



Lewes District Council

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

Proposed Main Modifications

Addendum to the Sustainability Appraisal

June 2019

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1. Introduction

- 1.1. The Lewes District Local Plan is a set of planning documents for Lewes District that guides development in its area. The Lewes District Local Plan Part 1: Joint Core Strategy 2010-2030 (Joint Core Strategy) sets out the framework to guide strategic growth across the district to 2030.
- 1.2. The Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Development Plan Document (Local Plan Part 2) has been prepared to support and deliver the strategic objectives and spatial strategy of the Joint Core Strategy for the area of the district that lies outside the South Downs National Park. It will allocate sites for housing and employment and provide detailed planning policies to guide development and change in the period to 2030.
- 1.3. The Local Plan Part 2 was submitted to the Secretary of State for examination in December 2018. An Inspector was appointed to conduct the examination in public in January 2019 and hearing sessions took place in April 2019. Subsequently, the Inspector has recommended that a Schedule of Main Modifications to the Local Plan Part 2 should be published for public consultation.
- 1.4. Under European and national legislation, planning documents must be subject to a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). This report appraises the proposed Main Modifications to the Local Plan Part 2 against the agreed sustainability framework. It forms an addendum to the SA (incorporating a SEA) submitted to the Secretary of State in December 2018.

2. Background

- 2.1. The commitment to the achievement of sustainable development was set out in legislation introduced at both a European and national level. In 2004 the European Directive on Strategic Environmental Assessment (known as the SEA Directive) was implemented in the UK, as was the Planning and Compulsory Purchase Act. These pieces of legislation set out the requirement for SEA and SA of plans, such as the Local Plan Part 2.
- 2.2. A SA aims to predict and assess the economic, social and environmental effects that are likely to arise from plans. It is a process for understanding whether policies, strategies or plans promote and achieve sustainable development, and for improving them to deliver more sustainable outcomes.
- 2.3. The SEA aims to predict and assess the environmental effects that are likely to arise from plans, policies and strategies. It is a process for assessing and

mitigating the likely negative environmental impacts of specific plans and programmes. For the purposes of undertaking the SA and SEA of the Local Plan Part 2, the SEA process has been incorporated into the SA process. Therefore, where this report solely refers to the SA it can be assumed that this also means the SEA.

- 2.4. SA reports are produced to accompany plans, in this case the Local Plan Part 2. As such, the production processes of SAs and plans work in tandem. The table below shows the previous production stages of both documents. All the documents listed can be downloaded from <https://www.lewes-eastbourne.gov.uk/planning-policy/local-plan-part-2-examination/>

Table 1 Local Plan Part 2 and SA Production Process

Local Plan Preparation Stage	Sustainability Appraisal (SA) Production Stage	Completion Date
Issues and Options	Scoping Report	January 2014
Consultation Local Plan	Consultation SA Report	November 2017
Pre-Submission Local Plan	Pre-Submission SA Report	September 2018
Submission Local Plan	Submission SA Report	December 2018

3. Local Plan Part 2 Examination

- 3.1. The examination in public commenced immediately after the submission of the Local Plan Part 2 to the Secretary of State in December 2018. The purpose of the examination is to focus on the main issues that the Inspector considers are of critical importance to the soundness of the plan. Many of these issues were identified by public representations received in response to the publication of the Pre-Submission document in September 2018. However, a number of other issues were also raised by the Inspector during the examination.
- 3.2. The examination in public hearings enabled the Inspector to discuss these fundamental issues in depth with the Council and invited participants. Following the hearing sessions, the Inspector recommended that the Council publish a Schedule of Main Modifications, which must be subject to sustainability appraisal and public consultation in order for the plan to be found sound. This schedule is available to download from the Council’s web site. The proposed main modifications were informed by discussions at the examination hearing sessions.
- 3.3. The Inspector has not proposed any modifications that would result in the deletion of any of the existing policies in the submission LPP2. However, he has proposed amendments to the wording of the following policies and their

associated supporting text: **NH01** (Land south of Valley Road, Newhaven), **NH02** (Land at The Marina, Newhaven), **BH01** (Land at Nuggets, Valebridge Road, Wivelsfield), **CH02** (Layden Hall, East Grinstead Road, Chailey), **RG01** (Caburn Field, Ringmer), **GT01** (Land South of the Plough), **E1** (Land at East Quay, Newhaven Port), **E2** (Land adjacent to American Express Community Stadium, Falmer), and **DM24** (Protection of Biodiversity and Geodiversity).

4. Methodology

What is included within this SA?

- 4.1. This document considers the need to revise the appraisal in light of the proposed Main Modifications. The Modifications are assessed in the context of the overall policy and accompanying supporting text being amended. The accompanying table for each policy essentially replaces the assessment table for that policy in the submission SA. Additional commentary under section 6 for each policy should be considered alongside the commentary included in the submission SA.

Meeting the Requirements of the SEA Directive

- 4.2. In preparing the SA Reports for the Local Plan Part 2, the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations 2004 (The SEA Regulations), which transpose the Directive into English law, have been followed. This report comes alongside the submission report where the details on how the requirements have been met have been included.

5. Sustainability Framework

- 5.1. During the preparation of the Sustainability Appraisal, a set of objectives, questions and indicators have been developed which have formed a sustainability framework. This framework has been used to test the Local Plan Part 2 policy options and proposed policies.
- 5.2. The same sustainability framework has been used within this report. It can be found in Table 2.

Table 2 The Sustainability Framework

OBJECTIVES	QUESTIONS TO CONSIDER	INDICATORS	SEA FACTORS
SOCIAL			
1. To ensure that everyone has the opportunity to live in a decent, sustainably constructed and affordable home. (Housing)	Does the approach add to the housing stock? Does the approach help meet affordable housing needs? Does the approach meet the needs of all members of the community? Does the approach lead to more sustainably constructed homes?	<ul style="list-style-type: none"> • Net housing completions per annum • Net affordable housing completions per annum • Lower quarter house prices • House prices to earnings ratio • Households on housing needs register • Number of households considered homeless • Percentage of unfit dwellings • Net additions Gypsy and Traveller pitches 	Population
2. To reduce poverty and social exclusion and close the gap between the most deprived areas and the rest of the Plan Area. (Deprivation)	Does this approach benefit the most deprived areas of the district? Does the approach support social inclusion?	<ul style="list-style-type: none"> • Rank and change in rank of Lewes District in the Index of Multiple Deprivation • Number and location of SOAs in the Plan Area considered to be in the most deprived 30% in the country 	Population
3. To increase travel choice and accessibility to all services and facilities. (Travel)	Does this approach encourage sustainable modes of transport? Will this approach have an impact on out-commuting? Will the approach increase congestion?	<ul style="list-style-type: none"> • Number of large development completions estimated to be within 30 minutes of public transport and walking and cycling journey time of services • Mode of travel to work • Levels of out-commuting • Percentage of the district connected to the internet 	Population Material Assets
4. To create and sustain vibrant, safe and distinctive communities. (Communities)	Will the approach impact on the happiness of the community? Does the approach impact on community safety?	<ul style="list-style-type: none"> • Percentage of people satisfied with their local area as a place to live • Change in number of community meeting facilities 	Population Material Assets Human Health

OBJECTIVES	QUESTIONS TO CONSIDER	INDICATORS	SEA FACTORS
	Does the approach create additional community facilities?	<ul style="list-style-type: none"> • Change in the amount of public open space • Crime rate per 1000 of the population 	
5. To improve the health of the Plan Areas population. (Health)	<p>Will the approach benefit the health of the population?</p> <p>Does the approach reflect the needs of the elderly and disabled population?</p>	<ul style="list-style-type: none"> • Life expectancy at birth • Percentage of population not in good health • Percentage of the population over 65 	Human Health Population
6. To improve the employability of the population, to increase levels of educational attainment and to improve access to educational services. (Education)	<p>Will the approach increase attainment at schools?</p> <p>Will the approach increase the skill levels of the district?</p> <p>Will the approach improve access to educational services?</p>	<ul style="list-style-type: none"> • Students achieving 5 or more A*-C GCSE grades (including Maths and English) • Numbers of adult learners • Percentage of adults without any qualifications • Percentage of adults with degree level (or equivalent) qualification 	Population Material Assets
Environmental			
7. To improve efficiency in land use through the re-use of PDL and existing buildings and minimising the loss of valuable greenfield land. (Land efficiency)	<p>Does the approach bring vacant units back into use?</p> <p>Does the approach promote the best use of brownfield land?</p> <p>Will the approach protect quality agricultural land?</p>	<ul style="list-style-type: none"> • Percentage of new homes built on PDL • Number of empty homes • Density of new dwellings • Amount of grade 1, 2 and 3 agricultural land lost to new development¹ 	Soil Landscape Material Assets
8. To conserve and enhance the biodiversity of the Plan Area. (Biodiversity)	<p>Will the approach affect nationally important wildlife and geological sites?</p> <p>Does the approach seek to protect</p>	<ul style="list-style-type: none"> • Condition and size of SSSIs • Number and extent of LWSs and LNRs • Area of ancient woodland 	Fauna Flora Biodiversity

¹ Planning policy seeks to protect the best and most versatile land; this represents grades 1-3a in the agricultural land use classification. Our GIS system does not distinguish between 3a(good) and 3b(moderate) and thus it will be difficult to accurately assess the impact of the LPP2 using this indicator.

