



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

Lewes District Council

LDC/022 - Response to Inspector's Questions ID6 and ID7

April 2019

Lewes District Council's (LDC) response to Inspector's information request

1. Additional Statement of Common Ground e.g. The Plough

Additional statements of common ground for GT01: Land south of the Plough (LDC/020) and Land adjacent to Mill Lane (LDC/021) were submitted as part of the examination hearings. Other SoCGs (LDC/013 to LDC/019) were submitted up to the start of the hearings and form part of the supporting documents library.

- 2. Statement from LDC on deliverability of 6 sites, constraints and how these will be overcome, likely test dates, likely completion rates and how many units realistically expected to be completed within the plan period**
 - a. Newhaven Marina (NH02)**
 - b. Land at Hillside Nurseries (BA01)**
 - c. Land at Caburn Field (RG01)**
 - d. Reprodex House, Newhaven**
 - e. Land at Harbour Heights, Newhaven**

See appended tables (Appendix 1). The appendix also includes a table for NH01, Newhaven which was discussed at the hearings as part of the '6 larger sites' but not included in the above list.

- 3. Statement from LDC on 5-year Housing Land Supply including a) level of flexibility in relation to the needs figure in LPP1; b) allowance for non-completion rates; c) evidence to justify council's assessment of completion rates for larger sites (Note 2 above); d) justifications for using the Liverpool method.**

- a) The Council's 5 year housing land supply includes a 5% buffer, as required by paragraph 47 of the 2012 NPPF, carried forward by paragraph 73 of the 2019 NPPF. This is to ensure choice and competition in the market, and therefore a degree of flexibility.

Flexibility is also achieved through to the continued reference to *minimum* housing figures in Local Plan Part 2. As highlighted in the Council's Matter 3 Statement in response to the Inspector's question 3.1 (ii), (LDC/005, page 3) the wording of the housing site allocations identify *approximate* housing numbers providing some flexibility in terms of future proposals.

- b) As set out in the Council's Matter 3 Statement in response to the Inspector's question 3.3 (vi) (LDC/005, page 26) within the five year housing land supply calculation a 25% discount rate is applied to small site commitments (5

dwelling or less) to allow for the non-implementation of permissions. The percentage discount is based on the number of permissions granted on small sites and subsequently delivered between 2004/05 and 2011/12. Evidence supporting this discount rate was considered as part of the Local Plan Part 1 examination and concluded to be reasonable.

For large sites, the deliverability of dwellings within the 5 year period is considered on a site-by-site basis, with input from case officers in Development Management and Building Control, agents and/or developers. A blanket percentage discount against large sites is therefore not considered necessary.

- c) In addition to the evidence provided in response to question 2 above, in updating the 5 year housing land supply position contact is made with the case officer, developer and/or agent, as well as checking building control records and conducting site visits to ensure any assumptions made and information provided which have fed into the trajectory are accurate. This is done on a site by site basis.

The above approach has been tested and successfully defended at several public inquiries including:

- LW/14/0947: Erection of up to 70 dwelling at Land at Broyle Gate Farm, Lewes Road, Ringmer (Appeal reference APP/P1425/W/15/3133436);
- LW/15/0607: Erection of 95 new dwellings at Land East of Ditchling Road, Wivelsfield (Appeal reference APP/P1425/W/16/3145053);
- LW/16/0637: Outline application for the erection of 30 dwellings at Buckles Wood Field, Banks Road, North Chailey (Appeal reference APP/P1425/W/17/3180632).

The above is considered to provide reasonable justification for the Council's assessment of completion rates for larger sites.

- d) The issue of whether to apply the Liverpool or Sedgefield Approach to meeting the shortfall from earlier in the Plan was discussed extensively at the examination of Local Plan Part 1. The examining Inspector at the time agreed with the Council that the Liverpool method was the more appropriate approach, acknowledging that the housing trajectory was already front loaded and with anticipated annual completion levels significantly higher than the district has previously delivered. To employ the Sedgefield approach would therefore be unrealistic.

As demonstrated in Appendix 1 to LDC/005 and Appendix 2 of this document, the housing trajectory for Local Plan Part 2 maintains a front

loaded pattern, driven by completions, particularly from 2020/21, from strategic and neighbourhood plan allocations which are currently under construction. Local Plan Part 2 is therefore in a similar situation where delivering the level of housing needed against the Sedgefield approach would exceed realistic delivery rates for the Plan area, when taking into account previous completions levels.

Response to Questions 1 to 5 of MF1 (ID/6)

- 1. Clearly I need to take a view on the likelihood of the six large sites which were discussed yesterday (3 April) coming forward within 5 years, especially 50 completions at Newhaven Marina.**

See responses to questions 2 and 3 of ID7 above.

- 2. The windfall allowance on table 5 of CD061, at 114 dwellings, averages 22.8 dpa. If the supply of windfalls is remaining strong, as evidenced in table 15 of the Council's Matter 3 statement, would not a continuation at the same rate i.e. 289 dwellings, be reasonable?**

The figure of 289 dwellings, presented in table 15 of the Council's Matter 3 statement (LDC/005) presents the net windfall completions (excluding garden land) in the whole district, including the South Downs National Park. Table 5 is presented to demonstrate that windfalls *continue* to contribute to the housing supply and justify the 600 dwelling windfall allowance (468 dwellings, or 39dpa, outside the National Park) set out in Spatial Policy 2 of Local Plan Part 1. Whilst the 289 represents an increase in the contribution from windfalls in the last 5 years it is considered that maintaining the 600 allowance figure allows for peaks and troughs in delivery over the Plan period.

With regards to the 5 year housing land supply position on windfall contribution Table 5 of the 5 Year Housing Supply position note (CD/061) shows that 114 dwellings are attributed to the 1,224 supply figure, outside the National Park.

To remove the risk of double counting between the windfall allowance and completions from small sites with extant planning permission the Council applies a stepped approach to windfall completions over the next 5 years, instead of applying a blanket 39dpa. The contribution increases from 0 in year 1, 12 in year 2, 24 in year 3 and 39 in years 4 and 5. As such, as the small sites with planning permission are completed, the number of completions from windfall sites increases.

3. CD061 is silent on rural exceptions. What is the Council's response to CPRE's assertion that 6 dwellings are to be considered by the Council on 24 April?

The 5 year housing land supply calculation does not currently include a contribution from rural exceptions sites. This is because interest from parishes has temporarily eased following the delivery of 4 rural exceptions sites, amounting to 46 net dwellings, between 2010 and 2013. This position will be reviewed as part of the 1st April 2019 5 year housing land supply update.

The development proposal to be considered on the 24th is LW/18/1011: Land adjacent to Neaves House, Laughton Road, Ringmer and is for 4 affordable units, 1 self-build plot and 1 market house. The site is allocated within the 'made' Ringmer Neighbourhood Plan as RES24 and counts towards Ringmer's housing requirement, as set out in Spatial Policy 2 of Local Plan Part 1.

The 125 dwelling allowance for rural exceptions sites are to be counted on top of settlement housing requirement figures. RES24 will therefore not be counted against the 125 allowance. However, given the progress that the planning application has made and the fact that it has a recommendation for approval, the 6 dwellings will be included within the forthcoming update to the 5 year housing land supply position.

4. What is the Council's response to Savills' comment that the former Newlands School site at Seaford will be fully developed within 5 years?

