



**Lewes District Council**

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# **Supplementary Planning Document: Development Principles for RAILWAY QUAY, NEWHAVEN**



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## **1. The Site**

1.1 The site is situated on the east bank of the River Ouse at Newhaven, adjacent to the A259 south coast road and Newhaven Town Railway Station.

1.2 Newhaven is situated in proximity to the conurbations of Brighton and Eastbourne and the county town of Lewes.

### **Purpose of the Brief**

1.3 The purpose of this Brief is to;

- Amplify the existing policies in the adopted Lewes District Local Plan. In particular this Brief is 'linked' to Policy NH21 (Railway Quay) in the adopted Lewes District Local Plan.
- Promote the development of the site
- Ensure that the new development meets a high design quality that takes full advantage of the prominent location of the site.
- Ensure that the new development on the site contribute to the overall regeneration of Newhaven.

### **Status of the Brief**

1.4 An earlier draft of the Brief has been published by Lewes District Council for the purposes of public consultation. The approved brief will be a material consideration when considering a planning application for the site.

### **Policy Background**

1.5 The Lewes District Local Plan (a statutory development plan) allocates housing sites in the District in the most sustainable, mainly urban, locations to meet the County Structure Plan's housing land requirements by 2006. Newhaven was considered to be one of the most sustainable settlements in the District as it has good transport links (eg railway, A26 and the A259 South Coast Road), a developing network of cycle paths, available brown field sites and employment opportunities.

1.6 Consequently, the Plan provides for a mix of new development within the town including residential development, business development, a new outer port area and additional recreational open space (see Chapter 12 of the Local Plan).

1.7 Following two public inquiries, Railway Quay was allocated for residential development in phase 1 (period 2001 - 2006) provided that the land was no longer required for port use. Consequently, prior to the consideration of any planning application for change of use of the site the District Council will need to be satisfied that this land will not be required for port uses or that it's redevelopment will not jeopardise the effective and efficient functioning of the remainder of the East Quay Port area.

1.8 The site is allocated for a target minimum of 200 residential units in the Local Plan, as well as other uses of business, leisure, food and drink and factory outlet centre. However, the Inspector at the second Local Plan Inquiry considered that it was unlikely (based on past trends) that all the residential sites allocated in Newhaven would be completed by 2006. Therefore, based on the Inspector's recommendation it is assumed that in reality not all of the site may come forward for development by 2006 and hence it is also listed as a site to be considered for Phase 2 (i.e. 2006-2011). However, if the market is buoyant and there is the demand, there are no infrastructure reasons why all of the site could not be developed by 2006.

1.9 Consequently, the Lewes District Local Plan was adopted in March 2003 and allocated this site for mixed uses, including residential development, business, leisure, food and drink and factory outlet centre (See Appendix 1 for policy in detail and extract from Proposals Map). Immediately adjoining the site to the north is an area not included in the Local Plan allocation for development (see Appendix 1). The north-western part of this area is currently predominantly used as an informal car parking area for the working men's club. The north-eastern part of this area is currently occupied by a vacant portacabin and parking area. In order to enable the comprehensive development of this area it would be prudent to include this area in the principles covered by this brief.

1.10 For any development, the District Wide development criteria policies of the Local Plan will also apply and will be used to determine the acceptability of the detail of proposals in any future planning application.

### **Overall vision for site**

1.11 The site has a prime waterside frontage and this should be exploited as an important asset. With the recent development at West Quay, and the new development proposed south of West Quay, there is the scope to provide a horseshoe of attractive waterfront development comprising homes, workplaces walkways/cycleways, eating and drinking places and open spaces to enable visitors and residents to enjoy the area.

1.12 In order to ensure that 200 residential units would not result in a purely residential enclave which could be soulless during the day it is important that there are other uses within the scheme as set out in Policy NH21. However, retail uses of a scale and type that would threaten the viability and vitality of Newhaven town centre, and other nearby town centres, will not be acceptable.

1.13 Although the site is currently in two ownerships it is important that the site is developed in a co-ordinated way and not developed in a piecemeal manner that would prejudice the achievement of an efficient and attractive overall layout.

### **Overall framework for site**

1.14 Newhaven is subject to an ongoing regeneration programme. One of the key features of this is the southward expansion and redevelopment of the port

and its facilities to provide modern and efficient infrastructure, thus potentially releasing Railway Quay for non-port uses.

