

Newhaven Town Council Neighbourhood Plan 2017-2030

Regulation 18 Publication of the examiner's report and plan proposal decisions

Decision Statement

July 2019

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 Newhaven Neighbourhood Development Plan consequently amended; and that this plan may now proceed to referendum.

2. Background

2.1 The Newhaven Neighbourhood Area, covering the entire town with the exception of the port area, was designated by Lewes District Council and the South Downs National Park Authority on 8th July 2013. This area primarily lies within the Lewes District Local Planning Authority area, however a small part lies within the South Downs National Park Authority (SDNPA) area. Lewes District Council and the South Downs National Park Authority have an agreement in place to determine which authority provides the support in towns and parishes straddling both planning authorities. This agreement confirms that support will be given by the planning authority where the main centre of population is based and so, as Newhaven town is located primarily within Lewes District, the decision was made that Lewes District Council would assume responsibility.

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

2.3 Mr Tony Burton was appointed by Lewes District Council, with the consent of the Town Council, to undertake the examination of the Newhaven 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 Newhaven Town 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 Modifications not within the policies are outlined in the following paragraphs:

3.5 The Basic Conditions Statement refers erroneously to a period of 2018 – 2030 on its title page and paragraph 2.5, this will be amended.

3.6 The bulk of the evidence base for the Plan is provided online and referenced with links in footnotes although this is not consistently the case. The Newhaven Neighbourhood Plan section of Newhaven Town Council's website provides the core information although it is not all in one place. Links and references to all documents cited in the Plan will be provided hosted in a single location on the Newhaven Neighbourhood Plan website.

3.7 The Plan includes a number of maps and these are of varying quality. Higher definition maps which can be read when digitally enlarged will be inserted. Representations were made that relate to the designation of the neighbourhood area and not the content of the Plan. A map of the neighbourhood area is included in the Plan and the Basic Conditions Statement. The boundary is not the same as the map accompanying the decision notice on Lewes District Council's website and there are notable differences around Newhaven Harbour Station and West Pier. In light of this the map of the neighbourhood area with that accompanying Lewes District Council's decision notice on 8 July 2013 will be replaced. For the avoidance of doubt Map 1 in the Basic Conditions Statement will also be amended. A map of the neighbourhood area will be provided of sufficient quality that the location of the boundary can be determined. A consistent approach to showing the site allocations for housing will also be added.

3.8 The Plan is well structured and presented with an appropriate hierarchy of headings and use of boxes and illustrations. The Contents will be amended to reflect the hierarchy of headings used in the Plan and distinguish between Section headings (e.g. *"Background to Neighbourhood Planning"*) and sub headings (e.g. *"Neighbourhood Planning – A Description"*) for each Section.

3.9 There are a number of small errors in the body of the text which will be amended including: the use of *"Foreward"* not *"Foreword"*; use of *"Bruntland"* not *"Brundtland"* (paragraph 1.31); two Task 7s in Table 1; footnote links not working or connecting to the referenced documents; and that neighbourhood plans are *"made"* not *"adopted"*. The term *"made"* should be used throughout (e.g. paragraphs 1.11, 1.13, Table 1). The South Downs Local Plan has not yet been adopted, *"(when adopted)"* will be added after *"South Downs Local Plan"* in paragraph 1.11

4.0 Habitat Regulations Assessment - The wording of the Plan in paragraph 1.42 will be amended according to the SDNPA proposed re-wording to reflect the situation. Paragraph 1.42 will be replaced with *“The report identified that the Joint Core Strategy could have a significant effect on the Ashdown Forest SPA/ SAC. Measures were agreed with Natural England to mitigate against the potential significant effects of recreational pressure impacts on the SPA. Further assessment was undertaken with regard to potential significant effects of air quality impacts on the SAC as set out in the joint South Downs Local Plan and Lewes Joint Core Strategy HRA Addendum. The Habitats Regulations Assessment addendum concludes that no adverse effect upon the integrity of Ashdown Forest SAC is expected to result from development provided by the South Downs Local Plan/Lewes Joint Core Strategy, even in combination with other plans and projects. Lewes District Council confirmed that the Neighbourhood Plan complies with the Habitats Regulations and would not require further assessment.”*

4.1 Table 2 details additional minor modifications to the ‘Quick Wins’ sections that run through the Plan. 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.

