

Lewes Neighbourhood Development Plan

Examiner's Clarification Note

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan is very well-presented and written. It provides a clear and distinctive vision for the neighbourhood area. In particular it addresses precisely the type of issues that would be expected to be considered in a neighbourhood area with a rich built heritage.

The layout of the Plan is excellent. The various maps add to its depth and interest. It inspires confidence that it has been professionally prepared and, if 'made', can eventually become a part of the development plan in the South Downs National Park.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I am now in a position to raise initial issues for clarification with the Town Council. The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

This Note has a focus on general matters. If the need arises I may second a second Note after I have visited the neighbourhood area

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy wording

The Plan uses overlapping wording in several policies. Where it takes a positive approach to development it uses either 'permitted, supported or encouraged'. Where it takes a more negative approach to development it uses 'resisted or not be permitted'.

This is potentially confusing to all concerned and to the SDNPA in particular as it would implement a 'made' Plan up to 2033. Whilst I can see that the Plan may wish to encourage certain developments to take place, the use of the word 'encourage' has very limited policy status.

As such I am proposing to modify all affected policies so that they include either 'support' or 'not support' as appropriate. Your comments would be appreciated at this stage.

Policy HC1 (6)

I can see the supporting text at 7.8. However, is the policy more a statement of fact or intent rather than a policy? If this is not the case by what planning means will the Hospital be retained?

Policy HC2

The approach is well-reasoned. However, what is meant by 'in line with the purposes of the SDNP'?

How could this be applied consistently within the Plan period?

How would a user of the Plan know if and when those purposes are changed or updated?

What is the proposal referenced in 7.12? How does that site refer to this policy?

HC3 b (5)

I do not disagree with the approach. However, it reads more as a procedural matter rather than a policy. Would any harm be caused by repositioning it into the supporting text?

HC4 1

Are the existing uses and premises defined on a map base?

If not, could they be so defined?

If not, how would any developer understand the coverage of this policy in general, and on a site by site basis in particular?

HC4 (3)

I do not disagree with the approach. However, is there any indication of the 'proportion' required?

HC5 (3)

Again, I do not disagree with the approach.

However, is this a land use policy? In any event who will carry out the signposting?

PL1 (10)

I do not disagree with the approach. However, it reads more as a procedural matter rather than a policy. Would any harm be caused by repositioning it into the supporting text?

Allocated Housing Sites

As I read the Plan it allocates a series of housing sites. Each site has a separate policy.

Am I correct in my assumption that the various details in each policy are in effect criteria for the development of the site concerned?

If so, I am minded to recommend the inclusion of an overarching policy which allocates the batch of sites. Each site would then be the subject of its own component policy minus the first criterion in each policy. Your comments would be appreciated on my thinking at this stage.

It is likely that I will have site-specific questions after I have visited the neighbourhood area

Policy PL2 (6/7)

How do these policies relate to the Written Ministerial Statement of March 2015?

Policy AM1 (1)

The use of 'All' is potentially confusing. Applied literally the policy would affect minor domestic applications and applications for shop fronts.

Did you intend the policy to apply to larger developments and/or those promoting particular types of development? If so what types?

Policy AM1 (2)

This reads more as a practical intention for works to take place rather than as a policy.

I am intending to recommend a modification so that it takes on a supporting policy format for the identified works. Do you have any comments?

Policies AM2/AM3

Both of these policies read as aspirations rather than policies. This is reinforced by paragraphs 9.12/9.13/9.14.

How would SDNPA determine whether a development contributes to the delivery of a project that helped implement either or both of the strategies?

When or how will those strategies be prepared?

Policy SS2 (2)

I understand the approach in the Plan. However, it reads as a policy to support the development of another Plan (the Public Realm Framework).

Are the specific set of policies that follow the policy on pages 121-129 the full extent of policies in the Public Realm Framework?

How will the neighbourhood plan respond to any update to the Public Realm Framework?

Policy SS3 (1)

I have seen the LGS table and Appendix 6.

Please can I see the background paper mentioned in Appendix 6.

Please can I be advised of the size of the following proposed LGS: 10/15/20/21/31/32/41/62

Policy SS3 5

What are the iconic views?

Are they some or all of those set out in Appendix 5?

Representations made to the Plan

Does the Town Council wish to make observations on any of the representations made to the Plan?

In particular does it have any comments on the representations made by the various statutory bodies and local authorities?

Protocol for responses

I would be grateful for comments from the Town Council by 21 September 2018. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please

could it all come to me directly from the South Downs National Park Authority. In addition, please can all responses make direct reference to the policy concerned.

Andrew Ashcroft,

Independent Examiner

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30 August 2018