



**Lewes District Local Plan Part 2:**  
**Site Allocations and Development Management Policies**  
**Examination**

**Lewes District Council**

Response to Inspector's Questions

**Matter 7**

March 2019

## **Matter 7 – Are the Transport, Infrastructure, Implementation and Monitoring provisions of the Plan sound?**

### Inspector's Question

#### **7.1 Are there any necessary infrastructure needs that are not addressed in the Plan and the IDP?**

##### 1. LDC Response

1.1 The Council is confident that the key infrastructure required to support the housing and employment allocations in the Submission Plan is included within the individual policies set out at Sections 2 and 3 (CD001, pages 20-62) and the Draft Infrastructure Delivery Plan 2018 (CD057).

1.2 Core Policy CP7 of the Local Plan Part 1 (CD031, page 110) sets out the Council's strategic approach to infrastructure delivery, whilst the associated Infrastructure Delivery Plan (IDP) identifies the infrastructure required to meet the level and distribution of housing growth proposed in the district over the plan period. The IDP is intended to be a 'living document' that will be periodically reviewed and updated to ensure that it addresses changing circumstances or new information as it becomes available.

1.3 The Council has maintained a continuing dialogue and close working relationship with key organisations and stakeholders to establish the additional infrastructure that is necessary to support the planned growth within the district. The most recent comprehensive engagement with all the relevant service providers, including East Sussex County Council (as the local highway and local education authority), Clinical Commissioning Groups, Sussex Police, East Sussex Fire & Rescue Service and relevant utility providers, was undertaken in October 2018.

1.4 The results of the responses received and subsequent discussions with service providers are reflected in the 2018 IDP, most critically in the Infrastructure Delivery Schedule (Section B), which demonstrates that there is a reasonable prospect that the required items can be delivered in a timely fashion over the plan period, either through direct provision or developer contributions

##### 1.5 Proposed Modifications

None

Inspector's Question

**7.2 Are any of the high impact sewerage constraints classified as 'show stoppers'?**

2. LDC Response

2.1 The Council has worked in close partnership with the Environment Agency and the relevant water companies on the implications of accommodating the housing growth proposed over the plan period. The only identified potential 'show stopper' is in relation to the Neaves Lane Waste Water Treatment Works (WWTW) at Ringmer, where there is limited headroom available in the current Environment Agency discharge consent to accommodate new development. However, funding has been secured from OFWAT to increase the capacity of the WWTW as part of the Environment Agency's National Environment Programme, which will overcome this potential constraint. Completion is anticipated in spring 2020, as set out in the Lewes District Local Plan Infrastructure Delivery Plan 2018 (CD057, page 68).

2.2 Proposed Modifications

None

Inspector's Question

**7.3 In view of ESCC the Highways Authorities comments, can the 2018 IDP be relied upon to support specific allocations in the plan?**

3. LDC Response

3.1 The Council has worked in close partnership with East Sussex County Council, as the local highway authority, throughout the preparation of the Local Plan and the associated Infrastructure Delivery Plan (IDP). The concerns raised by the local highway authority in relation to the housing site allocation south of Valley Road, Newhaven, (Policy NH01), were received too late to inform the 2018 IDP. These concerns are addressed by the District Council in Examination Matter Statement 10.1.

3.2 The Council has maintained a continuing dialogue and close working relationship with key organisations and stakeholders to establish the additional infrastructure that is necessary to support the planned growth within the district. All the relevant service providers, including East Sussex County Council, were contacted in October 2018 in order to update the IDP and ensure that there are no fundamental infrastructure deficits or requirements that would prevent delivery of the development growth proposed over the plan period.

3.3 The results of the responses received and subsequent discussions with these service providers are reflected in the 2018 IDP, most critically in the Infrastructure Delivery Schedule (Section B). The Council is confident that the infrastructure necessary to serve the development proposed in the Local Plan can be delivered in a timely fashion, whilst recognising that the IDP will need to be periodically reviewed throughout the plan period to ensure that it remains up-to-date and addresses changing circumstances or new information as it becomes available.

3.4 Proposed Modifications

None

Inspector's Question

**7.4 Should the Plan include a policy covering Electric Vehicle Charging Points (ECVPs)?**

4. LDC Response

4.1 National planning policy requires developments to be designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles (NPPF para.35). It is not considered necessary to repeat this national policy within a specific policy in the Local Plan Part 2. The Council's expectations in this respect are set out in the 'Electric Vehicle Charging Points Technical Guidance Note (CD068).

