



Newick Parish Council Neighbourhood Plan “Newick Now to 2030”

Decision Statement

January 2015

1. Introduction

1.1 Under the Town and Country Planning Act 1990 (as amended), 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 examination and referendum stages. 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 Newick Neighbourhood Development Plan consequently amended; and that this plan may now proceed to referendum.

2. Background

2.1 The Newick Neighbourhood Area, covering the entire Parish, was designated by Lewes District Council on 1st October 2012. This area lies solely within the Lewes District Local Planning Authority Area.

2.2 The Newick Neighbourhood Plan was submitted to Lewes District Council in August 2014. The Regulation 16 consultation took place between the 1st September and 13th October 2014 whereby the Plan was publicised and representations were invited on the Plan.

2.3 Mr Nigel McGurk was appointed by Lewes District Council with the consent of the Parish Council, to undertake the examination of the Newick 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, Lewes District Council in consent with Newick Parish Council has decided to accept the modifications to ensure that the Plan meets the basic conditions set out in legislation.

3.3 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 and the justification for this. A number of the accepted recommendations have subsequently resulted in changes to policy numbers which have not been listed in Table 1.

3.4 A small number of the recommendations vary slightly from that proposed by the Independent Examiner. Lewes District Council is confident that these minor variances do not impact on the Plan meeting the basic conditions. Also, some further minor modifications have been made to the Plan and listed in Table 1 which are in addition to the Examiner's recommendations. These are minor modifications to correct mistakes, update information for accuracy and align the Plan with the Examiner's recommendations and have been agreed with the Neighbourhood Planning Officers of Lewes District Council.

Table 1. Recommendations by the Examiner, further modifications agreed by Lewes District Council and Newick Parish Council and the justification for these changes.

Policy/Section	Independent Examiner's Recommended Modification	Justification
Front Cover		
	<i>Front cover amended to read "Neighbourhood Plan"</i>	For accuracy
Introduction		
Foreword	<ul style="list-style-type: none"> • First sentence to read <i>"The Newick Neighbourhood Plan covers the period from 2015 to 2030"</i> <p><i>LDC and NPC have agreed to make the above modification</i></p>	Adds clarity.
	<ul style="list-style-type: none"> • Delete second paragraph <p>The paragraph has been deleted although the foreword, as agreed by the LDC and the PC has been amended to add relevant information relating to the plan being examined by the Independent Examiner.</p>	To remove error and unnecessary information.
	<ul style="list-style-type: none"> • Final paragraph on first page, delete first sentence and start <i>"The Neighbourhood Plan will form..."</i> • End final paragraph <i>"...planning applications are considered."</i> <p><i>LDC and NPC have agreed to make the above modifications</i></p>	To remove erroneous reference to conformity and to remove reference to some pre-examination matters.
	<p><i>Minor modifications made to make reference to Examiner's Report</i></p>	To update
How the Plan is Organised		
	<i>Description of Section 2 changed to reflect effect of examiner's deletion of most of it</i>	To update
Newick Past and Present		
	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Producing the Neighbourhood Plan		
Pages 10 to 14	<ul style="list-style-type: none"> • Delete all text on pages 10 to 14 inclusive. Replace with <i>"In accordance with legislation, this Neighbourhood Plan is supported by a Consultation Statement and a Basic Conditions Statement. A Sustainability Appraisal has also been produced. These documents and other information are available on the Parish Council website."</i> <p><i>The recommendation has been carried out although after "information" the following</i></p>	To remove unnecessary and repetitive information.

