



LEWES DISTRICT COUNCIL AND SOUTH DOWNS NATIONAL PARK AUTHORITY

Newhaven Neighbourhood Plan Regulation 16 Consultation

April 2019

The following pages present a summary, written by the Neighbourhood Planning Officer at Lewes District Council, of the comments made during the Regulation 16 consultation on the Newhaven Neighbourhood Plan, which took place between 7th February and April 5th 2019. The summary is written to provide assistance to the Examiner and to allow anyone who wishes to see some of the issues raised. It does not contain every point a consultee has made. The Examiner will read the comments of each consultee in full.

Reference	Statutory Consultees - Name/Organisation	Date	Method	Summary of representation
R1	Richard Franklin/ Highways England	19/03/19	Email	<ol style="list-style-type: none"> 1) NNP includes part of the A26 trunk road, whilst the A27 trunk road is located to the north 2) We note that the Lewes District Proposed Submission Core Strategy outlined that Newhaven should deliver a minimum of 425 dwellings and that the Newhaven Neighbourhood Plan allocates a minimum of 465 residential units. We therefore have no comments to make regarding the current housing proposals. 3) With regard to Policy E1 – Avis Way Industrial Estate, Highways England should be consulted on the proposals for developing this site in terms of potential impacts upon the A26 trunk road in particular.
R2	LDC Planning Policy and Neighbourhood Planning	19/03/19	Email	<p>LDC Policy feels that the Newhaven Neighbourhood Plan fails to meet the basic conditions and is therefore not legally compliant because:</p> <ol style="list-style-type: none"> 1) The development boundary defined on Proposal Plan 12 of the Neighbourhood Plan excludes much of the strategic housing site allocated by Spatial Policy 7 of the adopted Lewes District Local Plan Part 1: Joint Core Strategy 2010-2030. Consequently, the Neighbourhood Plan is not in general conformity with the strategic policies contained within the development plan for the area of the authority; 2) Policy H1 and Proposal Plan 12 do not relate only to the development and use of land within the designated Neighbourhood Area <p>1.6, pg. 2 Although this NP has been developed under the NPPF 2012, the new NPPF was brought into force in July 2018 and amended in February 2019. References to the 2012 version should be checked and amended where necessary or an acknowledgement made with regard to the most recent version.</p> <p>1.7, pg.2 LDC Planning Policy recommended in the Reg 14 consultation that a glossary was included with abbreviations and acronyms to be used throughout the document e.g. SDNP. This has not been taken into account.</p>

			<p>1.23, pg.6 <i>Table 1 – Tasks in making a Neighbourhood Plan.</i> We are not that sure that including the 'Task completed' note is necessary. The table will be out of date as it passes each stage.</p> <p>Footnote 5, pg.7 <i>This information is set out in the document 'A Profile of Newhaven'</i> The link takes you to the Newhaven Town Council website, however the links within the page are not all working, including the link to the Profile document. This point was raised by Planning Policy at the Reg 14 consultation. The link to the Profile on pg.18 is working.</p> <p>Footnote 6, pg.7 <i>Quoted definition from 'Our Common Future' also known as the Bruntland Report</i> A complete reference would be useful here i.e. Name of report, author/gov dept., date, and link to the web page.</p> <p>Footnote 13, pg.10 <i>The Peoples Report</i> The Link does not work, this document could not be found on the Newhaven Town Council website.</p> <p>Footnote 14, pg.10 <i>Available to view on the Town Council's website</i> A link to the consultation page rather than the council home page may be more useful to the reader.</p> <p>Footnote 16 pg.18, https://www.newhaventowncouncil.gov.uk/planning/ This link to the Profile <i>does</i> work. LDC Policy recommended in Reg 14 consultation that the three profile documents could be edited into one document for ease of reading, however this has not been taken in to account.</p> <p>pg.24 Objectives - LDC Planning Policy Reg 14 comments have not been taken on board for the Objectives section of the Plan. The objectives are lengthy and partly repeated in Policies. We recommended that the objectives were shortened and simplified.</p> <p>pg.32 Town Centre - LDC Policy acknowledges that Paragraph 1 has been amended according to LDC Reg 14 comments.</p> <p>pg.35 TC2 Town Centre - LDC Policy acknowledges that Reg 14 consultation</p>
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			<p>the NP. If leisure uses are to be included here, we would recommend that the wording be similar to what follows: <i>"Leisure and recreation facilities are supported in Eastside where they do not negatively impact the operational uses of the Enterprise Zones or conflict with policies in this plan or other relevant policies."</i></p> <p>pg.61 Criterion 5, ES2 New development for Eastside and the Enterprise Zones <i>'..with other neighbourhood plan policies and Lewes District Joint Core Strategy...'</i> This would read better as <i>'...with relevant policies and the Lewes District Joint Core Strategy'</i></p> <p>pg.61 Criterion 6, ES2 New development for Eastside and the Enterprise Zones Policy has been amended to acknowledge LDC Reg 14 comments regarding residential provision.</p> <p>pg. 72 Policy R1 Recreation, Leisure and Local Green Spaces - LDC Policy Reg 14 comments have been taken on board to make the policy read less like an aspiration.</p> <p>pg.79 Policy R2 Lewes Road Recreation Ground - Key Evidence There is overlap with saved Policy NH18 of the Lewes District Local Plan 2003; this should be noted here as Key Evidence.</p> <p>pg.88 Criterion 1, Policy D1 Promoting Good Design - Higher residential densities in these locations are also supported. LDC Reg 14 comments recommended that 'higher density' is defined with criteria.</p> <p>pg.99 Policy H1 A Spatial Strategy for Newhaven - LDC Policy acknowledges that Reg 14 comments have been taken into account for H1.</p> <p>pg.104 Policy H2 Newhaven Former Police Station, South Road - This policy is supported by LDC Policy however Reg 14 comments also recommended the following: <i>' Additional consideration regarding flood risks could be included within the policy to ensure that no development will take place until flood alleviation works have</i></p>
