

INDEPENDENT EXAMINATION OF THE WEST SALTDEAN

NEIGHBOURHOOD DEVELOPMENT PLAN 2024-2030

EXAMINER: Derek Stebbing (Hons) DipEP MRTPI

Examination Ref: 01/DAS/WSNP

Bridget Fishleigh
West Saltdean Neighbourhood Forum

Carly Dockerill
Brighton & Hove City Council and

Kevin Right/Lewis Ford
South Downs National Park Authority

15 May 2025

Dear Ms Fishleigh, Ms Dockerill and Mr Right/Mr Ford

WEST SALTDEAN NEIGHBOURHOOD DEVELOPMENT PLAN EXAMINATION

Following the submission of the West Saltdean Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for the West Saltdean Neighbourhood Forum (the Qualifying Body), Brighton & Hove City Council (the City Council) and the South Downs National Park Authority (the National Park Authority), to which I would like to receive a written response(s) by **Friday 13 June 2025** if possible.

1. Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement, the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report and the Regulation 16 representations, to enable me to undertake the examination.

2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area during the week beginning 2 June 2025. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from the City Council, the National Park Authority and the Qualifying Body.

I have six questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response(s) by **Friday 13 June 2025**.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within around 6 weeks of submission of the draft Plan. However, as I have raised six questions, I recognise I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable may potentially be extended. Please be assured that I will aim to mitigate any delay, should it arise. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Qualifying Body and City Council websites.

Thank you in advance for your assistance.

Yours sincerely

Derek Stebbing

Examiner

ANNEX

From my initial reading of the West Saltdean Neighbourhood Plan 2024-2030 (Submission Version dated November 2024), the supporting evidence and the representations that have been made to the Plan, I have the following six questions for the Qualifying Body, the City Council and/or the National Park Authority. I have requested the submission of responses **by Friday 13 June 2025**, although an earlier response would be much appreciated.

All of the points set out below flow from the requirement to satisfy the Basic Conditions.

Question 1: Re. Policy WS2 – South Downs National Park (Page 14)

As drafted, this Policy is rather limited in providing guidance on the acceptability or otherwise of proposals for new developments within or impacting upon the National Park, apart from stating that development should have a landscape-led approach to design. Furthermore, there is no supporting text to justify this Policy or to provide any additional policy guidance for its future implementation.

I therefore invite the **Qualifying Body** and the **National Park Authority** to please review this draft Policy and to provide me with a Note. The Note should explain how the Policy and supporting text can be enhanced to provide additional detail for future users of the Plan. Specifically it should explain how proposals for new development within, or impacting upon, the National Park should be assessed in terms of their design, visual impact, height, massing, etc. In this context, it may be appropriate to make references to relevant adopted policies in the South Downs Local Plan 2014-2033 and any relevant supplementary guidance that is published by the National Park Authority.

Question 2: Re. WS5 – Adaptable Housing (Page 17)

As drafted, this Policy contains a number of potential internal contradictions for the effective implementation of the policy. For example, a proposal which complies fully with clauses 2-4 and 6, could then fail to meet the requirements of the Policy as a whole by virtue of not complying with Clause 5.

With regard to Clause 5, I consider that its thresholds are somewhat arbitrary, namely there being *“no more than one similar unit within 400 metres”*. Before I consider this Policy in more detail, please direct me to appropriate supporting evidence that justifies the necessity for Clause 5 of the Policy, as there is no indication in the supporting text, e.g. at paragraph 5.3.6, as to why such a clause is necessary for the development of new assisted living units and other specialist housing within the Plan area.

Can the **Qualifying Body** therefore please review the points that I have raised above and provide me with a Note that points to the evidence justifying the necessity for the restrictions imposed by Clause 5 of this draft Policy?

Question 3: Re. Policy WS8 – Small-scale Renewable Energy Projects including Community Energy Scheme (Page 22)

In my assessment, this Policy requires some significant re-drafting in order that it can be an effective and more concise planning policy for small-scale renewable energy projects within the Plan area.