OBJECTIVES	QUESTIONS TO CONSIDER	INDICATORS	SEA FACTORS
	LNRs (Local Nature Reserves) and LWSs (Local Wildlife Sites)? Does the approach protect areas of ancient woodland?		
9. To protect, enhance and make accessible the Plan Area's countryside and historic environment. (Environment)	Does the approach have an impact on listed buildings? Does the approach allow access to the countryside? Will the approach impact on the valued landscape?	<ul style="list-style-type: none"> • Number of listed buildings on the buildings at risk register • Amounts of Rights of Way • Low/negligible sites in Plan Area as identified in the Landscape Capacity Study 	Landscape Cultural Heritage Archaeological Heritage
10. To reduce waste generation and disposal, and achieve the sustainable management of waste. (Waste)	Will the approach reduce the generation of waste? Will the approach increase recycling rates?	<ul style="list-style-type: none"> • Domestic waste produced per head of population • Percentage of waste that is recycled or reused 	Material Assets Human Health
11. To maintain and improve water quality and encourage its conservation, and to achieve sustainable water resources management. (Water)	Does the approach encourage the reduction in water consumption? Will the approach have a positive impact on water quality?	<ul style="list-style-type: none"> • Biological, ecological and physico-chemical quality of water • Bathing water quality • Water consumption per capita 	Water
12. To reduce the emissions of greenhouse gases, to reduce energy consumption and increase the proportion of energy generated from renewable sources.	Will the approach reduce carbon dioxide emissions? Does the approach reduce energy consumption? Will the approach increase the proportion of energy from renewable sources?	<ul style="list-style-type: none"> • Annual consumption of energy per user • Percentage of waste converted to energy • Number of grants for renewable energy installations obtained • Number of planning applications received relating to renewable energy • Carbon dioxide emissions per sector 	Air Climatic Factors Material Assets

OBJECTIVES	QUESTIONS TO CONSIDER	INDICATORS	SEA FACTORS
(Energy)			
13. To improve the Plan Area's air quality. (Air quality)	Does the approach increase air pollution? Will the approach lead to any additional AQMA designations? Will the approach lead to negative impact on the existing AQMA?	<ul style="list-style-type: none"> • Number of Air Quality Management Areas • Air Quality Action Plan Indicators? 	Air Human Health
14. To reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment. (Flooding)	Will the approach impact on flooding? Does the approach reduce the risk of flooding?	<ul style="list-style-type: none"> • Number of residential properties at risk of flooding • Number of new developments with sustainable drainage systems or developments that minimise water consumption • Amount of land in flood risk zones 2 and 3 as a percentage of the Plan Area's coverage • Number of planning applications granted contrary to the advice on the Environment Agency flood defence grounds (fluvial) 	Human Health Water Climatic Factors Material Assets
15. To ensure that the Plan Area is prepared for the impacts of coastal erosion and tidal flooding. (Coastal Erosion)	Will the approach have an impact on or be impacted by coastal erosion? Will the approach increase the risk of tidal flooding?	<ul style="list-style-type: none"> • Amount of erosion to coastal areas • Number of planning applications contrary to the advice by the Environment Agency on flood defence grounds (tidal) 	Water Climatic Factors Human Health Material Assets
Economic			
16. To promote the economic growth of the Plan Area by encouraging vitality and regenerating and	Will the amount of employment land increase? Will this approach create jobs? Will the policies / allocations help bring about the regeneration of the	<ul style="list-style-type: none"> • New business registration rate • Floorspace developed by employment type by PDL in coastal towns • Losses of employment land in employment regeneration areas 	Population

OBJECTIVES	QUESTIONS TO CONSIDER	INDICATORS	SEA FACTORS
strengthening the economies of the coastal towns. (Economy)	coastal towns? Will this approach reduce the high unemployment rates in the coastal towns? Will the approach reduce retail vacancy rates?	<ul style="list-style-type: none"> • Retail unit vacancy rates in town centres • Number of vacant sites brought back into use in coastal towns • Amount of completed retail, office and leisure floorspace (net) 	
17. To support and expand the rural economy. (Economy)	Does the approach support the rural economy?	<ul style="list-style-type: none"> • Commercial permissions in rural areas. 	Population
18. To encourage the growth of a buoyant and sustainable tourism sector. (Tourism)	Will the approach increase the amount of jobs in the tourism sector? Will more people visit the district as a result of this approach?	<ul style="list-style-type: none"> • Number of jobs in the tourism sector • Contribution to the district's economy made by visitors 	Population

6. Assessment of Main Modifications

- 6.1. This section presents the appraisal findings in relation to the Main Modifications to the Submission Local Plan Part 2. A number of the Modifications results in changes to policy supporting text, which do not require new standalone assessments, instead these changes inform the assessment of policy by providing additional context or clarity. The Main Modifications have, therefore, been assessed in the context of the overall policy being modified rather than in isolation. Where a Main Modification results in a change in policy wording, the policy was re-assessed taking account of the relevant Main Modification(s). The new policy will be included within this report for ease of reference.
- 6.2. For each policy/topic, the relevant extract from the Schedule of Main Modifications has been included, for ease of reference this is shown in light blue shaded box. Modifications are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying modifications to words in *italics*. The page numbers and paragraph numbering within the extracts from the Schedule of Main Modifications refer to the submission Local Plan.
- 6.3. The amendments made to the sustainability appraisal tables that reflect the assessment of the Main Modifications are in **red text** and marked with ~~strikethrough~~ for deletions and underlining for addition of text.
- 6.4. The tables below show how the policies were appraised.

Table 3 Policies Appraisal Key

Symbol	Meaning	Symbol	Meaning
++	Likely significant positive effect	S	Short term impact (approximately 2013 – 2018)
+	Likely positive effect	M	Medium term impact (approximately 2018 – 2024)
0	No likely effect	L	Long term impact (approximately 2025 – 2030)
?	Uncertain effect		
-	Likely negative effect		
--	Likely significant negative effect		

Table 4 Method for assessing policies

Objectives	S	M	L	Explanation
Objective 1	-	+?	++	In this example, the policy would have a likely negative effect on objective 1 on the short-term, a possible positive effect on the objective in the medium term and would likely have a significant positive effect by the end of the plan period.

Habitats Regulation Assessment

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM1	M03	Paragraph 1.19, page 11	<p>Habitats Regulation Assessment <i>Amend paragraph 1.19 after: "The Habitat Regulations Assessment" as follows:</i> published alongside this document constitutes a number of individual reports and addendums that demonstrate that there will be no Likely Significant Effect on any of the protected areas as a result of implementing the Local Plan Part 1 or Part 2 <u>only recreational impacts on the Ashdown Forest SPA/SAC from residential development within 7km will require Appropriate Assessment. For all other impact pathways, a conclusion of No Likely Significant Effects on European Sites is reached.</u></p>
MM2	M04	Following paragraph 1.19	<p>Habitats Regulation Assessment <i>New paragraph in supporting text to read:</i> <u>Mitigation measures contained within the Local Plan Part 1 Core Policy 10 (3i) can be applied at the Appropriate Assessment stage and, as such, in accordance with the Habitats Regulations Assessment it is therefore possible to conclude that there will be no adverse effect on the integrity of any European sites due to growth in Local Plan Part 1 or 2, either alone or in combination with other plans and projects.</u></p>

6.5. The above modifications are to ensure consistency with the Habitat Regulations Assessment (HRA), the outcome of which must be presented in the Sustainability Appraisal. Natural England highlighted the inconsistency at the Pre-Submission Regulation 19 consultation stage and the Council proposed a minor modification as above to correct the text in the Local Plan Part 2. The Inspector has elevated them to Main Modifications.

6.6. Natural England identified in their representation:

"We advise that the Habitats Regulations Section presented in the Pre-Submission document does not concur with the findings of the accompanying Habitats Regulations Assessment for the Local Plan Part 2. Although Natural England agrees with the findings of the attached HRA, following the recent People Over Wind European Judgement, aspects of the HRA and its interpretation within the core document need to be amended".

6.7. This is an amendment of procedural impact; to ensure that the mitigation measures for the potential recreation impacts on the Ashdown Forest, identified at Local Plan Part 1 stage, are considered at the Appropriate Assessment stage rather than the screening stage of HRA. Consequently, the correct terminology when presenting this information is a conclusion of ‘no adverse effect on integrity’, rather than ‘no likely significant effect’.

