

Lewes District Local Plan Part 2 Examination

Additional comments and proposed revised policy on **Employment Site E1** submitted at the request of Inspector Fox by the Lewes District Branch of CPRE Sussex

John Kay

Matter 6.2 Employment Site E1, Easy Quay, Newhaven

Commentary

Assessment of the need for additional employment sites

- 1.01 CPRE Sussex observes that there is an evident disparity between the Council's presentation of the need for new employment sites and its presentation of the need for new housing to meet the criteria of LLP1. The need for new employment sites is presented on a District-wide basis, without disaggregation between the parts of the District within and without the SDNP. The reciprocal approach was used to calculate housing need. This appears inconsistent.
- 1.02 CPRE Sussex has identified no guidance associated with the 2012 NPPF as to how any such disaggregation should be carried out. There is guidance on pages 10-11 of the *MHCLG Housing Delivery Test: 2018 Measurement Technical note* issued 19 Feb 2019 as to how housing delivery should be assessed in a District part of whose area is covered by a National Park. The approach recommended there is closer to the approach used in LLP2 for employment than it is to the approach used in LLP2 to calculate housing need in the part of the District outside the SDNP. However, this guidance is specifically about housing delivery; it was published long after LLP2 was submitted for examination; and it does not evidently relate to the 2012 NPPF against which LLP2 is being examined. It is also new guidance, and the reasonableness of its proposal that one LPA should be made responsible for the actions of a different LPA over which it has no influence or control remains to be tested.
- 1.03 Evidence was presented to the Examination by the Council and others that it is not necessary to include allocation E1 in LLP2 for the LLP1 target for new employment space to be met.

The role of Newhaven

- 1.04 Newhaven has a proud history as an independent small coastal manufacturing town and port. Many of its residents take considerable pride in this history. The town's manufacturing base has suffered badly since the 1980s and the port has also struggled in recent decades. Severe A259 traffic congestion in Newhaven High Street was relieved by a new inner ring-road that has destroyed the town's historic commercial centre.
- 1.05 The port, now largely run by the French company Newhaven Port and Properties [NP&P], is especially important to the town's sense of self. It would be fair to say that NP&P prioritises its own interests and that there have been some significant conflicts between NP&P and the town's residents, not least over the arbitrary closure by NP&P of the town's sandy West Beach within the harbour, previously enjoyed by generations of Newhaven children. Suggestions of further beach closures also involving NP&P on the east side of the Ouse are therefore extremely sensitive. CPRE is very pleased that the proposal to enclose the shingle beach previously included in draft allocation E1 has now been withdrawn.

- 1.06 In recent decades, including under the 2003 and 2016 Local Plans, significant former industrial areas in Newhaven have been allocated for other uses. Some former industrial areas have converted to retail parks serving the District as a whole – if a retailer (e.g. Sainsbury or B&Q) wishes to have one site in Lewes District then their algorithm will tell them that the Newhaven retail parks are the optimal location. Other brownfield areas have been allocated for housing or for education and training. A successful marina for leisure purposes has been established on the west side of the Ouse, though a very few local fishing trawlers remain based nearby. Prior to the 2008 financial crisis the first two phases of the Newhaven West Marina development were seen as an important element in the town's regeneration. Unfortunately the remainder of the Marina site then fell into the hands of a bank that made the commercial decision to hold the site until development values improved. Only recently has the site passed back into the hands of a developer.
- 1.07 New business uses have been developed, though many of these have focused on the recycling industry and are relatively unsightly. The major new incinerator, specially re-designed to reflect the slopes of the downland landscape, is not uncontroversial but has played a central role in making landfill in East Sussex a bad habit of the past. It is regarded by some at least as a thing of beauty. An enterprise zone has been successfully established and has attracted new businesses. The huge new Rampion off-shore wind farm is now serviced from Newhaven. East Sussex County Council has committed more money than some feel sensible to a new Port Access Road to improve access to the Port from the Highways Agency road network, which reaches Newhaven via the A26.
- 1.08 Nevertheless, it is clear from even the most superficial reading of LLP1 that Newhaven's primary future role is as a residential part of Greater Brighton. Peacehaven, Telscombe and East Saltdean are within Lewes District, but already functionally Brighton's eastern suburbs.
- 1.09 House prices and rents in Lewes town and central Brighton have sky-rocketed, because of extensive in-migration of well-off professionals from Greater London and students based at the rapidly-expanding Sussex and Brighton universities. This has displaced many lower paid residents with local employment to peripheral locations in Greater Brighton from which London commuting or university access is unattractive, such as Portslade and Peacehaven. Newhaven is inevitably the next stop in this process. It is currently almost the only area within bus or rail commuting distance of Brighton where market rents are within the Local Housing Allowance (the maximum rent that can be covered by Housing Benefit).
- 1.10 The high LLP1 allocation of new housing to Newhaven makes sense only when seen in this context. The proudly independent manufacturing town could never, under the most optimistic scenario, support new residential development on the scale planned. While retention of the functioning port and as much local employment as possible are both very desirable outcomes, both for the town's economy and its sense of place, its future is primarily that of a new residential area for people who will mostly commute to employment elsewhere in Greater Brighton.

