



Lewes District Council

**Lewes District Local Plan Part 2: Site Allocations and
Development Management Policies**

Submission Document

**Regulation 22 Consultation Statement
Main Modifications Addendum**

August 2019

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1. Introduction

- 1.1 The Lewes District Local Plan will form part of the approved development plan for the area of the district outside of the South Downs National Park. It will comprise of two documents:
 - Local Plan Part 1: Joint Core Strategy 2010-2030
 - Local Plan Part 2: Site Allocations and Development Management Policies
- 1.2 The primary document, the Local Plan Part 1 (LPP1), is a strategic level plan that was adopted by Lewes District Council on 11 May 2016. The Local Plan Part 2 (LPP2) seeks to deliver the strategic objectives and spatial strategy of the LPP1 by:
 - Allocating additional sites to meet the development growth identified in the LPP1
 - Setting out detailed (non-strategic) development management policies to guide development and change
- 1.3 This report is an addendum to the Regulation 22 Consultation Statement that was published by the District Council in November 2018 and submitted to the Secretary of State alongside the Draft LPP2. It provides a summary of the consultation undertaken on the Main Modifications proposed to the LPP2 following the examination in public hearings.
- 1.4 The report describes how the consultation was carried out and provides a summary of the representations received on each of the proposed Main Modifications. The Planning Inspector appointed to examine the LPP2 will consider all duly made representations on the Main Modifications when preparing his Final Report.

2. Schedule of Main Modifications to the Submission LPP2

- 2.1 The LPP2 was submitted for examination in December 2018 and the examination hearings took place in April 2019. On 1 July 2019, the District Council approved the publication of proposed main modifications to the Submission LPP2 for a 6 week consultation period. A Schedule of Main Modifications setting out the changes proposed to the LPP2 in response to issues raised during the examination, together with an Addendum to the Sustainability Appraisal, were subsequently published and public representations were invited on the Main Modifications between 8 July 2019 and 19 August 2019.

3. Who was invited to make representations?

- 3.1 A letter or email with the dates of the consultation, how to submit comments and where the relevant documents could be obtained was sent to everyone on the Council's Local Plan consultation data base, including members of the public, statutory bodies, District Councillors, Town and Parish Councils, MPs and non-statutory organisations.

4. Availability of the consultation documents

- 4.1 The Schedule of Main Modifications and the Addendum to the Sustainability Appraisal were published on the Council's web site at:

<https://www.lewes-eastbourne.gov.uk/planning-policy/local-plan-part-2-examination/>

These documents were also published on the Council's consultation web page, together with the Representation Form, Statement of Representations Procedure and Guidance Notes for making representations. Hard copies of all these documents were also placed in the District Council offices at Lewes, and at all public libraries within the district and adjacent to the district boundary at Burgess Hill, Haywards Heath, Saltdean and Uckfield.

The Representation Form, Statement of Representations Procedure and Guidance Notes are attached as an Appendix to this report.

5. Publicity

- 5.1 In addition to the publicising the Main Modifications consultation on the Council's web site, a press release was issued and a full page article about the Main Modifications appeared in the local edition of the Sussex Express on 5 July 2019.