1.15 However, at present Railway Quay provides the rare resource of waterfront quayside land and it is a main point of access to the passenger ferry linkspan. Therefore, before Railway Quay is released for the proposed mixed uses the District Council needs to be satisfied that it is genuinely surplus to the operational requirements of the port, and that its development for non-port uses will not prejudice the overall operation, viability and *growth* of the port in the short or long term.

1.16 The following will be important considerations when considering any application for alternative uses at Railway Quay:-

- the availability of alternative berthing and backup land in the port
- freight and passenger vehicle access to the ferry berths, and the traffic and environmental impact of any consequent route changes
- the impact on the capacity for growth of the business of the port

1.17 This can be best achieved by the submission, of a master plan for the Railway Quay, East Quay and the port expansion area, including the long term arrangements for road and rail access to serve the port. The master plan will need to provide information on financial feasibility, timetable, environmental and traffic impact assessment. Any proposal to change the use of Railway Quay in advance of the provision of new berths and the port access road will need to demonstrate how the port rail and highway infrastructure in the area could successfully accommodate the existing port services/facilities and not jeopardise the future growth of the port, the capacity of existing highways, and the environment of the Eastside residential neighbourhood.

## **2. Background information**

### Location

2.1 Railway Quay (just over 5 ha) is in an ideal central location with good access to most facilities. Most of the main facilities are within 10 minutes walk from the site. In addition the site has immediate access to Newhaven Town Station which has direct services to Brighton and London via the mainline station of Lewes. Also, the A259 has the opportunity to provide a good quality public transport corridor linking to Eastbourne and Brighton. The A259 passes the northern end of Railway Quay and the junction of the A26 with the A259 is in proximity.

2.2 Appendix 2 shows the site's relationship to local facilities, roads and public transport network. Appendix 3 shows the location of the site in relation to the immediate surrounding area.

## Surrounding development

2.3 The River Ouse forms the western boundary of the site. On the western side of the river bank is a recent high quality development comprising homes, fishing facilities, public house and cycleway/walkway and public open space that includes public art. Most of these buildings are two/three storey in height.

2.4 To the north of the site is North Quay which is used mainly for the importation and exportation of aggregates. However, the A259 provides a strong physical barrier between North Quay and the site.

2.5 The railway line forms the eastern boundary of the site. However, beyond that there is an area, along Railway Road, of mixed development including residential, industrial and commercial premises and a school. The buildings along Railway Road are a mix of domestic 2 storey properties and bulky industrial buildings.

2.6 To the south of the site is operational port land.

## Views into and through site

2.7 Probably the most visible short distance views of the site are from the other side of the river, from the Newhaven swing bridge and along the A259 flyover.

2.8 It is visible in long distance views from Castle Hill and Newhaven Fort that are well visited tourist attractions.

Appendix 4 shows the main views of site.



View from Newhaven Swing  
Bridge  
Listed buildings in foreground



Long distance view from Newhaven Fort

## Existing land uses

2.9 At the moment part of the site is used as part of the operational Port and, indeed, Hoverspeed, have their offices and embarkation/disembarkation facilities (including a large parking area within the site for the ferry users) within the site. On the remainder of the site is a working men's club and two listed buildings which are currently vacant, the quayside is also currently vacant. The majority of the existing buildings on the site are predominantly single storey and are functional in character. All the buildings, including the quayside itself, are in a poor state of repair.



2.10 However, within the site are two large scale listed buildings set along the quayside that will set an important context for the site. They are of an industrial scale and mass and have the opportunity to provide an important focal point within the site. The Marine Workshop is around the largest of those and has the scale of a 3/4 storey building.

2.11 This was originally the engineering workshop for London and South Coast Railway cross channel packet ships. The smaller building was the carpenter workshop and paint store, again connected with the railway. See Appendix 5 for full description and location of listed buildings.

2.12 The listed buildings are currently in a poor state of repair but the development of this site should include the restoration of these buildings and make the most of the opportunity to promote an important part of Newhaven's maritime heritage.

2.13 The setting of these buildings will be an important consideration in any submitted development scheme.



View of Listed buildings from  
River Ouse



View of listed buildings from  
within site

### 3. Development Principles

3.1 A design appraisal will be required as part of any planning application in order that the developer can demonstrate how they have taken the following issues into account in designing the layout and detail of their development.