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			<p><i>been completed (autumn 2019).'</i></p> <p>LDC Reg 14 comments have not been accounted for in terms of density: <i>'The allocation of this site for residential development is supported however the proposed density for the site (120 dph) is above the densities suggested by Core Policy 2 of the Joint Core Strategy (for the towns 47 to 57 dph). Additional evidence supporting this high density would be helpful.'</i></p> <p>Additional evidence is required. There are TPOs adjacent to the site which should be referred to within the policy.</p> <p>pg.106 H3 Housing Sites in Eastside b) Land East of Reprodux Included in Pre-Submission Plan as Policy H4 – it is potentially supportable. However, we are concerned that all of the detail provided by former Policy H4 has been lost and this may conflict with the designation of the area as an Enterprise Zone. As such, LDC Policy recommends that further detail is added in some way to address this issue.</p> <p>pg.106 H3 Housing Sites in Eastside C) Bevan Funnel Site Included in the Pre-Submission Plan as Policy H5 – supported. But similar to the above comment made on the inclusion of Land East of Reprodux House, some detail has been lost. It is not considered to conflict in the same way as a result of this lack of detail because the site does not lie in an Enterprise Zone, however there were requirements regarding location of residential units and there being no ground floor habitable accommodation, all of which do not appear to have been carried forward in this redraft.</p> <p>pg.106 Criterion 7, H3 Housing Sites in Eastside Any site within existing Flood Zone 2 and 3 shall include a site Flood Risk assessment with each planning application and consider the Neighbourhood Plan sequential test. The inclusion of this criterion is acknowledged by LDC Policy, however, it may be worth adding greater detail as residential dwellings are categorised by the EA as 'more vulnerable' development. As such, this development wouldn't be acceptable in Flood Zone 3b, but subject to a successful Exception Test may be acceptable in Flood Zone 3a. The PPG could be noted here: https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants</p>
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			<p>pg.109 H4 Robinson Road Depot, Robinson Road As per comments made at Reg. 14, is there any further evidence available pertaining to availability and deliverability of the site? If so, could this be articulated in the supporting text?</p> <p>Para 13.51, pg.110 - Given the existing parking issues in Robinson Road it is imperative that sufficient on site parking is provided. If this is very important, it should be mentioned in the policy itself via reference to the ESCC parking calculator/Local Highway Authority guidance.</p> <p>pg.111 H5 Housing Sites in the Town Centre a) Lower Place Car Park, North Lane It is noted that the general requirements of this policy cover the Reg. 14 draft policy requirements for this allocation. Concerns were issued at Reg. 14 regarding the car parking and it was stated that additional evidence to support the proposed density would be welcomed. Is this additional evidence available?</p> <p>pg.111 H5 Housing Sites in the Town Centre a) Multi-story Carpark, Dacre Lane Not allocated before. States a yield of 24 in the revised SA/SEA. The inclusion of this site as an allocation would require the Reg. 14 consultation to be repeated as reference to redevelopment of the site through Policy TC1 is not clear enough, but it is acknowledged that the site was present in the Reg. 14.</p> <p>pg.113, H6 Former Lewes Council Offices, Fort Road <i>Redevelopment of the site should respect the surrounding scale and be of fine grain massing, to ensure compatibility with the existing street character.</i> Fine grain massing could be explained in the previously advised glossary.</p> <p>pg.115, H7 Former Grays School <i>Land at Grays School defined by Proposal Plan 18, is allocated for 27 dwellings.</i> This figure was 30 in the Reg 14 pre-submission plan. Why is the wording 'minimum' not used for this policy whereas other housing policies refer to minimum?</p> <p>pg.115 Criterion b)l H7 Former Grays School Existing pedestrian accesses would need to be closed off and metal railings within the highway removed. This element of the policy is likely to be outside of the</p>
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				<p>application site/area, so although likely to be relevant to the development it likely to refer to Highway works. It is likely to be better to state that relevant Highway works to facilitate the safe access to the development in consultation with the Local Highway Authority. This criterion could then form part of the supporting text for the policy.</p> <p>pg.116 H8 Old Conservative Club, South Way <i>Land as defined by Proposal Plan 19 is allocated for a minimum of 12 residential units</i> At Reg. 14 we commented on the number of dwellings to be allocated as being too low (it was 5 at the time). We are now a little concerned that 12 may be too many and we would need to understand how such a high density is appropriate.</p> <p>pg.116 Criterion b)iii H8 Old Conservative Club, South Way Has the viability of the car club, financed by the developer, been tested?</p> <p>LDC Policy make the general point that there appears to be a loss of specificity with regards to the quantum of floor space, also leisure and retail floor space, also leisure and retail floor space between the Reg 14 and 16 Plan versions. Previous H6 referred to 4,000m2 of employment floor space whereas new H4 refers to 600m2 with no further references to m2. The new H3 policy has no employment floor space.</p>
