



## **Lewes District Council**

### **LEWES DISTRICT LOCAL PLAN PART 2**

#### **STATEMENT OF COMMON GROUND HOUSING DELIVERY – The Marina, Fort Road, Newhaven**

**BETWEEN: Lewes District Council and Morgan Carn Architects**

**DATE: 18 March 2019**

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This statement has been prepared to assist the Examination in Public by setting out the areas of common ground in respect of the delivery of Land at The Marina housing allocation at Newhaven identified within the draft Local Plan Part 2: Site Allocations and Development Management Policies development plan document, hereafter referred to as LPP2.

### **Introduction**

1. The adopted Local Plan Part 1: Joint Core Strategy (2016) (LPP1) sets out the quantum and distribution of housing to be delivered in Lewes District over the Plan period 2010-2030. Spatial Policy 1 (*Provision of housing & employment land*) (SP1) and Spatial Policy 2 (*Distribution of housing*) (SP2) identify a housing requirement of 6,900 net additional dwellings<sup>1</sup>, equivalent to 345 dwellings per annum.
2. A substantial proportion of the housing requirement has been met by completions since the start of the plan period and commitments to date, including strategic housing allocations in LPP1 and non-strategic housing allocations in 'made' and emerging neighbourhood plans. The remainder of the requirement is to be identified through Local Plan Part 2 (LPP2) and the South Downs National Park (National Park) Local Plan<sup>2</sup>.
3. The draft LPP2 applies to the area of the district outside the National Park. In areas of the district not undertaking neighbourhood plans, or who have chosen not to allocate housing sites within their neighbourhood plan, LPP2 identifies draft housing allocations to deliver the requirements of SP2. Furthermore, LPP2

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<sup>1</sup> In its totality Spatial Policy 2 adds up to 6,926 net additional dwellings.

<sup>2</sup> The SDNP Local Plan has recently been examined and, at the time of preparing this SoCG, is consulting on Main modifications.

seeks to retain and revise housing allocations 'saved' from the 2003 Lewes District Local Plan (LDLP)<sup>3</sup>.

## Purpose of this Statement of Common Ground

4. This Statement of Common Ground (SoCG) is a jointly agreed statement between Lewes District Council (LDC) and Morgan Carn Architects on behalf of the land owner, Baron's Bay Limited. It sets out the position and understanding with respect to the delivery of the draft housing allocation: NH02: The Marina, Newhaven, correct as of the date of this statement. It is not binding on any party, but sets out a clear and positive direction to inform ongoing plan-making and delivery.

## Background

5. Draft Policy NH02 is a revised iteration of the unimplemented housing allocation from the 2003 LDLP; NH6: Land at The Marina, which is 'saved' until otherwise superseded. The existing 2003 LDLP allocation is for a target minimum of 100 dwellings, subject to certain criteria.
6. As an existing housing allocation the site was assessed within the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA, previously SHLAA) in 2010<sup>4</sup>. Consistent with NH6 it was assessed for a potential yield of 100 dwellings.
7. It was concluded to be Deliverable: 'Resolution to Grant'. At the time of assessment the site was subject to a planning application for a residential-led, mixed used scheme including 331 dwellings (LW/07/1475) which had a resolution to grant approval subject to a Section 106 legal agreement.

Planning application reference	Site proposal	Planning Status
LW/07/1475	Erection of 319 residential apartments & 12 town houses arranged in 11 blocks (between 3 & 9 storeys high) with car parking; 973sqm of commercial floorspace (including A3 restaurant &/or A1 marina related shops; marina facilities (including office, clubroom etc); boat/car park; berths & riverside walkway	Approved 26 <sup>th</sup> July 2012

8. In 2011 the potential yield in the SHELAA increased to 331 dwellings to reflect the above planning application and the site assessment subsequently amended to Deliverable: Extant Planning Permission following the issuing of planning permission (26 July 2012). The capacity later reverted to the NH6 allocation of

<sup>3</sup> 'saved' under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004.

<sup>4</sup> SHELAA site reference 31NH

minimum 100 dwellings but acknowledging the fact that a higher capacity had been previously acceptable in principle.

