



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

Lewes District Council

Response to Inspector's Questions

Matter 10

March 2019

Matter 10 – Site Allocations in the Plan

Inspector's Question

- 10.1 Are the Residential Site Allocations acceptable in terms of (a) environmental/ heritage impact; (b) impact on the living conditions of existing and/or future residents; (c) whether a safe and acceptable vehicular access and sufficient parking can be secured; (d) whether there is a willing land owner(s) for all the land concerned; (e) whether there would be a loss of high quality agricultural land; (f) flood risk; (g) sustainability, including bus services, shops, schools, healthcare provision, equipped and informal play space and other community facilities and; (h) any other relevant infrastructure, planning, marketing or viability constraints in addition to the considerations already set out in the respective policies?**
- **Policy NH01 South of Valley Road, Newhaven; how do the proposed access arrangements overcome the concerns expressed by the highways authority?**
 - **Policy NH02 Land at The Marina, Newhaven**
 - **Policy BH01 Land at The Nuggets, Valebridge Road, Burgess Hill; how does this site integrate with the 100-dwelling requirement in Strategic Policy 2 at the Edge of Burgess Hill?**
 - **Policy BA01 Land at Hillside Nurseries, High Street, Barcombe Cross**
 - **Policy BA02 Land adjacent to the High Street**
 - **Policy BA03 Land at Bridgelands**
 - **Policy CH01 Glendene, Station Road, Chailey**
 - **Policy CH02 Layden Hall, East Grinstead Road**
 - **Policy RG01 Caburn Field, Ringmer**
 - **Policy GT01 Land South of the Plough, Plumpton**

LDC Response

- 1.1 The housing site allocations have been developed through a process of assessment, combined with input from representations at the various stages of consultation. Each of the housing sites were assessed for their suitability through the Strategic Housing and Economic Land Availability Assessment (SHELAA) using the following criteria and considerations:
- Policy alignment (*i.e. historical/ environmental/ ecological designations*);
 - Physical constraints (*i.e. topography, site shape, contamination, flood risk*);
 - Sustainability (*i.e. availability of facilities and services, sustainable transport opportunities*);
 - Accessibility (*i.e. access, highway infrastructure, public transport*);
 - Current use (*i.e. relocation of existing use, compatibility, occupancy*); and
 - Ownership (*i.e. number of owners, willing to develop land for housing*).

- 1.2 As set out in the Gypsy and Traveller Background Paper [CD/048, page 5, paragraphs 3.4 and 3.5] the larger field, within which draft Policy GT01 lies, was assessed in the 2012 Gypsy and Traveller Site Assessment [CD/078]. Draft Policy GT01 in its current, smaller, form has been assessed against the criteria set out in the adopted Core Policy 3 (*Gypsy and Traveller Accommodation*) which has been developed, in line with national policy, to guide future allocations and/ or planning applications. Core Policy 3 criteria address issues such as:
- Location (compatibility with existing surrounding uses);
 - Sustainability (availability of facilities and services);
 - Accessibility (safe and convenient access);
 - Acceptability (historical, environmental and landscape designations); and
 - Suitability (amenity of future and existing residents).
- 1.3 To assist with the assessment of the housing and Gypsy and Traveller sites, comments were sought from East Sussex County Council on issues including: highways, access, archaeological interest, landscape impact, ecological considerations and flood risk.
- 1.4 The Council's Infrastructure Delivery Plan [CD/057] also plays a role in developing the site allocations; highlighting where potential improvements, phasing or provision of infrastructure may be required to support development. The Infrastructure Delivery Plan is regularly updated with input from key stakeholders and service providers, such as East Sussex County Council, East Sussex Fire and Rescue Service and Clinical Commissioning Groups. This then feeds into the Council's Community Infrastructure Levy which, through the Regulation 123 List, identifies and prioritises infrastructure projects that support the delivery of the Local Plan and, in turn, the residential allocations. Neither the housing allocations, nor the Gypsy and Traveller site allocation, are contingent on infrastructure being provided ahead of development.
- 1.5 Furthermore, the site options and allocation policies have been assessed through the Sustainability Appraisal [CD/004, Section 9, pages 63 to 78] against a clear framework of sustainability objectives, questions and indicators [CD/004, table 4, pages 57 to 62]. The framework comprises social, environmental and economic objectives providing added scrutiny of the suitability of sites.
- 1.6 The rationale and justification for each of the site allocations are provided within the above documents and settlement chapters, including supporting text to the individual policy.