During the hearings the Council received information from Savills on the delivery of dwellings at Newlands School. Savills anticipate receiving planning permission on the reserved matters application by the 1st of July. However, given that there are local elections and the planning application will likely need taking to Planning Applications Committee, determination may be delayed until September 2019.

With the starting date in 2020, the trajectory presented by Savills is pushed back by a year. This means 150 dwellings delivered by 2022/2023 and not the 183 which Savills foresees. Further consideration will be given to the site's delivery position at the forthcoming 5 year housing land supply update and subsequently monitored.

5. CPRE commented that 200 ‘aspiration homes’ will be developed within 5 years. Does the Council agree with this figure and if so, should it replace the LDC owned land figure of 26 dwellings, with a higher ‘aspirational homes’ figure on table of CD061?

The Council will need to give careful consideration to the contribution from ‘aspiration homes’ when updating the 5 year housing land supply position as at 1st April 2019. A number of sites in the pipeline could now be included but others are either small windfall sites; already included in the 5 year land supply; or allocated in emerging neighbourhood plans. The Council will therefore need to ensure that any sites included in the 5 year housing land supply are not double counted as a source of supply elsewhere.

Below is a table of sites that Aspiration Homes have in the pipeline and considered deliverable within Plan period.

Site Name	Town	Total Resi	Affordable Housing Units	LDC comments
20 Fort Road	Newhaven	13	13	Planning application submitted, potential for inclusion.
Western Road	Newhaven	8	8	Potential for inclusion
Valley Road	Newhaven	6	6	Already within 5 year housing land supply
Downlands Avenue	Peacehaven	10	10	Potential for inclusion
Robinson Road	Newhaven	50	20	Emerging neighbourhood plan allocation – time frame TBC
Mill Road	Ringmer	3	3	Small site / windfall
Broyle Close	Ringmer	5	5	Small site / windfall
Kiln Road	Ringmer	3	0	Small site / windfall
Former Police Station	Newhaven	15	15	Emerging neighbourhood plan allocation – timeframe TBC
Former Fire Station	Newhaven	7	7	Already within 5 year housing land supply
Small Rural garage sites	Mix	10	10	Small sites / windfall
		130	97	

4. Statement from CPRE on new policy for self-build housing

Statement to be supplied by CPRE.

5. Housing trajectory for plan period

Housing trajectory table provided as Appendix 1 to the Council's Matter Statement 3 and as Appendix 2 to this document. It reflects the trajectory as at 1st October 2018. As agreed during the Day 2 of the hearings a housing trajectory, as at the 1st April 2019, will form a Main Modification to the Plan and consulted on in due course.

6. LDC response to statement from CPRE suggesting changes to policy DM2, regarding exception sites

The Council believes that Policy DM2 (*Rural Exception Sites*), as submitted to the Secretary of State, is sound.

The Council cannot support the CPRE's suggested additional criterion (3) because it is unclear how a "proposal can demonstrate that it is supported by the local community", short of holding a public referendum. Consequently, the suggested amendment fails to have due regard for paragraph 154 of the NPPF, which states that only policies which provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

The Council cannot support the CPRE's suggested amendments to the final paragraph of the policy because no evidence has been submitted to demonstrate that it is necessary to be prescriptive about the proportion of open market housing that will be allowed to enable the delivery of affordable housing on rural exception sites. The NPPF is clear that the number of market homes that may be allowed is "at the local authority's discretion" (Annex 2: Glossary, page 55). It is the Council's opinion that, where market housing is demonstrated to be necessary to cross-subsidise the delivery of affordable housing, the proportion of such housing can be determined on a case-by-case basis, having regard to all the relevant circumstances to that case.

The Council cannot support the suggested additional paragraph because it does not comply with section 38(5) of the Planning and Compulsory Purchase Act 2004, which requires any policy conflict to be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.

7. LDC response to the CPRE suggested policy to address qualitative housing requirements of village communities.

The Council cannot support the CPRE's suggested new policy on qualitative housing requirements for the following reasons. Firstly, the suggested policy for market housing has not been subject to viability testing and hence fails to have proper regard to paragraph 172 of the NPPF. Secondly, the suggested policy for affordable housing is not consistent with the Council's approach to achieving an appropriate dwelling mix within affordable housing developments, as set out in its Affordable Housing Supplementary Planning Document, adopted in July 2018 (CD/065, para.3.10, page 11). Thirdly, the Council considers that the final paragraph of the suggested policy does not provide a clear indication of how a decision maker should react to a development proposal and therefore fails to have proper regard to paragraphs 17 and 154 of the NPPF.

8. Sussex Wildlife Trust and LDC suggested checklist in relation to policy DM24 (biodiversity), so as to apply policy to all developments.

SWT to provide checklist for LDC to respond to.

9. LDC response to Note MF1 (can be added to Note 3).

See point 3 above.

10. LDC response to suggested policy based on HOU5

The Council considers that Policy HOU5 (*Residential Windfall Development in the Countryside*) of the Ashford Local Plan 2030 would be wholly inappropriate for inclusion within the Lewes District Local Plan Part 2: Site Allocations and Development Policies.

The strategic approach to housing delivery in the Ashford Local Plan is entirely different to the strategic approach to housing delivery set out in Spatial Policy 2 (*Distribution of Housing*) of the adopted Lewes District Local Plan Part 1 (CD/031, pages 51 & 52). Unlike the Lewes District Local Plan Part 1, the Ashford Local Plan does not identify housing development targets for individual settlements within the plan area, nor does it define planning boundaries around settlements to make a distinction between town and village locations where, in principle, further development would be acceptable and the countryside, where development would only be acceptable in certain circumstances.

In the Council's opinion, Policy HOU5 of the Ashford Local Plan would not be consistent with Spatial Policy 2 of the Lewes District Local Plan Part 1. Spatial Policy 2 is clear that, beyond the strategic site allocations in the Local Plan Part 1 and the smaller-scale site allocations identified in the Local Plan Part 2 or Neighbourhood Plans, new housing will be limited to either rural exception sites or unidentified infill developments *within the planning boundary*. Permitting residential development on unidentified windfall sites outside but adjoining or close to the defined settlement planning boundaries would therefore fail to be in conformity with the Local Plan's strategic approach to the distribution of housing development across the plan area.

The Council does not share Gladman Developments' concern that the Lewes District Local Plan Part 2 will fail to deliver the housing requirement set out in Spatial Policies 1 and 2 of the Local Plan Part 1. We consider that there is sufficient flexibility in the Local Plan Part 2 for the full housing requirement to be met over the plan period. However, if further flexibility is demonstrated to be necessary to remove the risk of failure, the Council considers that it would be more appropriate to identify additional sites for housing development in the settlements listed in Spatial Policy 2 of the Local Plan Part 1, rather than to adopt a development management policy for residential windfall developments that would conflict with the strategic approach to the distribution of development set out in the Local Plan Part 1.

11. LDC response to Saville's request to allocate former Newlands School site and whether a further 200 units should be added to the Plan – what is the justification for the 200 units figure?

The Council does not consider that the Former Newlands School, Seaford needs to be formally allocated within Local Plan Part 2. The site already has Outline planning permission (LW/16/0800) with Reserved Matters (LW/19/0258) submitted 1st April 2019. The site also lies within the Planning Boundary and considered deliverable within the Plan period.

Given the above, the principle and scope of development is already established and therefore it is considered unnecessary to allocate the site.