The policy sets out certain matters that “*will be acceptable*” or “*will be rejected*”. The responsibility for approving or refusing planning applications rests with the City Council and the Policies in the draft Plan can therefore only state that matters would be supported, encouraged or not supported, etc. (Please also note that a number of other Policies also refer to proposals being “*rejected*” or “*refused*”, e.g. Policies WS6, WS12 and WS16, and the **Qualifying Body** may wish to review the wording of those Policies and suggest appropriate focused drafting amendments to address that matter).

I consider that the Policy should be seeking to encourage the development of appropriate small-scale renewable energy projects, in order to contribute towards meeting the City Council’s Climate Change objectives. Clauses 2, 5 and 6 of the Policy are not central to that over-riding policy objective, and I consider could, rather more appropriately, be the subject of supporting explanatory text (within paragraphs 5.6.1-5.6.6).

I also note that the City Council made detailed comments regarding this Policy at the Regulation 14 consultation stage, a number of which have been repeated at the recent Regulation 16 consultation stage. I shall take account of the City Council’s comments in my own assessment of the Policy.

Can the **Qualifying Body** please review the points that I have made above, and provide me with a Note that sets out potential drafting amendments to the Policy text that provide the necessary support and encouragement for the development of those renewable energy projects that would require planning permission from the City Council?

Question 4: Re. Protecting Local Green Spaces (Pages 26-42)

I note that the City Council in its Regulation 16 consultation response has made detailed comments regarding the boundary of Site 1 (Saltdean United Football Ground and North Saltdean Recreation Ground) and the maps for Sites 5 (Hailsham Avenue) and 6 (Stanmer Avenue). I further note that the National Park Authority has made comments regarding the maps for Sites 2 (Looes Barn Close) and 4 (Coombe Farm new housing estate).

If the **Qualifying Body** agrees with the points made by the City Council and the National Park Authority, can it please supply me with revised maps for Sites 1, 2, 4, 5 and 6 that I may consider as potential modifications to the draft Plan. (Please note that the site area of Site 1 will be reduced, and I would be grateful if the Qualifying Body can also advise me of the reduced site area, which is presently 3.5 acres).

The draft Policy refers to “Appendix A”. Can the **Qualifying Body** please confirm that this should read “Appendix 5”?

Appendix 5 suggests that the owner of Site 3 (Westfield Avenue North and South), which is Brighton & Hove City Council, has not been informed of the proposed designation of the site as a Local Green Space. The City Council has not objected to the proposed designation, but has commented that it is a Local Wildlife Site (Ref. BH72).

Can the **Qualifying Body** please confirm that the City Council, as the landowner, has been formally advised of the proposed designation of Site 3, and also provide revised text for the site details (on Page 29) that includes suitable reference to the designated Local Wildlife Site?

Question 5: Re. Policy WS12 – Enhancing Local Green Spaces, Biodiversity and Wildlife (Page 44)

At Part 3 of this draft Policy, but nowhere else in the Plan, reference is made to “*the Wildlife Corridor*”. If this is intended to be a Policy designation for a part of the Neighbourhood Area, I shall require supporting text and the relevant evidence with an accompanying plan (on an Ordnance Survey base map) of the land to be so designated in order to justify its inclusion within this Policy, which I may then consider as a potential modification to the draft Plan.

Can the **Qualifying Body** therefore please provide me with a full Note providing the necessary explanation and justification for the proposed Wildlife Corridor, including draft text (possibly as paragraph 5.8.18 et seq.) and a suitable plan for inclusion within the Plan?

Question 6: Re. Review of the adopted City Plan Parts 1 and 2

Can the **City Council** please confirm that the emerging new City Plan 2041 is progressing in accordance with the Local Development Scheme (LDS) 2025-2028, with a further Regulation 18 consultation scheduled for Winter 2025/26 and Regulation 19 pre-submission consultation scheduled for Spring/Summer 2026?

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