R3	Charlotte Mayall/ Southern Water	20/03/19	Email	<p>Policy H3 - Housing sites on Eastside</p> <p>a. Seahaven Caravans, Drove Road Our assessment of this site reveals that Southern Water's infrastructure crosses the proposed site. An easement would be required, which may affect the site layout.</p> <p>d. Beach Road This site is within close proximity of Newhaven East Wastewater Treatment Works (WTW), which is owned and operated by Southern Water. We welcome the provision in Policy H6 requiring residential development to be located to the north of the site, furthest from the WTW, and for an odour assessment to be carried out. Southern Water believe that development that is sensitive to odour should only be permitted if the distance to the works is sufficient</p>

			<p>to allow adequate odour dispersion. In addition, our assessment of the site reveals that there is existing infrastructure under the site. An easement would be required, which may affect the site layout. To address the above and ensure Policy H3 has regard to national policies and advice issued by the Secretary of State, we therefore propose the following additions to Policy H3:</p> <ul style="list-style-type: none"> · <i>Ensure layout of Sites A and D is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</i> · <i>Layout of site D is to be informed by an odour assessment, to be undertaken in consultation with Southern Water.</i> <p>Policy H4 - Robinson Road Depot, Robinson Road Our assessment reveals that the local sewerage system requires reinforcement in order to accommodate additional development. We propose the following bullet points (new text underlined) are added to Policy H4 :</p> <p><i>b) the following site specific requirements;</i></p> <ul style="list-style-type: none"> - <i>occupation of development to be phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</i> - <i>layout is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</i> <p>Policy H5 - Housing sites in the Town Centre Southern Water is the statutory wastewater undertaker for Newhaven. As such, we have undertaken an assessment of these housing sites and their potential impact on our existing infrastructure.</p> <ol style="list-style-type: none"> a. Lower Place Car Park, North Lane b. Multi-Storey Car Park, Dacre Road c. Co-op Building, Newhaven Square d. Seahaven Swimming Pool <p>The local sewerage system requires reinforcement in order to accommodate additional development at each of these sites. There is an existing pumping station and below ground sewers that will need to be taken into account when designing the proposed development at Sites B, C and D.</p>
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				<p>An easement width of between 6 and 13 metres would be required, depending upon the sewer size and depth.</p> <p>Proposed amendments: To ensure consistency with the NPPF and Planning Practice Guidance, we propose the following additional criteria be added to Policy H5: 2) <i>Development for residential development within the town centre needs to integrate the following approaches:</i> <i>v. occupation of development to be phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</i> <i>vi. layout of sites B, C and D is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</i> <i>vii. Provide an adequate gap between the pumping station and development on Site C to help prevent any unacceptable impact from noise and/or vibration.</i></p>
R4	Peter Sharp/ Lewes District Council - Regeneration	21/03/19	Email	<p>We recognise that Newhaven's community will grow as the town expands to include the additional housing identified in the Lewes District Joint Core Strategy. This should help meet the need for affordable housing in Newhaven which will in turn support economic development and encourage inward investment and sustainable economic growth.</p> <p>We are pleased that the Newhaven Neighbourhood Plan has taken on board and integrated all of our specific comments and suggestions from the previous Regulation 14 consultation.</p> <p>We are supportive of the Newhaven Neighbourhood Plan's Objectives, especially those focused on supporting and facilitating sustainable economic development either through infrastructure or employment generation development. These Objectives will directly contribute to the delivery of the Newhaven Enterprise Zone and Lewes District Council's wider regeneration ambitions for the town.</p>
R5	Kevin Wright/ South Downs National Park Authority	22/03/19	Email	<p>Para 1.10 Amend first sentence to "...<i>planning applications on land within the South</i></p>

			<p><i>Downs National Park...</i></p> <p>Para 1.11 Amend first sentence to “...<i>Local Plan Part 2 (when adopted) and the South Downs Local Plan (when adopted)...</i>”</p> <p>Para 1.42 There is a factual inaccuracy with regard to basic condition (f) and Habitat Regulations. For accuracy it is suggested the wording is amended to read: <i>“The report identified that the Joint Core Strategy could have a significant effect on the Ashdown Forest SPA/ SAC. but measures were agreed with Natural England to mitigate against the potential significant effects of recreational pressure impacts on the SPA. to offset impacts. Further assessment was undertaken with regard to potential significant effects of air quality impacts on the SAC as set out in the joint South Downs Local Plan and Lewes Joint Core Strategy HRA Addendum. The HRA addendum concludes that no adverse effect upon the integrity of Ashdown Forest SAC is expected to result from development provided by the South Downs Local Plan/Lewes JCS, even in combination with other plans and projects. . Lewes District Council confirmed that the Neighbourhood Plan complies with the Habitats Regulations and would not require further assessment.”</i></p> <p>Para 3.9 Welcome reference to South Downs National Park in para 3.9. Suggest showing the South Downs National Park on General Plan 3 showing Newhaven in context.</p> <p>Pg 21 Key issues relating to the Environmental Profile of Newhaven: Suggest adding a bullet point, <i>“The protected landscape of the South Downs National Park encloses the town to the north, west and east.”</i></p> <p>Chapter 8, Eastside Support the overall aims for the regeneration of Eastside. However, below are some comments on specific policies which reflect the proximity of the SDNP and</p>