12. LDC response to allegations of double counting.

Local Plan Part 2 draft allocation RG01 overlaps with the housing allocation RES3 (*North-west and south-east of Anchor Field*) of the Ringmer Neighbourhood Plan. Upon adopted RG01 will supersede RES3.

RES3 is allocated for 8 dwellings. There is therefore a small double counting within Table 3 of the LPP2 which will be corrected as part of the proposed modifications. It should be noted that the amended, reduced figure does not result in a shortfall against the total 385 net additional dwellings identified for Ringmer & Broyle Side over the Plan Period.

13. LDC comment on deliverability of Peacehaven strategic site

Lower Hoddern Farm is considered a deliverable site. It forms the strategic housing allocation Spatial Policy 8 (SP8) of Local Plan Part 1 and allocated for 450 net dwellings. Full planning permission was granted on the 1st October 2018 for the development of 143 net dwellings and Outline planning permission for the remaining 307 net dwellings (LW/17/0226).

Development on the site commenced in November 2018. Currently, a build out rate of 63 dpa is applied to the site within the 5 year housing land supply. This is based on build out rates of similar large, edge of town greenfield developments in Peacehaven and agreed as reasonable with the agent. This will be confirmed again with the developer for the 1st April 2019 supply update now that development has commenced. There are no foreseen constraints to the development of the site at this stage.

14. LDC view on whether Ringmer Care Home (62 units) should be included within LPP2 housing provision.

Paragraph 043 (Reference ID 3-043-20180913) of the National Planning Practice Guidance states that “Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement”. Paragraph 11 of the Housing Delivery Test Measurement Rulebook (July 2018) measures completions from communal accommodation based on the average number of adults in all households, resulting in a ratio of 1.8.

The Ringmer Care Home in question is Parris Lawns (LW/17/0481) which has been developed for 62 bedrooms. Using the above ratio of 1.8 this would equate to 34 completions. Taking into the account the demolition of the previous residential institution there is a potential contribution of 14 net completions that should be incorporated into the 1st April 2019 5 year housing land supply position. The Council will give further consideration to this, and other similar developments, during this forthcoming update.

Document Update – Week 2

1. Plan of the Offham site, showing location and landscaping/ bunding.

Plan was to be provided for site visit which has been undertaken.

2. Statement from LDC explaining status of the verge between site GT01 and the highway.

In response the Council wish to submit the following information:

- The land owner has provided land registry details (Appendix 3) outlining that for them they own all of the allocation land up to the boundary with the public highway. The Council acknowledge that this is disputed by some parties. The local highway authority has also further investigated this issue and concluded there is no unregistered land and the extent of highway land is that shown in appendix 4.
- In the event that any disputed land sustains then the owner of the allocation land and or 'delivery vehicle' namely the Council and/or colleague agency would indemnify against any third party land owner.
- Attached (Appendix 5) are drawings showing a revised access arrangement to the site. These revisions relate to increasing the bell-mouth junction and removing and facing back adjacent shrubs/hedging.
- The increase in width of the bell mouth would assist in permitting two vehicles to pass each other off the public highway; this would increase highway/ pedestrian safety.
- The removal and facing back of the existing hedging would increase the visibility in both directions; this would increase the highway and pedestrian safety.
- There are suitable DM policies that will ensure that an appropriate soft landscaping scheme would be a requirement in the determination of any subsequent application. This landscape scheme will ensure that any lost hedge would be replaced/enhanced and thereby mitigating intrusion into the wider landscape and also ensuring that the ecological quality of the site is sustained.

- A provisional hedgerow assessment has been undertaken by the Council's Specialist Advisor (Arboriculture) on the section of hedgerow north of the proposed access (Appendix 6). The assessment concluded that the hedgerow fails the 'importance' criteria as set out in the Hedgerow Regulations 1997 (Section 97 of the Environment Act 1995). There was also nothing of particular historical interest identified.

Given the points as outlined above the Council consider that there are no impediments to the delivery of this allocation.

3. Report of unauthorised gypsy encampments within East Sussex (from J Alexander).

Document submitted as part of the hearing – CD/084.

4. Reg.14 representation from the Gypsy and Traveller community to the Draft Plumpton Green Neighbourhood Plan (from LDC). Tondra to confirm number and send doc

Document submitted as part of hearing – CD/083.

5. LDC response to suggested positive wording from CPRE to Policy DM36

The Council believes that the wording of Policy DM36 (*Station Parking*), as submitted to the Secretary of State, is sound. We cannot support the CPRE's suggested amendment because it fails to have proper regard to paragraph 154 of the NPPF. The NPPF states that only policies which provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. It is wholly unclear from the CPRE's suggested wording how a decision maker would "encourage" the provision of new public car parking, or would measure "within easy walking distance" when determining planning applications. The suggested policy amendment is therefore considered to be neither justified nor deliverable.

6. Lewes Part 1 – Inspector's Interim Report. Tondra to confirm number and send doc

Document submitted as part of hearings – CD/085.

7. Review of planning boundaries – Council note on the basis for such a review.

The planning boundaries illustrated on the Proposals Map of the adopted Local Plan Part 1: Joint Core Strategy (CD/032) are identical to the planning boundaries defined on the Proposals Map of the Lewes District Local Plan 2003. 'Saved' Policy CT1 (*Planning Boundary and Key Countryside Policy*) of the Local Plan 2003 (CD/036, page 18) gives policy expression to the intent and purpose of the planning boundaries for development management and has provided a robust and effective framework for decision-making in the past.

In the interests of ensuring that an up-to-date Local Plan was in place at the earliest possible opportunity, the Council resolved that a full and comprehensive review of all the settlement boundaries within the plan area would be undertaken as part of the review of the Local Plan, which is scheduled to commence in 2020 (CD/014, page 6). This is due to the significant staff resources required to re-evaluate and assess the seventeen individual planning boundaries currently defined around towns and villages within the area covered by the Local Plan Part 2.

Nevertheless, in advance of this comprehensive review, the planning boundaries defined on the Proposals Map of the Local Plan Part 1 have been amended to incorporate all current housing commitments, as illustrated on the Policies Map of the Submission Local Plan Part 2. These commitments include both implemented and non-implemented planning permissions, the strategic sites allocated in the Local Plan Part 1, the non-strategic sites allocated in the Local Plan Part 2, and sites allocated in 'made' neighbourhood plans. The Council believes that this approach will be effective in terms of delivering the Local Plan's spatial strategy and its development requirements over the current plan period.

The Council does not support the concept of making ad-hoc amendments to the existing settlement planning boundaries, as suggested at 'Culverden' and along Gote Lane by Ringmer Parish Council. Such action would clearly be contrary to the Council's decision to undertake a full and comprehensive review of all the settlement boundaries as part of the review of the Local Plan due to commence in 2020. However, any town or parish council preparing a neighbourhood plan for its area is able to amend, where justified, the existing settlement planning boundaries as defined on the Local Plan Policies Map.

8. Review of planning boundaries – plan of Ringmer village showing suggested changes.

John Kay to provide map showing changes.

9. Policy DM1 – note from the council to explain why the inclusion of a direct reference to coalescence would be inappropriate.

Newick Parish Council, together with other representors, appears to be suggesting that Policy DM1 (*Planning Boundary*) should be amended to include the words “The retention of the open character of the countryside is of heightened importance where it separates settlements and prevents their coalescence” i.e. the same words that are included in ‘saved’ Policy CT1 (*Planning Boundary and Key Countryside Policy*) of the Lewes District Local Plan 2003 (CD/036, page 18).