	<p><i>additional wording was added and agreed by LDC:</i></p> <p><i>“concerning the consultation process and other matters addressed in preparing the Neighbourhood Plan”</i></p> <p><i>Also, the map of the planning boundary provides useful visual information and is retained. A paragraph to explain the inclusion of the map has been included as agreed by LDC and NPC.</i></p>	
What the Community Wants		
	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
The Neighbourhood Plan - Policies		
	<ul style="list-style-type: none"> • Replace all “(Parish Council) Policies” (for reference, EN5, EN6, TC3, TC5, TC6 and CF3) with the heading “Community Action.” (Thus, “Community Action EN5, Community Action EN6” etc) • For clarity, the above “Policies” will not comprise Neighbourhood Plan Policies, but will be “Community Actions.” <p><i>LDC and NPC have agreed to change all Parish Council Policies to Community Actions</i></p>	To aid in clarity
Environment		
Policy EN1	<ul style="list-style-type: none"> • Policy EN1, delete that part of the second sentence stating “...and the green gap...should be maintained.” • Policy EN1, delete final sentence <p><i>LDC and NPC have agreed to make the above changes.</i></p>	To add clarity for decision making in line with paragraph 154 of the NPPF and to meet the basic conditions.
Policy EN2	<ul style="list-style-type: none"> • Policy EN2, re-word “The protection and/or enhancement of wildlife opportunities by retaining...verges to roads, will be supported.” <p><i>LDC and NPC have agreed to make the above change.</i></p>	As worded, the policy was unclear and so the amendments have been made to add clarity and meet the basic conditions.
Policy EN3	<ul style="list-style-type: none"> • Policy EN3, re-word “The extension of the existing network of footpaths and twittens will be supported.” <p><i>LDC and NPC have agreed to make the above change.</i></p>	As worded, the policy was unclear and so the amendments have been made to add clarity and meet the basic conditions.
Policy EN4	<ul style="list-style-type: none"> • Policy EN4, re-word “The provision of cycle paths will be supported.” <p><i>LDC and NPC have agreed to make the above</i></p>	As worded, the policy was unclear and so the amendments have been made to add clarity and meet the

	<i>change.</i>	basic conditions.
Housing		
Pages 22 and 23	<ul style="list-style-type: none"> Delete all text on pages 22 and 23 Replace deleted text (above) with a brief paragraph summarising the earlier housing-related information in the Neighbourhood Plan <p><i>LDC and NPC have agreed to remove the text and replace with three paragraphs, given the amount of information needed to summarise. The wording has been agreed by LDC and NPC.</i></p>	The supporting text detracts from the housing section.
Policy HO1	<ul style="list-style-type: none"> Policy HO1, delete final sentence of HO1.1 <p><i>LDC and NPC have agreed to make the above deletion</i></p>	Inappropriate use of guidance from another district to determine applications
	<ul style="list-style-type: none"> Policy HO1, delete HO1.7 <p><i>Policy has been deleted but a related community action will be included, as agreed by LDC and NPC, to reflect the community's opposition to the installation of street lighting.</i></p>	Not evidenced and fails to have regard to the NPPF.
	<ul style="list-style-type: none"> Policy HO1, add "HO1.7 Due to the Neighbourhood Area's location, relevant development proposals must provide mitigation measures to be delivered prior to occupation of the development and in perpetuity. Measures should include the provision of Suitable Alternative Natural Green Space (SANGS)." <p><i>A policy has been included on this subject, but differs slightly from the wording proposed by the Examiner in order to reflect emerging Local Policy.</i></p>	In order to add clarity as the Neighbourhood Plan highlights Ashdown Forest mitigation.
Policy HO2 to HO5	<ul style="list-style-type: none"> Under the heading "Housing Policies, add: "The term "planning boundary" referred to in the following policies reflects terminology used in the Lewes District Local Plan and relates to the settlement boundary." <p><i>LDC and NPC agreed to add the above wording</i></p>	To add clarity.
Policy HO2	<ul style="list-style-type: none"> Policy HO2, re-word Policy HO2.1 "This 1.39 hectare site is allocated for housing." <p><i>This change has been made, but to reflect the intention of the Examiner's earlier recommendation that the planning boundary is referred to in the policies, wording has been added, as agreed by LDC and NPC.</i></p>	To ensure compliance with the basic conditions.
Policy HO3	<ul style="list-style-type: none"> Policy HO3, re-word Policy HO3.1 "This 1.23 	To ensure compliance with the