3.2 The following principles will need to be followed to ensure that the development makes a positive contribution to the regeneration of Newhaven.

#### 3.3 Scale

- A residential development of a target minimum of 200 dwelling units would be appropriate representing a density of 42 dwellings per hectare.

#### 3.4 Layout

- The need for a mix of buildings and street layout types with strongly-defined frontages, incorporating focal points and open spaces
- Buildings should front onto streets, footpaths and public spaces in order to provide overlooking of public areas for security reasons. Buildings should also front onto the river in appropriate locations.

#### 3.5 Design

- The site has strong physical barriers of the railway line, A259 and the River Ouse. However, it is extremely prominent when viewed from the other side of the River, the swing bridge and the A259 flyover and from long distance views such as Castle Hill and the Fort. To some extent it is a `blank canvas` and does not have to have specific regard to its juxtaposition with its immediate surroundings. Therefore, the development should make the most of its waterfront setting and it provides an ideal opportunity for an innovative and imaginative design solution.
- The bulk, and form of the listed buildings, provides a point of reference for the new development within the site. The development should compliment

but not necessarily imitate the character of the listed buildings. It should respect the scale and form of the buildings.

- At a waterfront location more vibrant colours can be more successful than may be the case in a more typical urban environment. For example, the new development at West Quay uses a colour scheme that works well in a maritime environment. Therefore, there is the scope in this location to provide an interesting palette of colours and materials within the new development to create an individual identity for the development, whilst at the same time reflecting the colours and materials which are being used on recent environmental improvements such as Bridge Street and West Quay.
- The use of features such as brick detailing will be encouraged to add interest and character. However, the design should not be too cluttered with design paraphernalia – a relatively simple design solution would be most appropriate in this location.

### 3.6 Height

- The height of the development should not dominate the two listed buildings on the northern part of the site development. However, it is likely that the site could accommodate significantly taller buildings, particularly within the parts of the site that lie south of the listed buildings and north of the homes on Clifton Road. Any such buildings would create a landmark for the port and the town and therefore will only be acceptable if the design is of a quality that will uplift the townscape of Newhaven.

### 3.7 Land uses

#### i) Housing

- The creation of successful residential environments is about much more than visually attractive design. It is about providing opportunities for homes that respond to people's needs and providing a framework within which new neighbourhoods can become well established and mature.

Mixed neighbourhoods of people with different ages and economic status and with different lifestyles and levels of mobility can provide a number of important community benefits including making neighbourhoods more robust by avoiding concentrations of housing of the same type.

A good mix of housing types, sizes and tenures (including affordable housing) is important in creating a basis for a balanced community.

- The mix of affordable housing will be determined when a planning application is received. However it is expected that at least 50 affordable units should be provided on this site (see also para 6.2).

- It is important that the affordable housing is fully integrated into any scheme and that it is not isolated from its surrounding neighbourhood.

#### ii) Non residential uses

- It is important that the site provides for a mixed development. Railway Quay is a very prominent site and should not become a purely residential enclave.
- The listed buildings and the ground floors of flats or commercial buildings would provide the opportunity to accommodate uses such as cafes and bars and other appropriate leisure uses such as art gallery, craft workshops, museum etc.
- Any non-residential uses on the site should complement the town centre uses. Retail uses of a scale that would affect the vitality and viability of the town centre would not be acceptable.

### 3.8 Landscaping

- Due to its exposed maritime location it would be appropriate for this site to place a lot of emphasis on hard landscaping (including features of public art) rather than more traditional soft landscaping comprised of trees and shrubs. However, to `soften` the appearance of the site some soft landscaping should be planted within the development, provided that salt resistant species are used.
- Features, such as the handrails along the quayside will be an important component of the hard landscaping as well as the use of high quality paving used in a imaginative way to create `eye catching` focal points within the development, especially along the immediate quayside. These elements are being introduced on the west side of the river, and development at Railway Quay should extend these features to the east side.
- The developers of the site will be responsible for the provision and future maintenance of both soft and hard landscaping within the site. This could be provided by either the establishment of a management trust to ensure the continued future maintenance or, alternatively, by a commuted payment to the District Council.
- Newhaven has a strong tradition of local artists and it would be appropriate to incorporate into the development some high quality public art features. In order to engage the local community in the development of the site it would be preferable if the developer of the scheme commissioned, and funded, the public art element to be implemented through the local community. Examples of recent public art within Newhaven include the Cormorant at West Quay.



