

**Lewes District Council
South Downs National Park Authority**

**Lewes District Local Plan: Part 1
Joint Core Strategy**

Old Malling Farm, Lewes (MM05)

Proposed Modifications Background Paper

August 2015

Justification for Proposed Main Modification MM05: Old Malling Farm, Lewes

Site area: 10 ha (6.6 ha approx. net developable area)

Current land use: Agricultural land (Grade 2 / 3a)

Ownership: The Monnington family owns the entire site

1. This paper has been prepared to provide further detail and explanation of the Proposed Modification MM05, to supplement the justification text included in the proposed modification. MM05 has been drafted in response to the Inspector's Initial Findings Letter [ID-05]. The proposed policy criteria are set out in bold in the text below, followed by background information and justification.
2. Old Malling Farm is a greenfield site on the northern side of Lewes in a 'green finger' into the town, wholly within the South Downs National Park. It is located between the 1970s part of the Malling Estate to the east, the River Ouse, mainline railway and Landport Estate to the west and the Malling Deanery Conservation Area including Grade II* St Michaels Church to the south.
3. Much of the site is very good quality agricultural land with ecological interest but with the other strategic options around Lewes town having even greater landscape sensitivity within the National Park, this site is considered to be the preferred option as required to secure necessary housing provision.
4. The site was considered as a broad location for up to 270 dwellings in the Preferred Options Joint Core Strategy pending a detailed Landscape Impact Assessment. A Landscape and Visual Assessment by Allison Farmer Associates was published in 2012 and advised that the site may be able to accommodate some development if its nature, extent and character are carefully considered so that the special qualities of the area are retained. The report states that because the site is so widely visible, particularly from the west and from elevated locations, boundary planting alone is unlikely to reduce the impacts of development. LDC and SDNPA jointly agreed to exclude the site from later stages of the Joint Core Strategy and instead allocate an overall housing target of 360 dwellings on sites to be identified by the SDNP Local Plan or Lewes Neighbourhood Plan.
5. The site was then rejected in the SDNPA SHLAA (Jan 2015) due to potential adverse impact of development on the landscape character with high sensitivity, Ouse Valley Way, conservation area and heritage assets. The tranquillity of the Ouse Valley Way which forms a transitional passage between town and country was also raised as a concern.

6. Development of the site could be detrimental to the Special Qualities of the National Park, including impacts on the landscape and views, on recreational activities (the Ouse Valley Way), on tranquillity (including dark night skies), on historical features and cultural heritage (including the Conservation Area, Listed Building and archaeological remains), and on nearby wildlife and habitats. Criteria have therefore been suggested in the proposed Modifications policy to protect the Special Qualities and ensure the development is high quality and sensitive to the landscape, wildlife and cultural heritage of the area.

(i) 50% of dwelling units are affordable, subject to the provisions of CP1;

7. Core Policy 1 seeks to achieve a district-wide target of 40% affordable housing. This district-wide target is supported by robust evidence of strong viability and significant levels of housing need, including notable need in Lewes town. Core Policy 1 states that the affordable housing requirement may exceptionally be determined on a site by site basis where justified by market and/or site conditions and viability evidence.

8. The Old Malling Farm is a greenfield site in agricultural use with no known abnormal development costs. It also represents the only strategic level greenfield site that can deliver a significant level of housing, which includes affordable housing, in and around Lewes town.

9. A viability appraisal [High Level Viability Assessment: Old Malling Farm] has been produced which indicates up to 50% affordable housing is achievable on this site without unduly affecting the viability of the development. This also accords with the UK Government Vision and Circular 2010 which states affordable housing delivery is the focus of new housing provision within the National Park.

10. Due to the high number of affordable homes that will be delivered on this site it will be particularly important to consider the mix of these houses, particularly in terms of type and tenure. With this being the case, the National Park Authority and District Council (as the local housing authority) may seek/accept a tenure split for the affordable housing that delivers a greater proportion of intermediate housing than the 25% guideline in Core Policy 1.