4.2 Table 3 details the changes in Policy numbering after making the Examiner’s recommended modifications.

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

Policy/Section	Independent Examiner's Recommended Modification	Justification
Policies for The Town Centre		
Policy TC1	<p>Amend Policy TC1 to:</p> <ul style="list-style-type: none"> • delete TC1 2. • delete <i>“the Primary and Secondary Shopping Areas and at”</i> and <i>“also”</i> in TC1 3. • insert <i>“facing the A259”</i> after <i>“sites”</i> and delete <i>“onto the A259”</i> in TC4.a) • replace <i>“any implementation plan”</i> with <i>“supporting the Strategic Framework”</i> in TC1 4.b) <p>Further to the above it is recommended to amend Proposal Plan 1 to:</p> <ul style="list-style-type: none"> • change the title to <i>“Shopping Areas and Frontages”</i> • extend the primary shopping frontage around the corner of Westminster House to include the frontage on Bridge Street • remove 5-7 Chapel Street and 8-10 & 14 Bridge Street from the Secondary Shopping Frontage • amend the supporting justification to include the definitions used in the Joint Core Strategy for primary and secondary shopping frontages and delete the reference to <i>“secondary shopping areas”</i> in paragraph 6.23. <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Policy TC2	<p>Amend Policy TC2 to:</p> <ul style="list-style-type: none"> • Replace <i>“The Neighbourhood Plan supports”</i> with <i>“Planning applications will be supported for”</i> • Delete the last sentence beginning <i>“The Town Council”</i> <p>Further to the above it is recommended to amend the supporting justification to include :</p>	To make the policy clearer and to ensure compliance with the basic conditions

	<ul style="list-style-type: none"> • “The Town Council will encourage full consultation regarding proposals with the local community.” • “The refurbishment or redevelopment of Seahaven Leisure Centre under Policy TC2 will also need to be in conformity with Policy H5 which allocates the site for new housing as part of a mixed use development.”] <p><i>LDC and NTC have agreed to make the above modification</i></p>	
Policy TC3	<p>The policy meets the Basic Conditions however it is recommended that the Grade II listed buildings are removed from proposal map 2, as the policy makes no specific reference to these buildings.</p> <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer for decision makers
Local Economy, Tourism and Employment		
Policy E1	<p>Amend Policy E1 to</p> <ul style="list-style-type: none"> • Insert “The land around” before Avis Way in Parts 1. And 2. • Delete the second sentence of Part 1. beginning “Retaining” • Replace “The Neighbourhood Plan supports” with “Planning applications will be supported for” • Add a new Section 4. “All development proposals should include a site Flood Risk Assessment and consider the Neighbourhood Plan sequential test.” <p>Further to the above it is recommended:</p> <ul style="list-style-type: none"> • Rename Policy E1 and Proposal Plan 4 “Land around Avis Way”. • Amend the supporting justification to include “Retaining and improving key employment sites is a priority for the Neighbourhood Plan and reflects the Enterprise Zone designation.” <p><i>LDC and NTC have agreed to make the above modifications</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Policy E2	Replace Policy E2 with “Planning applications for development on Denton Island will be	To make the policy clearer and to ensure

	<p>supported which:</p> <ul style="list-style-type: none"> • retain Newhaven Enterprise Centre; • provide residential and enhanced business space at the prominent locations identified in Proposal Plan 5; • provide for new planting, boundaries and other landscaping, including provision of a circular path around the Island; and/or • address a legacy of contaminated land. <p>All development proposals should include a site Flood Risk Assessment and consider the Neighbourhood Plan sequential test.”</p> <p>Further to the above it is recommended to amend Proposal Plan 5:</p> <ul style="list-style-type: none"> • Identify Newhaven Enterprise Centre • Identify the two prominent locations most visible form the A259. <p><i>LDC and NTC have agreed to make the above modifications</i></p>	<p>compliance with the basic conditions</p>
<p>Policy E3</p>	<p>Amend Policy E3 to:</p> <ul style="list-style-type: none"> • Replace <i>“The Neighbourhood Plan supports”</i> with “Planning applications will be supported for” • Delete <i>“at Lewes Road recreation ground”</i> in section d) • Delete <i>“at Newhaven Fort”</i> in section h) • [Delete <i>“1.”</i>] 	<p>To make the policy clearer and to ensure compliance with the basic conditions</p>
<p>Policy E4</p>	<p>Replace Policy E4 with “Planning applications will be supported that:</p> <p>a) Retain and/or protect land and premises used by the marine sector;</p> <p>b) Take account of the needs and operations of the marine sector when developing sites adjacent to marine uses; and/or</p> <p>c) Provide for development within Use Class B1 that accelerates Newhaven’s transition to a new and higher value economic role including: high end manufacturing</p>	<p>To make the policy clearer and to ensure compliance with the basic conditions</p>