6. Summary of Representations on the Proposed Main Modifications

Reference Number	Representor	Summary of the main issues raised
MM5	Environment Agency (REP/019)	Support
MM6	Environment Agency (REP/019)	Support
MM7	Environment Agency (REP/019)	Support
MM8	Environment Agency (REP/019), Sussex Wildlife Trust (REP/022) Woodland Trust (REP/505)	Support Object. The status of irreplaceable habitats in net gain calculations should be made clear.
MM9	Environment Agency (REP/019)	Support
MM12	Sussex Wildlife Trust (REP/022) Woodland Trust (REP/505)	Support Object. A minimum 50m buffer should be maintained between the development and the ancient woodland.
MM16	Harvey & Son (Lewes) Ltd (REP/150), Nicole Palmer (REP/327)	Support
MM17	Laurence Stuart (REP/506) Environment Agency, (REP/019), Harvey & Son (Lewes) Ltd (REP/150), Nicole Palmer (REP/327), Plumpton Action Group (REP/494)	Object. This is not fair to current residents who are not connected to mains drainage. Support. However, Harvey & Son (Lewes) Ltd, Nicole Palmer and Plumpton Action Group seek amended wording to ensure that amenity and traffic impacts will be taken into account if non-mains drainage is sought as part of the development.
MM18	Historic England (REP/003), Seaford Town Council (REP/016) Newhaven Port & Properties (REP/486)	Support Object to the requirement to bring the wider area of the Tide Mills Local Wildlife Site into positive management, which is considered onerous and unjustified.

	Sussex Wildlife Trust (REP/022)	Object. The text should make it clear that the proposed development must first seek to avoid, rather than mitigate, negative impacts on biodiversity and that mitigation should be delivered before any development commences.
MM19	Historic England (REP/003), Seaford Town Council (REP/016) Sussex Ornithological Society (REP/006), Sussex Wildlife Trust (REP/022)	Support Object. The text should make it clear that the modification will avoid harm to the vegetated shingle priority habitat and that any mitigation should be delivered in full prior to the commencement of development.
MM20	Historic England (REP/003), Seaford Town Council (REP/016) Sussex Ornithological Society (REP/006), Sussex Wildlife Trust (REP/022), Julia Brock (REP/075), Geoff King (REP/256), Friends of Tide Mills (REP/401)	Support Object. MM20 provides no clarity about the nature of the proposed uses, the height of development, and the size of the landscaped buffer, nor does it make clear that development should first seek to avoid negative impacts on biodiversity and that any mitigation should be delivered in full prior to the commencement of development.
MM21	Woodland Trust (REP/505)	Object. The modification should be amended to read 'The design, materials and <u>planting used...</u> '
MM22	Highways England (REP/005)	Support
MM24	Sussex Wildlife Trust (REP/022)	Object because the requirement for creative landscape solutions such as green walls and roofs is neither restrictive nor onerous.
MM25	Sussex Wildlife Trust (REP/022)	Support but additional text is required.
MM26	Sussex Wildlife Trust (REP/022), Woodland Trust (REP/505)	Support. Sussex Wildlife Trust seek additional text.
MM27	Theobalds Residents Association (REP/454)	Support, but the graph should be supported by a table providing the specific numbers by category and year.
SA Addendum	Environment Agency (REP/019)	The Sequential Test for Policy E1 is not been included in the Addendum (<i>N.B. The Council has now amended the SA Addendum to include this Sequential Test</i>).

Other Comments	<p>National Grid (Rep/001)</p> <p>Wivelsfield Parish Council (REP/010)</p> <p>Sport England (REP/013)</p> <p>Plumpton Parish Council (REP/015), Cllr Robert Banks (REP/047), Nicholas Beaumont (REP/058), Penelope Forbes (REP/507), Margaret Galletly (REP/173), Harvey & Son (Lewes) Ltd (REP/150), Nicole Palmer (REP/327) and Plumpton Action Group (REP/494)</p> <p>Environment Agency (REP/019)</p> <p>Sussex Wildlife Trust (REP/022)</p> <p>DLA Delivery (REP/090)</p> <p>Geoff King (REP/256)</p> <p>Thakeham Homes (REP/367)</p>	<p>No comments.</p> <p>We confirm the validity of the Neighbourhood Plan.</p> <p>Object to Policy DM15</p> <p>Object to Policy GT01.</p> <p>Object to Policy NH02 because the word 'egress' is not included</p> <p>Object to Policies NH01, NH02, BH01, BA01, BA02, BA03, CH01, CH02, CH03,, RG01, GT01, E1, and DM14.</p> <p>Object to Policy DM1.</p> <p>Object to Policy E1.</p> <p>Object to Policies DM15 and DM16 and seeks new housing allocations in Newick and Ringmer.</p>
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APPENDIX 1: Main Modifications Representation Form



Lewes District Local Plan Part 2: Site Allocations and Development Management Policies DPD

Main Modifications Representation Form

Representations are invited on the proposed Main Modifications to the Submission Lewes District Local Plan Part 2: Site Allocations and Development Management Policies DPD. The Main Modifications are proposed in response to issues raised at the Local Plan examination hearings and are considered necessary to make the Local Plan Part 2 'sound'.