Policy NH01: Land South of Valley Road

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM3	M05	Policy NH01, page 20	<i>Policy NH01: Land South of Valley Road</i> <i>Amend policy NH01 by adding an additional criterion to read:</i> <u>(c) Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly;</u>
MM4	M07	Supporting text to policy NH01, page 21	<i>Policy NH01: Land South of Valley Road</i> <i>Following paragraph 2.28, add new paragraph to read:</i> <u>The site lies within Flood Zone 1 (at least risk of flooding). However, a risk of surface water flooding has been identified associated with a major overland flow route, along the site’s northern boundary. Therefore, to ensure that flood risk is not created, or exacerbated, on or off-site by the development, consideration should be given to the design and layout of the site. A specific flood risk assessment may also be required, and mitigation implemented accordingly.</u>

6.8. The amended Policy NH01 reads as follows:

<p>Policy NH01 – Land South of Valley Road</p> <p>Land south of Valley Road (0.72ha), as shown on figure 3, is allocated for residential development providing approximately 24 net additional dwellings subject to compliance with all appropriate development plan policies:</p> <p>a) Access, including provision for pedestrians and cyclists, to be provided from Valley Road;</p> <p>b) An ecological impact assessment is undertaken and appropriate measures</p>
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identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;

- c) Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly and**
- d) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

6.9. The Main Modification (MM3) to Policy NH01 proposes adding a criterion to ensure that appropriate surface water drainage mitigation is in place. This aims at avoiding creating or exacerbating flood risk. The modified policy was assessed on this basis. The conclusions of the appraisal do not differ from those in the submission document. However comments were added in the appraisal table to reflect the amendments to the policy wording.

6.10. The amended appraisal is shown in Table 5 below.

Table 5 Amended appraisal for Policy NH01: Land South of Valley Road, Newhaven

Objectives	S	M	L	Explanation
1.Housing	+	+	+	Development at this site could include 24 units in market and affordable housing in the early part of the plan period.
2.Deprivation	+	+	+	Newhaven town contains some of the districts most deprived wards when measured against the Indices of Multiple Deprivation (IMD). Development of this site may encourage further regeneration and investment in the town, having a positive impact on the town and its more deprived communities.
3.Travel	0	0	0	Access to the site via Valley Road could be an issue and may need upgrading to make suitable. <ul style="list-style-type: none"> - The site is located just over the recommended walking distance (800m) of the town centre with its wide range of services and facilities. - The site is located near to frequent bus services and even though the site is located over 1km from Newhaven Town railway station, the range of public transport services in the town would be seen in a positive light against this objective. - The site is located within walking distance of the nearest primary but not secondary school.
4.Communities	0	0	0	
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	-	-	-	This site is a greenfield site and so scores negatively against this objective.
8.Biodiversity	0	0	0	There are SNCIs <u>Local Wildlife Sites (LWSs)</u> within the vicinity of the site, although it is unlikely that there would be any negative impact on these designations. There is a TPO group located 100m south west of the site. To ensure that habitats are protected, the policy requires that an ecological impact assessment is carried.
9.Environment	0	0	0	The site is fairly well screened on all sides, although there are some long views to the north and north east. However the policy encourages excavation to be carried out to ensure that the development blends into the existing form of the surrounding development and landscape. The site is near to the boundary of the SDNP.
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	

Objectives	S	M	L	Explanation
13. Air Quality	-?	-?	-?	Newhaven Air Quality Management Area covers the area inside the town centre ring road. It is likely that all new development in the town will impact on this designation and so would be expected to incorporate measures that aim to improve air quality.
14. Flooding	0	0	0	<u>Development on this site will be required to provide appropriate surface water mitigation to ensure that flood risk is not created or exacerbated. This should have a neutral effect on this objective.</u>
15. Coastal Erosion	0	0	0	
16. Economy of the Coastal Towns	0	0	0	Newhaven town centre does have a wide range of services and facilities, although there is a vacancy rate of approximately 20%. Increasing the customer base may help to support the existing services/facilities, reduce vacancy rates and provide jobs although it is unlikely that this development in isolation will make a significant positive contribution to this objective
17. Rural Economy	0	0	0	
18. Tourism	0	0	0	

Policy NH02: Land at the Marina

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM5	M10	Policy NH02, page 22	Policy NH02: Land at The Marina <i>Amend criterion (e) of policy NH02 to read:</i> e) Development is subject to investigation into potential contamination and appropriate mitigation <u>remediation</u> measures agreed with the relevant authority;
MM6	M37	Following paragraph 2.38, page 24	Policy NH02: Land at The Marina <i>New paragraph in supporting text to read:</i> <u>Development will be required to submit a desk study, conceptual model, site investigation, risk assessment and Remedial Method Statement for contaminated land in line with best practice approaches and carried out by or under the direction of a suitably qualified competent person and in accordance with most recent guidance.</u>
MM7	M38	Following paragraph 2.38, page 24 and MM5	Policy NH02: Land at The Marina <i>New paragraph in supporting text to read:</i> <u>Where additional moorings are provided, consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump-out facilities, should be provided where appropriate to reduce the risk to water quality from recreational boating. The size of the pump-out facility should be appropriate to that of the development and agreed by the local planning authority prior to construction.</u>
MM8	M11 and M36	Policy NH02, page 22	Policy NH02: Land at The Marina <i>Add new text in criterion (g), after “biodiversity”:</i> <u>There should be no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). Where impacts on biodiversity cannot be avoided or mitigated, like-for-like compensatory habitat at or close to the development site will be required.</u> Development allows for the protection of biodiversity and enhancement where possible.
MM9	M34	Policy NH02, page 22	Policy NH02: Land at the Marina <i>Add new text at the end of criterion (b) to read:</i> <u>Where there is a net increase in the number of berths, appropriate toilet and pump-out facilities</u>

must be provided to manage waste and sewage arising.

6.11. The amended Policy NH02 reads as follows:

Policy NH02 – Land at The Marina

Land at The Marina (4.5ha), as shown on figure 4 below, is allocated for residential development providing approximately 300 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Provision of suitable access, including for pedestrians and cyclists;**
- b) No loss in the number of existing berths. Where there is a net increase in the number of berths, appropriate toilet and pump-out facilities must be provided to manage waste and sewage arising;**
- c) Provision of adequate parking to serve the berths;**
- d) New development must include an appropriate standard of flood protection (including safe access to the site), and provision for future maintenance, to be agreed with the Environment Agency;**
- e) Development is subject to investigation into potential contamination and appropriate remediation measures agreed with the relevant authority;**
- f) A noise and odour impact assessment is undertaken to ensure that acceptable noise and odour standards are achievable within proposed homes and amenity areas;**
- g) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. There should be no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). Where impacts on biodiversity cannot be avoided or mitigated, like-for-like compensatory habitat at or close to the development site will be required. Development allows for the protection of biodiversity and enhancement where possible; and**
- h) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

In association with the residential development small-scale specialised retail/food and drink premises and leisure uses associated with The Marina activities would also be acceptable.

6.12. The Main Modifications (MM8 and MM9) to Policy NH02 provide further details for existing criteria in relation to the protection and enhancement to biodiversity and risk to water quality. Upon reappraisal of the policy, it was found that the additional requirements are likely to have a positive impact on the biodiversity objective in the long term. The conclusions in relation to the water objective remain the same (i.e. neutral effect) as it primarily aims at maintaining the water quality.

6.13. The amended appraisal is shown in Table 6 below.

Table 6 Amended appraisal for Policy NH02: Land at The Marina

Objectives	S	M	L	Explanation
1.Housing	++	++	++	Development at this site could include a minimum of 300 units in market and affordable housing.
2.Deprivation	+	+	+	Newhaven town contains some of the districts most deprived wards when measured against the Indices of Multiple Deprivation (IMD). Development of this brownfield site may encourage further regeneration and investment in the town, having a positive impact on the town and its more deprived communities.
3.Travel	+	+	+	Up until recently, the site had planning permission for 331 units, which included proposals for a suitable site access, although this permission has since expired. A development of this scale could impact on the already heavily constrained A259 and town centre ring road and so mitigation measures would be required. <ul style="list-style-type: none"> - This site is located within walking distance (800m) of the town centre with its wide range of services and facilities. - The site is located near to frequent bus services and even though the site is located over 1km from Newhaven Town railway station, the range of public transport services in the town would be seen in a positive light against this objective. - The site is located within walking distance of the nearest primary and secondary school.
4.Communities	0?	0?	0?	The site is located within the vicinity of industrial uses which may be considered 'bad neighbours' resulting in a poor perception of the development.
5.Health	0	0	0	The policy wording was strengthened to ensure that a noise and odour impact assessment is undertaken as well as further investigation is carried in relation to potential contamination. This should reduce the risk on the future occupiers' health.
6.Education	0	0	0	
7.Land Efficiency	++	++	++	This site is brownfield land and so scores positively against this objective. It must also be noted that, being located on brownfield land, development of the site may reduce the pressure on greenfield land on the edge of the district's towns and settlements.
8.Biodiversity	0-	0	0±	The site includes areas of intertidal mudflats which is a priority habitat. To ensure that habitats are protected in order to avoid net loss , the policy requires that an ecological impact assessment is carried <u>out</u> . This should avoid net loss and may result in net gain if compensatory habitat is required <u>This aims at avoiding net loss and the policy encourages providing net gain to biodiversity. Where adverse impacts arise and may affect biodiversity in the short term,</u>