	<p>encompassing the ‘clean, green and marine’; creative and digital; advanced engineering; environmental technology and services; and healthcare and biologics sectors.”</p> <p>Further to the above it is recommended to amend the supporting justification to indicate that: “The marine sector is largely based at West Quay, land east of Robinson Road and Denton Island”.</p>	
Eastside		
General comments	<ul style="list-style-type: none"> • Amend General Plan 5 and Proposal Plan 6 and 14 to show the Ouse Estuary Nature Reserve as being within the Eastside area. • Regularise the maps used in the Plan to show the same road and other infrastructure for Eastside. • Provide maps at a high enough definition to determine the precise location of the boundaries shown. • Show the neighbourhood area in General Plan 5. • Replace “<i>General Map 5</i>” with “General Plan 5” in paragraph 8.1. <p><i>LDC and NTC have agreed to make the above modifications</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Policy ES1	<p>Amend Policy ES1 to:</p> <ul style="list-style-type: none"> • replace the opening three lines and section 1. with “Planning applications for development in Eastside (Proposal Plan 6) should take into account: <p>1. Opportunities to enhance sense of place and provide high quality design”</p> <ul style="list-style-type: none"> • Delete “a” in section 4. • Delete the text from “biodiversity” to the end of section 5 and replace with “, open spaces and landscape.” <p>Further to the above it is recommended:</p>	To make the policy clearer and to ensure compliance with the basic conditions

	<ul style="list-style-type: none"> Amend the supporting justification to state that “Development proposals in Eastside will also need to address Policy ES3 relating to its natural environment.” <p><i>LDC and RPC have agreed to make the above modification</i></p>	
Policy ES2	<p>Replace Policy ES2 with “Planning applications for development in Eastside will be supported which provide:</p> <ol style="list-style-type: none"> a variety of new and improved employment floorspace (Use Classes B1-B8), including the provision of small and medium sized, flexible floorspace, move-on space for growing businesses and start up business space; upgraded and refurbished office accommodation which is more resource efficient and safeguards or improves the environment and townscape; hotel facilities; leisure and recreation facilities where they do not negatively impact the operational uses of the Enterprise Zones; food and drink uses (Use Class A3); residential development in accordance with Policy H3; and/or residential development as part of mixed-used schemes outside the Enterprise Zones. <p>All development proposals should include a site Flood Risk Assessment and consider the Neighbourhood Plan sequential test.”</p> <p>Further to the above it is recommended:</p> <ul style="list-style-type: none"> Replace “Valley” with “Estuary” in the title of Proposal Plan 7. <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Policy ES3	<p>Amend Policy ES3 to replace “new development will not harm nature conservation” with “development proposals consider the impact on the natural environment.”</p>	To make the policy clearer and to ensure compliance with the basic conditions

	<p>Further to the above it is recommended:</p> <ul style="list-style-type: none"> • Change title of Policy ES3 to “Eastside’s natural environment”. <p><i>LDC and NTC have agreed to make the above modification</i></p>	
Transport, Sustainable Movement and Access		
Policy T1	<p>Amend Policy T1 to:</p> <ul style="list-style-type: none"> • Replace section 1. with “Planning applications will be supported which improve sustainable movement throughout the plan area to reduce traffic impacts and improve air quality” • Replace “<i>Actions within</i>” with “Planning applications for” in section 2. • Replace “<i>will be expected to</i>” with “should, where appropriate,” in section 3. • Insert “significant” before “<i>increased</i>” in section 5. • Replace from “<i>must</i>” to the end of the first sentence of section 5. with “should take proportionate steps through legal agreements to mitigate traffic impacts.” • Replace “<i>mobile</i>” with “moving” in section 6. <p>Further to the above it is recommended:</p> <ul style="list-style-type: none"> • Add “The new bridge will need to be able to move to allow continuing unhindered access by marine traffic using the river to access sites further upstream, depending on its location.” in paragraph 9.16 of the supporting justification. <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Public Open Space, Sports and Recreation Facilities		
Policy R1	<p>Amend Policy R1 to:</p> <ul style="list-style-type: none"> • Change Section 3. to: <ul style="list-style-type: none"> ▪ replace “<i>will not be permitted unless</i>” with “should” ▪ insert “Provide” at beginning of subsection a) 	To make the policy clearer for decision makers and to meet the basic conditions

