126-141 of the NPPF”.</p> <p>The last sentence of the preceding text should be deleted and replaced by: “The household survey recorded a strong desire for the historic environment and character of the parishes to be conserved. National policy in paragraphs 126-141 of the NPPF provides a detailed and firm foundation for the conservation and enhancement of the historic environment. Policy CONS 4 provides further guidance of local application in relation to conservation areas”.</p> <p>Re-number CONS 5 to CONS 4 and retain as drafted.</p>	To ensure the policy conforms adequately with national policy / guidance.	Accept
<p>Policy CONS6 This is a community aspiration, and should be removed to Part B.</p>	Clearly distinguish between policies and community aspirations.	Accept
<p>Policy CONS7 On page 50, footnote 68 is missing. I Recommend: that the first sentence of Policy CONS 7 be deleted and replaced with: “The distinctive landscape, views and scenic beauty of the Neighbourhood Plan area should be conserved and enhanced. The landscape of the South Downs National Park and its setting shall be protected in accordance with legislation, national planning policy, and planning policy guidance”.</p>	To ensure the policy conforms adequately with national policy / guidance.	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>In the second bullet point “accompanying map” should be replaced with “Figure 3.6/1”.</p> <p>I agree that it would be helpful to name and list the key views (in the text or on the plan).</p> <p>On Figure 3.6/2 item H is missing from the legend, and it would be helpful to clarify the concept of “rural setting”.</p>		
<p>Policy CONS8 I Recommend: amend the final sentence of the policy to refer to the “South Downs Integrated Landscape Character Assessment and relevant local landscape character assessments”.</p>	For clarity	Accept
<p>Policy CONS9 I Recommend: that the third line of the first sentence of CONS 9 be replaced by “on the quality of dark night skies”.</p>	For accuracy	Accept
<p>Policy CONS13 On Figure 3.6/8, there appears to be an error in the legend, which refers to grey areas of “local green spaces”, which is an inaccurate description.</p>	For accuracy	Accept
<p>Policy COMI I Recommend: that Policy COMIB be deleted and replaced by: “Development proposals that lead to the loss of public services or community facilities should be resisted unless it can be reasonably shown that such uses are no longer viable. Evidence of a 12-month minimum robust marketing or similar campaign will be required in clear demonstration that there is no demand for public services or community uses in those buildings”.</p>		
<p>Cumulative effect of the Neighbourhood Plan’s policies I have already recommended the deletion of the concept of “aspirational policies”, and its replacement by “community aspirations”. The drafting of page 73 (especially the first paragraph) will need to be amended accordingly.</p>	Clearly distinguish between policies and community aspirations.	Accept
<p>Section 4 – Achieving sustainable development</p>	For internal consistency within the	Accept

Recommended Modification to the Ditchling, Streat & Westmeston NDP	Examiners Report Reference & Justification	SDNPA /LDC Decision
<p>To reflect earlier recommendations, the text on page 77 should be amended in these respects:</p> <p>Under Housing, delete “small affordable housing” and replace by “smaller housing units”.</p> <p>Under Traffic and Transport, after “transport policies” insert “and aspirations”.</p> <p>Under Business and employment, after “business policies” insert “and aspirations”.</p>	document	
<p>Section 5</p> <p>In the last paragraph on page 80, the reference to “TRANS 2” is incorrect.</p> <p>In the second paragraph on page 81, the word “adopted” in line 2 should be “made”.</p> <p>The content of page 82 would presumably be better placed in Part B.</p>	For clarification	Accept