Representations are only sought on the proposed Main Modifications to the Submission Local Plan Part 2 as set out in the Schedule of Main Modifications and the Sustainability Appraisal Addendum. This consultation is not about any other aspects of the Local Plan.

The Submission Local Plan Part 2, the Schedule of Main Modifications, and the Sustainability Appraisal Addendum are available at <https://www.lewes-eastbourne.gov.uk/planning-policy/local-plan-part-2-examination/> Hard copies are also available to view at the Council offices (see address below) and local libraries.

All representations must be received by midnight on Monday 19th August 2019.

The quickest and easiest way to submit comment is via the online consultation website at [:www.lewes-eastbourne.gov.uk/planningconsultation](http://www.lewes-eastbourne.gov.uk/planningconsultation). Alternatively comments can be sent to the District Council by:

Post: Planning Policy Team **E-mail:** ldf@lewes-eastbourne.gov.uk

Lewes District Council

Southover House

Southover Road

Lewes

BN7 1AB

A guidance note accompanies this form and can be used to help with its completion. The form has two parts:

Part A – Personal Details

Part B – Your representations(s). Please fill out a separate sheet for each representation you wish to make.

Part A

1. Personal Details

2. Agent's Details (if applicable)

Name

Job Title
(where relevant)

Organisation
(where relevant)

Address

Telephone Number

Email Address

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. Please identify the reference number of the Main Modification (MM) that you wish to comment on:

4. Do you consider the proposed Main Modification that you are commenting on is unsound because it is not:

(1) Positively prepared

(2) Justified

(3) Effective

(4) Consistent with national policy

For an explanation of the above terms please refer to the accompanying Guidance Note.

5. Please give details about why you consider the proposed Main Modification is unsound, if that is the case. Please be as precise as possible. If you wish to support the soundness of the proposed modification, please also use this box to set out your comments.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what change(s) you consider necessary to make the proposed Main Modification sound, having regard to the test you have identified at Q5 above. You will need to say why this change will make the proposed modification sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations.

7. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination if the Inspector decides further examination hearing sessions are necessary?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination if the Inspector decides further examination hearing sessions, please outline why you consider this to be necessary:

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at any future examination hearing.

Signature:

Date:

Do you wish to be notified of any of the following?

(i) The publication of the recommendations of the Inspector appointed to examine the Local Plan Part 2 (the Final Report)

Yes

No

(ii) The adoption of the Local Plan Part 2

Yes

No

Thank you for taking time to respond to this consultation

Please note that written representations not using this form will still be accepted, provided they are received by the specified date and time.

APPENDIX 2: Guidance note for making representations



Lewes District Council

Lewes District Local Plan Part 2 – Main Modifications

Guidance Notes for making representations

Introduction

These guidance notes have been produced to assist anyone who wishes to make a formal representation on the proposed Main Modifications to the Submission Lewes District Local Plan Part 2.

The Main Modifications (changes that materially affect the ‘soundness’ of the Local Plan Part 2) are proposed in response to issues raised at the examination in public. These are the only modifications that the Inspector can consider in his final report.

Making Representations

We are only seeking representations on the proposed modifications set out in the Schedule of Main Modifications and the Sustainability Appraisal Addendum. Comments are not sought on any other aspects of the Local Plan Part 2.

