



Programme Officer (c/o Bank Solutions)
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Sent by Email and Post

Date 12 March 2019
Your ref
Our ref 0808/NEW168-165

Dear Mr Fox

Response to Inspector's questions regarding Policy E1 of the Lewes Local Plan Part 2 on behalf of Newhaven Port and Properties

We write on behalf of Newhaven Port and Properties (NPP) in response to the questions raised by the Inspector in relation to Policy E1 of the Lewes Local Plan Part 2.

In response to Matter 6, Para 6.2, Bullet Point ii.

The Port's adopted Masterplan identifies that land within the area designated by Policy E1 is required for several purposes including facilities for the offshore wind industry, storage, coastal shipping, harbour facilities and transport links. Further to this the Lewes Local Plan Part 1 confirms that the District Council will support plans for expansion and modernisation of the Port as identified in their published Masterplan. Therefore the proposed allocation is wholly consistent with the Port's adopted Masterplan and the Council's strategic policies for the area.

Further to the above we note that Lewes District Council have identified that they have a shortfall in the level of employment floorspace against that which will be delivered by the Local Plan Part 2. It is considered that the allocation site will help to address some of this shortfall and takes into account the longer term needs and aspirations of the Port to extend and modernise East Quay. In the medium term this will include provision of a new berth at East Quay and relocation of the existing ferry terminal in order that the Port can accommodate modern ferries.

Further to the above we highlight the recent announcement made by the UK Major Ports Group (UKMPG) and the British Ports Association (BPA) which sets out ways in which Ports would be best prepared to boost trade and coastal communities post Brexit. Among a series of proposals it recommends that; the needs and opportunities of ports

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should be included in spatial plans, in the same way residential and commercial developments are considered; and similarly, masterplans for Ports should be given some formal status in the planning process.

The proposed allocation recognises the strategic importance of Newhaven Port and the opportunities it represents in terms of future employment creation, as recommended by the UKPMG and BPA. The allocation is also in line with national guidance in the form of the National Policy Statement for Ports which at Section 3.3 confirmed that the Government seeks to encourage sustainable port development to cater for long-term forecasts; and, allow judgements about when and where new developments might be proposed on commercial factors by the port industry.

The land is therefore required to allow for the medium term future proofing of the Port's facilities. In particular it will be required for the accommodation/relocation of new and existing facilities to support a new ferry terminal at East Quay which will ensure that the port can still accommodate such traffic when the current ferries reach their end of life (within 10 years) and are replaced by larger ferries. The land is also required to allow for Brexit related contingencies and opportunities that may arise to support freight traffic in and out of the UK and allow the port to accommodate any rapid changes that may occur.

In response to Matter 6, Para 6.2, Bullet Point iii.

The Port Access Road (PAR) has partially been constructed up to the point it must cross the railway line and Mill Creek. The remaining section of the PAR is currently under construction by East Sussex County Council (ESCC) taking it south to the east of the Newhaven Port current fenceline. By the time of the proposed hearing it is likely that a further planning application will have been submitted by NPP for two link roads connecting the PAR into the Port.

The ESCC PAR is likely to be completed by late 2020 and NPP's extension link roads as soon as possible thereafter. This ~~and~~ will help relieve the air quality, vibration and noise impacts associated with the port to residents on Railway Road, Beach Road and Clifton Road in relation to existing port activities. Further to this any future development on the employment space proposed by Policy E1 will be significantly mitigated by completion of the PAR as all such traffic will make use of the PAR to access and exit the Port as opposed to nearby residential roads

It should also be noted that completion of the PAR will alter the appearance of the landscape east of the Port. The employment allocation will be seen predominantly

against the backdrop of the PAR and existing Port development from views within the South Downs National Park to the north and east.

Other than an area of vegetated shingle, it is considered that the site provides only low quality ecological habitat comprising scrubland. This land is known to support reptiles, as previously found within the development area of the PAR. However, it is likely that any reptile populations could be accommodated within the existing nature reserve to the east. Further improvements to the existing nature reserve could be secured as part of the proposed allocation.

In addition to the above it is noted that the entirety of the area identified by Policy E1 comprises a former licenced (1976 – 1992) inert landfill site used by Sea Containers. If use of the site was consistent with other areas surrounding the site it is likely that this area will be partially contaminated, for example asbestos has been found to exist in land south of the port comprising the land development area. The remediation of this land could be secured by this allocation which would result in environmental benefits.

In response to Matter 6, Para 6.2, Bullet Point iv.

Newhaven Port is a strategic asset and its on-going success is critical to the regeneration and provision of employment within Newhaven. The allocation is required to ensure that the Port has sufficient assurance that their future needs can be met during the plan period in line with their Port Masterplan. It is considered that (subject to amendments described below) the proposed allocation can be brought forward with limited impacts on the surrounding environment.

Further to the above it is considered that the site is of limited ecological value being a former landfill site comprising predominantly of rough scrubland. It has no function as a tourist or visitor attraction. The public footpath does provide a local amenity, this would ultimately need to be amended in order to allow the development proposed under the allocation to take place with a suggested route be along the southern bank of Mill Creek and then south to the beach alongside the nature reserve.

In response to Matter 6, Para 6.2, Bullet Point v.

In order to minimise potential impacts, NPP would propose that the size of the allocation is amended to remove the part of the site which comprises vegetated shingle habitat and to introduce a buffer zone to the Nature Reserve provided as part of the mitigation measures under approval LW/15/0034 for the creation of a new heavy duty berth and land development area at East Quay. Furthermore, this would provide a buffer to the Seaplane base which is an undesignated heritage asset.



The proposed amendment to E1 is indicated on the appended plan, which also identifies the broad route of the PAR.

With these amendments it is considered that the allocation could be taken forward with limited impacts on local ecology, air or noise quality and views from the South Downs National Park. The criteria set out by Policy E1 and against which any proposal would be considered are sufficient (along with the normal development management policies) to ensure that any future development would be appropriate.

Further to the above, NPP is fully supportive of the proposed allocation along with the proposed minor amendments. They broadly agree with the Local Authorities submissions made in respect of the Inspector's questions. If it would assist the Inspector NPP would be happy to work alongside Lewes District Council to agree a statement of common ground in relation to the proposed allocation.

Yours sincerely

A handwritten signature in black ink, appearing to read "Daniel Frisby".

Daniel Frisby
Senior Planner
For and on behalf of DMH Stallard LLP