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			<p>the need for new development to respect the sensitive nature of the protected landscape.</p> <p>Policy ES1 For criteria 3, new planting and landscaping needs to have regard to the landscape led approach given the likely impact on the setting on the SDNP. Further detail on a landscape led approach appropriate for this area of the SDNP can be found in the South Downs Integrated Landscape Character Assessment (SDILCA).</p> <p>Policy ES2 Reiterate the comments made at the Pre-Submission stage to add a further criteria to the policy to reflect the impact of new development in Eastside on the setting of the SDNP. Therefore it is suggested the following points are added to the policy:</p> <p><i>“Development needs to take into account views from the Ouse Estuary nature reserve and the South Downs National Park; and where appropriate include a wide landscape buffer to protect their setting, Development will need to:</i></p> <ul style="list-style-type: none"> - <i>Respect the site’s contribution to the setting of the South Downs National Park;</i> - <i>Reflect its potential visual sensitivities;</i> - <i>Ensure any future application for development is designed using a landscape-led approach so that the design, layout and landscaping sensitively respond to local landscape character;</i> - <i>Ensure any future application for development includes a Landscape and Visual Impact Assessment;</i> - <i>Ensure that lighting schemes for the site comply with the SDNPA’s dark skies criteria;</i> - <i>Seek the provision of appropriate footpath and cycle paths from the sites to the National Park”</i> <p>Chapter 9 – Transport Sustainable Movement and Access To reiterate comment made at Pre-Submission stage. This section would benefit from grouping pedestrians, cyclists and disabled / less mobile needs together wherever possible to encourage a holistic approach to non-</p>
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				<p>motorised travel. Although user needs may vary, a broad approach can lead to schemes that have benefits for all or many and not just some user groups' guidance.</p> <p>Policy R1 Recreation, Leisure and and Local Green Spaces To reiterate the comments made at the Pre-Submission stage. It is questioned why the Ouse Estuary Nature Reserve has not been considered for designation as Local Green Space.</p> <p>Policy NE1 Biodiversity Protection and Enhancement For criteria 2, welcome the inclusion of reference to the special qualities and setting of the SDNP. Suggest this wording could be more positive and proactive to read "<i>New development should avoid causing harm to the conserve and enhance the special qualities and setting of the South Downs National Park.</i>"</p> <p>Policy D1 Conserving Good Design Appreciate the inclusion of point j) following SDNPA comments at Pre-Submission stage. For clarity suggest adding to point j) to read "<i>...large buildings when viewed from the surrounding South Downs National Park.</i>"</p>
R6	Kirsten Trussell/ Coast to Capital	26/03/19	Email	No comment.
R7	Chris Flavin/ East Sussex County Council	29/03/19	Email	<p><u>Transport Development Control</u> Pg.106, H3'd' Beach Road There are three access points currently serving this site onto Beach Close, however, the site plan does not include the eastern most access. From a highway safety perspective, it would be preferable to see the central access point being used to provide access to this site. Due to the position/layout of the western most access at the junction of Beach Close/Beach Road, from a highway safety perspective it would be preferable to see this existing western access closed off and the junction of Beach Close/ Beach Road altered accordingly. Development of the whole site will require pedestrian improvements on Clinton</p>

			<p>Road/Railway Road/Beach Road.</p> <p>Pg.106 Policy H3 “e” Land at Clinton Road, west of Railway Road Two access points serve the site. It would be preferable to see only one access point to serve this site, were it to be redeveloped. From a highway safety perspective the existing southern access is preferable or a new central access is created. Depending on the number of units and vehicle movements the access will need to accommodate for a two way vehicular flow into and out of the site. Development of the whole site will require pedestrian improvements on Clinton Road/Railway Road.</p> <p>Pg.111 Policy H5 “b” – Multi storey Car park, Dacre Road It is our preference that a holistic and joined up approach is taken when developing and considering plans for the town centre, including these sites, rather than the individual sites being developed in isolation. It is understood that there is an over provision of parking for Newhaven Town Centre. However, if there is to be removal of the existing public car parking spaces plus additional dwellings on the site a study/survey should be presented alongside any proposals to demonstrate that any displacement of parking will not have an adverse impact on the highway/other parking provision . The existing “in and out” access arrangement onto Dacre Road is preferable if the building structure remains in its present form. However, if the site is to be demolished and redeveloped it may be possible to create a new single access point for two way traffic onto Dacre Road in the vicinity of the existing out access subject to 2.4m x 43m visibility splays being provided.</p> <p>Pg111 Policy H5 “d” - Seahaven Swimming Pool Were this site to be developed in isolation the following comments would apply. There is one existing vehicular access point serving this site from Senlac Road which would be acceptable to serve the site. An access onto South Way (A259) would not be acceptable from a highway safety perspective.</p> <p>Of relevance to all sites identified in Policy H5, paragraph 2 iv of the policy concerns the provision of car parking for residential development. The policy stipulates that contributions towards car club infrastructure would be required if</p>