The Council cannot support this suggested amendment to Policy DM1. It is wholly unclear what the words ‘heightened importance’ mean in terms of decision-making. It is also unclear how a decision maker or applicant would identify the extent of the land necessary to separate settlements and prevent their coalescence. We therefore consider that the amendment fails to have proper regard to paragraph 154 of the NPPF, which states that only policies which provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

Without identifying the scale and extent of the gaps of open countryside necessary to prevent the coalescence of settlements on the Local Plan Policies Map, we believe that the suggested wording would be open to considerable interpretation and be likely to result in protracted discussions between the Council and applicants. With no evident means of resolution, this would increase the risk of possible appeals where coalescence is used to justify a refusal of planning permission for development.

As such, the Council does not believe that the suggested wording would provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency, as required by paragraph 17 of the NPPF.

10. Report from Parker Dann obo Epic Real Estates – Planning Application (REP 489/002).

Report submitted as part of hearings.

11. Report from the Council – Refusal Notice to Epic Real Estates. Received hard copy, awaiting electronic copy.(LDC-013)

Electronic version provided.

12. Policy Change E2

Following the hearing sessions, discussions have taken place with DMH Stallard (representing the Community Stadium Limited) regarding a proposed amendment to the wording of Policy E2 that provide additional flexibility on the range of uses that the site could accommodate, but at the same time ensuring that any development would not be of a general retail use, which is considered to be inappropriate in this out-of-centre location.

The following proposed modification has been agreed with DMH Stallard:

Land adjacent to the American Express Community Stadium, as defined on the Policies Map, is allocated for B1a (offices), ~~and/or~~ D1 (health/education) and/or other ancillary uses directly associated with the Stadium and/or Sussex and Brighton Universities.

13. Employment Land Review 2017

Document submitted as part of hearings – CD/083.

14. Proposed planning boundaries- Ringmer Parish Council (Proposals Map) Council to publish map

Repeat of question 8. John Kay to provide map showing changes.

15. Sussex Wildlife Trust to submit proposed alternative mitigation to Wildlife Site at Tide Mills. Inspector suggests SoCG with LDC- Council have agreed to engage with Sussex Wildlife Trust on this and a possible SoCG. Perhaps Objectors submit a combined statement – Possible MM

The Council proposes a further modification to Modification 23 in the Schedule of Proposed Minor Modifications December 2018 (CD/012, pages 8 & 9), by the insertion of an additional paragraph. This is shown below with text ~~crossed through~~ where deleted and underlined where new text has been added.

“The majority of the site is located within the Tide Mills Local Wildlife Site, a non-statutory designation made in 1993 in recognition of the value of the coastal and floodplain grazing marsh and coastal vegetated shingle. These habitats are now included on the Government’s list of habitats of principal importance for biodiversity conservation in England. Any development must therefore ensure that any loss or damage to the nature conservation interest of the site can be mitigated to achieve a net gain in biodiversity, in accordance with Policy DM24 (*Protection of Biodiversity and Geodiversity*). Appropriate

~~mitigation should be identified by the applicant, along with the means for its delivery and maintenance.~~

Appropriate mitigation should be identified by the applicant, along with the means for its delivery and maintenance. It is anticipated that such mitigation may include bringing the wider area of the Tide Mills Local Wildlife Site into positive management, including habitat creation (e.g. the creation of wet scrapes for birds) and controls on dog walking in order to avoid the more ecologically sensitive areas. This will involve working in partnership with all relevant organisations, including the Ouse Estuary Project.”

16. Wording to explain inclusion to describe buffer zone at E1- Expressed as possible MM

Newhaven Port & Properties to provide.

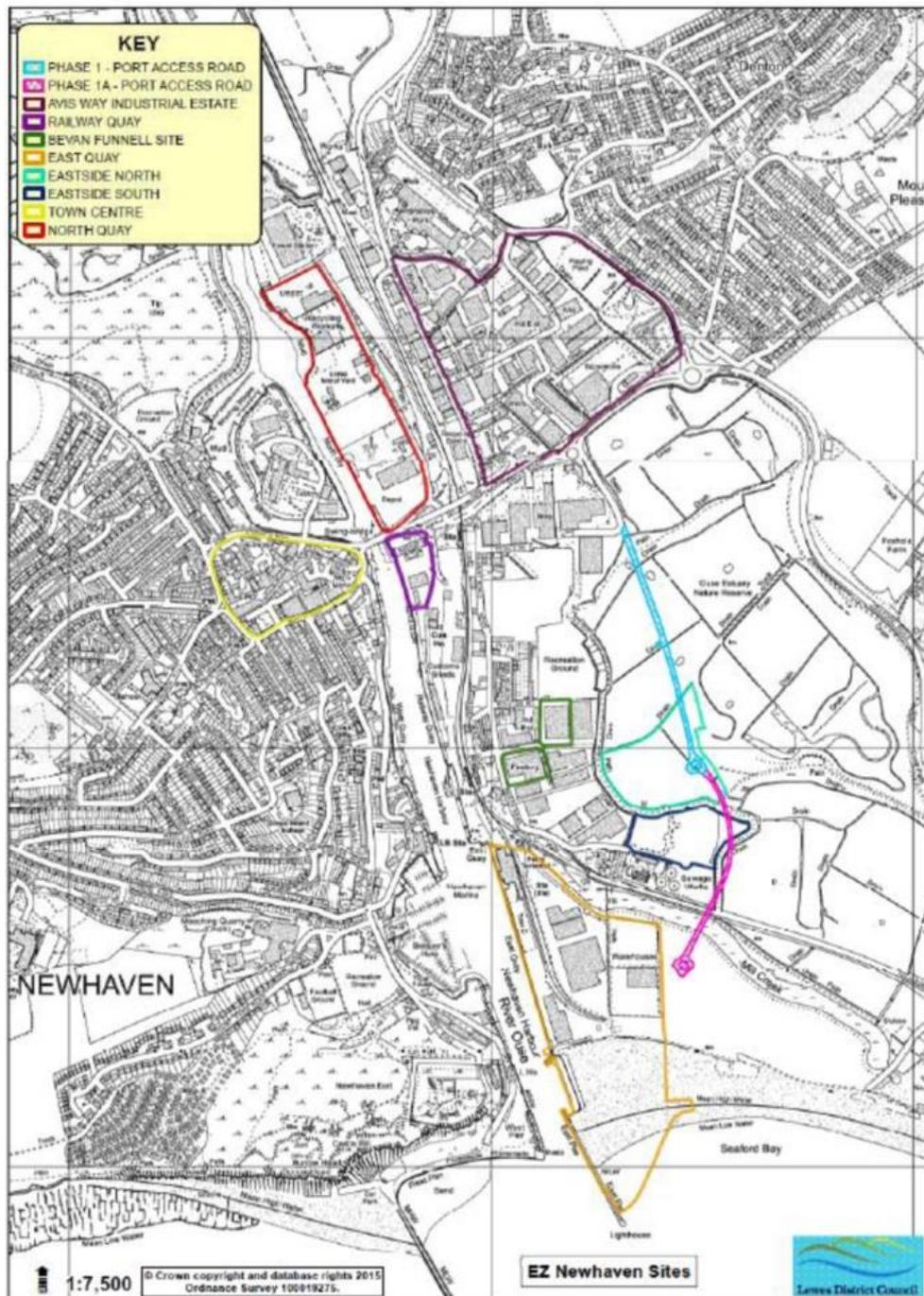
17. Firm evidence of port-related demand for land at East Quay, Newhaven.