Objectives	S	M	L	Explanation
				<u>mitigation and/or compensatory measures would be required to rectify the situation over the medium to long term. It is considered that the modifications are likely to have a positive impact on the long term biodiversity of the mudflats, once construction phase is completed and any new habitats have been established.</u>
9.Environment	0	0	0	Providing that development does not exceed 3/4 storeys in height, thus dominating views from the surrounding area, it is unlikely that there would be an adverse impact on this objective. Being located on brownfield land, development of the site may reduce the pressure on more environmentally sensitive landscape on the edge of the district's towns and settlements.
10.Waste	0	0	0	
11.Water	0	0	0	<u>The policy reduces the risk to water quality by requiring the provision of appropriate services for new berths. This should ensure that development does not impact on water quality.</u>
12.Energy				
13.Air Quality	-?	-?	-?	Newhaven Air Quality Management Area covers the area inside the town centre ring road. It is likely that all new development in the town will impact on this designation and so would be expected to incorporate measures that aim to improve air quality.
14.Flooding	0?	0?	0?	The site is located within Flood Zone 3 which scores negatively against this objective. However Newhaven Flood Alleviation Works are currently underway, due to be completed by Autumn 2019. A sequential and exception test has been carried out that demonstrates the sustainability benefits of developing this site. The policy includes the requirements for site-specific Flood Risk Assessment to ensure that appropriate works are carried for a safe future use of the site.
15.Coastal Erosion	0	0	0	
16. Economy of the Coastal Towns	+	+	+	Newhaven town centre does have a wide range of services and facilities, although there is a vacancy rate of approximately 20%. Increasing the customer base on this scale would help to support the existing services/facilities, reduce vacancy rates and provide jobs. It must also be noted that development on this site could result in the loss of employment premises (marina and retail) and associated jobs, however it is felt that the benefits to the local economy would outweigh this.
17. Rural Economy	0	0	0	
18. Tourism	0	0	0	

Policy BH01: Land at the Nuggets, Valebridge Road

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM10	M13	Policy BH01, page 26	<p>Policy BH01: Land at The Nuggets, Valebridge Road</p> <p>Amend policy BH01 by inserting additional criterion, to read:</p> <p><u>g) Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly;</u></p>
MM11	M16	Supporting text to policy BH01, page 28	<p>Policy BH01: Land at The Nuggets, Valebridge Road</p> <p>Following paragraph 2.51, insert new paragraph to read:</p> <p><u>The site lies within Flood Zone 1 (at least risk of flooding). However, a risk of surface water flooding has been identified associated with overland flow routes running north-south through the site. Therefore, to ensure that flood risk is not exacerbated, on or off-site, by the development, consideration should be given to the design and layout of the site. A specific flood risk assessment may also be required, and mitigation implemented accordingly.</u></p>
MM12	M39	Policy BH01, page 26	<p>Policy BH01: Land at The Nuggets, Valebridge Road</p> <p>Amend criterion (d) to read:</p> <p>Tree surveys undertaken and appropriate measures, <u>including proper buffers, are identified and implemented accordingly to mitigate potential adverse impacts on the Tree Protection Order group and Ancient Woodland (at least 15m buffer) on and/or adjacent to the site.</u></p>

6.14. The amended Policy BH01 reads as follow:

Policy BH01 – Land at The Nuggets, Valebridge Road

This site (1.1ha), as shown on figure 5 below, is allocated for residential development providing approximately 14 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) **Access, including provision for pedestrians and cyclists, to be provided from Valebridge Road;**
- b) **Buildings reflect the local character in terms of mass, height and form;**
- c) **Retention of boundary trees, where possible, to provide appropriate landscape buffer;**
- d) **Tree surveys undertaken and appropriate measures, including proper buffers, are identified and implemented accordingly to mitigate potential adverse impacts on the Tree Protection Order group and Ancient Woodland (at least 15m buffer) on and/ or adjacent to site;**
- e) **Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;**
- f) **An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts, either directly or indirectly, on biodiversity, including irreplaceable habitats. Development allows for the protection of biodiversity and enhancement; and**
- g) **Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly.**
- h) **The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**
- i) **Development layout is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.**

6.15. The Main Modification (MM10) to Policy BH01 proposes adding a criterion to ensure that appropriate surface water drainage mitigation is in place. This aims at avoiding creating or exacerbating flood risk. MM12 strengthen the requirement for a buffer around the TPO group and Ancient Woodland by specifying its minimum size. This provides more clarity for the implementation of the policy. These amendments to the Policy BH01 do not alter the conclusions of the appraisal.

6.16. The amended appraisal is shown in Table 7 below.

Table 7 Amended appraisal for Policy BH01: Land at the Nuggets, Valebridge Road

Objectives	S	M	L	Explanation
1.Housing	+	+	+	Development at this site would deliver 14 units including market and affordable homes. The site could be brought forwards in the early part of the plan period.
2.Deprivation	0	0	0	Burgess Hill (Wivelsfield Parish) is a fairly affluent area of the district (although that is not to say that an affordable housing need does not exist) and so development would not have a significant effect on this objective.
3.Travel	0	0	0	Access to the site would be via an existing property on Valebridge Road. The road bends to the north, consequently shortening visibility along the derestricted stretch of road; however it is likely to be suitable. <ul style="list-style-type: none"> - The site is within walking distance of a bus service. - The site is roughly 1km away from the nearest station and just over 1km away from the nearest school and services. <p>However, it must be acknowledged that a wide range of services are available at Burgess Hill (identified as a District Centre, although not located within Lewes District) and so could be considered a sustainable location.</p>
4.Communities	0?	0?	0?	It is unknown whether there will be any impact upon the local or wider community resulting from development at this site.
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	-	-	-	This site does contain some brownfield land although is predominantly greenfield.
8.Biodiversity	0	0	0	To ensure that habitats are protected, the policy requires that an ecological impact assessment is carried. This should ensure that development of the site does not impact on this objective.
9.Environment	0	0	0	Parts of the site have already been developed, and so redevelopment of these areas will have little environmental impact. The site is very well contained by mature trees on all sides and screened to the east and south east by ancient woodland, development should be sensitive to this and kept to the western end of the site <u>to provide the required buffer</u> in line with the policy. The general area has been identified in the 2012 landscape capacity study as an area with a medium/high capacity for development. There are no recorded heritage assets within the site but it could include archaeological interest therefore an additional criteria within the policy to

Objectives	S	M	L	Explanation
				ensure that appropriate assessment and evaluation of archaeological potential are carried. This will help limiting any detrimental impact on this objective.
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	<u>Development on this site will be required to provide appropriate surface water mitigation to ensure that flood risk is not created or exacerbated. This should have a neutral effect on this objective.</u>
15.Coastal Erosion	0	0	0	
16.Economy of the Coastal Towns	0	0	0	
17.Rural Economy	0?	0?	0?	Burgess Hill accommodates a wider range of services and facilities, it is highly likely that residents would support these; however it is unlikely that development on a scale such as this will have much of an impact.
18. Tourism	0	0	0	

Policy CH02: Layden Hall, East Grinstead Road

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM13	-	Policy CH02, page 41	<i>Policy CH02: Layden Hall, East Grinstead Road</i> <i>Amend criterion (a) to read after East Grinstead Road:</i> Including safe and convenient pedestrian access to the nearest bus stop.

6.17. The amended Policy CH02 reads as follows:

Policy CH02 - Layden Hall, East Grinstead Road

This site (0.51ha), as shown on figure 8 below, is allocated for residential development providing approximately 6 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from East Grinstead Road including safe and convenient pedestrian access to the nearest bus stop;**
- b) Development complements nearby local character in terms of height, mass and form;**
- c) Retention of boundary trees, where possible, to provide appropriate landscaping buffer;**
- d) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on Chailey Common SSSI and the local biodiversity. Development allows for the protection of biodiversity and enhancement where possible; and**
- e) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly.**

6.18. The Main Modification (MM13) to Policy CH02 specifies the level of arrangement required in relation to pedestrian access to make the development acceptable. This could have an impact on the housing objective in terms of deliverability as this may be seen as an additional cost and could impact on viability.

6.19. The amended appraisal is shown in Table 8 below.

Table 8 Amended appraisal for Policy CH02: Layden Hall, East Grinstead Road

Objectives	S	M	L	Explanation
1.Housing	0?	0?	0?	Development at this site would create 6 units. It is likely that this could be brought forward in the next five years. <u>The pedestrian access requirement may have an impact on the viability of the development for six units. However the policy provides sufficient flexibility should an extra unit be required to ensure the deliverability of the scheme.</u>
2.Deprivation	0	0	0	The site lies within the relatively affluent settlement of North Chailey; although an affordable housing need may still exist it is unlikely that development would have a significant effect on this objective.
3.Travel	-	-	-	Access would be onto the A275, this is a derestricted stretch of road and due to the slight bend to the north it may be difficult to ensure sufficient visibility splays. <ul style="list-style-type: none"> - There is a Nursery school within the 800m threshold, however there is not a primary or secondary school within walking distance - There are some local services within walking distance such as a restaurant and a shop - A regular bus service runs within walking distance of the site, but there are no railway stations within the vicinity of the site which may encourage out-commuting by car.
4.Communities	0?	0?	0?	
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	-	-	-	Development at this site would result in the loss of greenfield land which is potentially high grade agricultural land
8.Biodiversity	0?	0?	0?	The site is within the Western Ouse Streams and Ashdown Forest Biodiversity Opportunity Area, and close to (other side of the A275) the Chailey Common Local Nature Reserve and SSSI. This policy requires for a survey to be carried out to ensure that potential negative impact on the biodiversity are considered as part of the development and ensure that development does not adversely impact on this objective. However due to the proximity with biodiversity designated site, this likely impact on this objective remains uncertain.
9.Environment	0	0	0	The site is adjacent to landscape character area designated as having medium capacity for change (2012 Landscape Capacity Study). A small development is unlikely to adversely impact on this designation. The site is almost completely covered by trees, those on the southern and western borders screen the site very effectively from view meaning that it is well contained with

