

Hailsham Neighbourhood Development Plan Review

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a distinctive vision for the neighbourhood area. It is presented in an effective and attractive way, and includes helpful maps and photographs. Sections 2 and 3 effectively capture the issues to be addressed in the review of the Plan.

The Plan is impressively underpinned by an extensive range of supporting documents.

The Vision and the Objectives set the scene for the Plan and its policies. The Objectives provide a well-rounded structure for the policies. In addition, the Plan makes a clear distinction between its land use policies and the Projects. This is best practice.

The policies are generally well-written and are underpinned by the supporting text.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Town Council. There is also a separate question for Wealden District Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

The District Council has made a series of comments on the Plan. This Note provides an opportunity for the Town Council to respond to those comments and suggestions. I do not repeat the District Council's comments in my questions. However, where appropriate, I raise specific or additional points on the policies concerned.

Questions for Hailsham Town Council

I set out specific comments and policy clarification points below in the order in which they appear in the submitted Plan:

Policies HaCF1 and 2

These policies address their respective matters in a positive way.

Policy HaCF3

There appears to be an overlap between the third and fourth parts of the policy. Am I correct to conclude that their combined effect is that the loss of community facilities will not be supported unless one of the following criteria are met:

- the facility is no longer needed; or
- it is proposed to be reused for another community facility (insofar as planning permission is needed); or
- a replacement facility is provided; or

- the need for the facility can be met by an existing facility in the neighbourhood area or by a facility elsewhere that is in reasonable distance from the community using the facility proposed to be lost.

If this is correct, I would be minded to recommend that the third and fourth elements of the policy are combined and comment on this basis. Does the Town Council have any comments on this proposition?

In addition, I note that the supporting text concentrates on new facilities (Parts 1 and 2 of the policy). Has the Plan attempted to identify existing community facilities to which parts 3 and 4 of the policy would apply?

Policy HaCF5

Is the second part of the policy necessary? Could it be repositioned into the supporting text?

Policy HaCF7

This is a good policy which is underpinned by appropriate evidence and the supporting text.

Policies HaTC1 and HaTC2

In general terms these policies take a positive approach to the Town Centre and have regard to Section 5 of the NPPF.

In part 3 of HaTC1 what is meant by 'may be appropriate'? How would this be applied through the development management process?

I fully understand the intention of part 5 of HaTC1. However, is the approach anticipated more about the promotion and management of vacant uses given that planning permission would not be required for temporary retail uses?

Part 3 of HaTC2 does not read as a land use policy. Could it be repositioned to the supporting text?

Policy HaTC3

Please could the Town Council expand on the intention of the second part of the policy? Is it land use related?

Is the third part of the policy a Project rather than a land use policy?

Policy HaTC4

As I read the policy parts 2 and 4 overlap. Could they be combined?

In addition, in part 2 does 'outside this' refer to locations outside the Conservation Area?

Policy HaTC5

Parts 2 and 3 of the policy are very prescriptive. I am minded to recommend that they are applied where it is practicable to do so. Does the Town Council have any comments on this proposition?

Policy HaTC8

I note that the potential of a multi-storey car park arises in paragraph 5.68 of the Plan. However, are any such proposals currently being considered or is there any real prospect that such a proposal will come forward in the Plan period?

Policy HaHD1

This is a very good policy.

Policy HaHD3

In general terms, this policy reads well. However, to what extent does it bring added value above national policy by being distinctive to neighbourhood area?

Policy HaHD4

For my clarity, does the first part of the policy relate to the evidence in Table 1?

Policy HaGI6

I note that the supporting text directly informs the first part of the policy. However, there is a much more limited relationship between the supporting text and the second part of the policy. In addition, the second part of the policy advises that dropped kerbs should not result in the loss of existing on-street parking capacity whereas paragraph 8.40 comments that such works can result in the loss of existing on-street parking capacity.

In this context, is the second part of the policy appropriate or should part a) be deleted?

Projects

The Town Council has approached the identification of non-land use Projects in a very positive way. They are locally-distinctive and in several cases their implementation will complement the associated policies in the Plan.

Reviewing the Plan

Paragraph 9.11 sets out a very positive approach to this matter.

In this overall context, I am minded to recommend the inclusion of an additional paragraph to comment that the Town Council will assess the need or otherwise for a further review of the Plan within six months of the adoption of the Wealden Local Plan 2042. Does the Town Council have any comments on this proposition?

Questions for Wealden District Council

I note that the Local Development Scheme was updated last month. Is the Council continuing to work to the timetable for the emerging Local Plan as set out in that document?

Representations

Does the Town Council wish to comment on any of the representations made to the Plan?

It would be helpful if the Town Council responded to the representations received from East Sussex County Council and Southern Water.

The District Council suggests a series of revisions to some of the policies and parts of the general text in the Plan. It would be helpful if the Town Council responded to the various issues raised.

It would also be helpful if the Town Council commented on the District Council's comments about the length of the Plan.

Protocol for responses

I would be grateful for responses and the information requested by 16 November 2026. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

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Independent Examiner

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20 October 2026