Newhaven Port and Properties to provide.

18. Reasons why the underused and vacant employment land in the EZ cannot meet the needs of the local economy in the way that policy E1 can.

The Newhaven Enterprise Zone (EZ) designation came into force on 1 April 2017, and covers approximately 79 hectares comprising eight non-contiguous sites, as identified in Figure 18.1 overleaf.

Figure 18.1 - Newhaven Enterprise Zone Sites



Enterprise Zones are designated areas across England that provide tax breaks and Government support for growth. The aim of the Newhaven EZ is to act as a catalyst to facilitate economic growth in Newhaven, stimulating inward investment and providing incentives to businesses and landowners to invest and redevelop sites that are restricted due to a lack of viability (typically due to challenging ground conditions and low rental values).

The EZ is able to offer businesses relocating to one of the eight sites a discount of up to 100% on their business rates liability for up to five years. In Newhaven, additional support has been introduced which includes the removal of pre-application charges for planning enquiries on employment-led schemes, the introduction of an Article 4 Direction on certain sites, as well as the provision of dedicated support and advice from South East LEP (SELEP) and Lewes District Council.

At the EZ's commencement, estimates were made which highlighted that, over the EZ's 25-year lifespan, the eight sites could:

- Create 55,000sqm new commercial floorspace
- Refurbish a further 15,000sqm of existing commercial floorspace
- Support the creation and safeguarding of up to 2,000 FTE jobs.

Subsequently, the EZ has produced a Strategic Framework which sets three strategic priorities which respond to the policy context about specific local challenges in which the EZ is operating:

1. Priority 1 – Quality Growth
2. Priority 2 – Inclusive Growth
3. Priority 3 – Sustainable Growth.

It is important to be clear that the EZ is a supporting mechanism and catalyst for investment, but is not a vehicle that will directly deliver growth in employment floorspace.

It is also important to note that this 'commercial floorspace' incorporates a range of uses including but not limited to, B use classes (CD086, para 4.12). Given the inclusion of the town centre within the EZ, these figures on commercial floorspace include significant retail and leisure concentrations.

The eight sites within the EZ are shown in the plan above and summarised below:

Site	Approx. Hectares (ha)
Avis Way Industrial Estate	26.7
Railway Quay	4.65
Bevan Funnell	2.4
East Quay	18.95
Eastside North	5.2
Eastside South	2.26
Town Centre	5.91
North Quay	13.4
Total Area designated as EZ	79.47

Each of these eight sites is now considered in turn.

Avis Way Industrial Estate

This area is currently in use for general industrial and employment use (primarily B1, B2 and B8). The area is relatively high density with operational buildings in a range of conditions. The focus for the EZ was to drive the quality of commercial space upwards, helping to drive rental growth and reduce viability constraints on building new employment space in Newhaven.

There are high levels of occupancy and the area offers 'more in the way of intensification opportunities rather than large scale new development' (CD086, para 4.18). As such, there are few vacant/underused sites in this area that would be capable of providing significant increases in floorspace, and refurbishment and minor extension to existing buildings is more likely to come forward in this area. The site is in a myriad of ownerships, although Lewes District Council does own a substantial proportion.

To date, Avis Way has benefited from the refurbishment of more than 5,000sqm of existing floorspace since the commencement of the EZ. This is around one third of the entire 25-year target for refurbished floorspace within the EZ.

Railway Quay

Railway Quay is a highly visible site and lies adjacent to the entrance to the main ferry terminal, although the actual terminal is located to the south of the site outside of the EZ designation.

The part of Railway Quay that is within the EZ includes UTC@Harbourside, which is a University Technical College for students aged 14–19 specialising in science, technology, engineering and maths. The UTC is due to re-open in September 2019 as part of the East Sussex College Group, providing an enhanced Newhaven campus for the delivery of primarily vocational qualifications.

The area to the front of the UTC – the part closest to the A259 – is owned by Lewes District Council. There are emerging plans for the site to deliver some small scale commercial space; although the Council recognises that the neighbouring education use means that this site would be unsuitable for Port-related industrial uses.

The area also contains the main access to the ferry terminal and is important in terms of maintaining the utilisation of the Newhaven-Dieppe ferry route.

This restricts alternative uses for the site whilst the ferry terminal is in operation.

In addition, the area is important in relation to the customer experience of using the ferry terminal, so any redevelopment should be sensitive and made an extension of, and complementary to Newhaven Town Centre. The main ferry terminal lies to the south of the site outside of the EZ designation.

Therefore it is considered that there is limited scope for additional employment development (B1, B2, B8) associated with the port to be provided on the part of Railway Quay that is within the EZ.

Bevan Funnell

The Bevan Funnell designation comprises two small sites – formerly the site of the Bevan Funnell furniture maker. The northernmost of these two sites – Reprodex House – has utilised Permitted Development Rights to convert former offices into residential units.

Subsequent to the designation of the EZ, the remainder of the site has received a resolution to grant planning consent subject to a Section 106 agreement (LW/16/0831) for 80 homes and 600sqm of B1 floorspace. The southernmost site is already in employment use, and offers a number of smaller workshop units for start-up and growing businesses. It offers an opportunity for future redevelopment as these units reach the end of their useful life, although it is anticipated that this is one of the longer-term opportunities within the EZ and is unlikely to come forward for at least 5-10 years.

It is important to note that this southern part of the site (on the corner of Beach Close and Beach Road) lies directly opposite the land at Transit Road that has planning consent for a new 80-bed hotel, 144sqm of B1 floorspace and 39 residential units (LW/17/0205). It also lies diagonally opposite existing residential properties on Beach Road.

Half of the Bevan Funnell site has already received planning consent for residential-led redevelopment. The remainder is in existing employment use and lies adjacent to existing and proposed residential uses. It is therefore considered that this site would be inappropriate for industrial uses related to the Port.

East Quay

This area is owned by Newhaven Port and Properties, and is already in operational use for Port-related activities. The site contains the Newhaven Port Offices, and is also contains the Operations and Maintenance Base for the Rampion Offshore Wind Farm.

In addition, there are various other processing, manufacturing and distribution businesses located here including CTEC Energy, a distribution centre for Brightwell and H.Ripley & Co Scrap Metal Merchants, as well as a number of other smaller businesses.

The nature of the uses in this area requires supply and distribution from HGVs, and this means that there needs to be sufficient space for these vehicles to service buildings.

Remaining land at East Quay has received planning consent (LW/17/0940) for an aggregates processing plant. Once complete, this will provide 3,280sqm of new employment floorspace. It is also understood that there is also an intention to restore the railhead in order to transport materials and minimise congestion across Newhaven. This permission occupies the western part of the E1 allocation. The remainder of the E1 site lies adjacent to the EZ.

The southern part of the East Quay site also benefits from planning permission (LW/15/0034) for the refurbishment of the existing multi-purpose berth at East Quay including the construction of a new multi-purpose berth and slipway at the southern end of the East Quay; Levelling the backshore area to the east of the new multi-purpose berth to create a new Land Development Area (LDA) and Establishment of a 3.5ha nature reserve above mean high water springs (MHWS) to the east of the LDA area. This will provide 3,000 sqm of employment floorspace that has also already been accounted for in the supply.