Objectives	S	M	L	Explanation
				no views into or out of the site. This policy will ensure that boundary trees are retained to maintain the setting. Despite the dense tree cover there are no TPO's on the site.
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	
15.Coastal Erosion	0	0	0	
16.Economy of the Coastal Towns	0	0	0	
17.Rural Economy	0	0	0	The increase in customer base would help to support local services, although a development of this size is unlikely to have a particularly significant impact on the village or wider rural economy.
18. Tourism	0	0	0	

Policy RG01: Caburn Field

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM14	M19	Policy RG01, page 49	Policy RG01: Caburn Field <i>Amend policy RG01 by inserting an additional criterion to read:</i> <u>(f) Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly;</u>
MM15	M21	Supporting text to policy RG01, page 51	Policy RG01: Caburn Field <i>Following paragraph 2.127, insert new paragraph to read:</i> <u>The site lies within Flood Risk Zone 1 (at least risk from flooding). However, a risk of surface water flooding has been identified associated with overland flow routes running both through the site and in close proximity to the site. Therefore, to ensure that flood risk is not exacerbated, on or off- site by the development, consideration should be given to the design and layout of the site. A specific flood risk assessment may also be required, and mitigation implemented accordingly.</u>

6.20. The amended Policy RG01 reads as follow:

Policy RG01 - Caburn Field

Land at Caburn Field (1.91ha) as shown on figure 10 below, is allocated for residential development providing approximately 90 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) A replacement playing field of equivalent area and quality is available and ready for use at an acceptable location in Ringmer before development takes place;
- b) Access, including provision for pedestrians and cyclists, to be provided from Anchor Field;
- c) The identification, delivery and funding of sustainable transport improvements to mitigate the impacts of development on the local highway network, and in particular the Earwig Corner junction, to the satisfaction of the local planning authority in consultation with the local highway authority;
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;

- f) Appropriate surface water drainage mitigation is agreed with relevant body and local planning authority and implemented accordingly;**
- g) Layout is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes; and**
- h) Occupation of the development is phased to align with the delivery of sewerage infrastructure, in liaison with the service provider, and completion of the planned junction improvements at Earwig Corner.**

6.21. The Main Modification (MM14) to Policy RG01 proposes adding a criterion to ensure that appropriate surface water drainage mitigation is in place. This aims at avoiding creating or exacerbating flood risk. The modified policy was assessed on this basis. The conclusions of the appraisal do not differ from those in the submission document. However comments were added in the appraisal table to reflect the amendments to the policy wording.

6.22. The amended appraisal is shown in Table 9 below.

Table 9 Amended appraisal for Policy RG01: Caburn Field

Objectives	S	M	L	Explanation
1.Housing	++	++	++	Development at this site could include approximately 90 units in market and affordable housing in the early part of the plan period.
2.Deprivation	0	0	0	Ringmer is a fairly affluent area of the district (although that is not to say that an affordable housing need does not exist) and so development would not have a significant effect on this objective.
3.Travel	0	0	0	An access point is already in place which currently serves the football club and adjacent local services. <ul style="list-style-type: none"> - The site is centrally located in the village and near to local services. - The site is located within walking distance (800m) of the nearest primary and secondary school. - The site is within walking distance of regular bus services (but not a railway station and so may encourage out-commuting) - Measures are likely to be included to encourage sustainable modes of transport although it is likely to be a car dependent site
4.Communities	+	+	+	Part of the site is currently allocated within the Lewes District Local Plan for residential development. Although it will result in the loss of community facilities, the policy requires the provision of a replacement playing field of equivalent area and quality in a suitable location prior to the development being carried. It is thought that this is likely to result in the improvement of the facilities and therefore this policy scores positively against this objective.
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	-	-	-	The site is classified as greenfield land which would score negatively against this objective.
8.Biodiversity	0	0	0	The site does not include formal biodiversity designation. However local records indicate presence of protected species. The policy should ensure that appropriate work is carried to avoid negative impact on this objective.
9.Environment	0	0	0	The site is located in the centre of the village and is surrounded by residential development and so would not impact on the natural landscape significantly. The site is located within the vicinity of the Ringmer Conservation Area although a sensitively designed development in line with the

Objectives	S	M	L	Explanation
				policy requirement should mitigate any potential adverse impact. The site is also located within an archaeological notification area which will be addressed at the planning application stage through an appropriate assessment and evaluation of the site's archaeological and historic interest.
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	<u>Development on this site will be required to provide appropriate surface water mitigation to ensure that flood risk is not created or exacerbated. This should have a neutral effect on this objective.</u>
15.Coastal Erosion	0	0	0	
16. Economy of the Coastal Towns	0	0	0	
17. Rural Economy	+	+	+	Ringmer is home to a wide range of services and facilities and so the increase in customer base could have the knock on effect of supporting the retention of these services or possibly the creation of additional ones. This could also be said for the wider rural area. However, it is likely that most services and shops will be accessed in nearby larger towns such as Lewes.
18. Tourism	0	0	0	

Policy GT01: Land South of The Plough

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM16	M41	Policy GT01, page 53	Policy GT01: Land South of The Plough <i>Amend criterion (b) to read:</i> (b) Development <u>The site</u> should be levelled and laid out to provide sufficient room to allow vehicles to turn around within the site.
MM17	M40	Policy GT01, page 53	Policy GT01: Land South of The Plough <i>Add new criterion (h) to read:</i> <u>The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water; if non-mains drainage, an environmental permit will be required.</u>

6.23. The amended Policy GT01 reads as follows:

Policy GT01 – Land south of The Plough

This site (0.69ha), as shown on figure 11 below, is allocated for the development of 5 net additional permanent Gypsy and Traveller pitches, subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from Station Road;
- b) The site should be levelled and laid out to provide sufficient room to allow for vehicles to turn around within the site;
- c) Development should use the natural topography in screening the site from wider, sensitive landscape views and designed to minimise the perception of urbanisation in this location, particularly with regards to hardstanding and amenity buildings;
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;
- f) Appropriate flood risk assessment and surface water drainage strategy and mitigation is agreed with the appropriate body and implemented accordingly; and
- g) The development should be occupied by only those that fulfil the definition of a Gypsy or Traveller.
- h) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water; if non-mains drainage, an environmental permit will be required.

- 6.24. The Main Modifications (MM16 and MM17) to Policy GT01 do not change the intent of the policy. MM16 corrects a typographical error in existing criterion (b), whilst MM17 inserts a new criterion (h) to address sewerage provision. The modified policy has been assessed and would not impact negatively on any of the sustainability objectives. As a result the conclusions of the appraisal do not differ from the Submission SA.
- 6.25. The amended appraisal is shown in Table 10 below.

Table 10 Amended appraisal for Policy GT01: Land South of The Plough

Objectives	S	M	L	Explanation
1.Housing	++	++	++	This policy, allocating the south east corner of the larger SHELAA site (reference 03PL) would provide 5 permanent gypsy and traveller pitches. It would fully meet the identified need for the plan area and therefore would have a positive impact on this objective.
2.Deprivation	+	+	+	This policy would meet the need identified and support social inclusion.
3.Travel	-	-	-	This site is 1.2 km from the nearest settlement, the village of Plumpton Green where some key services are available. Including a primary school, a convenience store and a post office. Further services can be accessed from other settlements via bus (within 200m of the site) and train (1.8km from Plumpton Green train station). Overall it is not thought that this policy would have as significant impact on congestion. However due to its rural location, this allocation may not encourage the use of alternative mode of transport and therefore score negatively against this objective.
4.Communities	0	0	0	Less than half a dozen residential properties lie within 100m of the site. Station Road to the east and the neighbouring commercial estate to the south acting as a boundary containing the site. The site for 5 pitches would ideally suit a single family and provide a good living environment being in a semi-rural location and not next to adverse (noisy, dirty, smelly) neighbouring uses. Therefore it is thought that this allocation would have a neutral impact on this objective.
5.Health	+	+	+	The provision of permanent accommodation will help to improve access to health facilities, tackling known issues such as long term illness and lower life expectancy, which are often below the national average in Gypsy and Traveller communities.
6.Education	+	+	+	The provision of permanent accommodation will improve the opportunities for members of the Gypsy and Traveller community to attend school and further education.
7.Land Efficiency	-	-	-	The site is greenfield land.
8.Biodiversity	0	0	0	The site does not form part of a formal biodiversity designation. However local records indicate the presence of notable and protected species including bats and other notable invertebrates and vascular plants in the wider area. The policy requires ecological investigation prior to works commencing.
9.Environment	0	0	0	The site appears open as it forms part of a larger site. However the policy requires effective