	<ul style="list-style-type: none"> ▪ add “; and” at end of subsection a) ▪ replace “<i>Alternative provision is made</i>” with “Make alternative provision” • Change Section 4. to: <ul style="list-style-type: none"> ▪ replace “<i>the area</i>” with “or adjacent to the development boundary”. ▪ replace “<i>must</i>” with “should” in the second sentence <p>Further to the above, it is recommended:</p> <ul style="list-style-type: none"> • Provide larger scale, high definition maps which clearly show the boundary of each of the Local Green Spaces and each of the areas of formal and informal open space shown in Proposal Plan 8. <p><i>LDC and NTC have agreed to make the above modification.</i></p>	
Policy R2	<p>Amend Policy R2 to:</p> <ul style="list-style-type: none"> • replace “<i>The Neighbourhood Plan supports the development of</i>” with “Development proposals will be supported for” • add a new Section 1. e) “development proposals include a site Flood Risk Assessment and consider the Neighbourhood Plan sequential test.” • add “; and” to the penultimate subsection of Section 1. <p>Further to the above it is recommended:</p> <ul style="list-style-type: none"> • Provide a larger scale, high definition map which clearly show the boundary of Lewes Road Recreation Ground in a revised Proposal Plan 9. • Replace “100” with “200” and “1%” with “0.5%” in paragraph 11.7. <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer and to ensure compliance with the basic conditions

Natural Environment and Biodiversity		
Policy NE1	<p>Amend Policy NE1 to:</p> <ul style="list-style-type: none"> • Replace <i>“will seek to”</i> with <i>“should”</i> in Section 1. • Replace <i>“areas of priority”</i> with <i>“the Lewes Brooks and the Ouse Valley Biodiversity Opportunity Area”</i> in Section 1. • Delete <i>“from any negative impacts”</i> at end of Section 1. • Insert <i>“identified in the Lewes Brooks and the Ouse Valley Biodiversity Opportunity Area”</i> after <i>“importance”</i> in Section 2. • Delete the last sentence of Section 2. • Delete <i>“Given Newhaven’s inclusion in the Biosphere”</i> and insert <i>“and”</i> in Section 3.c) • Replace <i>“possibly”</i> with <i>“including”</i> in Section 3.d) • Move the last paragraph to the supporting justification and remove the brackets. <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Provide details of the Biodiversity Action Plan, including the Lewes Brooks and the Ouse Valley Biodiversity Opportunity Area, in the supporting justification and provide a link to the Biodiversity Action Plan and Lewes Brooks and the Ouse Valley Biodiversity Opportunity Area documents. • Provide a higher definition map for General Plan 6 and Proposal Plan 10 which enable all items in the Key to be clearly identified. • Provide a reference and link to the biodiversity asset check cited in paragraph 11.12 and to the Newhaven Town Council Biodiversity Study 2016. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	To make the policy clearer for decision makers and to ensure compliance with the basic conditions

Good Quality Design and Image		
Policy D1	<p>Amend Policy D1 to:</p> <ul style="list-style-type: none"> • Replace <i>“will”</i> with <i>“should”</i> in Section 2 • Replace <i>“are required to”</i> with <i>“should”</i> in Section 4 • Insert <i>“; and/or”</i> at end of Section 4. i) <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Include a reference to the draft AECOM report on public realm in the text and summary of Key Evidence. <p><i>LDC and NTC have agreed to make the above modifications</i></p>	To make the policy clearer, implementable and to ensure compliance with the basic conditions
Policy D2	<p>Amend Policy D2 to:</p> <ul style="list-style-type: none"> • Insert <i>“where appropriate”</i> before <i>“demonstrate”</i> in Section 1. • Replace the fourth bullet of Section 1. with <i>“support sustainable urban drainage, including the use of sustainable drainage systems where appropriate”</i> • Add <i>“”; and/or”</i> to the end of bullet point 4 • Add <i>“(or its successor)”</i> to end of Section 2. • Add <i>“where appropriate”</i> to the end of Section 3. <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Provide a reference and link to Lewes District Council’s EVCP Technical Guidance Note in the supporting justification. <p><i>LDC and NTC have agreed to make the above modification</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Housing		
Supporting text	<ul style="list-style-type: none"> • Update the supporting text to explain how the Plan meets the strategic housing requirement for Newhaven through site allocations which are additional to the 	For clear interpretation of the policy

