



Lewes District Council

Newhaven Neighbourhood Development Plan

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

Regulation 19 – Decision on a Plan Proposal – Decision Statement

Report prepared by Thea Davis – Neighbourhood Planning Officer,

Lewes District and Eastbourne Borough Councils

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 Lewes District Council formally adopted ('made') the Newhaven Neighbourhood Development Plan on 27th November 2019. This follows the making of the Plan by the South Downs National Park Authority on 14th November 2019. The Newhaven Neighbourhood Plan has now been brought into legal force, continuing to form part of the statutory development plan for Lewes District following successful referendum on 10th October 2019. The Plan will continue to be used when determining planning applications in the Newhaven Neighbourhood Area. Furthermore, the Town Council can benefit from 25% (Neighbourhood Portion) of the Community Infrastructure Levy collected within the Neighbourhood Area.

2. Background

2.1 The Newhaven Neighbourhood Area was designated by Lewes District Council on 8th July 2013¹.

2.2 The Newhaven Neighbourhood Plan was submitted to Lewes District Council in January 2019. The Regulation 16 consultation took place between 7th February and 21st March 2019 whereby the Plan was publicised and representations were invited on the Plan.

2.3 Tony Burton was appointed by Lewes District Council, with the approval of the Town Council, to undertake the examination of the Newhaven Neighbourhood Development Plan and to prepare a report of the independent examination.

¹ <https://www.lewes-eastbourne.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=258944>

2.4 The Examiner's Report concluded that subject to a series of modifications, the Plan met the basic conditions and other matters set out in the 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.

2.5 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.

2.6 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 Newhaven Town Council decided to make modifications to ensure that the Plan meets the basic conditions set out in legislation. Modifications were made to the Neighbourhood Plan, in line with the Examiner's recommendations, and a Decision Statement (under Regulation 18) was published on 1st August 2019² confirming that the District Council and the South Downs National Park are satisfied the Plan meets the basic conditions and could proceed to a referendum.

2.7 A successful referendum on the Newhaven Neighbourhood Plan was held on 10th October 2019 in Newhaven Town, where over 80% of those who voted did so in favour of the Neighbourhood Plan becoming part of the statutory development plan for the district. Due to success at the relevant referendum, the Neighbourhood Plan became part of the Lewes District Council's development plan under Section 38 of the Planning and Compulsory Purchase Act 2004 (as applied by Section 3 of the Neighbourhood Planning Act 2017).

2.8 On 27th November 2019, Lewes District Council formally adopted ('made') the Newhaven Neighbourhood Development Plan (incorporating the modifications as set out in the Decision Statement), bringing it legally into force and it will continue to form part of the development plan for the district.

2.9 Lewes District Council adopted the Joint Core Strategy on 11th May 2016. The Joint Core Strategy is the strategic plan which sets the context for the Newhaven Neighbourhood Plan.

² https://www.lewes-eastbourne.gov.uk/_resources/assets/inline/full/0/282598.pdf

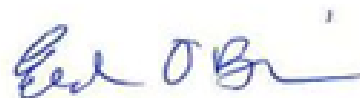
3. Conclusion

3.1 I confirm that the Newhaven Neighbourhood Plan (incorporating the modifications as set out in the Regulation 18 Decision Statement³), complies with the statutory and legal requirements and basic conditions set out in the legislation, has been 'made'.

3.2 Therefore, the Newhaven Neighbourhood Plan will continue to form part of the statutory development plan for Lewes District, being used to determine planning applications in the Neighbourhood Area (as defined on the Decision Document⁴). The Town Council can benefit from 25% (Neighbourhood Portion) of the Community Infrastructure Levy collected within the Neighbourhood Area with immediate effect.

3.3 I am taking the above mentioned decision as I concur with the advice contained in the above report under the 1990 Act in relation to the Neighbourhood Development Plan.

3.4 I declare that I have no personal or prejudicial interest in respect of this decision.



Signed.....

Signed.....

Ian Fitzpatrick

Councillor Emily O'Brian

Director of Regeneration and Planning

Lead Member for Planning

Date: 27th November 2019

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³ <https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/282598.pdf>

⁴ <https://www.lewes-eastbourne.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=258944>