Objectives	S	M	L	Explanation
				landscaping bunds. The provision of accommodation is therefore unlikely to have impact on the valued landscape of the district such as the National Park. Whilst the site does not lie within any historical designation, the wider area has evidence of historical activity and the policy requires appropriate archaeological investigation prior to works commencing.
10.Waste	0	0	0	
11.Water	0	0	0	<u>The modification to require connection to the nearest sewer should ensure that no adverse effects on nearby watercourses and the impacts on this SA Objective remain neutral.</u>
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	The site is within flood zone 1, low risk; however a risk of surface water flooding has been identified and will need to be addressed through sustainable drainage measures. The policy requires a surface water drainage strategy to be agreed prior to commencement and implemented as part of the development.
15.Coastal Erosion	0	0	0	
16.Economy of the Coastal Towns	0	0	0	
17.Rural Economy	0	0	0	
18. Tourism	0	0	0	

Policy E1: Land at East Quay, Newhaven Port

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM18	M23	Following paragraph 3.17, page 59	<p><i>Policy E1: Land at East Quay, Newhaven Port</i> <i>Note: Further modification to Modification 23 in CD 012: Following paragraph 3.17, insert additional paragraphs to read:</i></p> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>Due to the open nature of the coastline in this location, development is also likely to have an impact upon the setting of the South Downs National Park. Development proposals should therefore have due regard to Core Policy 10 (<i>Natural Environment and Landscape Character</i>) of the Local Plan Part 1, which seeks to conserve and enhance the landscape quality and scenic beauty of the Park and be informed by the South Downs Integrated Landscape Character Assessment accordingly.</u></p>

Development of the site also has the potential to affect the setting of the Newhaven Fort Scheduled Monument and the Tidemills Archaeological Notification Area. The remains of the WW1 seaplane base also needs to be protected. Development proposals should therefore be accompanied by a heritage impact assessment and an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest, in accordance with Policy DM33 (*Heritage Assets*) and Core Policy 11 (*Built and Historic Environment and High Quality Design*) of the Local Plan Part 1.

A public footpath, which forms part of the proposed England Coast Path, runs through the site and any development proposals will be required to mitigate any harmful impact on the convenience, safety and amenity of this right of way, in accordance with Policy DM35 (*Footpath, Cycle and Bridleway Network*).

MM19 - Following paragraph 3.17, page 59

Policy E1: Land at East Quay, Newhaven Port
New paragraph in supporting text to read:
The exclusion of the area of the port from the submitted proposed port expansion, i.e. covering the vegetated shingle habitat to the south of the bunded footpath, would ensure the protection of the Seaplane base, which is an important although undesignated, heritage asset.

MM20 M24 Policy E1, page 59

Policy E1: Land at East Quay, Newhaven Port
Amend policy E1 to read:

Policy E1: Land at East Quay, Newhaven Port

Land at East Quay, as defined on the Policies Map (i.e. excluding the area of vegetated shingle habitat, situated to the south of the bunded footpath, which was included in the submitted Policy E1), is allocated for employment uses associated with Newhaven Port. ~~Employment development which is not associated with port-related activity will be permitted only where it can be demonstrated that such development would not undermine the operational use of the Port. All development proposals should ensure that the visual impact on the landscape and scenic beauty of the South Downs National Park is minimised.~~

Development will be permitted subject to compliance with all appropriate development policies and the following criteria:

- (a) An ecological impact assessment is undertaken, and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity;
- (b) A visual and landscape character assessment is undertaken to ensure that the visual impact on the landscape and scenic beauty of the South Downs National Park is minimised;
- (c) An appropriate assessment and evaluation of archaeological potential is undertaken, and any necessary mitigation measures implemented; and
- (d) The provision of a landscaped buffer to the east of the site to create a buffer zone to protect the Nature Reserve immediately to the east of the proposed port expansion.

6.26. The amended Policy E1 reads as follows:

Policy E1: Land at East Quay, Newhaven Port

Land at East Quay, as defined on the Policies Map, (i.e. excluding the area of vegetated shingle habitat, situated to the south of the bunded footpath, which was included in the submitted Policy E1), is allocated for employment uses associated with Newhaven Port. Development will be permitted subject to compliance with all appropriate development policies and the following criteria:

- a) An ecological impact assessment is undertaken, and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity;**
- b) A visual and landscape character assessment is undertaken to ensure that the visual impact on the landscape and scenic beauty of the South Downs National Park is minimised;**
- c) An appropriate assessment and evaluation of archaeological potential is undertaken, and any necessary mitigation measures implemented; and**
- d) The provision of a landscaped buffer to the east of the site to create a buffer zone to protect the Nature Reserve immediately to the east of the proposed port expansion.**

- 6.27. The Main Modification (MM20) to Policy E1 reduces the extent of the allocated employment site by deleting the area of coastal vegetated shingle along its southern edge. This habitat is now included on the Government's list of habitats of principal importance for biodiversity conservation in England. MM20 also seeks to ensure that only employment uses associated with Newhaven Port are permitted within the allocated site, whilst including new policy criteria to address concerns over the potential adverse impacts of development on biodiversity and the need for appropriate assessments of landscape character and archaeological potential, together with any necessary mitigation measures. All the proposed modifications address concerns raised by Natural England and other representations.
- 6.28. Upon reappraisal of the policy, it was concluded that the modifications are likely to have a positive impact on the biodiversity objective in the long term. This is because the area of coastal vegetated shingle will be protected from development and any development within the allocated employment site must 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), as proposed to be modified. The modifications will also minimise the potential for any adverse landscape impacts on the setting of the South Downs National Park.
- 6.29. In terms of flood risk, the modifications remove that part of the allocated site located within Flood Zone 3. Nevertheless, a small part of the site remains within Flood Zone 2 and a sequential test has therefore been undertaken at the request of the Environment Agency. This is attached as an Appendix to this report. Otherwise, the modifications do not impact on the other objectives and the conclusions therefore remain unchanged from the Submission SA.
- 6.30. The amended appraisal is shown in Table 11 below.

Table 11 Amended appraisal for Policy E1: Land at East Quay, Newhaven Port

Objectives	S	M	L	Explanation
1.Housing	0	0	0	
2.Deprivation	0	0	0	
3.Travel	+	+	+	The site benefits from relatively good access to the A26 and is within 800m from Newhaven Harbour train station.
4.Communities	0	0	0	
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	-	-	-	The site is mostly greenfield land.
8.Biodiversity	-2	-2 0	-2 +	<u>The site is within an SNCI the Tide Mills LWS. The modification requires the deletion of the vegetated shingle habitat, which is a priority habitat, from the allocation south of the bunded footpath. This element of the modification to this policy will have a positive effect on preserving the most important irreplaceable habitat. Therefore development on the site could have impact biodiversity. will take place within the LWS and so the new criterion to provide an ecological impact assessment and ensure mitigation measures can be implemented to achieve overall a net gain in biodiversity will ensure no adverse effect against this SA objective. The buffer zone identified in the modification to the Local Nature Reserve (LNR) to the east of the site will also have a positive effect for ensuring no degradation or harm to the newly created LNR.</u>
9.Environment	0 -2	0 -2	0 -2	The site is open land adjacent and visible from the South Downs National Park. Development on this site could impact on the setting of the National park. Due to the site being within the planning boundary, it was not assessed within the Landscape Capacity Study however it adjacent to a site (Ouse Estuary Nature Reserve) which is considered to be a highly visible and sensitive area with no capacity for change. <u>The stronger safeguards for visual and landscape impacts within the modifications should minimise the potential for adverse impacts on landscape.</u> The site is adjacent to an archaeological notification area <u>and an appropriate assessment and evaluation of archaeology will be essential to avoid any detrimental effects.</u> <u>The deletion of the vegetated shingle from the allocation will also preserve that part of the WW1 sea plan base that lies within this habitat. The heritage impact assessment should</u>

Objectives	S	M	L	Explanation
				<u>ensure no harm to the setting of Newhaven Fort.</u>
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	Part of the site is within flood zone 2 and surrounding areas are within flood zone 3. However future use of the site is likely to be water compatible. <u>The deletion of the vegetated shingle habitat from the allocation would help to minimise risks of future flooding and coastal erosion.</u>
15.Coastal Erosion	0	0	0	<u>The deletion of the vegetated shingle habitat from the allocation would help to minimise risk of future flooding and coastal erosion</u>
16.Economy of the Coastal Towns	+	+	+	Development of the site would support the expansion and enhancement of the Newhaven Port and allow the port to remain competitive by offering modern facilities to future investors and customers. It would have a positive impact on this objective. <u>Whilst the site has been reduced in size following the modification for the deletion of the vegetated shingle habitat from the allocation, this should not affect the overall ability of the site to deliver the required employment floorspace set out in the Local Plan Part 1.</u>
17.Rural Economy	0	0	0	
18. Tourism	0	0	0	

Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM21	M42	Paragraph 3.21, page 61	<p><i>Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer</i> <i>Amend paragraph 3.21 to read:</i> The design and massing of any proposed development will also need to consider the visual impact on both the Grade II registered Stanmer Park and the Listed Buildings within the University of Sussex campus. Careful consideration should be given to the choice of materials which should be complementary to those of the stadium, yet distinct and subservient, and designed to fit comfortably within the site’s downland context. <u>The design and materials used should reflect the setting of the South Downs National Park, specifically paying reference to the South Downs Integrated Landscape Character Assessment (SDILCA) prepared by the South Downs National Park Authority.</u></p>
MM22	M43	Paragraph 3.23, page 61	<p><i>Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer</i> <i>Amend paragraph 3.23 to read:</i> Any development of land within the boundary of Brighton and Hove City Council will need to take account of the priorities set out in policy DA3 (Lewes Road Development Area) of the adopted Brighton & Hove City Plan Part 1. The main thrust of the City Council’s strategy for the Lewes Road Development Area is to promote and enhance the role of the area for higher education, whilst securing improvements to the townscape, the public realm, green infrastructure, biodiversity and air quality. <u>In addition, sustainable transport infrastructure is required to ensure that the development does not have an adverse impact on the performance of the Falmer Interchange trunk road junction at the A27/B2123 Falmer junction.</u></p>
MM23	-	Policy E2, page 61	<p><i>Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer</i> Land adjacent to the American Express Community Stadium, as identified on the Policies Map, is allocated for B1a (offices) and/or D1 (health/education) <u>and/or other ancillary uses</u></p>

directly associated with the Stadium and/or Sussex and Brighton Universities.

