



Wivelsfield Parish Council Neighbourhood Plan

Decision Statement

September 2016

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 in the Examiner's Report have been accepted, the draft Wivelsfield Neighbourhood Development Plan consequently amended; and that this plan may now proceed to referendum.

2. Background

2.1 The Wivelsfield Neighbourhood Area, covering the entire Parish, was designated by Lewes District Council on 17 July 2013. The area lies solely within the Lewes District Local Planning Authority Area.

2.2 The Wivelsfield Neighbourhood Plan was submitted to Lewes District Council in January 2016. The Regulation 16 consultation took place between 8 February and 21 March 2016 whereby the Plan was publicised and representations were invited on the Plan.

2.3 Mr Jeremy Edge was appointed by Lewes District Council with the consent of the Parish Council, to undertake the examination of the Wivelsfield 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 in the Examiner's Report, and the reasons for them, Lewes District Council in consent with Wivelsfield 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 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.

3.4 Table 2 details additional minor modifications to correct mistakes, update information for accuracy and align the Plan with the Examiner's recommendations. These changes have been agreed with the Neighbourhood Planning Officer of Lewes District Council. Lewes District Council is confident that these minor variances do not impact on the Plan meeting the basic conditions.

Table 1. Recommendations made by the Examiner and the justification for these changes.

WNP – Submission Version Policy	Independent Examiner’s Recommended Modification (reference)	Justification
POLICY 1	No amendment necessary	
POLICY 2	No alteration or amendment	
POLICY 3	No alteration	
POLICY 4	No need for amendment or alteration	
POLICY 5 Page 56	<p>Amend wording of policy 5 as follows:</p> <p><i>“development proposals in the Wivelsfield Green Area of Established Character, as shown on the policies map, will be supported provided they have paid special regard to characteristics of the area and otherwise satisfy the policies of this plan”</i></p> <p>LDC and WPC have agreed to make the above modification.</p>	To avoid ambiguity
POLICY 6	Appropriate for development management purposes without amendment	
POLICY 7 Pages 57-58	<p>Delete Policy 7 ii</p> <p>LDC and WPC have deleted this policy.</p>	For conformity with the Basic Conditions
	<p>Delete Policy 7 iii</p> <p>LDC and WPC have deleted this policy.</p>	For conformity with the Basic Conditions
	<p>Delete Policy 7 iv</p> <p>LDC and WPC have deleted this policy.</p>	For conformity with the Basic Conditions
	<p>Delete Policy 7 v</p> <p>LDC and WPC have deleted this policy.</p>	For conformity with the Basic Conditions

	<p>Revise Policy 7 as follows:</p> <p><i>“The neighbourhood plan designates land to the south of Green Road and west of Wivelsfield Primary School, as shown on the Policies Map M as Local Green Space.”</i></p> <p>LDC and WPC have agreed to make the above modification.</p>	To ensure better implementation of the policy as a land use planning policy
	<p>Revise map M</p> <p>LDC and WPC have agreed to revise the map accordingly.</p>	For consistency with subsequent changes
POLICY 8	No alteration necessary	
APPENDICES Page 64-68	<p>Add the pre-hearing statement as Appendix 1</p> <p>LDC and WPC have agreed to make the above modification.</p>	To include essential information produced after the submission of the plan

Table 2. Proposed additional minor changes agreed by LDC and WPC and the justification for these changes

WNP – Submission Version Reference	Proposed additional minor change agreed by LDC and WPC	Justification
Front Cover	<p>Changes of the front cover :</p> <p><i>'Submission Plan 2015-2030 Final Version January-September 2016 v7.6 Published by Lewes District Council and Wivelsfield Parish Council for Submission under the Neighbourhood Planning (General) Regulations 2012 Neighbourhood Plan Title: Wivelsfield Parish Neighbourhood Plan (WNP)'</i></p>	To reflect the status and publication date of the document
Footer	<p>Amend the footer:</p> <p><i>'Wivelsfield Parish Neighbourhood Plan : Submission Plan-Final version – September January 2016'</i></p>	To reflect the status of the document
Contents	Update the page numbering	For accuracy and usability of the Plan
2.7	Amend paragraph 2.7:	Correct error
Page 8	<i>'Also, because feld means 'open area', this indicates that...'</i>	
Plan B: Priority Habitat Areas Page 16	Remove map's header	To remove unnecessary information
Heading Page 45	<p>Change of the heading:</p> <p><i>'Lewes Local Plan: Part 1 ('Joint Core Strategy – Submission version September 20152014)'</i></p>	Correction for consistency of reference
Paragraphs 5.40 to 5.50 included	Delete paragraph 5.40 to 5.50 included	To reflect subsequent alterations

Pages 59-61		
Paragraph 5.51 to 5.53 included Page 61	Amend paragraph numbering as follows: “5. 5140 ... 5. 5241 ... 5. 5342 ...”	For consistency with previous changes
Paragraph 6.5 iii. Page 62	Amend as follows: <i>‘...of High Speed Broadband in which started in 2015’</i>	
Appendix A Page 64	Amend as follows: <i>‘Lewes Local Plan: Part 1 – Joint Core Strategy Submission version, September 20152014’)</i>	Correct error
Appendices Page 64-68	Change appendices numbering: <i>‘Appendix AB ... Appendix BC ... Appendix CD ... Appendix Cii’</i>	To reflect inclusion of an additional appendix

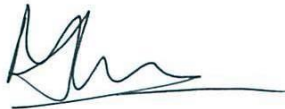
4. Conclusion

4.1 The Independent Examiner recommended that, subject to the modifications proposed, the Wivelsfield Neighbourhood Plan should proceed to referendum. Lewes District Council is therefore satisfied that the Wivelsfield 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. The Neighbourhood Plan can now proceed to referendum.

4.2 The Independent Examiner considered the neighbourhood area, as defined on 17 July 2013 by Lewes District Council, 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 27 October 2016 which poses the following question:

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



Signed.....

Nazeya Hussain

Director of Business Strategy and Development

Date – 9 September 2016



Signed.....

Councillor Tom Jones

Lead Member for Planning

Date – 9 September 2016

Decision published on 9 September 2016