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			<p>reduced levels of car parking are proposed. The County Council would contend that a range of measures, and not just car club infrastructure, could be used to robustly justify a reduction in car parking provision, and that the policy needs to recognise this.</p> <p><i>Previous ESCC Reg 14 comments need to be re-iterated:</i></p> <p>Policy H2: Newhaven Former Police Station [previously H3] The need for a Transport Report has not been specified in the text of the Neighbourhood Plan.</p> <p>Policy H3: Housing Sites on Eastside (Seahaven Caravans, East of Reprodux House, Bevan Funnell) The need for a Transport Report has not been specified in the text of the Neighbourhood Plan.</p> <p>Policy H5 (a): Lower Place Car Park [previously Policy H8] Our previous advice for Lower Place Car Park has not been taken into account. The new Policy H5 needs to include some text that specifies the need for a parking survey/study to be submitted with any planning application for housing on the Lower Place Car Park Site (H5 (a)).</p> <p>Policy H5 (c): Co-op Building, Newhaven Square [previously Policy H9] As stated in our previous advice, please add the following text to the Planning Policy which relates to the Co-op site: <i>'Any planning application should be supported by a Transport Assessment'</i>.</p> <p><u>Transport Strategy</u> The wording in the first paragraph of Policy T1 (page 68) should be changed to the following: <i>'The Neighbourhood Plan seeks to <u>improve sustainable transport (public transport, cycling and walking) throughout the town</u> to reduce traffic impacts and support measures to improve air quality '</i> Currently the Policy makes reference to 'sustainable movement' but it doesn't make any specific reference to public transport. The change to the wording is</p>
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			<p>needed to ensure that the wider public will understand what is meant by 'sustainable movement'.</p> <p><u>Updates to Air Quality references</u></p> <p><u>Air quality</u> The Sussex Emissions Guidance has just been updated and is about to be re-issued. Therefore the 2013 version referenced on page 69 should be updated to 2019.</p> <p><u>Noise</u> The Sussex noise planning guidance 2015 should be referenced in the Neighbourhood Plan.</p> <p><u>County Ecologist</u> We would like to highlight a number of our previous comments (from the Regulation 14 consultation) which don't appear to have been taken into account: Comment 5.2 "Chapter 4: What the Newhaven Neighbourhood Plan aims to achieve" We would like to re-iterate the comment from paragraph 5.2 of our previous response (see Appendix 1). The consultation statement suggests (on Page 79) that the text of the Neighbourhood Plan would be amended as we'd recommended, but these amendments don't appear to have been made.</p> <p>Comment 5.4 "Policy ES1 –Regeneration of Eastside (page 36 of Reg 14 version) & Policy ES2 –Eastside EZ sites (page 39)" We would like to re-iterate the comment from paragraph 5.4 of our previous response (see Appendix 1). The consultation statement suggests (on Page 79) that the text of the Neighbourhood Plan would be amended as we'd recommended, but these amendments don't appear to have been made.</p> <p>Comment 5.5 "Policy ES3 –Nature Conservation" (page 40) Although the text has not been amended as stated in the consultation statement, the policy is acceptable in its current form.</p>
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				<p><u>Economic Growth</u> We would re-iterate one of the points that we have made previously that the NP should make reference to the East Sussex Growth Strategy (2014-2020) which sets out an ambitious vision for the East Sussex economy to 2020 and beyond.</p>
R8	Tim Bartlett/ LDC Coastal and Flood Risk Management	04/04/19	Email	<p>Page 16 - Key issues The A259, A26 and the C7 can at certain times of the day be heavily congested; ascertain from ESCC whether or not these roads are operating at capacity or beyond.</p> <p>Page 17 – Land contamination and viability. Geophysical (depth of alluvial deposits are very deep in Newhaven) and ground pollution can increase the cost of development...on all brown field sites we would expect a land contamination assessment, preferably delivered by working with the Council's Land Contamination Specialist.</p> <p>Page 18 – Unprotected cliffs Currently the Shoreline Management Plan between Beachy Head to Selsey Bill http://se-coastalgroup.org.uk/category/shoreline-management-plans/, identifies the long term policy for the management of coastal erosion at the cliffs, Newhaven is one of no active intervention this reflects: 1) That there are limited assets at risk of erosion, 2) That the cliffs are part of the Site of Special Scientific Interest, while the near shore is part of the Beachy Head West Marine Conversation Zone, 3) That the cliffs are complex with not only cliff toe erosions, but also cliff top instability which may not be possible to manage and mitigate, and 4) That it is not desirable, financially viable or practicable to protect the cliffs around all of the coast</p> <p>Page 20 - Vision Statement This makes no mention of the cliffs and coastal erosion. There is no vision of reducing traffic or moving towards low/zero emission traffic or modal shift.</p>