Eastside North

Eastside North is in the ownership of a private developer who has held the site for a considerable period of time. The EZ site is part of a wider land ownership, incorporating the site immediately to the north which has permission for residential development (LW/13/0630). It is the only remaining undeveloped greenfield site within the EZ.

The site will be served by the new Port Access Road, linking the site with the Port land at East Quay. However, the site is constrained by significantly adverse ground conditions which have restricted viability. Indeed, Eastside

North had an outline permission that included retail and 1,860sqm of employment space (LW/11/0635). However, a supermarket retailer withdrew from the scheme over five years ago and no alternative occupier has been found for the site. This is due to the identified viability issues. However, it could be argued there may be potential for this employment space to be delivered by the end of the plan period, so 1,900sqm could be added to the supply from this site.

Eastside South

The Eastside South site is already under development, with consents that will result in the creation of just under 8,000sqm of employment space (LW/16/0420 and LW/17/0486). These are already accounted for in the supply via 'permissions'.

The first phase of the development (2,200sqm) was completed in 2018. One new company – ValetPro – has already moved in, with Surrey NanoSystems due to move into a new unit within the next 6-8 weeks. The remainder of the site is well underway, with completion due by the end of 2019.

Given the site is already under development and accounted for, it is not considered that this site represents an alternative location for the provision of Port-related commercial uses as identified in Policy E1.

Town Centre

The town centre of Newhaven has been in decline for a number of decades. The closures of the last high street bank and the Co-op supermarket have compounded the problems facing the retail market across the country. The town centre of Newhaven is in desperate need of regeneration. It is against this backdrop that the rationale for including the town centre within the EZ was set.

The town centre is constrained by the A259 ring road and is designated as an Air Quality Management Area. A significant proportion of the site is owned by Lewes District Council and has been identified for a mixed-use retail and leisure-led development. Monies have previously been allocated by the Council's Cabinet for a detailed business plan to be drawn up for the scheme.

Given the site's existing and proposed uses, together with the location and the AQMA, it is not considered that the town centre would be an appropriate location for Port-related commercial and industrial uses.

North Quay

This area contains a number of well-established waste and minerals uses, a number of which use the wharveside access to transport materials by ship. Part of site is in an existing minerals use (Newhaven North Quay; The Old Timber Yard) and part of site is an existing waste use: (Newhaven Energy Recovery Facility; Southerham Wharf; Newhaven Roadstone Ltd; Kingston Transport (Newhaven); Tarmac (Inert)).

The whole site is within an area that safeguards wharves and railheads through the East Sussex Waste and Minerals Plan (2013). The East Sussex Waste and Minerals Sites Plan (2017) also identifies a number of sites are safeguarded waste sites (Policy SP 9) and safeguarded facilities for concrete batching, coated materials manufacture and other concrete products (Policy SP 10). In addition, there is a county permission for the Installation and operation of an asphalt plant, concrete batching plant, and gully waste plant, together with ancillary development and access (LW/789/CM(EIA)) for FM Conway Ltd.

The Newhaven Port Masterplan (para 5.3) aims to encourage use of the wharves for cargo handling, particularly by the existing businesses of aggregates and recycled materials.

As such it is not considered that there are short to medium term potential for the redevelopment and intensification of these sites to provide additional employment space. However, some long-term opportunities may arise after the end of the East Sussex Waste and Minerals Plan period. Therefore it is not expected that North Quay could deliver significant additional employment space within the Lewes Local Plan period. The site was included within the EZ with a view to substantial long-term development. This is supported by the Newhaven Port Masterplan (para 3.2) which identifies that the land is let on a long, 999-year lease not immediately available for alternative use and occupation, although partnerships with the long-leaseholders for development may be an option.

Newhaven Employment Land Review

The Newhaven Employment Land Review (CD086) is clear at para 3.2 that the calculations of future land needs (for Newhaven) are intended to work within, and do not supersede, the Council's existing policy position as set out in the Joint Core Strategy 2010-2030. Differences between the policy position and the floorspace needs identified in this section may reflect forecasting variation over time, and the

Joint Core Strategy should still be considered the starting point for employment land needs for Lewes District and Newhaven.

CD086 identifies that 'limited room to expand on existing premises' is a key market issue for Newhaven (para 2.62), and therefore the delivery aspiration of 55,000sqm over the lifespan of the EZ will mainly come about through the redevelopment and intensification of existing sites as buildings reach the end of their economic lifespan and opportunities for regeneration emerge.

Due to the fact that delivery would mainly result from the redevelopment of sites in an existing use, CD086 (para 4.13) identifies that the creation of 55,000sqm in the EZ represents a longer term opportunity due to the significant viability barriers that need to be overcome.

Low rental values for B-class floorspace and high build and abnormal costs, including remediation of existing land, means that redeveloping and intensifying existing sites to create new employment floorspace is likely to be affected by viability issues. The EZ aims to incentive landowners to invest to overcome these delivery constraints.

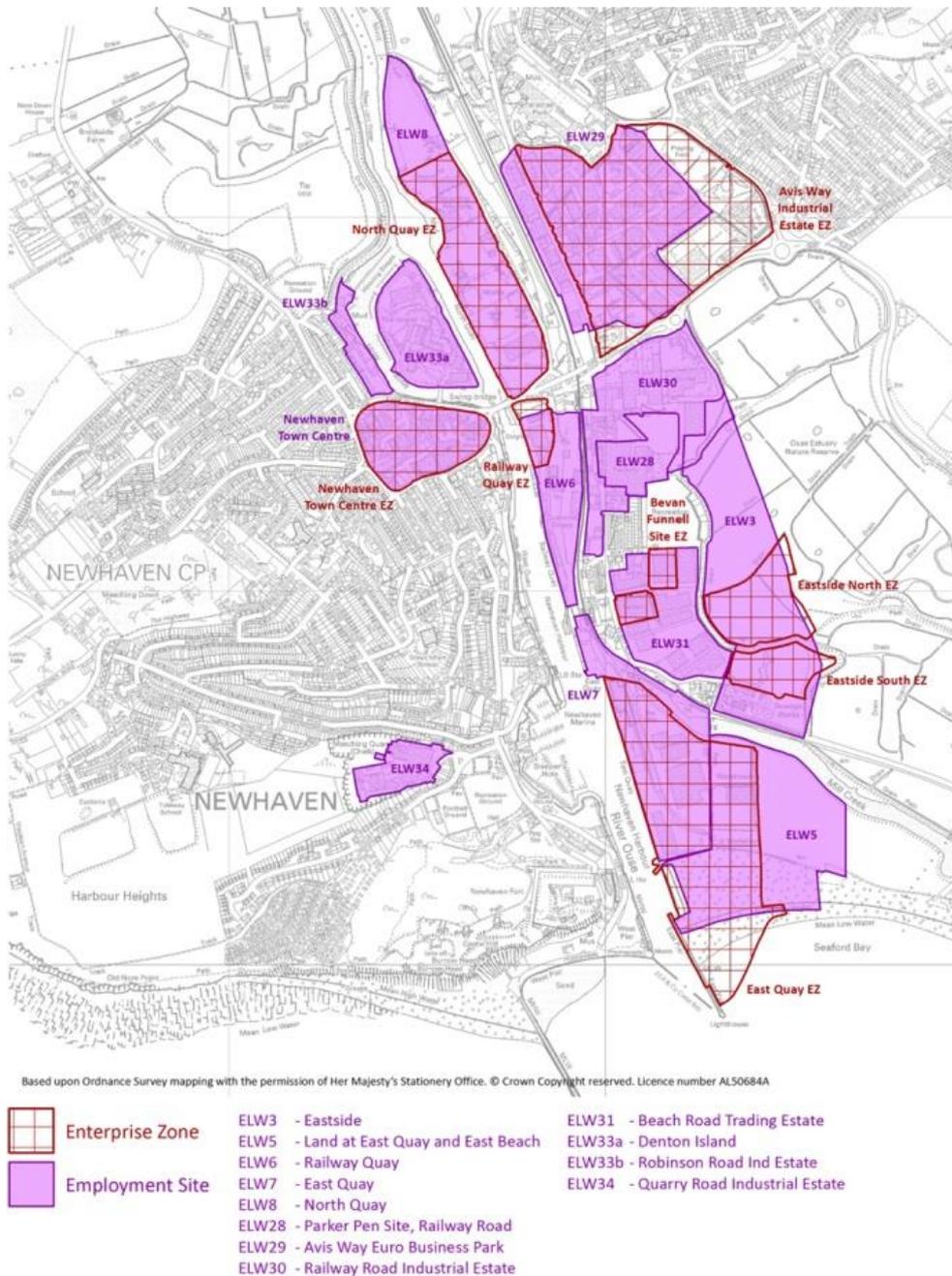
CD086 notes that where sites are redeveloped in the future, it will be necessary to have 'good quality 'move on' space in the town to enable growing firms to be retained in Newhaven' (para 4.13) and ensure that the businesses that are displaced by redeveloping sites are not lost to the town.

