



**Lewes District Council**

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Anita Emery  
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Hartfield  
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TN7 4AG

**Via Email Only**

Dear Anita,

**Draft Plumpton Neighbourhood Plan – Pre-submission Consultation and Publicity**

Thank you for inviting us to comment on the Draft Neighbourhood Plan. This second pre-submission consultation is welcomed and the Parish Council should be proud of their effort to date.

The comments set out below are the view of officers at Lewes District Council and have been approved by the Lead Member for Planning. Comments from the planning policy team focusses on whether the draft neighbourhood plan meets the basic conditions and therefore is capable of progressing to the next stage and being successful at examination.

If you have any queries on the Council's comments, please contact:

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01273 085 402

# Planning Policy

## General comments

The Council fully supports the community's initiative to produce a Neighbourhood Development Plan. Neighbourhood planning aims to give people greater ownership of plans and policies that affect their areas. The government is clear that the intention of Neighbourhood Development Plans should be to set out policies on the development and use of land in a neighbourhood area.

The Parish Council should be congratulated for the time and effort they have put into producing a locally-distinctive neighbourhood plan, the policies of which will be very helpful to planning officers when determining future applications in the Parish. The Draft Plumpton Neighbourhood Plan (the Plan) includes a number of well-considered policies and allocates a number of residential sites and local green spaces that will ensure that the parish's most valued natural and built features are protected and that future development is in line with community aspirations.

## Site Assessment Report and selection of residential site allocations

The Plan is supported by a robust and consistent Site Assessment Report. It assesses potential residential sites against a set of clearly identified criteria as requested by National Planning Practice Guidance and reflects a objective, as well as subjective, analysis of potential residential sites which factors in issues that are of importance to parish residents. The Site Assessment Report identifies the key site-specific issues and it is clear that a balanced and robust assessment process has taken place.

## Sustainability Appraisal (incorporating the Strategic Environmental Assessment)

A Sustainability Appraisal (SA), incorporating a Strategic Environmental Assessment (SEA), has been prepared by the Parish Council with assistance from District Council officers. It is recognised that a great deal of effort has gone into preparing the SA, which the District Council believes is compliant with the relevant legal and statutory requirements at the national and European level.

## Neighbourhood Plan Policies

The analysis of the draft policies are presented in a table. For ease of reference the policies have been colour coded to represent the following:

Green	The policy is considered acceptable against the criteria we have assessed it against.
Amber	Although the policy is generally considered acceptable, we do recommend certain changes in order to improve it, particularly when it comes to its usability by Development Management officers, Planning Committees, applicants, agents, consultees, etc.
Red	We advise against the inclusion of the policy in the NDP/the policy is not useable/the policy presents us with concerns in terms of meeting the basic conditions.
Blue	Although acceptable, the policy achieves little/repeats policy in higher-level documents

Policy	Regard to National Policy?	Does it undermine strategic policies?	Notes
1	Yes/No	No/Yes	<p>This policy intends to set a spatial plan and direct development in the Plan area. However, paragraph 2 is considered overly restrictive and at odds with other policies contained in the Plan (e.g. Policy 7, 8, 10 and 11), the Joint Core Strategy and retained 2003 Local Plan policies (e.g. Policy CT1) and the National Planning Policy Framework (e.g. paragraph 55). It could constrain future sustainable and necessary development of land beyond the planning boundary.</p> <p>It is suggested to amend the policy to the following:  <i>Proposals for development outside the planning boundary <del>will not be supported</del> will be granted if they are consistent with the policies contained in the development plan and the NPPF.</i></p>