	<p>allocation of 400 net additional dwellings at Harbour Heights and the consents for 107 dwellings in total at Grays School and the Land East of Reprodux House.</p> <ul style="list-style-type: none"> • Provide Proposals Plans supporting each Policy in a consistent format, with a common map base and approach to depicting the site boundaries. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	
Policy H1	<p>Amend Policy H1 to:</p> <ul style="list-style-type: none"> • Replace Section 1 with “Planning applications within the development boundary shown on Proposals Plan 12 will be supported as meeting the spatial strategy to focus development within the existing built-up area.” • Replace both incidences of “must” with “should” in Section 2 • Replace “adopt best practice” with “support” in Section 2 c) • Delete Section 2 d) • Add “; and/or” to the penultimate subsection of Section 2. <p>Further to the above the following is recommended: Amend Proposal Plan 12 to:</p> <ul style="list-style-type: none"> • Provide a single title “Newhaven development boundary” • Align the development boundary with the Harbour Heights allocation • Increase the scale and improve the definition of the map to ensure the detail of the development boundary can be identified. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	To make the policy clearer and to ensure compliance with the basic conditions
Policy H2	<p>Amend Policy H2 to:</p> <ul style="list-style-type: none"> • [Delete section a)] • Add “; and/or” at end of third bullet of section b) • [replace from “required” to end of fourth bullet point with “for appropriate 	To make the policy clearer and to ensure compliance with the basic conditions

	<p>measures such as car club infrastructure, including parking bays, and/or other car club enabling measures, such as membership subsidy”</p> <ul style="list-style-type: none"> • Delete the last two paragraphs] <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the guidance provided in the last two paragraphs of Policy H2. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	
Policy H3	<p>Amend Policy H3 to:</p> <ul style="list-style-type: none"> • Replace “250” with “170” • Relabel Sections a) to e) using capital letters • Delete Section b) Land East of Reprodex House • Insert a new numbered Section “The need to avoid a negative impact on the operational uses of the Enterprise Zones” <ul style="list-style-type: none"> • Replace “retained/new space” with “retained and/or new space” in Section 1. • Delete second sentence of Section 1. • [Replace from “required” to end of Section 3. with “appropriate measures such as car club infrastructure, including parking bays, and/or other car club enabling measures, such as membership subsidy”] • Replace “must” with “should” in Section 5. • Replace “will” with “should in Section 6. • Replace “must” with “should” in Section 9. • Add “; and/or” at end of the penultimate Section <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the second sentence of Section 1. and the guidance provided in the last two paragraphs of Policy H3. • Delete from “but” to end of sentence in paragraph 13.48. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	To make the policy clearer and to ensure compliance with the basic conditions

<p>Policy H4</p>	<p>Amend Policy H4 to:</p> <ul style="list-style-type: none"> • [delete section a] • insert a new bullet point criterion “occupation of development to be phased to align with the delivery of sewerage network reinforcement”] • insert a new bullet “Parking is to be provided within the site boundary in accordance with East Sussex County Council parking standards. Where reduced car parking is sought, developer contributions are required for appropriate measures such as car club infrastructure, including parking bays, and/or other car club enabling measures, such as membership subsidy” • insert “; and/or” at the end of the penultimate bullet point <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the second sentence of Section 1. and the guidance provided in the last two paragraphs of Policy H4. <p><i>LDC and NTC have agreed to make the above modifications.</i></p>	<p>To ensure the policy is clear, implementable and meets the basic conditions</p>
<p>Policy H5</p>	<p>Amend Policy H5 to:</p> <ul style="list-style-type: none"> • [Delete from “16” to the end of the first sentence in Section 1. • Relabel section 1.a) to d) using capital letters • Insert a new subsection to Section 2. “occupation of development to be phased to align with the delivery of sewerage network reinforcement” • Replace from “required” to end of Section 2iv. with “for appropriate measures such as car club infrastructure, including parking bays, and/or other car club enabling measures, such as membership subsidy”] • Insert “; and/or” at the end of the penultimate subsection of Section 2. • [Delete the last two paragraphs] 	<p>To make the policy clearer and to ensure compliance with the basic conditions</p>

