

SDNPA response to the Newhaven Pre-Submission Neighbourhood Development Plan

All references to emerging South Downs Local Plan policies relate to the Preferred Options rather than any subsequent revision (unless specified). All text to be added is underlined, all deleted text is ~~struck through~~.

Ref	Comment	SDNPA Recommendation to Newhaven Town Council
General Comments	A significant part of the South Downs National Park lies within Neighbourhood Plan area. We welcome the mention of the importance of the National Park to the town in the Neighbourhood Plan. However we consider, that the South Downs National Park's purposes and duty should be expressed on more occasions throughout the Newhaven Neighbourhood Plan. All bodies and organisations have a duty to have regard to National Park purposes and duties when carrying out their function.	We set out in the more detailed comments below where we think further consideration of the National Park designation should be made.
1.6 - Scope of Newhaven Neighbourhood Plan		
Para 1.7	Lewes District Council is referred to as the Planning Authority for Newhaven parish, but the South Downs National Park Authority (SDNPA), which is the statutory Local Planning Authority for those parts of Newhaven parish that lie within the National Park, should also be mentioned. The statutory development Plan currently is the Lewes District Local Plan Part 1 Joint Core Strategy which is a Joint Core Strategy with the SDNPA. The text should also include mention of the emerging South Downs Local Plan and that the SDNPA will also use the Newhaven Neighbourhood Development Plan (NNDP) to determine whether to grant planning permission for planning applications made for the areas within the National Park.	Amend text to say: Once adopted, the Newhaven Neighbourhood Plan will become part of the Statutory Development Plan along with the Lewes District Local Plan Part 1 <u>Joint Core Strategy and the emerging South Downs Local Plan</u> that will guide development in Newhaven up to 2030. What this means is that Lewes District Council <u>and South Downs National Park Authority (SDNPA)</u> will consult the plan and use the planning policies within it, to determine whether to grant planning permission for planning applications made within the Neighbourhood Plan Area.

Lewes Joint Core Strategy and Ashdown Forest SAC	A legal challenge was made by Wealden District to the Lewes Joint Core Strategy. The judicial review centred on the methodology for the Habitat Regulations Assessment (HRA) with regard to measuring traffic movements through Ashdown Forest, which is a Special Area of Conservation (SAC). The High Court ruled that in-combination assessments of development plans with other plans and projects is required. This means that further HRA work may be required for the Newhaven Neighbourhood Plan to ensure it meets the requirements of the Habitats Regulations. The neighbourhood plan group should seek advice from Lewes District Council with regard to this.	It is recommended that the Neighbourhood Planning Group seek advice from Lewes District Council with regards to the implications of the High Court ruling and how this might impact on the Newhaven Neighbourhood Plan. This issue will also need to be referenced in the Sustainability Appraisal.
Para 1.9	As explained above, the SDNPA also needs to be referenced as well as Lewes District Council.	Amend text to say: To help ensure that the Newhaven Neighbourhood Plan is adopted and attains the same legal status as the Local Plans produced by the District Council <u>and SDNPA</u>
1.10 - Why Newhaven Needs a Neighbourhood Plan		
Table 1	<p>The first line (item 1) of this table should include reference to the SDNPA as the application for designation of Newhaven Parish as a neighbourhood area was made to both the District Council and the SDNPA. The SDNPA designated the Newhaven Neighbourhood Area within the South Downs National Park on 18 January 2016.</p> <p>The fifth row (item 5) of the table again needs to reference the SDNPA. We note that there are two item 7's, therefore last row should be numbered 8 and also include reference to SDNPA.</p>	<p>Amend text to say:</p> <ol style="list-style-type: none"> 1. Make application to Lewes District Council <u>and SDNPA</u>. 2. Submit developed plan to the District Council <u>and SDNPA</u> and additional consultation. 8. If majority of support, Neighbourhood Plan adopted by Lewes District Council <u>and SDNPA</u>.
3. - Our Neighbourhood - A Sense of Place		
Para 3.4	When listing the other key places and attractions around Newhaven, the Neighbourhood Plan Group may wish to consider mentioning the South Downs National Park and show its boundaries and relationship to Newhaven on Map 2.	Amend text and map to include reference to South Downs National Park.