2	Yes/No	No	<p>The intention of this policy is supported.</p> <p>In light of the examiner's findings regarding proposed policies on street lighting in the report for the Ringmer Neighbourhood Plan and the Newick Neighbourhood Plan (copied below for ease of reference), we would recommend reviewing paragraph 3 to ensure it has regard to the NPPF.</p> <table border="1" data-bbox="768 375 2089 874"> <thead> <tr> <th data-bbox="768 375 987 406"></th> <th data-bbox="987 375 1469 406">Proposed policy on street lighting</th> <th data-bbox="1469 375 2089 406">Examiner's findings</th> </tr> </thead> <tbody> <tr> <td data-bbox="768 406 987 624"> <p><b>Ringmer Neighbourhood Plan</b></p> </td> <td data-bbox="987 406 1469 624"> <p><u>Policy 4.7</u> New development, especially new development in the countryside, should minimise additional light pollution, through careful design, location and inclusion of mitigation measures if necessary.</p> </td> <td data-bbox="1469 406 2089 624"> <p>This Policy seeks to minimise light pollution. It has regard to the Framework and is in general conformity with the Lewes Local Plan. Both these documents seek to protect local character. Policy 4.7 meets the basic conditions.</p> </td> </tr> <tr> <td data-bbox="768 624 987 874"> <p><b>Newick Neighbourhood Plan</b></p> </td> <td data-bbox="987 624 1469 874"> <p><u>Policy HO1.7</u> New housing developments shall not be equipped with street lighting.</p> </td> <td data-bbox="1469 624 2089 874"> <p>Policy HO1.7 does seek to prevent housing development being equipped with street lighting. No evidence is presented to demonstrate that such an approach would be safe or appropriate in all circumstances and consequently, HO1.7 fails to have regard to the Framework, which seeks to secure a good standard of amenity (para 17) and safe environments (para 58).</p> </td> </tr> </tbody> </table>		Proposed policy on street lighting	Examiner's findings	<p><b>Ringmer Neighbourhood Plan</b></p>	<p><u>Policy 4.7</u> New development, especially new development in the countryside, should minimise additional light pollution, through careful design, location and inclusion of mitigation measures if necessary.</p>	<p>This Policy seeks to minimise light pollution. It has regard to the Framework and is in general conformity with the Lewes Local Plan. Both these documents seek to protect local character. Policy 4.7 meets the basic conditions.</p>	<p><b>Newick Neighbourhood Plan</b></p>	<p><u>Policy HO1.7</u> New housing developments shall not be equipped with street lighting.</p>	<p>Policy HO1.7 does seek to prevent housing development being equipped with street lighting. No evidence is presented to demonstrate that such an approach would be safe or appropriate in all circumstances and consequently, HO1.7 fails to have regard to the Framework, which seeks to secure a good standard of amenity (para 17) and safe environments (para 58).</p>
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3	Yes	No	<p>Paragraph 2 should distinguish between the pieces of infrastructure that will be delivered through the Community Infrastructure Levy (CIL) and other pieces of infrastructure required to make the development acceptable in planning terms.</p> <p>It is understood that this matter is important by the local community. However, a similar policy is included within the Joint Core Strategy (Policy CP7) and those proposing development would have to have regard to all relevant policies contained in the development plan, therefore it is considered that this policy is not necessary.</p> <p>Infrastructure that is not covered by CIL and the <a href="#">Regulation 123 list of infrastructure</a> must pass the test of <a href="#">CIL Regulation 122</a>. Where this test is met arrangements for the provision or improvement of infrastructure that is not intended to be wholly or partly funded by the CIL will be secured by means of planning obligations via legal agreement (section 106 agreement),</p>									

			<p>or by conditions attached to the planning consent or by any other appropriate mechanism.</p> <p>The CIL will be collected upon commencement of the development and its spending will be subject to a bidding process; items on the Regulations 123 list are likely to be prioritised through this process; however we cannot guarantee the timely delivery of certain pieces of infrastructure connected to individual development.</p>
4	Yes	No	This policy is supported.
5	Yes	No	<p>The intention of this policy aligns with national and local policy and is supported.</p> <p>It should be noted that some elements of criteria 1 may not be enforceable as landowners can remove trees and hedges without the need for a planning application where they are not otherwise protected through TPOs etc.</p>
6	Yes	No	<p>This policy is supported.</p> <p>The last paragraph repeats policy 3. Those proposing development would have to have regard to all relevant policies contained in the development plan, and it is therefore not considered necessary.</p>
7	Yes	No	<p>This policy is supported.</p> <p>We would recommend replacing the reference to the Lewes District Joint Core Strategy (policy 7 paragraph 5 and 10 and policy 7.1 to 7.5) and to the SDNPA policy/Development plan (policy 7 paragraph 10 and policy 7.1 to 7.5) with <i>the adopted development plan</i>. This is:</p> <ul style="list-style-type: none"> <li>- to ensure that the Plan remains up-to-date as LDC and the SDNPA are both preparing development plan document that will become relevant to the area once adopted</li> <li>- because the SDNPA Development Plan will only apply to the area it plans for (i.e. the National Park) and none of the sites allocated for housing in the Plan are within the National Park.</li> </ul> <p>The title of the map referred to in the residential allocation policies seems to be missing.</p>
7.1	Yes	No	Subject to the comment made under policy 7, the allocation of this site is supported.
7.2	Yes	No	<p>Subject to the comment made under policy 7, the allocation of this site is supported.</p> <p>The site does have development constraints in particular risk of surface water flooding which</p>