MM24

M28

Policy E2,
page 62

Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer

Amend criterion (d) of policy E2 to read:

(d) The provision of green infrastructure and wider landscaping enhancements ~~through creative landscape solutions (including features such as green walls and roofs);~~

6.31. The amended Policy E2 reads as follows:

Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer

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

Development will be permitted subject to compliance with all appropriate development plan policies and the following criteria:

- a) Development should achieve a high quality of design which respects and enhances the adjoining stadium development and downland character;
- b) Development should preserve and where possible enhance the setting of the South Downs National Park and nearby heritage assets;
- c) Sustainable transport infrastructure will be required to support proposals and to ensure that there is no adverse air quality impact;
- d) The provision of green infrastructure and wider landscaping enhancements;
- e) Development must ensure that groundwater sources are protected to the satisfaction of the Environment Agency;
- f) The developer will enter into a training place agreement to secure training for local people.

6.32. The Main Modifications (MM23 and MM24) to Policy E2 do not change the intention of the policy but offer the opportunity for other ancillary uses directly associated with the Community Stadium or Universities to be permitted, whilst deleting the specific requirement for features such as green walls or roofs to be provided as part of any development. The modified policy has been assessed and would not impact negatively on any of the sustainability objectives. As the result the conclusions of the appraisal do not differ from the Submission SA.

6.33. The amended appraisal is shown in Table 12 below.

Table 12 Amended appraisal for Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer

Objectives	S	M	L	Explanation
1.Housing	0	0	0	
2.Deprivation	0	0	0	
3.Travel	+	+	+	The site is adjacent to the American Express Community Stadium and straddles the boundary between Lewes District and Brighton and Hove City. It is well located in terms of strategic road network with the A27 to the north of the site which provides access to Lewes and Brighton. It is not thought that development on this site would encourage walking and cycling however other sustainable means of transport are available around the site. It is within walking distance from bus stops offering direct services to Brighton, Lewes, Ringmer and Uckfield and from Falmer Train Station with a direct link to Brighton, Lewes and Eastbourne. <u>The modification requires sustainable transport infrastructure which could be simple measures such as real time passenger information or pedestrian and cycle linkages, which should encourage the use of rail and bus, walking and cycling from this sustainable location.</u>
4.Communities	+	+	+	Development of this site would introduce variety of active uses in this location which would contribute to create and sustain vibrant communities.
5.Health	0	0	0	The site is within proximity of the A27 and the railtrack and is therefore exposed to noise pollution which could impact on the amenity of people occupying the site. The policy does not include reference to addressing adjacent noise issue however the supporting text make reference to draft policy DM23 which should limit the impact on this objective.
6.Education	0	0	0	
7.Land Efficiency	++	++	++	This is a brownfield land and therefore development on this site would contribute to the re-use of previously developed land.
8.Biodiversity	0	0	0	The site is within proximity to Westplain Plantation <u>SNCI-Local Wildlife Site (LWS)</u> but it is not thought that development will have negative impact on this site.
9.Environment	0	0	0	The site is located within close proximity of the South Downs National Park and a conservation area including listed buildings (grade 2) lies to the east. There is a dense boundary of trees to the north and east of the site. The site forms part of an already developed area and is surrounded by development. Although it is not thought that development of this site would constitute an encroachment into the country side of the National Park or impact on the setting of the conservation area, the policy require development to preserve and where possible

Objectives	S	M	L	Explanation
				enhance the setting of the National Park as well as be of a high quality design that respects downland character.
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	
15.Coastal Erosion	0	0	0	
16.Economy of the Coastal Towns	0	0	0	
17.Rural Economy	+	+	+	The development would continue supporting the rural economy and would contribute to the diversification of the business offer in the area.
18. Tourism	0	0	0	

Policy DM24: Protection of Biodiversity and Geodiversity

MM No	CD12/8 0 Ref	Submitted Local Plan Reference	Proposed Change
MM25	M46	Policy DM24, page 95	<p><i>Policy DM24: Protection of Biodiversity and Geodiversity</i></p> <p><i>Amend the third paragraph of policy DM24 to read: Development that would be likely to adversely affect a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), or a Marine Conservation Zone (MCZ), <u>either individually or in combination with other developments</u>, will only be permitted where the benefits of the development at this site, <u>in the location proposed</u> clearly outweigh the damage to the nationally recognised special interest of the designated site and any adverse impacts on the wider network of the SSSIs.</i></p>
MM26	M48	Policy DM24, page 95	<p><i>Policy DM24: Protection of Biodiversity and Geodiversity</i></p> <p><i>Insert a new penultimate paragraph into policy DM24 to read:</i></p> <p><u>Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) will be refused, unless there are wholly exceptional circumstances and a suitable compensation strategy exists.</u></p>

6.34. The amended Policy DM24 reads as follows:

Policy DM24: Protection of Biodiversity and Geodiversity

Development which would be likely to adversely affect a designated Ramsar site, designated or candidate Special Area of Conservation (SAC) or a classified or potential Special Protection Area (SPA) will only be permitted where adverse likely significant effects can be avoided and/or mitigated against. After avoidance and mitigation measures have been considered, where residual adverse likely significant effects arise, development will only be permitted if there is no alternative solution, there are imperative reasons of over-riding public interest that would justify the development and suitable compensation is provided.

Development proposals that result in a net increase of one or more dwellings within 7km of the Ashdown Forest will only be permitted where they comply with Core Policy 10(3) of the Local Plan Part 1. The requirement of Core Policy 10 (3i) can be fulfilled

through a contribution towards the management and monitoring of the Suitable Alternative Natural Greenspace (SANG) at Newick, as defined on the Policies Map.

Development which would be likely to adversely affect a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), or a Marine Conservation Zone (MCZ), either individually or in combination with other development, will only be permitted where the benefits of the development, in the location proposed, outweigh the damage to the nationally recognised special interest of the designated site and any adverse impacts on the wider network of SSSIs.

Development which would result in damage or loss to a site of biodiversity or geological value of regional or local importance including Local Nature Reserves (LNR), Wildlife Trust Reserves, Local Wildlife Sites, irreplaceable habitats, and habitats and species of principal importance for biodiversity, will only be permitted where the benefits of the development clearly outweigh the damage to the conservation interest of the site and any loss can be mitigated to achieve a net gain in biodiversity and/or geodiversity.

Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) will be refused, unless there are wholly exceptional circumstances and a suitable compensation strategy exists.

Where development is permitted, the Council will use conditions and/or legal agreements in order to minimise the damage, ensure adequate mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

6.35. The Main Modifications (MM25 and MM26) to Policy DM24 are proposed to ensure that the wording is consistent with the revised National Planning Policy Framework (NPPF) published in February 2019. The amended Policy DM24 does not alter the initial conclusions of the appraisal of Policy DM24 but reinforces it.

6.36. The amended appraisal is shown in Table 13 below.

Table 13 Amended Policy DM24: Protection of Biodiversity and Geodiversity

Objectives	S	M	L	Explanation
1.Housing	0	0	0	
2.Deprivation	0	0	0	
3.Travel	0	0	0	
4.Communities	0	0	0	
5.Health	0	0	0	
6.Education	0	0	0	
7.Land Efficiency	0	0	0	
8.Biodiversity	+	+	+	This policy aims to protect the district's biodiversity and geodiversity and prohibit development which would have adverse impact on biodiversity designations <u>individually or in combination with other developments</u> . Where it is thought that new development could affect the biodiversity alternative measures should be taken to mitigate potential adverse impact.
9.Environment	0	0	0	
10.Waste	0	0	0	
11.Water	0	0	0	
12.Energy	0	0	0	
13.Air Quality	0	0	0	
14.Flooding	0	0	0	
15.Coastal Erosion	0	0	0	
16.Economy of the Coastal Towns	0	0	0	
17.Rural Economy	0	0	0	
18. Tourism	0	0	0	

7. Reasonable alternatives

- 7.1. A key aspect of the SA process is the testing of alternative options. A significant number of different site and policy options were subject to appraisal throughout the preparation of the Local Plan Part 2. The results of these assessments are all set out in the submission SA report.
- 7.2. There are no alternatives to the Main Modifications provided by the Inspector. The Main Modifications are being proposed in order to ensure the legal compliance and soundness of the Local Plan Part 2. Failure to implement the modifications could result in the plan being found unsound. Therefore the 'do-nothing' option is not considered reasonable at this stage.