(ii) Development is restricted to the parts of the site above the 10 metre contour in the northern field and further than 20 metres from the western and southern boundary in the southern field, or in such other way as is agreed by the SDNPA through a detailed site appraisal and included in the Design Brief;

(iii) Development on the western edge of the southern field is lower density than other parts of the site with gardens bounded by hedges rather than walls or fences;

- (v) **The design, layout, built form, spatial arrangements, landscaping and materials, including the pattern, scale and colour of roofs, respect and reflect the National Park location;**
- (vi) **Views from elevated chalk hills to the east and west, from Hamsey to the north, and from Lewes itself are protected and enhanced. The design shall incorporate views within, to and from the site to surrounding landmarks and features;**
- (vii) **Development is consistent with positive local character and local distinctiveness and respects the character, amenity and setting of the adjacent Malling Deanery Conservation Area and the listed Church of St Michael;**

11. Potential impacts of developing the site are significant and wide ranging. All parties agree that the site is widely visible in all directions except the Malling Estate to the east. This is due to its valley side location, the prominent spur on which the site is located, the flat valley floor to the north, the accessibility of surrounding land and the presence of large areas of open higher downland to the west and east. Lewes is at a pinch point in the chalk ridge made by the Ouse.

12. The SDNPA's Landscape and Visual Assessment¹ identifies many sensitivities around the site which would require mitigation from the impacts of development in this location. These are set out in full in the wording of the proposed modification policy [MM05] and include recommendations that the site should be seen in the context of the wider Ouse Valley floodplain when viewed from elevated locations on the valley sides and from the surrounding hills, specific siting restrictions around the western and northern parts of the site to mitigate impacts on the Ouse Valley and the setting of Hamsey Church and the southern parts of the site to mitigate impacts on the Malling Deanery Conservation Area. The following points are raised as potential mitigation measures in the report and the above criterion (including setting parameters around contour lines) have attempted to direct development to achieve these mitigation measures:

- i. A 'lower density' of development and a softer urban edge.
- ii. Pulling development back and away from the western parts of
- iii. Pulling development back and away from the northern parts of the site to mitigate impacts on the Ouse Valley to the north of the site and on the setting of Hamsey Church.
- iv. Pulling development back and away from the southern parts of the site to mitigate impacts on the Malling Deanery Conservation Area.
- v. Planting along the northern edge of the site to help restrict and filter views to the site from the north.
- vi. Providing only limited night lighting on the site and, the use of low level lighting where required, to help keep cumulative night light spill to a minimum.

¹ Landscape and Visual Assessment: Old Malling Farm, Lewes, Allison Farmer Associates, May 2012

- vii. Ensuring the use of dark colours for roofs to help reduce their visual impact from elevated locations.
 - viii. Retaining views out of the site to surrounding landmarks to help establish a development with a strong sense of place and links to its environment.
 - ix. Retaining areas of floodplain with no access to protect perceived tranquillity.
 - x. Ensuring that any improved access to the floodplain does not unduly extend urbanising influences and that signage and surfaces, gates and fencing are low key.
 - xi. Ensuring a lower density development to create a more transitional, rather than abrupt, urban edge adjacent to the Ouse floodplain landscape.
13. Mitigation proposals which rely on screening suggest that a development is flawed from the outset. SDNP has several appeal decisions which identify that just because you cannot see something does not necessarily mean that it is acceptable. If that approach were taken across the national park the character of the area could be adversely affected by screening planting. In this case screening planting would reduce the enjoyment of the two fields within the landscape, reduce the impact of the spur and the approach to Lewes along the Ouse Valley Way. There are also topographic limitations on the effectiveness of screening at this site given views from higher ground. Mitigation through design and limiting the extent of development results in a small area north of the south field, which in itself would be uncharacteristic and poorly located.
14. Planting requirements are also put in place to help restrict and filter views into the site in some locations while retaining some views out of the site to surrounding landmarks to help retain a strong sense of place and link to its surrounding environment
- (iv) Development and appropriately designed equipped play space integrates into a multi-functional network of green infrastructure;**
 - (xvi) Contributions are made towards other off-site infrastructure improvements arising from and related to the development, including complementary measures in keeping with the landscape setting to reduce the attractiveness to existing traffic off Church Lane/Mayhew Way/Brooks Road as an alternative to Malling Hill and to improve the capacity of the junctions at the A26 /B2192 Earwig Corner, Church Lane/Malling Hill, and the Brooks Road/Phoenix Causeway roundabout;**
15. Off-site infrastructure contributions are required from development to mitigate for its wider impacts, particularly in the provision of community infrastructure. Financial contributions sought through Section 106 agreements will be sought for projects including equipped play space, green infrastructure and education provision as necessary. All contributions will be necessary, proportionate and

relevant as required by the CIL Regulations. Depending on the date of any subsequent planning permission, some of these contributions would be secured through the Community Infrastructure Levy, once adopted by the South Downs National Park Authority.