	<p><i>hectare site is allocated for housing.”</i></p> <p><i>This change has been made, but to reflect the intention of the Examiner’s earlier recommendation that the planning boundary is referred to in the policies, wording has been added, as agreed by LDC and NPC.</i></p>	basic conditions.
Policy HO4	<ul style="list-style-type: none"> • Policy HO4, re-word Policy HO4.1 <i>“This 1.94 hectare site, including buffer zones requiring tree and shrub planning, is allocated for housing.”</i> <p><i>This change has been made, but to reflect the intention of the Examiner’s earlier recommendation that the planning boundary is referred to in the policies, wording has been added, as agreed by LDC and NPC.</i></p>	To ensure compliance with the basic conditions.
Policy HO5	<ul style="list-style-type: none"> • Policy HO5, re-word Policy HO5.1 <i>“This 0.1 hectare site is allocated for housing.”</i> <p><i>This change has been made, but to reflect the intention of the Examiner’s earlier recommendation that the planning boundary is referred to in the policies, wording has been added, as agreed by LDC and NPC.</i></p>	To ensure compliance with the basic conditions.
Page 22	<ul style="list-style-type: none"> • Page 22, second paragraph, delete last sentence (which refers to <i>“the required 100 homes”</i>) <p><i>This recommendation has been accepted by LDC and NPC although this specific wording has already been removed through an earlier recommendation by the examiner.</i></p>	To ensure compliance with the basic conditions.
HO2, HO3, HO4	<ul style="list-style-type: none"> • Add bullet point to each of Policies HO2, HO3 and HO4: <i>“Development should provide a connection to the nearest point of adequate capacity in the sewerage network.”</i> <p><i>The above wording has been added to policies HO2, HO3 and HO4.</i></p>	To have regard to the NPPF’s requirement for development to be supported by the co-ordinated provision of appropriate infrastructure.
The Local Economy		
Policy LE1	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Policy LE2	<ul style="list-style-type: none"> • Delete <i>“...and on any other suitable site...”</i> <p><i>The deletion was accepted by LDC and NPC. The deletion was replaced by “Rotherfield Wood Timber Yard” which was deemed appropriate.</i></p>	As worded the policy was unclear and did not provide clarity for decision makers in line with paragraph 154 of the NPPF.
Policy LE3 and LE5	<ul style="list-style-type: none"> • Delete policies LE3 and LE5 	To add clarity and to meet the basic conditions.

	<i>LDC and NPC agreed to delete the above policies</i>	
Policy LE4	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Transport and Communications		
Policy TC1	<ul style="list-style-type: none"> • Delete policy TC1 <i>LDC and NPC agreed to delete the above policy</i>	To add clarity and to meet the basic conditions.
Policy TC2	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Policy TC4	<ul style="list-style-type: none"> • Delete policy TC4 <i>LDC and NPC agreed to delete the above policy</i>	To add clarity and to meet the basic conditions.
Community Facilities		
Supporting information Page 34	<ul style="list-style-type: none"> • Delete second part of final paragraph in the supporting text on page 34, from “<i>The 2003 Local Plan ...recreational use.</i>” Also delete the unclear “<i>blue blob</i>” on the plan underneath the text showing the location of existing playing fields. <i>The text and map concerning the Lewes District Local Plan Policy NW1 removed</i>	The text, as worded, was written like a policy, which is not the case. Also, the reference to the Lewes District Local Plan Policy NW1 was unnecessary.
Policy CF1	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Policy CF2	<ul style="list-style-type: none"> • No changes proposed to this section 	N/A
Section 5		
	<i>Reference to phasing (“when they are built”) removed.</i>	To align with Examiner’s earlier recommendations
Appendix A		
	<i>Parish Clerk contact details updated</i>	Updating contact details
Appendix B		
	<i>Reference to Wealden Design Guidance deleted</i>	To align with Examiner’s earlier recommendations
Acknowledgements		
	<i>Minor amendments and corrections made</i>	For clarity and to align with Examiner’s earlier recommendations

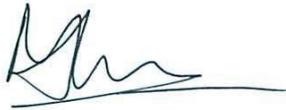
4. Conclusion

4.1 The Independent Examiner recommended that, subject to the modifications proposed, the Newick Neighbourhood Plan should proceed to referendum. Some minor amendments to the recommended modifications have been made (as described in Table 1). Lewes District Council is therefore satisfied that the Newick Neighbourhood Plan “Newick Now to 2030” 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. The Neighbourhood Plan can now proceed to referendum.

4.2 The Independent Examiner considered the neighbourhood area, as defined on the 1st October 2012, to be appropriate for the purposes of holding a referendum. Lewes District Council has taken account of this advice and therefore the neighbourhood area is the same as the referendum area.

4.3 The referendum is due to be held on Thursday 26th February 2015 which poses the following question:

‘Do you want Lewes District Council to use the Neighbourhood Plan for Newick Parish to help it decide planning applications in the neighbourhood area?’



Signed.....

Nazeya Hussain

Director of Business Strategy and Development

Date - 9th January 2015



Signed.....

Councillor Tom Jones

Portfolio Holder for Strategy and Development

Date – 9th January 2015

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