Public art at West Quay, Newhaven

### 3.9 Open Space

- There is a shortfall of public open space in Newhaven and therefore developer contributions will be sought to address this shortfall. (See also para 4.3)
- A casual/informal children's play space will need to be provided within the development site and in conformity with the NPFA standards the space provided should be around 0.36ha depending upon the size of dwellings within the scheme. This element of open space should fully utilise the quayside setting of the development and be based around the waterfront, paying due attention to safety factors.
- With regard to the other two components of the overall playing space provision (outdoor sports and equipped children's play area) it is more appropriate for financial contributions to be made towards the enhancement/improvement of the existing facilities at the Eastside recreation area.

### 3.10 Waterspace

- It is recognised that the River is part of the working port. However, the River Ouse is a valuable part of the public realm and it should be seen as more than just a backdrop to the development
- Any development should bring the land and water together and enable Railway Quay to become a destination in itself.

- The opportunity for tourist related activities in relation to the River Ouse should be fully utilised. This could take the form of the provision of facilities for trip boats, however, it is recognised that there is a significant freeboard between the land and water at low tides. Such constraints can be overcome by innovative design solutions such as terracing the boundary between the land and the water. On a more modest scale the provision of safe, attractive covered viewing areas of the River, and its activities, could emphasise the asset of the water.

### 3.11 Circulation, Parking and Access

- Developers would be expected to undertake a Traffic Impact Assessment for this site and to implement any improvements to the local highway network that are recommended.
- i) Walking and Cycling to the site
- This site is in a truly sustainable location adjacent to the railway station, bus route and local services and facilities. However, if people are to be encouraged not to use their cars for local trips, the routes for walking and cycling within, and out of the site, require particular attention. Appendix 6 shows the existing public transport facilities, proposed access and desire lines.
  - There is a relatively well-established cycle network within Newhaven and it is important that any cycle provision builds upon, and enhances, this network.
  - At the egress/exit to the site it is particularly important that there is no conflict between cycle and pedestrian movements.
  - There should be particularly strong, high quality, attractive, safe and well lit and signed pedestrian/cycle links to the railway station, local bus stops, the town centre and the main places of employment.
  - In particular, there should be safe and convenient crossings to facilities to the north of the A259.
  - Exit/egress to the site –

The main vehicular access will be onto Railway Approach that immediately links onto the A259.

- It is likely that the main vehicular access to the site will be via one distributor road. This distributor road should extend to the southern boundary to ensure the creation of a future second access to the site.
- In any case, an emergency access will be required from the south of the site.

ii) Walking and cycling within the site

- The site with its waterfront location provides an ideal opportunity for a cycleway/walkway along the riverside. As the cycleway/walkway in such a location is likely to be very well used it is important that they are segregated so as to avoid conflicts by users.

iii) Vehicular movements within the site

- Because of the configuration of the site care needs to be taken that within this high-density development priority is given to the pedestrian and cyclist rather than the car. Rather than using the more traditional methods of speed of restraint such as humps and chicanes this `blank canvas` of a site offers the opportunity to control speeds using first principles of how the area is to be laid out.
- Looking at traditional towns that have evolved organically the overall arrangement of buildings and spaces, by obstructing forward vision, induces drivers to go slowly. This approach is now known as `tracking` which gives priority to the arrangement of buildings and spaces with the carriageway threaded through. (For further details refer to 'Home Zone Design Guidelines' produced by IHIE)

iv) Parking within the site

- The parking requirement for any development is set out in the County Council's 'Parking Standards for Development' (2002). This site falls into Zone 4 that requires 75-100% of the following parking standards:

Type of development	Maximum car parking standards and service provision	Minimum cycle parking standards
Flats, maisonettes, bedsits	1spaces per unit plus 1 space per 3 units for visitors	1 long term space if no garage or shed provided
Small houses (less than 3 beds) and affordable housing	1spaces per unit plus 1 space per 3 units for visitors	1 long term space if no garage or shed provided
Large dwelling houses	2 spaces per unit plus 1 space per 3 units for visitors	1 long term space if no garage or shed provided
Restaurants/cafes (A3)	1 space per 5 m <sup>2</sup> of public area plus 1 space per 2 full time equivalent staff members.	1 short term space per 100 m <sup>2</sup> ground floor area plus 1 long term space per 10 full time staff
Offices (B1)	1 space per 30 m <sup>2</sup> ground floor area. Usable space for loading/unloading agreed on site by site basis.	1 short term space per 500 m <sup>2</sup> ground floor area plus 1 long term space per 10 full time staff
Leisure (D2)	Depends upon facility	Depends upon facility

Retail (A1) – Individual shops up to 500m <sup>2</sup>	1 spare per 30m <sup>2</sup> ground floor area plus 50m <sup>2</sup> of usable space per unit for loading/unloading	1 short term space per 150m <sup>2</sup> ground floor area plus 1 long term space per 10 full time staff
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- However, as this site is adjoining the railway station and bus corridor then there is an ideal opportunity to reduce significantly the maximum parking standards and for developers to contribute towards improving the bus and rail access to the site.
- If the development lends itself to courtyard parking then care needs to be taken to ensure that they are integrated into the development. In order to ensure that they work successfully they need to take into account the following characteristics:-
  - They are not car parks but places with parking in them
  - They are overlooked by adjoining houses or by buildings entered from the parking area
  - They normally include at most 10 parking spaces. If there are more spaces the courtyard layout should be broken up.
  - Ideally, they should have more than one entry and exit point provided, in accordance with safety requirements, forming a route across the block.
  - The entrance to a courtyard, between buildings or through an archway, needs to respect the street frontage and well proportional archways could possibly add interest and attractiveness to the process. Over wide openings are unnecessary.

### 3.12 Railway Station

- Although the Newhaven Town station is not within the area allocated for development in the Local Plan it has a very important relationship with the allocated site and, indeed, the surrounding area.
- At the moment the railway station is not perceived as being easily accessible by foot, cycle, taxi or bus. The entrance/exit to it is not obvious or attractive. Therefore, it is important that the railway station, and its surroundings, are fully integrated into the design and layout of the site.
- The approach to the station should be welcoming and fully accessible. For example a piazza to the west of the railway line/ station would provide an improved point for access to the station.
- In addition, any redevelopment around the station should incorporate facilities for dropping off/ picking up passengers at the station and an element of public car parking.

(N.B. The Local Transport Plan, produced by East Sussex County Council as Highway Authority, supports the improvement of the station interchange facilities. However, at the time of writing there is no funding for the proposal. Therefore for the purposes of this Brief it is assumed that the station will remain in its present location for the foreseeable future.)

### 3.13 Crime Prevention

- Government Circular 5/94 'Planning out Crime' recognises that the planning system is an important factor in a successful crime prevention strategy and advises that crime prevention is a material planning consideration. In addition regard should be taken of the recent publication by the Office of the Deputy Prime Minister entitled 'Safer Places: The Planning System and Crime Prevention'.
- The Crime and Disorder Act 1998 Section 17 places a clear duty on local authorities to take due regard to the likely effects on the prevention of crime and disorder in the exercise of their various functions.
- The layout and design of the development must, therefore, have due regard to security issues. The local planning authority will seek to ensure the provision of open walkways, play areas and car parking facilities which are safe and secure. Care should be taken to reduce unnecessary risks of noise and nuisance, for example developers should have regard to the relationship between dwellings and play areas. Also, details of external lighting should be included in the proposals.
- Developers are advised to consult the Sussex Police Crime Prevention Adviser prior to any planning application being submitted.

### 3.14 Sustainability

- Sustainable development principles should be incorporated into the development. For example, the adoption of water harvesting techniques for uses such as washing cars, watering gardens or for flushing toilets, the use of porous paving and energy efficiency. At an early stage sustainable principles such as these can be incorporated into the overall design. The Environment Agency, in particular, is keen to ensure that water is used wisely and would urge potential developers to give due regard to the use of methods that would reduce water consumption. The Agency has a Demand Management Centre which would be able to advise on the use of specific methods in relation to this site.
- Preference should be given to locally-sourced building materials and re-used locally available materials such as demolition waste for fill and hardcore.
- Dwellings should be orientated within 30 degrees of south to offer the best opportunity for maximising passive solar gain and reduce energy requirements. However, every effort should be taken to ensure that there

is a positive and inviting relationship between the site and the A259 corridor and that the orientation of the buildings does not result in a bland and featureless façade on to the A259.