- 1.7 In response to the specific questions raised NH01: South of Valley Road, Newhaven and BH01: Land at the Nuggets, Edge of Burgess Hill a recent planning application has been submitted (LW/19/0205) to the Council for the development of nine dwellings on the South of Valley Road allocation.
- 1.8 This planning application covers the northern section of the draft Policy NH01 and is a resubmission of a previous planning application (LW/15/0881) which was withdrawn to address highway concerns. The site proponent has resubmitted with the confidence that the previous access concerns are now resolved. The development now proposes to deliver improvements to a section of Valley Road, approximately 100m, in order to reach adoptable highway standards. It should be noted that the proposed site layout maintains a potential point of access along the southern boundary. This allows for the remainder of the allocation to be delivered as a second phase.
- 1.9 With regards to BH01: Land at The Nuggets, the 100-dwelling requirement set out in Spatial Policy 2 was guided by the potential housing capacity, evidenced through the SHELAA available at the time of preparing Local Plan Part 1. This included the following sites:
- The Nuggets (14 net dwellings)
 - Land at Medway Gardens (27 net dwellings)
 - Land to the rear of the Rosery (54 net dwellings)
- 1.10 Land at Medway Gardens (LW/14/0350) is now complete and land at the Rosery (LW/16/1040) is under construction. The Nuggets site, draft Policy BH01, is the remaining deliverable site, identified by the SHELAA within this area, capable of contributing to the 100-dwelling requirement.
- 1.11 In addition to the above, the Council has, or is currently awaiting agreement on, Statements of Common Ground with the proponents of each of the site allocations. Each Statement of Common Ground provides a brief background of the site's journey to allocation, the current status of the site and areas of agreement, including deliverability and timeframes.
- 1.12 Having regard to the above, the Council considers that the residential site allocations are acceptable against the suitability aspects raised within this Issue.

Proposed Modifications

None.

Inspector's Question

10.2 Are the Employment Site Allocations acceptable in terms of (a) environmental impact including whether the loss of land currently in local wildlife sites (LWS) is acceptable; (b) impact on the living conditions of existing and/or future residents; (c) whether a safe and acceptable vehicular access can be secured; (d) whether there is a willing land owner(s) for all the land concerned; and (e) any other relevant infrastructure, planning or viability constraints in addition to the Key Development Considerations already set out?

- **Policy E1 Land at East Quay, Newhaven Port**
- **Policy E2 Land Adjacent to American Express Community Stadium, Village Way, Falmer**

LDC Response

(a) environmental impact including whether the loss of land currently in local wildlife sites (LWS) is acceptable

- 2.1 Matter Statement 6 (para 2.41 to 2.50) identifies that the Policy E1 allocation comprises just 6% of the total Tide Mills Local Wildlife Site designation, and that CD079 shows that the majority of the allocation is not a type of habitat that is identified as being important for the designation. In addition, the nature reserve adjacent to the site that was created as part of the development at the southern end of the East Quay (ref. LW/15/0034) could act as an ecological receptor to mitigate the impacts of the E1 allocation.
- 2.2 A minor modification to Policy E1 [CD/012, M24] clarifies the mitigation measures required in order to minimise the potential negative ecological effects of the allocation.
- 2.3 It is considered that the importance of the Newhaven Port to the local and sub-regionally economy, the support for Newhaven in the Local Plan Part 1, the need for employment space to meet employment land requirements, and that the potential impacts of the development can be mitigated, means that the loss of land within the allocation that is currently in the Local Wildlife Site designation is acceptable.
- 2.4 The Policy E2 allocation would not result in the loss of land in a Local Wildlife Site designation.

(b) impact on the living conditions of existing and/or future residents

2.5 Neither employment allocation is considered to have an impact on the living conditions of existing and/or future residents as both sites are not in close proximity to residential areas.

(c) whether a safe and acceptable vehicular access can be secured

2.6 Access to the Policy E1 allocation will be via the Newhaven Port Access Road, as described in Matter Statement 6 (paras 2.26 to 2.27).

2.7 Policy E2 allocation has a safe and suitable vehicular access via the stadium access from Village Way off the B2123 junction. Matter Statement 6 (para 3.19 to 3.20) acknowledges a need to mitigate impacts on the Falmer Interchange trunk road junction at the A27 Lewes Road/B2123 Falmer junction, and this will be achieved by a policy requirement to provide sustainable transport infrastructure as part of development proposals.

2.8 Therefore, it is considered that safe and secure vehicular access can be secured to both allocations.

(d) whether there is a willing land owner(s) for all the land concerned

2.9 Both employment allocation sites have a willing landowner.

(e) any other relevant infrastructure, planning or viability constraints

2.10 It is not considered that there are any other relevant infrastructure, planning or viability constraints.

Proposed Modifications

None