There are a number of sites within the EZ that already have permission for additional employment floorspace, and these sites have been accounted for in the supply through 'permissions'. This amounts to 15,368 sqm, some of which are accounted for within the EZ sites discussed above.

Aside from the sites that already benefit from a planning permission for redevelopment, it is difficult to identify where sites might be redeveloped to provide additional employment floorspace as they will have a current, existing use with no firm indication as to if and when they might come forward.

However, CD086 has assessed 13 sites in and around the Newhaven EZ (including the E1 allocation) in terms of their characteristics and quality, current role and suitability to meet future employment development needs. These sites are identified in Figure 18.2 below.

Figure 18.2 - Map of Employment Sites Assessed in Newhaven ELR (CD/086)



A summary of the assessment in CD086 (Table 4.1 p37) shows that the majority of sites either have limited immediate opportunities or longer term intensification opportunities that are unlikely to come forward before the end of the plan period.

Six of the 13 sites are assessed as having good scope for meeting future needs, including the E1 allocation site. CD086 (para 4.6) identifies that these sites should provide the focus for accommodating business needs in future. Aside from E1, these sites are all within the EZ and have been assessed in detail above.

The remaining undeveloped part of the E1 allocation (taking into account proposed amendments to remove the vegetated shingle habitat and the seaplane base, and introduce a buffer to the nature reserve) amounts to 5.86 ha and could provide 23,400 sqm of employment floorspace.

CD086 notes that the two identified priority sectors for Newhaven (environmental technology and services and advanced engineering) that have an operational need/requirement to be located at the Port, can be relatively 'land hungry' in terms of day-to-day activities. As such, accommodating these sectors will require provision of larger scale sites including undeveloped/cleared sites capable of accommodating new build specialist facilities (para 4.17).

Summary

It is clear from the assessment above that of the sites that have good scope to meet future needs, the only sites that are of an appropriate size and scale and have physical capacity for development that makes them capable of accommodating these uses are Eastside North, Eastside South, and Land at East Quay (E1 allocation). Eastside North and South have permissions to provide new employment floorspace and are already counted within the supply. Therefore E1 is the only appropriate, suitable and available site in Newhaven to meet the needs of the local economy and the employment land requirements identified in the Lewes Local Plan Part 1.

It should also be noted that the Land at East Quay (E1 allocation) is identified in CD086 (Table 4.1) as being 'strategically significant'.

CD086 (para 4.8) identifies that those sites identified as 'strategically significant' are considered to be important in supporting Newhaven to achieve the scale of 'step change' growth envisaged as part of the EZ proposals. This further emphasises the importance of the E1 allocation to economic growth in Newhaven.

In conclusion, there is not sufficient underused and vacant employment land in Newhaven EZ that would be available to meet needs of the local economy over the plan period. It should be reiterated that the EZ is a supporting mechanism and catalyst for investment – it is not a vehicle that will directly deliver growth in employment floorspace.

The delivery of 55,000sqm is an aspiration over the 25 year lifespan of the EZ. Viability issues mean that sites in the EZ that can come forward in the short-term already have a planning permission and have been accounted for in the supply. Incentives as part of the EZ could help overcome viability barriers, but this means that these are more likely to be longer term opportunities realised after the end of the Local Plan period.

As the delivery of 55,000sqm in the EZ relies on redevelopment of sites in existing use with viability barriers to overcome, there are no sites that can be identified within the EZ (with the exception of those benefiting from planning permission and therefore already identified in the supply) that will be available to meet employment needs within the plan period.

Land at East Quay (E1 allocation) is a greenfield site and therefore will have less significant remedial works and abnormal costs that would be associated with redeveloping an existing site. In addition, the site will benefit from a new and high quality access via the Newhaven Port Access Road, it can provide immediate opportunities for employment uses that have an operational need/requirement to be located at the Port, and has been identified as being 'strategically significant' and therefore important in supporting Newhaven to achieve the scale of 'step change' growth envisaged as part of the EZ proposals.

It is therefore not considered that underused and vacant employment land in the EZ can meet the needs of the local economy in the way that the E1 allocation can.

19. Requirements of the mid and long-term plans of the ferry industry for Newhaven.

Statement to be supplied by Newhaven Port and Properties.

20. Whether the NPP plans for East Quay are cost effective, for example as set out in a Business Plan.

Statement to be supplied by Newhaven Port and Properties.

21. The reasons (if any) why restricting the policy area to the west of the Port Access Road would be unacceptable.

Lewes District Council believes that restricting the allocation to the land west of the Port Access Road would be unacceptable, both in quantitative and qualitative terms.

In order to demonstrate why it would be unacceptable in quantitative terms, it is first necessary to update the supply position with the land west of the Port Access Road included in the E1 allocation.

Lewes District Council supports the modification to the E1 allocation site boundary proposed by Newhaven Port and Properties to remove the vegetated shingle habitat

and the former seaplane base, and to allow a buffer between the developed area and the nature reserve to the east of the site.

This would reduce the total site area of the allocation (including the existing developed area) from 11.3 ha to 9.3 ha. As identified in CD/051 (para 7.13), part of the site has received planning consent for an aggregate processing plant, and this additional floorspace has been accounted for in the supply through 'permissions'. Therefore any additional employment space provided by E1 will be on the existing undeveloped land within the site allocation.

The undeveloped part of the site as originally proposed would amount to 7.9 ha; although this would reduce to 5.8 ha through the proposed modification to the boundary. The undeveloped part of the site includes the area where the Newhaven Port Access Road is currently being constructed.

The Employment and Economic Land Assessment (2010) (CD/052, para 7.17) uses an average plot ratio of 0.4 to estimate land requirements for industrial type uses. This is considered to be a typical plot ratio for industrial uses due to modern industrial and storage uses favouring a single floor level, and taking into account the presence of access roads and the need for at least half of an industrial plot to be free of buildings to reflect the demands on external space for storage, landscaping, car parking and, particularly, standing and manoeuvring for goods vehicles.