- Dwellings should maximise glazing areas on the south facing elevations with smaller windows to the north sides in order to make the most efficient use of energy.

#### **4. Developer Contributions**

4.1 Residential development brings new people into the area, which places additional demands on existing services and facilities. Government Guidance, such as Circular 1/97 makes it clear that if development is proposed in an area where services are at, or approaching, capacity then developers will be expected to contribute towards offsetting the impact of the development.

Contributions are sought for the following facilities/ services in the Lewes District where a shortfall exists in the locality;

#### 4.2 Affordable Housing

- There is a recognised shortfall of affordable housing within the District, Therefore, in accordance with Policy RES9 (Affordable Housing) in the adopted Lewes District Local at least 25% of the development of this site should be affordable (i.e. 50 units).
- The mechanism for delivering this affordable housing is set out clearly in the `Supplementary Planning Guidance on the provision of affordable housing as part of new residential development`. In summary the affordable housing should be provided with no public subsidy. Appendix 6 of this Brief is an extract from the SPG and highlights the funding gap required to contribute towards the affordable housing.

#### 4.3 Open Space

- In accordance with the National Playing Field Association Standards (NPFA) there is a recognised shortfall of public open space within the town as follows;

Outdoor playing space	–	13.05 ha
Informal play space	-	5.19 ha
Equipped play space	-	2.97 ha

- Therefore, in accordance with Policy RES19 (Provision of Outdoor Playing Space) in the adopted Lewes District Local Plan commuted payments will be required for outdoor sports provision and/or the enhancement commensurate with the scale of the development.

- The mechanism for delivering this outdoor playing space is set out clearly in the `Supplementary Planning Guidance on the provision of outdoor playing space as part of new residential development`.
- Appendix 8 of this Brief sets out the contributions required from the developer, based on the SPG.

#### 4.4 Recycling

- The Council has adopted “Supplementary Planning Guidance on the provision of kerbside recycling facilities as part of new residential development”.
- The District Council provides a kerbside recycling scheme for the collection of paper, plastic, cans and foil. Each household is provided with appropriate containers and the collected materials are taken to the Recycling Centre in Lewes or a facility in Wealden for processing.
- A developer’s contribution of £16.12/unit is required to ensure that new properties can be added to the overall kerbside collection scheme when new residents move into the property.
- In addition, the recycling of glass is currently undertaken by taking it to a collection point. Within a development of this scale the developer(s) will be required to provide a suitably accessible vandal/sound proof glass collection point as part of the overall development proposal.

#### 4.5 Accessibility

- The District Council is implementing several elements of the East Sussex County Council’s “Supplementary Planning Guidance – A New Approach to Developer Contributions (as agreed by the Cabinet at Lewes District Council).
- One element that is being sought is the need for all development to provide for the off site transport measures that are necessary to make the site as accessible as possible to non-car modes of transport.
- For a development of more than 6 dwellings, this requirement includes the need to make an “accessibility improvement contribution” towards relevant local transport programmes and initiatives.
- With regard to this particular site the developer will be expected to contribute towards the works for improving the access to facilities/ services through the provision/ enhancement of footpaths, cycleways and public transport. It is anticipated for 200 units on the site that the Highway Authority will be looking for a contribution of around £250,000-£300,000.

- In particular, with regard to this particular site, the developer will be expected to contribute towards the programmed works for improving the pedestrian/ cycle accessibility to the town centre and improving the accessibility to the railway station and bus network. This is in addition to improving pedestrian/ cycle facilities in immediate proximity to the site.

#### 4.6 Education

- In accordance with Policy RES20 (Provision of Educational Facilities) in the Adopted Lewes District Local Plan it is recognised that where there is an existing shortfall in educational facilities additional residential development will be expected to make a financial contribution for the additional demands that it will generate.
- Consequently, the District Council is implementing the element of the Supplementary Planning Guidance - "A new Approach to Development Contributions" (produced by East Sussex County Council) in relation to education requirements (as agreed by the Cabinet at Lewes District Council).
- In areas where school roles are at capacity, or the likely pupil generation from a proposed development would reach capacity, then financial contributions will be sought for residential development of more than one bedroom. Appendix 9 shows the contribution that will be sought.
- However, as at November 2003 there is adequate capacity in the schools in Newhaven. Therefore, no contributions would be expected at present. But, if circumstance change then the contributions above would be sought.