8. Mitigation and Monitoring

- 8.1. The Main Modifications do not themselves require any additional mitigation measures beyond what was identified in the submission SA report. As set out in the detailed appraisal table for each policy, the Main Modifications have all either had a positive or neutral impact on the conclusion of the previous sustainability appraisals.
- 8.2. The proposed monitoring arrangements remain unchanged from those set out in the submission SA report.

9. Conclusion

- 9.1. The appraisal of the Main Modifications shows that the majority of the changes do not affect the overall conclusions; they do not worsen the conclusions of the previous SA work. Overall the most notable change in the assessments is for improved impacts on the environmental objectives. It is important to note that the Main Modifications delivering changes to supporting text play an important role in providing the context for implementation of the policies and will be given substantial weight in decision making and this is why they have informed the sustainability appraisal of the policy changes.
- 9.2. Many of the changes have been in order to provide greater clarity and certainty in the implementation of the policy, and some correct errors and update wording in accordance with new guidance or case law. Where the changes have been more substantive in nature (e.g. the introduction of a new policy requirement) and have resulted in the need to amend the previous SA score for that policy, these have been positive.

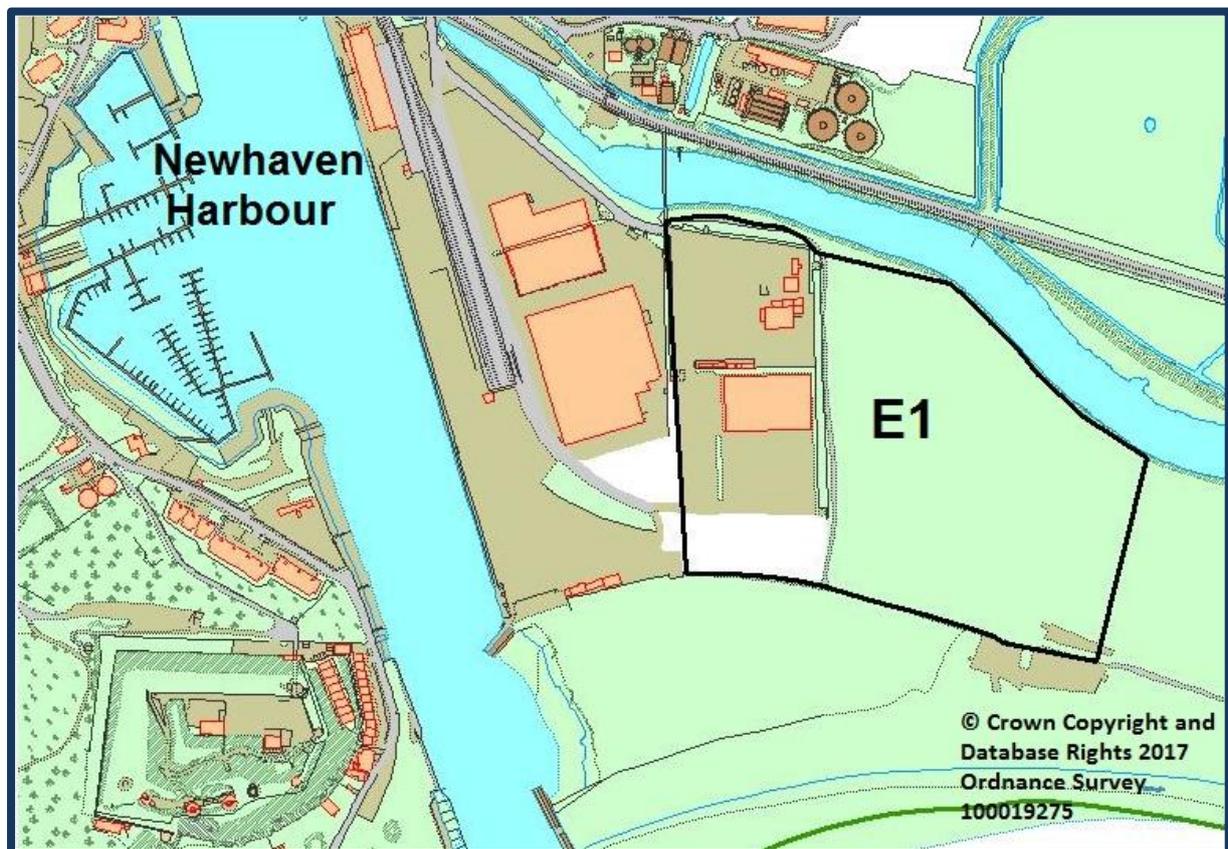
Appendix: Sequential Test of Policy E1, Land at East Quay, Newhaven Port

Background

Draft Policy E1 (Land at East Quay, Newhaven Port) of the Submission Lewes District Local Plan Part 2 allocates a site for employment uses associated with Newhaven Port. It essentially carries forward 'saved' Policy NH20 of the Lewes District Local Plan 2003, which was retained when the Lewes District Local Plan Part 1 was adopted in 2016 (see Appendix 2 and Proposals Map Inset 2: Newhaven of the Local Plan Part 1).

However, Draft Policy E1 covers a significantly reduced area of land in comparison with 'saved' Policy NH20. This is because it excludes the existing operational port land and buildings and the area that is currently under construction for a new berth, slipway and associated offices, warehouses and workshops (Planning Application ref. LW/15/0034).

Following the Local Plan Part 2 Examination in Public Hearings, the District Council has proposed a further reduction in the area of the allocated site to exclude the area of vegetated coastal shingle located within Flood Zone 3. This proposed modification (reference MM20) is set out in the Schedule of Main Modifications, which the Council has published for consultation during a six period between 8 July and 19 August 2019. The revised site area is illustrated below.



The site allocated by Draft Policy E1 (as proposed to be modified) comprises mainly undeveloped land located immediately to the east of the existing Newhaven Port facilities and associated uses, including the Rampion Wind Farm operations and maintenance base. All the land is within the freehold ownership of Newhaven Port & Properties Ltd (NPP), who is the Statutory Harbour Authority responsible for the operation and management of Newhaven Port.

Newhaven Port is an important strategic asset, both for Lewes District and the wider region. NPP has identified a continued demand for additional land to support the expansion and modernisation of the port but there are only limited sites within the operational port area that can be made available for new business opportunities. The Port Masterplan, approved by NPP in 2012, identifies land at East Quay as having potential for new warehousing, storage and distribution facilities, and light industry.

Draft Policy E1 supports development of the above uses and is therefore in accordance with Core Policy 4 of the adopted Local Plan Part 1, which sets out the Council's support for the Port Masterplan's expansion and modernisation proposals. The allocated site also makes a significant contribution towards meeting the potential supply of the employment land identified in the Local Plan Part 1 (Table 3, page 49) to meet the district's employment floorspace requirements set out in Spatial Policy 1.

Sequential Test

The sequential test is intended to ensure that sites at little or no risk of flooding are developed in preference to areas at high risk of flooding and informs the production of local plans. It is applied to demonstrate that there are no reasonable available sites in areas of a lower probability of flooding that would be appropriate to the type of development or land use proposed.

The sequential test is a high level assessment of sites falling wholly or partly within Flood Zones 2 and 3 and is based on the information available at the time. Further work will need to be undertaken by site developers to meet the requirements of the NPPF and Core Policy 12 of the adopted Lewes District Local Plan Part 1.

The majority of the site allocated by Draft Policy E1 (as proposed to be modified) is located within Flood Zone 1, although a small area is located within Flood Zone 2. Employment uses, including light industry, storage and distribution as identified in the Port Master Plan, fall within the less vulnerable category of development in Table 2 of the NPPF Technical Guidance on Development and Flood Risk. The employment development proposed by Draft Policy E1 is therefore be considered appropriate in Flood Zone 2, in accordance with Table 3 of the NPPF Technical Guidance on Development and Flood Risk.

There are no reasonably available alternative sites that are situated in a lower flood risk level, nor any alternative sites within the same Flood Zone and subject to a lower probability of flooding from all sources. The Lewes District Employment and Economic Land Assessment, published in 2010 (and updated in 2012) to inform the preparation of the Local Plan, did not identify any alternative sites elsewhere within the Newhaven planning boundary that would be suitable to accommodate the specific port-related uses proposed by Draft Policy E1, or that would make a similar

contribution towards meeting the district's identified employment floorspace requirements over the period to 2031, as set out in Spatial Policy 1 of the adopted Local Plan Part 1. The land allocated by Draft Policy E1 (as proposed to be modified) is the only greenfield site which is both immediately adjacent to the operational area of Newhaven Port and will be serviced by the new Port Access Road (currently under construction and programmed for completion in 2020).