In terms of supply, it was discussed at the Hearing sessions that there is a regular source of employment space coming forward through the conversion of existing agricultural buildings (LPP2 Policy DM10) and the redevelopment and intensification of existing employment sites in the countryside (LPP2 Policy DM11). Since 2012, 4,419 sqm of employment space has been delivered in these locations, which amounts to 33% of the total employment space delivered over that period.

As this is considered a secure source of supply due to Policies DM10 and DM11 encouraging this type of development to continue, a windfall allowance could be added into the supply. Over the six monitoring years since 2012, an average of 737sqm per annum has come forward. If this were to be projected forward over the remaining 12 years of the plan period, it could deliver an additional 8,844 sqm.

However, to avoid double-counting, sites consistent with DM10 and DM11 that already have an extant permission should be discounted. There is 4,977sqm of employment space with permissions on sites consistent with Policies DM10 and DM11. This should be taken off the windfall forecast of 8,844 sqm to ensure that there is no double-counting. Therefore it would be appropriate to add a countryside windfall allowance of 3,870sqm to the supply.

There is a lapsed outline permission for 1,900sqm of employment space on Eastside (North) in Newhaven. There is no current developer interest in bringing the site forward; however the site is a vacant/underused site in Newhaven in an area that has good scope for meeting future needs, as discussed in the answer to Question 18 (ID/2, Week 2). It could be argued that the site could potentially be delivered in the plan period and therefore it could be considered appropriate to include it within the supply.

In addition, the submission version of the Newhaven Neighbourhood Plan (January 2019) allocates the Robinson Road Depot, Robinson Road (Policy H4) for a mix of uses including a minimum of 40 residential units and 600sqm of employment floorspace. Therefore this site should also be added into the supply.

An updated supply position (including E1) is provided in Table 21.1:

Table 21.1 - Employment Land Supply (including E1 allocation)

Completions (2012-2018)	13,400
Extant Permissions	28,600
Other:	
Land at Cradle Hill Industrial Estate, Seaford	3,400
Land at Harbour Heights, Newhaven	3,300
Land at East Quay, Newhaven (E1)	23,400
Land adj. Amex Community Stadium, Falmer (E2)	5,100
Eastside (North), Newhaven (Lapsed outline permission)*	1,900
Robinson Road Depot, Newhaven (H4)*	600
Countryside Windfall Allowance*	3,870
TOTAL	83,570
+/- LPP1 Requirement	+9,570

* *Newly added to the supply*

The total supply would amount to 83,570 sqm, which is 9,570 sqm over the 74,000sqm requirement set out in the Local Plan Part 1. This equates to a buffer (or headroom) of 13%.

This buffer is important as it will provide flexibility to the plan and will increase the choice and range of sites available to meet needs. More importantly, it will provide contingency against sites not being built out. This is significant because the E2 allocation may not come forward for employment use as the policy would allow health/education uses or ancillary uses associated with the stadium.

Therefore it is important that there is a sufficient buffer to ensure that the employment requirement in LPP1 can be met if this or other sites do not come forward.

The above represents the position whereby the E1 allocation is retained, as modified by the proposal from Newhaven Port and Properties.

Restricting the E1 allocation to the area west of the Port Access Road would mean that it is unlikely that there would be sufficient space between the Port Access Road and the existing developed area to the west to accommodate any additional buildings.

The existing developed area within the allocation has an extant permission that will provide 3,280 sqm of employment floorspace, however this is already accounted for in the supply through 'permissions'.

Therefore, if E1 was restricted to the area west of the Port Access Road, the E1 allocation would provide no more additional floorspace towards the supply, and the supply position would be as identified in Table 21.2.

Table 21.2 - Employment Land Supply (excluding E1 allocation)

Completions (2012-2018)	13,400
Extant Permissions	28,600
Other:	
Land at Cradle Hill Industrial Estate, Seaford	3,400
Land at Harbour Heights, Newhaven	3,300
<i>Land at East Quay, Newhaven (E1)</i>	<i>0</i>
Land adj. Amex Community Stadium, Falmer (E2)	5,100
Eastside (North), Newhaven (Lapsed outline permission)*	1,900
Robinson Road Depot, Newhaven (H4)*	600
Countryside Windfall Allowance*	3,870
TOTAL	60,170
+/- LPP1 Requirement	-13,830

* *Newly added to the supply*

This clearly shows that the employment requirement set out in LPP1 could not be met if the E1 allocation was restricted to the area west of the Port Access Road. In addition, this is without the provision of any sort of buffer (or headroom) to provide contingency against other sites not being built out.

In qualitative terms, the E1 allocation (including land east of the Port Access Road) is required in order to help achieve the vision for Newhaven Port to create a thriving commercial and ferry port and tourism gateway, providing infrastructure for job-creating businesses in the new low carbon, leisure marine and fishing industries, as set out in the Newhaven Port Masterplan (CD/047, para 5.1, p38).

In order to achieve this vision, Newhaven Port and Properties have identified the need to diversify its business for the medium term future proofing of the Port's facilities, and to ensure the Port's on-going success, which is critical to the regeneration and provision of employment within Newhaven.

It is understood that, currently, Newhaven Port is over-reliant on its passenger ferry service, and in order to secure a sustainable future for the Port, the Newhaven Port Masterplan (CD/047) sees growth prospects and potential in attracting freight traffic (para 3.7, p27).

CD/047 identifies East Quay (including the E1 site allocation) as the commercial and operational heart of the port and consequently the area is the primary focus of the masterplan proposals.

CD/047 identifies that the Operations and Maintenance Base for the Rampion Offshore Wind Farm could be used as a catalyst to build on relationships with existing businesses to provide buildings, land and support infrastructure to attract new opportunities on the East Quay site in these sectors (para 5.3, p39) that will help diversify the Port's business.

In addition, there is potential for a future conversion of the heavy load quay for salvage operations to diversify the offer. This would require 1,400 sqm of internal storage space to facilitate workshops and storage and 9,200 sqm of external storage space (CD/047, para 6.3, p45).

Also, CD/047 identifies that various forms of storage and distribution facilities, commercial property letting, light industry and warehousing are also possible on the East Quay, which could include the development of storage and distribution sheds for products arriving by ferry from Dieppe. There is also considerable potential at East Quay to develop and increase warehouses and storage areas and to provide a delivery quay for a superstore distribution centre (para 6.3, p45). Policy E1 would restrict these to uses that are associated with the Port.

The employment allocation at Land at East Quay (E1) will allow for the provision of new storage, distribution and manufacturing space that will attract new marine and port related industries that can make good use of the port trades and shipping links. This will help to deliver long-term economic growth and new jobs required to secure a sustainable future for Newhaven.

If the E1 allocation was restricted to the land to the west of the Port Access Road (which has an extant permission and has already been accounted for in the supply), no additional employment space could be provided and the vision for the Port could not be achieved. This could result in the diversification of the Port being undermined and a continued over-reliance on the passenger ferry services business, which will

not provide a sustainable future for the Port, with associated risks for the local economy. In addition, the restriction of the E1 allocation would not be in accordance with the Local Plan Part 1, as it would not allow Local Plan Part 2 to meet the employment land requirements set out in Spatial Policy 1, and would not be consistent with Core Policy 4(7) that supports the continued use of Newhaven port for freight and passengers including plans for expansion and modernisation.