(N.B. All the financial contributions will be subject to annual review to reflect inflation. However, any changes will be subject to approval by the Council).

#### 4.7 Other developer contributions

- It is recognised that there are other services/facilities where there is a shortfall in provision that will be exacerbated by new development. However, at present Lewes District Council only secures contributions towards the above five services. These arrangements will be reviewed with regard to extending this range of services in the future.
- With regard to other services/facilities where there is a recognised shortfall it may be appropriate to seek from the developer a contribution as a `planning gain` from the development. However, such contributions will not be a pre-requisite to development taking place.

## 5. Other Issues

### 5.1 Contamination

- As the site has been used as operational port land for many years, the previous uses may have potentially caused, or have the potential to cause, contamination of controlled waters. Therefore, it is an Environment Agency requirement that at a formal planning application stage a site investigation is carried out to identify previous site uses and potential contaminants that may be present. Remediation of any contamination would have to be carried out prior to any development commencing on site.

Where site investigations are to be carried out due regard should be taken of relevant guidance and publications. In particular, developer(s) should refer to the Government Contaminated Land Reports series, the EA/NHBC document "The Safe development of Housing on Contaminated Land" R&D Report no 66, the British Urban Regeneration Association (BURA) guide "Breaking old ground", BS Standard 10175 "Site investigations on Contaminated Land" and the series of reports produced by Ciria including Report no 78 "Building on Derelict Land". Also, the BURA guide produces useful checklists for the various phases of the required investigation and cross references to other useful guidance.

- The proposed development lies less than 250 metres to the south and east of Southerham Wharf and Denton Island which were former landfill sites that accepted unknown and putrescible waste material respectively. There may be contamination issues related to these sites.

### 5.2 Flood mitigation measures

- The Environment Agency have indicated that the land in this locality could be affected by tidal flooding should the defences be breached or overtopped. The estimated level of the 1 in 200 year surge tidal conditions (for 2060) is 4.74 metres above Ordnance Datum Newlyn.

Therefore, in view of the flooding risk to properties immediately adjacent to the River it is recommended, by the Environment Agency, that floor levels for the proposed development be set at least 600 mm above the predicted 1 in 200 year surge tide level of 4.74 metres above Ordnance Datum.

In terms of the detailed design of the scheme this could be achieved by several means including non-habitable accommodation at ground floor level, flood wall or bunds.

- The Environment Agency would expect the site as a whole to be protected from tidal flooding and to allow for emergency safe, dry access from the site to higher ground and for the whole site to be protected above the 1 in 200 year surge tide figure.

- In accordance with PPG25, the Agency would expect only redevelopment proposals to include the re-constitution of the tidal river wall to provide protection against the 1 in 200 year surge tide and be designed to last for the lifetime of the development. No buildings should be set over, or riverward, of any proposed anchor blocks or tiebars that may be required in any re-constructed wall.

### 5.3 Noise

- Due to its proximity to the working port, railway line and the various commercial and industrial activities in the area there could be an adverse impact from noise, particularly at noise sensitive times of the night and day. The noise could impact on the residential development within the site. It is appreciated that it would be difficult to reduce noise from these sources. However, as part of any planning application the developer should undertake a detailed noise assessment, including an agreed noise survey. This will provide baseline data for when the development is occupied.
- There is also an issue with regards to internal site noise and conflicting land uses. Consequently, consideration should be given to ensuring that conflicting land uses are designed out e.g. avoid a loading facility beside the residential development or a restaurant/bar immediately adjacent to bedrooms.

### 5.4 Air Pollution

- Existing traffic using the A259 may have an impact on the site in terms of air pollutants such as nitrogen dioxide and fine particulates (PM10). There are air quality standards for these pollutants and it may be possible that in proximity to the A259 these levels may be exceeded. Also, the shipping vessels using the port emit sulphur dioxide, nitrogen dioxide, fine particulates and smoke and again these levels may exceed the air quality standards. Consequently, as part of any planning application the developer will be required to undertake a detailed assessment regarding the impact of local air pollution sources upon the site. The findings at the assessment may influence the location and/or orientation of development within the site.