The Schedule of Main Modifications includes a reference number for each modification. This number is identified in the first column of the Schedule and prefixed with the letters ‘**MM**’. Please ensure that you include the relevant reference number as part of your representation (see Q3 of the official representation form).

Representations must be made between Monday 8 July and midnight on Monday 19 August 2019.

All representations on the Main Modifications will be sent to the Inspector, together with the Sustainability Appraisal Addendum, for consideration prior to the publication of his final report on the plan.

Soundness

If you are making a representation seeking a change to one or more of the Main Modifications, you should be clear in what way the modification is not ‘sound’, i.e. it is not **positively prepared, justified, effective or consistent with national policy**. These four tests are set out in the National Planning Policy Framework (NPPF) and are explained below:

Positively prepared – the Plan should be prepared based on a strategy which seeks to meet objectively assessed development needs, including unmet need from neighbouring authorities where it is practical to do so and is consistent with achieving sustainable development.

Justified – the Plan should be the most appropriate strategy, taking account the reasonable alternatives, and should be based on proportionate evidence.

Effective – the Plan should be deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters.

Consistent with national policy – the Plan should enable the delivery of sustainable development in accordance with the NPPF.

Sustainability Appraisal

The Council has carried out further sustainability appraisal/strategic environmental assessment on the proposed Main Modifications, as required by European and national legislation. The results of this work forms an ‘Addendum’ to the Sustainability Appraisal (incorporating Strategic Environmental Assessment) submitted to the Secretary of State alongside the Local Plan Part 2 in December 2018. Comments are also invited upon the Sustainability Appraisal Addendum.

General Advice

Please be aware that representations cannot be treated as confidential. As well as being sent to the Inspector, copies of representations must be publicly available. The Council will provide names and associated representations on its website but will not publish personal information such as telephone numbers, e-mails or private addresses. Further information is contained within the Council’s Privacy Notice available at:

<https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/272748.pdf>

Representations can be made on-line via the Council’s consultation portal at <https://www.lewes-eastbourne.gov.uk/consultations/>

Alternatively, a representation form can be downloaded via our website at <https://www.lewes-eastbourne.gov.uk/planning-policy/local-plan-part-2-examination/>

This can be completed and sent by:

Email – ldf@lewes-eastbourne.gov.uk

Post – Planning Policy Team
Lewes District Council
Southover House
Southover Road
Lewes BN7 1AB

Guidance on completing the written representation form

1. It is important that a separate form is used for each representation you wish to make.
2. Each form should be completed fully, with your name and address on each.
3. Please use BLOCK CAPITALS and BLACK INK when completing the form.
4. You may submit the form yourself or on behalf of an organisation or company. Alternatively you may ask someone to do it for you if you need help, or you can appoint an agent. If an agent is appointed their full details should also be given and all future correspondence will be sent to this agent.

5. It is important that you clearly identify which Main Modification you are commenting on, using the relevant reference number beginning 'MM'.
6. Your representation should be clearly based on the tests of soundness as explained in detail in this guide. Please clearly indicate which test of soundness you think is not being met.
7. If you are objecting, you should clearly state what changes you think are necessary to make the Main Modification 'sound'.
8. Please remember to sign and date the form.

For further information or assistance, please contact the Planning Policy Team on 01273 471600 or email ldf@lewes-eastbourne.gov.uk

APPENDIX 3: Statement of Representations Procedure



Statement of Representations Procedure

Title

Lewes District Local Plan Part 2: Site Allocations and Development Management Policies – Schedule of Main Modifications

Subject

The Local Plan Part 2 covers the area of Lewes district outside of the South Downs National Park and seeks to deliver the strategic objectives and spatial strategy of the Local Plan Part 1: Joint Core Strategy. It was submitted to the Secretary of State for examination in December 2018. The Schedule of Main Modifications sets out changes proposed following the examination hearings in order to make the Local Plan Part 2 sound.