			<p>Page 29 Policy TC1 Regeneration of the Town Centre Given that localised flash flooding following the storms of August 2015, it is disappointing that there is no policy element that seeks to reduce the large amount of hard standing and makes space for surface water by greening the town centre.</p> <p>Page 33 Policy TC3 – High Street Design and Shop Fronts Will this policy be capable of enabling shops, offices and homes to be adaptable to a warmer and more extreme climate? For instance use of blinds and awnings to reduce solar gain and or the use of flood resilient products and doors to reduce the impact of flash flooding in the town centre.</p> <p>Page 36 Potential Quick Wins Improved green spaces within the town centre that also provide rain gardens for overland flow.</p> <p>Page 37 Eastside 7.8 Open Spaces There is no reference to the footpaths in this area, that if upgraded would shorten the distance from Seaford/Bishopstone to Newhaven and provide an attractive and viable cycle path.</p> <p>Page 37 Eastside 7.9 Access and Transport There is no mention of being a cyclist or pedestrians.</p> <p>Page 39 Policy ES1 Regeneration of Eastside There is no mention here of car/van sharing, travel plans and PV or solar thermal. Nothing about making properties capable of handling intense rainstorms of heat waves.</p> <p>There is no mention of the policy assisting in developing car sharing, van sharing initiatives and or improving pedestrian cycle access or cycle parking.</p> <p>How will the often inherent conflict regarding noise nuisance and amenity be reconciled where residential development is in close proximity to commercial activities?</p>
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			<p>support river tourism unless it has been suitable designed to tackle the estuarine environment and the conditions found on the Ouse. In addition it is important to ensure that there is no adverse impact on existing commercial boats and port activities.</p> <p>Page 63 Policy R1 – Recreation, Leisure and Local Green Spaces This policy makes no reference to how these spaces can be utilised to engage with climate change and improving green corridors and providing spaces for excess water at times of intense rainfall etc.</p> <p>Page 66 Policy R2 – Lewes Road Community and Visitor Centre Although the land lies behind a the new £19 million flood defence it is still liable to surface water flooding from the Meeching Valley area. A suitably designed facility could be a valuable aid to the climate change challenge.</p> <p>Page 71 Paragraph 11.11 Is the Newhaven FASs 1:100 or 1:200?</p> <p>Page 74 Policy – NE2 – Drainage and Flooding This is a standalone policy and is not integrated into all of the other policies and aspirations. I recommend that it goes on to state that all development upstream of flood sensitive areas shall be constructed and designed to manage surface water risk below. All developments in Newhaven shall have regard to the relevant Surface Water Management Plan.</p> <p>Page 80 Policy D1 Given the air quality issues in Newhaven the NNP could play its part in addressing the situation by seeking to separate new development from existing roads by the use of trees and green spaces.</p> <p>Page 92 Policy H2 Seahaven Caravans, Drove Road No mention of air quality assessments or surface water flooding risk and managing surface water from this site.</p>
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				<p>trees etc. were utilised this could be designed to make space for water, assist in dispersing and diluting air pollution from traffic and thus help manage the air quality in the centre of Newhaven. A noise, land contamination and air quality impact assessments would be required.</p> <p>Page 104 Policy H9 Land at the former Co-Op building Town Centre More space here for trees, rain gardens and separation from the road required, air quality would be improved through dilution and dispersion of the traffic emissions and risk of surface water flooding reduced.</p> <p>Page 108 Policy H12 Old Conservative Club South Way More space here for trees, rain gardens and separation from the road required, air quality would be improved through dilution and dispersion of the traffic emissions and risk of surface water flooding reduced.</p> <p>The Western Harbour Arm Page 107 - The Port needs to be commercially viable and the Newhaven Neighbour Plan should seek to assist in the long term viability of Newhaven Port so that there are funds to maintain the Arm. If the port became unviable, the Arm may not be maintained. In the long term this could lead to the breach in the Arm, the consequences might be beneficial for the coastal process along the Sussex Shore and or potentially damaging to the Port, marinas and the operation of the Ouse.</p>
R9	Robert Lloyd Sweet/ Historic England	05/04/19	Email	<p>Policy H5 The area within the ring road has previously been identified as a site of archaeological interest. We have not seen evidence in the supporting justification or the Strategic Environmental Assessment of what the impact of development of the proposed allocations on the archaeological interest of this heritage asset might be. As such, the policy does not achieve the basic condition of delivering sustainable development as it does not conform with the requirements set out in Chapter 16 of the Policy Framework. We recommend similar policy wording recommended for inclusion in the Lewes Neighbourhood Plan at Policy PL1B as appropriate: <i>"Proposals must be informed by the findings of an appropriate scheme of</i></p>

				<p><i>archaeological investigation. Where relevant proposals should demonstrate that their design and layout preserve archaeological remains in situ where possible and give the greatest priority to any remains of national importance.”</i></p> <p>Whilst it lies on the very periphery of our areas of interest, Newhaven town centre includes a number of listed buildings whilst several other more historic buildings within the high street areas contribute to an historic sense of place. Within this area we are concerned that the effect of this policy would result in loss of car parking for shoppers and other visitors to the town centre with an impact on the viability of the town centre.</p>
R10	Andrew Taylor/ Sussex and Surrey Police	08/04/19	Email	We would support the allocation of the former Newhaven Police Station for residential development as outlined on page 104.