4.2 This Technical Guidance Note was produced to represent the starting point in the Council's journey towards adopting a formal policy covering EVCPs to assist in the implementation of national planning policy. It is the Council's intention to assess the need for a more detailed local planning policy addressing the provision of ECVP infrastructure in new development through a review of the Local Plan. This will commence in 2020, as set out in the Council's Revised Local Development Scheme (CD014, page 6).

4.3 In the meantime, national planning policy for ECVP infrastructure is supported at a local level by the application of Core Policy 14 (*Renewable and Low Carbon Energy and Sustainable Use of Resources*) of the Local Plan Part 1 (CD031, page 129). This policy requires planning applications for the development of the Plan's strategic site allocations to be accompanied by an Energy Strategy that incorporates low carbon technologies into the development proposal.

4.4 Proposed Modifications

None

Inspector's Question

**7.5 The Environment Agency expresses concern that it is not immediately clear that a sequential test has been undertaken by the Council regarding flood risk. Has agreement been subsequently reached on the acceptability of sites proposed for housing and other uses in the Plan?**

5. LDC Response

5.1 The only proposed housing site allocation located within Flood Zone 3 is 'Land at the Marina', Newhaven (Policy NH02). A Flood Risk Assessment, including a sequential test, has been undertaken for this site, as set out in Appendix F of the Submission Document Sustainability Appraisal (CD004, pages 140 - 143). The Environment Agency has agreed that this Assessment is sufficient to demonstrate the acceptability of the allocation within the Local Plan Part 2.

Inspector's Question

**7.6 Is the issue of water supply satisfactorily addressed by policy DM22 (Water Resources and Water Quality)?**

6. LDC Response

6.1 The challenges of securing sustainable water resources to serve the south east region, and the way that these challenges are being tackled by the Environment Agency and the water companies are set out in the Infrastructure Delivery Plan (CD057, pages 45 - 49). The Environment Agency has identified the whole of the south east, including Lewes district, as an area of 'serious water stress' and it is therefore imperative that water resources are managed efficiently within the region.

6.2 During the preparation of the Local Plan Part 1, the Council liaised with the Environment Agency and the water companies on the implications for accommodating the housing growth proposed over the plan period. This has enabled the water companies to factor any necessary infrastructure upgrading into their respective investment plans. Core Policy 14 (*Renewable and Low Carbon Energy and Sustainable use of Resources*) of the Local Plan Part 1 requires all new dwellings to achieve water consumption of no more than 110 litres per person per day (CD031, page 129).

6.3 The protection and enhancement of water quality in rivers and other water bodies is also important in sustaining water supply. Policy DM22 of the Local Plan Part 2 therefore seeks to ensure that new development will not put at risk, or have an unacceptable impact on, the water environment, both within the district and beyond.

6.4 Following the publication of the Consultation Draft Local Plan Part 2, Policy DM22 received representations of support from the Environment Agency, East Sussex County Council (the Lead Flood Authority), Natural England and the Sussex Wildlife Trust (CD022, page 39). The Council is therefore confident that the issue of water supply has been satisfactorily addressed by the Local Plan and that Policy DM22 can be implemented effectively through existing partnership arrangements with the Environment Agency and East Sussex County Council.

6.5 Proposed Modifications

None

### Inspector's Question

#### **7.7 How serious are the problems of connectivity, for example along the A259 coastal route, and should the Plan include specific policies to address this issue?**