9. In 2013 the site was included within the LPP2 Issues and Options consultation. In parallel, the then emerging LPP1 identified the site as an approved development scheme (commitment) contributing to delivering housing growth at Newhaven, as set out in SP2.
10. As an unimplemented 2003 LDLP housing allocation, LPP2 has sought to retain the allocation updating the policy requirements, as appropriate, to reflect the above and the planning policy context which the site is now seen in.
11. Key policy requirements of draft Policy NH02 site allocation include the delivery of: approximately 300 net additional dwellings; support the recreational and commercial use of the marina ensuring no loss of berths and provision of parking to serve berths; investigations into potential land contamination; and flood risk protection.
12. Any future planning application proposal will also be determined against other relevant planning policies within the development plan.

## **Latest Position**

13. In 2015, Baron's Bay Limited acquired the site and are sole owners. The site has continued to be promoted to the Council through the planning application and plan preparation processes.
14. Baron's Bay Limited has been working with architects and consultants on developing a proposal with the aim of submitting a planning application in summer 2019.
15. Since October 2018 the site proponents have initiated pre-application discussions on the below proposal.

*PREAPP/18/0253 - Erection on 380 residential apartments arranged around 11 blocks (between 3 and 13 storeys high) with car parking; 50 room apart hotel; 3,532 sqm commercial floorspace (inc A3 restaurant and/or A1 marina related shops, offices etc) Marina facilities (including office, clubroom, showers etc); boat/car park (inc 150 dry stack spaces; 300 berths and riverside walkway)*

16. A Planning Statement prepared by Planning Potential accompanied the pre-application submission. Several initial scoping assessments and technical notes have been undertaken to inform and support pre-application considerations, including: flood risk assessment; heritage note; landscape visual impacts; highways and access; and air quality.
17. Following submission of an EIA Screening Request, LDC has confirmed that the scheme is not classed by the Council as an EIA development. However, an Environmental Statement will be submitted in support of the planning application.

18. Morgan Carn Architects continues to progress the proposals responding to the feedback received through the pre-application process. As this SoCG is being prepared ongoing work is feeding into discussions with the Council around design.
19. Further to the above, over an 18-month period, Morgan Carn Architects have engaged with Newhaven Town Council's Head of Strategic Development (who is co-ordinating the Neighbourhood Plan), LDC/ Newhaven's Enterprise Zone Manager, LDC's Head of Regeneration and Newhaven Town Councillors.
20. In May 2018 Morgan Carn Architects presented their early proposals at the Town Council's Planning Sub-committee followed by a Q&A session, this was a public meeting. Subsequently, a further presentation/ discussion was held with Town Councillors.
21. Further community engagement is planned, including a public exhibition of the proposals in April. Also planned for April is a further presentation to the Town Council's Planning Sub-committee, presentations to the board of the Newhaven Enterprise Zone and Chamber of Commerce and discussions with other stakeholders, such as wave Leisure who run Newhaven Fort and Newhaven Port & Properties.
22. In conjunction with marina Projects, meetings have also taken place with Natural England and the Environment Agency and a good level of agreement reached. No showstoppers are foreseen by Morgan Carn Architects. These consultations have informed the aims and aspirations for the site and design development, which is ongoing.

## **Areas of Common Ground**

23. The parties agree that draft Policy NH02 is considered to be: positively prepared; justified; effective and consistent with national policy, in accordance with paragraph 182 of the 2012 National Planning Policy Framework.
24. The parties agree that draft Policy NH02 is deliverable and developable, in accordance with paragraph 47 of the 2012 National Planning Policy Framework, and can be delivered (completed) within the timeframe of the Plan (by 2030).
25. The parties agree that the development of the site is viable taking into account the reasonable policy requirements of draft Policy NH02 and the development plan as a whole.
26. The parties agree that draft Policy NH02 will contribute to meeting housing growth at Newhaven as required by Spatial Policy 2 of LPP1.

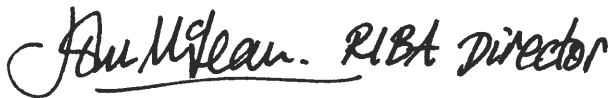
**Signed**

**On behalf of Lewes District Council**



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**(Natalie Sharp, Senior Planning Policy Officer)**

**On behalf of Morgan Carn Architects**



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**(Print name and title)**