R11	Marguerite Oxley/ Environment Agency	09/04/19	Email	<p>The main comment that we have is regarding the Sequential Test process. Following from the previous comments that we made dated 24 July 2017, we are pleased to see that a Sequential Test has been undertaken. However, the Sequential Test has considered only the main residential allocations and has not considered the employment allocations. In accordance with the National Planning Policy Framework (NPPF) 2019 paras 157-161, the Sequential Test should be undertaken when allocating all sites to ensure development is directed to the areas of lowest flood risk. Because employment allocations have not been included, we do not see how the Neighbourhood Plan currently meets national policy requirements and we have concerns if development is allocated in Flood Zones 2 and 3 without the Sequential Test being undertaken.</p> <p>Table 5 of the Sequential Test outlines 18 alternative sites which are within Flood Zone 1 but have not been selected as allocations. As sites have been selected for allocation which are within Flood Zones 2 and 3, we would wish Lewes District Council to be satisfied with the reasons for rejecting sites within Flood Zone 1 and be satisfied that the Sequential Test has been passed.</p> <p>Policy E1 – Avis Way Industrial Estate Page 44 This allocation falls within Flood Zone 3 (risk of tidal flooding). However the site will be protected by the new Newhaven Flood Alleviation Scheme (FAS) to a 1 in 200</p>

			<p>year standard including climate change to the year 2070. Because the site falls within Flood Zone 3, the Sequential Test should have been undertaken as above. There is currently no reference to flood risk in the policy. Assuming that the Sequential Test is passed, as a minimum we would expect to see reference to the need for site specific FRAs in the policy.</p> <p>Due to previous uses of this area, there will be the potential for contamination at locations within this allocation. For information, a Groundwater Protection Zone (Source Protection Zone 3) just clips the east side of the allocation. Care must therefore be taken when developing the sites along with appropriate remediation where necessary. The historic Avis Road Landfill Site is also adjacent to the allocation.</p> <p>Policy E2 – Denton Island Page 47 Small areas of the island fall within Flood Zone 3. This allocation does not benefit from the Environment Agency's new Newhaven FAS. As above, this allocation should have been considered within the Sequential Test Process. There is currently no reference to flood risk in the policy. Assuming that the Sequential Test is passed, as a minimum we would expect to see reference to the need for site specific FRAs in the policy. In addition, we have concerns with regard this area being allocated for residential development. We are unsure how it would be possible to demonstrate that the allocation could be made safe (for access and egress) during flood conditions.</p> <p>We are pleased to see reference to the need to address land contamination issues. For information, the historic Denton Island Landfill site is sited within the allocation.</p> <p>Policy ES2 – New Development for Eastside and Enterprise Zones Page 61 A large part of the Eastside area falls within Flood Zones 2 and 3 although it is due to be protected to a 1 in 200 year standard by the Newhaven FAS. The employment allocations are not included in the Sequential Test so our comments above apply. There is currently no reference to flood risk in the policy wording. Assuming that the Sequential Test is passed, as a minimum we would</p>
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			<p>expect to see reference to the need for site specific FRAs in the policy.</p> <p>We are pleased to see that housing allocations have been considered through the Sequential Test process. We note that they are considered in more detail elsewhere in the Neighbourhood Plan document.</p> <p>Due to previous uses of this area, there will be the potential for contamination at locations within this allocation. Care must therefore be taken when developing the sites along with appropriate remediation where necessary. The historic Beach Road Landfill Site is also adjacent to the allocation</p> <p>Page 62, paragraph 8.16. As parts of the Newhaven FAS are still to be completed, this paragraph could be updated to read as follows: 'The Environment Agency's Flood Alleviation Scheme is due to be completed in 2019 and will provide a greater level of flood protection. This may allow some sites to be developed for housing however, this will need to be demonstrated through a site-specific Flood Risk Assessment'.</p> <p><u>Policy R2 – Lewes Road Recreation Ground Page 77</u> The majority of the area highlighted on Proposal Plan 9 proposed for the location of the new community / visitor centre is in Flood Zones 2 and 3. There is no reference to flood risk in the policy wording. Although flood risk will be reduced because it will be protected by the new FAS, there should be reference to flood risk in the policy and the need for a site specific FRA which should include consideration of flood resilience measures. For information, the allocation is adjacent to the historic Lewes Road Landfill Site.</p> <p><u>Page 81 Paragraph 11.7</u> This paragraph isn't entirely accurate and should read as follows: <i>'The Environment Agency is currently implementing a flood defence scheme, which is designed to provide at least a 1 in a 100 1 in a 200 year standard of protection (in any year there will be a 1% 0.5% chance of flooding from the sea or River Ouse), taking into account the effects of climate change. The Flood Alleviation Scheme is soon to be completed and will provide a greater level of flood protection. This may allow some sites to be developed for housing however, this will need to be</i></p>
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			<p><i>demonstrated through a site-specific Flood Risk Assessment’.</i></p> <p><u>Policy H2 – Newhaven’s Former Police Station, South Road Page 104</u> A small part of the site is within Flood Zone 2 and 3. We are pleased to see that the site has been considered in the Sequential Test (which includes an Exception Test), however there is no mention of flood risk in the policy. We recommend that the need for a site specific FRA and recommendations from the Sequential and Exception Test are referenced in the policy.</p> <p><u>Policy H3 – Housing sites on Eastside Page 106 onwards</u></p> <ul style="list-style-type: none"> a) Seahaven Caravans - The site is within Flood Zones 2 and 3. b) Land East of Reprodux House – the site is in Flood Zone 2 with the edges of the site falling in Flood Zone 3. c) Bevan Funnell Site – no comments as I understand that this already has planning permission. d) Beach Road – the site is within Flood Zone 3. e) Land at Clinton Road, west of Railway Road – the site is within Flood Zone 3. <p>We are pleased to see that these sites are included within the Sequential Test (which includes the Exception Test). We are pleased to see that paragraph 7 in the policy makes reference to the need for a site specific Flood Risk Assessment for these sites and that consideration should be given to the Neighbourhood Plan Sequential Test.</p> <p>We are pleased to see that paragraph 9 in the policy requires a land contamination report to be included with an application where relevant.</p> <p><u>Page 108 Paragraph 13.48</u> ‘Sites at Eastside are currently located within Flood Zone 3b but will have improved flood protection re-modelled to protection 3a standards by the end of 2018’.</p> <p>The floodplain is not being remodelled and reclassified. This would therefore more accurately read: ‘Sites at Eastside are currently located within Flood Zone 3b. The Environment Agency is currently implementing a flood defence scheme, which is designed to provide at least a 4 in a 100 1 in a 200 year standard of protection (in any year there will be a 4% 0.5% chance of flooding from the sea or River Ouse),</p>