(viii) Impacts on tranquillity, dark night skies and biodiversity are minimised by restricting access to some areas of floodplain outside the site and by providing only limited night lighting and the use of low level lighting where required;

16. Special Qualities of the South Downs National Park include tranquil and unspoilt places which are largely lacking in intrusive development and retain areas of dark night skies. Development at Old Malling Farm creates a significant risk of undermining the special quality of this area of the National Park unless the above criteria are secured as well as the following advice in the Landscape and Visual Assessment:

- i. Retain areas of floodplain with no access to protect perceived tranquillity.
- ii. Provide only limited night lighting on the site and, the use of low level lighting where required, to help keep cumulative night light spill to a minimum.
- iii. Ensure that any improved access to the floodplain does not unduly extend urbanising influences and that signage and surfaces, gates and fencing are low key.

(xi) The primary access point is to be off Monks Way at a point opposite Mantell Close the design of which should minimise impacts on views from the north; the existing former railway bridge forms a secondary access point for emergency use and an access for pedestrians and cyclists and to the existing farm buildings;

(xvii) Measures are put in place to improve access from the site to the town centre by non-car modes.

17. A bridge over the disused railway cutting providing single track access from Old Malling Way and a further double width access point onto Monks Way, which is at grade and currently used for agricultural vehicles, is situated at the northern end of the site. Monks Way would form the principal access to the site, with the railway bridge providing secondary access for pedestrians, cyclists and emergency use.

18. Transport evidence shows that significant development of this site should be contingent on highway improvement works at the Earwig corner junction of the A26 with the B2192 on the edge of the town to the east of the site. This is a junction that already experiences congestion, particularly at peak times, and therefore the further strain from new development (including from other development in Lewes town and at Ringmer) will need to be mitigated. This infrastructure issue is identified on the Lewes District and South Downs Infrastructure Delivery Plan.

19. Development consistent with this policy, as well as other development in the area will enable this mitigation to occur, possibly through a traffic light system to improve the flow of traffic through the junction. In addition, mitigation measures associated with the impact of development at Old Malling Farm will be required at the critical junction of Church Lane/Malling Hill and at the Brooks Road/Phoenix Causeway roundabout, in agreement with the local highway authority. Traffic calming measures are also required to reduce the amount of existing traffic using the access roads to the site so that they can accommodate the additional traffic movements that will be generated by the development.

20. Multi-user routes should also be enhanced or provided where necessary to link the site to the centre of Lewes by accessible means, including via the disused railway if access can be created down the cutting. This should not conflict with the need to protect the tranquillity of the Ouse Valley.

x) Fields which are in the same ownership but are outside the developable area shall be retained as a designated Local Nature Reserve and/or Local Green Space and be subject to an agreed Land Management Plan, funded through a section 106 agreement; public access within this area shall be controlled to protect the most ecologically valuable areas;

21. The land described in criterion (x) may not be viable for agricultural purposes once the development goes ahead. There is a significant risk that the land would be vulnerable to alternative peri-urban activities as a result of the development, being sold off for alternative uses such as equine grazing/small holding, or other recreational activities. This would significantly affect its character and have impacts on the wider Ouse Valley and the Ouse Valley Way. It is therefore proposed that, in the event of it no longer being used for farming, it should be designated as a Local Nature Reserve (LNR) and / or Local Green Space (depending on the biodiversity value and the qualities and use of the land in relation to the criteria in paragraph 77 of the NPPF). Public access within this area shall be subject to control through design measures which are based on preserving the most ecologically valuable areas, as identified through the ecological survey. This should apply even if the land is retained for farming under the HLS scheme. The maintenance of the LNR shall be subject to an agreed Land Management Plan, to be funded from the development through a section 106 agreement.

(xii) Development respects the amenity of the existing dwellings adjoining the site;

(xiii) A site specific flood risk assessment is undertaken and an appropriate surface water drainage strategy is agreed by the appropriate body and implemented as agreed;

(xiv) A survey is undertaken of existing trees and hedgerows and appropriate measures are implemented for their protection in

accordance with a schedule to be agreed with the local planning authority;

(ix) An ecological survey is undertaken and appropriate measures are implemented to mitigate adverse impacts on the South Malling Disused Railway SNCI and Offham Marshes SSSI;

22. These basic criteria are necessary to make the development acceptable in planning terms. The policy also contains the requirement for a Design Brief to be approved by the local planning authority in advance of an application to ensure the policy criteria are met and the site conserves and enhances the special qualities of the National Park.

(xv) Development is subject to a geophysical survey and trial trench evaluation of the high archaeological potential in the area and any resulting measures are implemented;

23. The site lies within an area of high archaeological potential being in the vicinity of a medieval settlement and the ruins of a college of Benedictine Canons. While current information would suggest that these interests do not override the principle of development on the site, further survey work will be required and appropriate mitigation measures implemented.