Employment Site E1

- 1.11 The need for the proposed new employment site E1 must be assessed in this context. New employment in the District is welcome, as it helps economic growth and reduces the need to commute. The case for new employment site allocations in Newhaven is weak, as there are existing areas available within the new Enterprise Zone which are very likely to be more

advantageous to entrepreneurs. In the District as a whole the LLP1 target for new employment space can be met with or without the allocation of site E1.

- 1.12 The case for E1 thus rests on its potential contribution to the prosperity and survival of the Port of Newhaven which, as noted above, is important for Newhaven's sense of place, as well as for its direct economic benefits. It is likely that this sense of place will remain important in Newhaven's new role.
- 1.13 The case against E1 is that it would cause damage both to amenity and to biodiversity and that it would have a negative landscape impact. Such factors would have to be given substantial weight in any decision. Any negative impacts that made Newhaven a less attractive place to live, and thus hindered the delivery of the important residential development planned for the town in LLP1, should be given very substantial weight.

The role of changes in the NPPF

- 1.14 While LLP2 is to be assessed for soundness against the 2012 NPPF, CPRE Sussex has argued in other contexts that it will be ineffective, and already out-of-date from the time of its adoption, if it includes development management policies or allocations that are in conflict with the current 2019 NPPF, because it is the 2019 NPPF against which actual planning applications must be assessed.
- 1.15 The policies in the 2019 NPPF in respect of climate change and flooding against which a planning application would now be assessed are significantly more restrictive than those in the 2012 NPPF. See for example:
- | | 2012 NPPF | 2019 NPPF |
|----------------|--------------|---------------|
| Climate change | para.94 | paras.149-150 |
| Flood risk | paras.99-103 | paras.155-163 |
| Coastal change | para.106 | para.167 |
- 1.16 It is especially hard to see how, in the light of the compelling ornithological evidence presented at the Examination, any application to develop site E1 as presently proposed could meet the 2019 NPPF requirement for a net gain in biodiversity.
- 1.17 It is also very hard to see how any new commercial development of the areas of E1 to the east of the new Port Access Road and its raised embankment, could avoid having a strongly negative landscape impact on the setting of the nearby South Downs National Park.
- 1.18 While this raised embankment forms a natural landscape barrier, even the area to the west of the new Port Access Road will be visible in middle-distance views from higher ground within the SDNP. It would thus be important to control the types of development that might take place there. Tall development, extensive vehicle parking or mountains of scrap materials would all have a strong negative landscape impact. Some additional business units, seen beyond and against a background of similar business units already in existence, would have a much more limited impact.
- 1.19 However, it should also be noted that the weight to be give to a Local Plan allocation of a site for development under the 2019 NPPF (para 162) is in at least some respects significantly higher than the weight given to such an allocation made under the 2012 PPF (para 104). The decision made as a result of an examination against the 2012 NPPF could thus carry more weight than was then expected when an actual planning application came to be considered against the 2019 NPPF.

CPRE Sussex recommendation

1.20 *In the light of the considerations above, CPRE Sussex recommends*

- ***that the removal from the draft allocation E1 of the area of shingle beach that forms its southern part should be confirmed;***
- ***that the allocation of any part of draft allocation E1 to the east of the Port Access Road should be conditioned to ensure that it is used only to provide a buffer zone or used as an area to ensure that the development as a whole contributes a net gain to biodiversity; and***
- ***that any new employment development to the west of the Post Access Road should be conditioned so as to minimise any new negative landscape impact as perceived from the SDNP.***