	<p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the guidance provided in the last two paragraphs of Policy H5 and to reference the need for any development on Site D needing to be consistent with Policy TC2 • Amend Proposals Plan 16 so its presentation is consistent with the other Proposal Plans for housing allocations <p><i>LDC and NTC have agreed to make the above modifications</i></p>	
Policy H6	<p>[Amend Policy H6 to:</p> <ul style="list-style-type: none"> o Delete Section a) o Delete the last two paragraphs] <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the guidance provided in the last two paragraphs of Policy H6. <p><i>LDC and NTC have agreed to make the above modifications</i></p>	To meet the basic conditions
Policy H7	<p>Delete Policy H7</p> <p><i>LDC and NTC have agreed to make the above modifications</i></p>	The site has been granted planning permission for development and construction is underway.
Policy H8	<p>Amend Policy H8 to:</p> <ul style="list-style-type: none"> • [Delete Section a)] • Replace “must” with “should” in the first bullet of Section b) • [Replace from “required” to end of third bullet with “for appropriate measures such as car club infrastructure, including parking bays, and/or other car club enabling measures, such as membership subsidy” • Delete the last two paragraphs] <p>Further to the above the following is recommended:</p> <ul style="list-style-type: none"> • Amend the supporting justification to include the guidance provided in the last 	To make the policy clearer and to ensure compliance with the basic conditions

	<p>two paragraphs of Policy H8.</p> <ul style="list-style-type: none"> • <p><i>LDC and NTC have agreed to make the above modifications</i></p>	
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Table 2 – ‘Quick Win’ changes

Section/page	Quick win changes	Justification
Town Centre page 39	Remove quick wins 2 nd and 3 rd bullet point and be more specific about public realm improvements as below	To make the aspiration clearer.
Town Centre page 39	Add bullet point: Improve legibility within town centre such as incorporating a distinctive public realm, views to landmarks and provision of signage	Enterprise Zone commentary
Town Centre page 39	Add bullet point: Seek funding to provide improved public realm such as provision of sculptures/installations, water feature, community art, seating, hard and soft landscaping.	Previous reference to entry points covered by Policy D1. Supported by LDC Public Realm Framework
Town Centre page 39	Encourage public realm proposals that minimise vehicular and pedestrian conflict and mitigates the presence of excessive infrastructure	Supported by LDC Public Realm Framework
Local Economy, Tourism and employment page 53	Include the word ‘Denton’ in front of ‘island’ at bullet point 5	
Local Economy, Tourism and employment	Add bullet point: Improve connections to Denton Island and strengthen its contribution to the core of the Town Centre	Supported by LDC Public Realm Framework

page 53		
Local Economy, Tourism and employment page 53	Add bullet point: Provide a listing of businesses within the parish to improve business networking and support a 'shop local' campaign	Town Council aspiration sanctioned through committee process
Eastside Page 65	Amend Bullet point 4: Support the development of Eastside's 'sense of place' through improvements to signage, the public realm and community spaces and buildings	Physical Development Vision for Newhaven 2010
Page 79	Add bullet point: Promote links and awareness of access to Ouse Valley Nature Reserve, Tidemills and the beach from Eastside.	Supported by LDC Public Realm Framework
Page 93	Add bullet point: Work in partnership with the Port Authority to improve the character of the Port as the gateway to and from Europe.	Supported by LDC Public Realm Framework

Table 3 – Changes to policy numbers subsequent to the Examiner's recommendations

Pre-examination Policy Number	Post-examination Policy Number
H8 Old Conservative Club	H7 Old Conservative Club

4. Conclusion

4.1 The Independent Examiner recommended that, subject to the modifications proposed, the Newhaven Neighbourhood Plan should proceed to referendum. Lewes District Council is satisfied that the Newhaven 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 the 8TH July 2013 by Lewes District Council and the South Downs National Park Authority, to be appropriate for the purposes of holding a referendum. Lewes District Council and SDNPA have 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 10th October 2019 which poses the following question:

‘Do you want Lewes District Council and the South Downs National Park Authority to use the Neighbourhood Plan for Newhaven Town to help it decide planning applications in the neighbourhood area?’

Signed..



Ian Fitzpatrick

Director of Planning and Regeneration

Date 26/07/19

Signed



Councillor Emily O'Brien

Portfolio Holder for Planning

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