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				<p>taking into account the effects of climate change. The Flood Alleviation Scheme is soon to be completed and will provide a greater level of flood protection. This may allow some sites to be developed for housing, however, this will need to be demonstrated through a site-specific Flood Risk Assessment’.</p> <p><u>Policy H4 – Robinson Road Depot, Robinson Road, Page109</u> A small part of this site is located in Flood Zones 2 and 3. This site will not be protected by the new Newhaven FAS. We are pleased to see that this site is included within the Sequential Test (which includes the Exception Test). We are pleased to see that paragraph b) in the policy makes reference to the need for a site specific Flood Risk Assessment with attention to floor levels, access/egress, safe refuge and flood protection scheme. We are also pleased to see that paragraph b) in the policy refers to restoration of all contaminated areas.</p> <p><u>Policy H5 – Housing Sites in the Town Centre (land within the ring road), Page 111.</u> We are pleased to see that the allocations are within Flood Zone 1.</p> <p><u>Policy H6 – Former Lewes District Council Offices, Fort Road, Page 113</u> We are pleased to see that the allocation is in Flood Zone 1.</p> <p><u>Policy H7 – Former Grays School, Page 115</u> We understand that this site already has planning permission and is under construction therefore we have no comments.</p> <p><u>Policy H8 – Old Conservative Club, South Way, Page 116</u> We are pleased to see that the allocation is in Flood Zone 1.</p>
R12	Mark Langridge-Kemp/ LDC Properties and Facilities	11/04/19	Email	No further comments to make.
R13	Victoria Kirkham/ Natural England	11/04/19	Email	Natural England does not have any specific comments about this plan.

Reference	Non statutory consultees - Name/Organisation	Date	Method	Summary of representation
R14	Bethany Wells/ GL Hearne Ltd	20/03/19	Email	<p>1 Overall, support is provided to the Newhaven Neighbourhood Plan (NNP) focussing new residential development within the defined settlement boundary, as well as the NNP confirming that a minimum of 250 new dwellings will be provided within sites within the Eastside Area.</p> <p>2 Ms K Brooks controls land identified within the NNP at policy H3 (e), Land at Clifton Road, west of Railway Road. Support is provided to the identification of this site for residential development. GL Hearn is instructed by Ms K Brooks to prepare and submit a pre-application submission to Lewes District Council shortly. However, objections are raised to policy H3 (e) stating that the site at Clifton Road, west of Railway Road will deliver a minimum of 28 dwellings.</p> <p>3 Following careful and detailed assessment of the site and surroundings, and taking into account the need to make the best use of previously developed (brownfield) land for housing, it is submitted that policy H3 (e) should refer to delivery of between 55 and 65 dwellings (instead of a minimum of 28 dwellings).</p> <p>4 The enclosed illustrative material prepared by KKM Architects provides evidence that the site can deliver a high quality scheme of 63 apartments, attractive landscaped amenity space and some retained employment floor space.</p>
R15	Audrey O'Mahoney/ Day Group Ltd	03/04/19	Email	<p>Key concerns relate first to the fact that land in Day Group ownership has been included in the Neighbourhood Plan area when, inconsistently, adjoining and similarly designated land has been omitted. Secondly, that there is no express reference to the need to ensure that the existing and future use of the Day Group land is not prejudiced by any development which may come forward within the surrounding area..</p> <p>The Neighbourhood Plan does not at any point identify that the development plan for the area includes the East Sussex Waste and Minerals Plan nor has it seemingly had regard to the strategic Minerals and Waste.</p> <p>There are several factors which support the fact that the Day Group land should</p>

			<p>not be included within the Neighbourhood Plan boundary. The site forms part of a wider area subject to specific strategic minerals allocation and the remainder of that allocated area has been excluded. Part of the site is subject to a strategic waste allocation and operates in concert with an adjoining allocated waste site which has been excluded from the Plan area. The physical appearance and characteristics of the Day Group land is that it clearly sits in the context and forms part of the remainder of the land at North Quay which has been excluded. North Quay comprising a well established industrial estate. The railway line along the eastern boundary of the Day Group site forms a clearly physical feature which clearly defines the extent of the North Quay area and should have been the logical place along which to draw the Neighbourhood Plan Boundary – rather than encroaching into the North Quay area and including the Day Group site.</p> <p>It is questioned whether the Day Group land has been included in error – given the statements that land at North Quay is not included within the Plan area. Policy ES2, <i>New development for Eastside and the Enterprise Zones</i>, seems to apply to all of the identified enterprise zones at Plan 6 as opposed to just those within the defined Eastside area. If this is correct then this is of significant concern.</p> <p>If the land in the control of Day Group cannot be excluded at this stage, and again without prejudice to our clear position in this respect, then express reference needs to be made in the Plan to the fact that any development coming forward in the vicinity of the allocated minerals and waste sites and/or within the 8 consultation zones will need to have appropriate regard to not prejudicing the existing or future operation of these strategically allocated areas.</p> <p>We would confirm at this stage that we would wish to be included in the examination process.</p>
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