#### LDC Response

- 7.1 Transport connectivity is understood by the Council to represent the effectiveness of the district's transport network in terms of getting people from one location to another.
- 7.2 Generally, the plan area benefits from good access to the trunk road network, with the A27/A26 providing links to neighbouring Brighton and Eastbourne and the nearby A23/M23 providing access to London, Gatwick and the M25. In addition, the area is served by a number of A-roads, including the A259, which links the coastal communities, and the A26, A272 and A275 to the north of Lewes town.
- 7.3 The area is also linked by rail connections to London, Brighton and towns along the Sussex coast and beyond. The port of Newhaven provides cross channel passenger and freight services to Dieppe in France. A fuller assessment of existing transport provision and its capacity to support development growth is set out in Section A of the Council's Infrastructure Delivery Plan 2018 (CD057, pages 8 – 18).
- 7.4 We have worked in partnership with East Sussex County Council, as the local transport authority, to compile the necessary evidence to establish the implications of development on the local transport network and identify the transport measures necessary to support sustainable development growth in the plan area. The Highways Agency was also engaged at all stages in the preparation of the Local Plan to ensure that the implications of development for the strategic road network are fully understood.
- 7.5 The access and mitigation measures required in order to ensure that the housing growth proposed in the Local Plan can be satisfactorily accommodated by the local transport network are set out in Section B of the Infrastructure Delivery Plan (CD057, pages 57-58, 62-66). A range of transport interventions are identified, including specific junction improvements to enhance highway capacity, improved links and other facilities for pedestrians and cyclists, and additional public transport capacity and supporting infrastructure.
- 7.6 Some of these transport measures will be required in order to achieve a significant modal shift in travel behaviour along the A259 corridor, as addressed in Spatial Policies 2 (*Distribution of Housing*) and 8 (*Land at Lower Hoddern Farm, Peacehaven*) and supporting text (CD031, pages 51-52, and 77-80). The Inspector of the Local Plan Part 1 concluded that there was a reasonable prospect that these measures could be secured (CD072, para.104) and planning permission has since been granted for 450 dwellings



on the strategic housing site at Lower Hoddern Farm allocated in Spatial Policy 8.

- 7.7 Other necessary transport mitigation measures in the form of the junction improvements on the A259 and A26 can be achieved within the relevant highway limits. East Sussex County Council has not advised of any policy requirement to protect land to ensure the effective delivery of these measures.
- 7.8 The Council is therefore confident that there are no unresolved connectivity issues that would hinder the effective delivery of the Plan. We believe that Core Policies 13 (*Sustainable Travel*) and 7 (*Infrastructure*) of the Local Plan Part 1, together with the criteria set out in individual site allocations, provide a robust policy framework to secure the delivery of any transport infrastructure improvements required in association with planned development over the plan period.
- 7.9 Proposed Modifications
- None

Inspector's Question

**7.8 Is policy DM36 (station parking) justified and appropriately worded?**

8. LDC Response

8.1 Policy DM36 seeks to support Core Policy 13, *Sustainable Travel*, of the Local Plan Part 1 (CD031, page 126) in terms of encouraging travel by public transport and is consistent with the Government's policies for promoting sustainable transport (NPPF, paras.29 and 35). Within the Plan area, there are public car parking spaces adjacent to Cooksbridge, Plumpton and Seaford railway stations and the Council's justification for resisting the loss of these facilities is set out at paragraph 4.117 of the Local Plan Part 2.

8.2 The Council believes that Policy DM36 is appropriately worded. 'Adjacent to' is a clearly defined term that is entirely appropriate in the context of Policy DM36. A policy which sought to retain every public car parking space with the potential to be used by a rail passenger would be neither justified nor deliverable. It would also fail to have regard to NPPF para.154 which states that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

8.3 Proposed Modifications

None

Inspector's Question

**7.9 Is policy DM35 (footpath, cycle and bridleway network) justified and effective?**

9. LDC Response

9.1 Policy DM35 seeks to support Core Policy 13 (*Sustainable Travel*) of the Local Plan Part 1 (CD031, page 126) in terms of encouraging travel by walking and cycling and ensuring that the design and layout of new development prioritises the needs of pedestrians and cyclists in order to help achieve a rebalancing of transport in favour of sustainable modes. The Council's justification for Policy DM35 is set out at paragraphs 4.115 - 4.116 of the Local Plan Part 2.

9.2 The Council believes that Policy DM35 will provides a clear and effective framework for decision making, consistent with the Government's policies for promoting sustainable transport (NPPF, paras.29 and 35) and healthy communities (NPPF, paras.69 and 75). However, it is considered that the clarity of Policy DM35 would be improved by a minor wording amendment to make it clear that it applies to the *public* rights of way network, in accordance with para.75 of the NPPF.

9.3 Proposed Modifications

Amend Policy DM35 by the addition of the word 'public' to read:

**Development that would have a harmful impact on the convenience, safety or amenity value of the existing or proposed public footpath, cycle or bridleway network will only be permitted where this impact can be satisfactorily mitigated or an alternative facility of equivalent or improved quality would be delivered as part of the development.**