Period within which representations must be made

Representations on the proposed Main Modifications can be made over a 6 week period between **8 July 2019 and midnight on 19 August 2019**. Please note that representations received after midnight on 19 August 2019 will not be accepted.

How to submit representations

The quickest and easiest way to submit comments is electronically using the online consultation portal at www.lewes-eastbourne.gov.uk/planningconsultation

Alternatively representations can be sent by:

Email – ldf@lewes-eastbourne.gov.uk

Post – Planning Policy Team
Lewes District Council
Southover House
Southover Road
Lewes
BN7 1AB

Guidance notes for making representations are available. Please note that we cannot take account of responses which are submitted to us confidentially. Only those representations made via the on-line consultation portal, by e-mail or by writing which arrive at the address specified within the specified consultation period will have a right to be considered. The Council's Privacy Notice is available at:

<https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/272748.pdf>

Any person who has made representations may withdraw those representations at any time by giving notice in writing to the Council either by email or by post at the address given above.

Request to be notified

Representations may be accompanied by a request to be notified at a specified address that:

- the recommendations of the planning inspector appointed to carry out an independent examination of the Local Plan Part 2 have been published (the 'Final Report')
- the Local Plan Part 2 has been adopted by the Council.

Availability of Documents

The Schedule of Main Modifications and accompanying Addendum to the Sustainability Appraisal are available to view online at <https://www.lewes-eastbourne.gov.uk/planning-policy/local-plan-part-2-examination/>

Reference copies of the documents are also available for public inspection at the Council Offices at Southover House, Lewes, and all libraries in Lewes District, as well as libraries in Haywards Heath, Burgess Hill, Saltdean and Uckfield. Opening times are as follows:

Council Offices, Southover House, Southover Road, Lewes, BN7 1AB
Monday – Friday 8.30am – 5pm

Lewes Library, Styles Field, Friars Walk, Lewes, BN7 2LZ

Mon 10am – 2pm
Tue 10am – 5pm
Wed Closed
Thu 10am – 6pm
Fri 10am – 5pm
Sat 10am – 5pm

Newhaven Library, 36-38 High Street, Newhaven BN9 9PD

Mon 10am – 1pm
Tue 10am – 4.30pm
Wed Closed
Thu 10am – 4.30pm
Fri 1pm – 4.30pm
Sat 10am – 4.30pm

Peacehaven Library, Meridian Centre, Peacehaven, BN10 8BB

Mon Closed
Tue 10am – 5pm
Wed Closed
Thu 10am – 6pm
Fri 10am – 5pm
Sat 10am - 4pm

Seaford Library, 15-17 Sutton Park Road, Seaford, BN25 1QX

Mon 2pm – 5pm
Tue 10am – 5pm
Wed 10am – 1pm
Thu 11am – 6pm
Fri 10am – 5pm
Sat 10am – 4.30pm

Haywards Heath Library, 34 Boltro Road, Haywards Heath, RH16 1BN

Mon 9.30am – 7pm
Tue 9.30am – 6pm
Wed 9.30am – 6pm
Thu 9.30am – 6pm
Fri 9.30am – 5pm
Sat 9.30am – 5pm

Burgess Hill Library, The Martlets, Burgess Hill RH15 9NN

Mon 9.30am – 5.30pm
Tue 9.30am – 5.30pm
Wed 9.30am – 5.30pm
Thu 9.30am – 5.30pm
Fri 9.30am – 5.30pm
Sat 10am – 4pm

Saltdean Library, Saltdean Lido, Saltdean BN2 8SP

Tue 9am – 1pm 2pm – 5pm
Fri 9am – 1pm 2pm – 5pm
Sat 9.30am – 1pm 2pm – 5pm

Uckfield Library, Library Way, High Street, Uckfield TN22 1AR

Mon 10am – 1pm
Tue 10am – 4.30pm
Wed 10am – 4.30pm
Thu 10am – 6pm
Fri 10am – 4.30pm
Sat 10am – 4.30pm