			<p>is likely to limit the developable area of the site. Investigation into mitigation options may however reveal additional scope for development and therefore it is thought that the flexible nature of the policy should enable the delivery of an appropriate and viable development.</p> <p>It is suggested to amend the policy to the following:  <i>1. provide up to 12 x one- and two-bed units specifically designated for older people.</i></p>
7.3	Yes	No	Subject to the comment made under policy 7, the allocation of this site is supported.
7.4	Yes	No	Subject to the comment made under policy 7, the allocation of this site is supported.
7.5	Yes	No	<p>The allocation of this reserve site for residential development is supported. Residential development on this site would enable the upgrading of the racecourse necessary to secure its long term future. This policy therefore aligns with Core Policy 4 of the Joint Core Strategy in its support for tourism and the rural economy and with the desire of the local community to ensure the continuation of the Racecourse.</p> <p>At this stage, no acceptable solution for pedestrian access has been proposed in line with the Highways Authority's requirement. Until this issue is addressed, it is considered that a sustainable residential development on this site is not achievable and therefore not deliverable.</p>
8	Yes	No	<p>The intention of this policy is clear and supported. However, you must be aware that change of use can be carried out under Permitted Development legislation and so may not necessarily require a planning application, but this is clearly an important issue to the local community and so this preference for retaining retail and commercial premises in the village is supported.</p> <p>It is suggested to amend the policy to the following:  <i>New development proposals that result in the loss of an existing employment or business use will be resisted, unless it can be demonstrated that its continued use is no longer viable. Proposals to expand an existing employment or business use will be supported, provided they conform with all relevant policies in the PPNP contained in the development plan.</i></p>
9	Yes	No	The comment made for policy 8 applies.
10	Yes	No	<p>This policy is supported.</p> <p><i>In accordance with SDNPA policy should be removed. There is no existing planning policy</i></p>

			relating to Plumpton College.
11	Yes	No	<p>This policy is supported.</p> <p>Suggested wording  <i>Any development at Plumpton Racecourse will maintain, and if possible enhance, the valued Ashurst Farm Meadow Site of Nature Conservation Interest (SNCI) and preserve the special qualities and <del>setting</del> of the views from the South Downs National Park.</i></p>
12	Yes	No	<p>This policy is supported.</p> <p>The intention of this policy is supported and in many respects aligns and builds upon national and local policy (Core Policy 7) by identifying the parish's valued community assets. You must be aware that many forms of change of use development can be carried out under Permitted Development legislation without the need for a planning application. However, again, this is clearly an important issue to the local community and so this clear preference for retaining the parish's community facilities is supported.</p> <p>Further to this, as mentioned in the supporting text, parish councils can nominate their most valued community assets for registration on an Assets of Community Value register which would remove PD rights for certain changes of use. Any planning applications would then be considered against this policy.</p> <p>It is suggested to amend the policy to the following:  <del>The PPNP will support</del> <i>Proposals to improve the viability and current community use of the buildings and facilities included on Map H will be supported.</i></p>
13	Yes	No	<p>Although supportive of maintaining a green gap north of the Plumpton Green planning boundary, further justification would be welcomed for LG6 and LG7 to demonstrate how these sites specifically meet the criteria in the NPPF in particular how they are special to the local community and hold a particular local significance.</p> <p>The implications of the local green space designation is includes in the NPPF (paragraph 76) and therefore it is not thought that the last paragraph of the policy is needed.</p>



To assist decision makers, it is recommended that the map in the policy is given a title and a reference number (both in the policy and in the appendix).



# Comments for Environment Team

## **Policy 2**

Given concern about flooding expressed - could there be a clear link to ensuring that development is delivered at locations where there is minimal risk of flooding (from all sources) and would not increase risk of flooding down stream. In particular developers should be required to have regard to guidance documents such as East Sussex County Councils- Guide to Sustainable Drainage Systems in East Sussex and SuDS Decision Support Tool for Small Scale Developments - these can be found on the ESCC web-pages. The delivery of SuDS at locations in Plumpton will not only reduce flooding within the Parish but also down stream.

## **Policy 4**

Unfortunately there is no mention of provision of parking and electric charging points and possibility of developing a Plumpton Green Car Club - reducing the need for a 2nd car perhaps?

## **Policy 6**

See comments on policy 2 - could this be strengthened by specific reference to appropriate guidance documents?

Paragraph 5.24: history of farm pollution could be mentioned - most recently from Plumpton College

Paragraph 5.27: Development could enable the resolution of existing drainage issues in the parish.

Paragraph 5.32: Could there be references to the ESCC web-pages as discussed above

Map D:

Historic issues of surface water flooding in the North Barnes lane area due to current road layout and lack of drainage

The map does not include Plumpton College- this is large area of hard-standing - albeit within the SDNPA administrated area.

## **Policy 7.3**

Paragraph 5.60: should it be mentioned that development may need to be limited to western side of site?

## **Policy 7.4**

Paragraph 5.68: development of the site will require a phased land contamination assessment

## **Policy 7.5**

Paragraph 5.73: development at this site may require site investigation if site brought forward as development and noise/vibration assessment - train and racecourse noise.

Paragraph 5.79: there will be a need to reduce risk downstream including railway line.

### **Community infrastructure projects**

Paragraph 6.4 : the project could also suggest the potential for retrofitting flood alleviation schemes, such as water meadows and ponds along the streams flowing through the Parish as means of reducing the rate of flow downstream and so reduce risk of flooding both within the Parish, but also downstream of the Parish. Such Natural Flood Risk Management initiatives would tie in with ongoing projects to map the streams flowing into the Ouse being undertaken by Ouse and Adur River Trust and Sussex Flow Initiative at the bequest of LDC. We would be pleased to discuss further with the Parish Council.