4. - What the Newhaven Neighbourhood Plan aims to achieve		
Para 4.2	We welcome the mention of Newhaven as the continental gateway to the National Park in the Vision Statement for the Neighbourhood Plan.	
4.3 Objectives		
Objective 5	We are particularly supportive of this objective: Natural Environment, biodiversity and flood protection. This is consistent with the emerging South Downs Local Plan ecosystems services strategic policy which refers to how the landscape of the South Downs provides a multitude of ecosystem services that people enjoy. However, this objective should also include landscapes, with particular reference to the South Downs, a landscape of national importance, the primary purpose of which is to conserve and enhance its natural beauty, wildlife and cultural heritage.	Include reference in this objective to the nationally important landscape character of the South Downs and the need to conserve and enhance its natural beauty, wildlife and cultural heritage.
7. Eastside		
Policy ES2 – Eastside Enterprise Zone sites	<p>The Eastside area lies immediately adjacent to the boundary of the National Park and is designated as an Enterprise Zone and a focus of a number of strategies, policies and growth plans for development.</p> <p>This policy identifies the Bevan Funnell site for mixed use development for 80 dwellings plus commercial floor space and the Eastside North site for 65 dwellings plus commercial floorspace. Eastside North is currently open land that has the Phase I Port Access Road running through it. As mentioned above, the eastern boundary of this allocation immediately adjoins the boundary of the National Park and also the site is in very close proximity to the Ouse Estuary Nature Reserve. As explained in paragraph 7.24 of the Neighbourhood Plan, the Ouse Estuary Nature Reserve was created to conserve wildlife and provide flood management when the new business park and road were built. The site forms part of the wider Mill Creek and Tide Mills Site of Nature Conservation Importance (SNCI) designated in 1993.</p>	<p>Amend text to include reference to the proximity of this area to the National Park policy to state:</p> <p>b) Eastside North – The northern section (approximately 1.5 hectares) is suitable for residential development with the remaining area available for leisure facilities and commercial/employment. The residential element to this site can accommodate up to 65 dwellings. This will need to integrate with the residential development to the north and take into account views from the Ouse Estuary nature reserve and <u>South Downs National Park</u>; and include a <u>wide landscape buffer to protect their setting</u>,</p>

	<p>The open land at Eastside North currently acts as a landscape buffer between the industrial estates of Newhaven and the National Park. While we appreciate that planning permission for an Asda superstore was granted at Eastside North and the port access road runs through here, we would still wish to see a sufficient size of landscape buffer retained here between the site and the National Park, in any development proposals, in order to protect the Park's setting, views from the Downs and the nature conservation interest of the Ouse Estuary Nature Reserve. We would also expect the design of any new development at this site to be of an appropriate scale, high standard, with landscaping, so that the new development integrates with, or is screened as much as possible, from the wider landscape and does not provide an abrupt hard edge to the National Park.</p> <p>In the Policy we would expect to see Landscape criteria which respect the site's contribution to the setting of the South Downs National Park; reflects its potential visual sensitivities, responds to local landscape character; and that any future application for development includes a Landscape and Visual Impact Assessment. The design and layout of the external lighting system should also comply with the South Downs Local Plan 'dark skies' criteria by limiting the upward lighting component and that all areas of external lighting would be automatically timed.</p> <p>It would be appropriate for any development at these sites if possible to provide, appropriate public footpath and cycle accessibility to the National Park, to help promote and provide the positive benefits of the National Park close to this residential development.</p> <p>In the section on Potential Quick Wins, we suggest that the text should seek funding from new development in this area for conservation projects for the Nature Reserve and footpath and cycle routes.</p>	<p><u>Development at both sites will need to:</u></p> <ul style="list-style-type: none"> • <u>Respect the site's contribution to the setting of the South Downs National Park;</u> • <u>Reflect its potential visual sensitivities;</u> • <u>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;</u> • <u>Ensure any future application for development includes a Landscape and Visual Impact Assessment;</u> • <u>Ensure that lighting schemes for the site comply with the SDNPA's dark skies criteria;</u> • <u>Seek the provision of appropriate footpath and cycle routes from the sites to the National Park.</u> <p>Include in the section on Potential Quick Wins, text to seek funding from new development in this area for conservation projects for the Nature Reserve and footpath and cycle routes.</p>
8. Transport and Sustainable Movement		
General comments		Include an illustrative map of sustainable movement routes (including cycle ways) and

	<p>The Plan would benefit from an illustrative map highlighting the sustainable movement routes and connections to the access network within and beyond the town (this would also have relevance for the housing, economy and tourism sections)</p> <p>This section would benefit from grouping pedestrians, cyclists and disabled / less mobile needs together wherever possible to encourage a holistic approach to non-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. {Note - Non-motorised users (NMUs) is a known term within Transport Policy and Design guidance}.</p> <p>Little or no mention of the importance of sustainable transport links / connectivity for the community and port arrivals to the South Downs National Park.</p> <p>We welcome the mention of severance between west and east due to the River Ouse, however Newhaven experiences sustainable travel severance to the north also with little or no provision to Lewes (aside from train travel). The lack of NMU provision on the A26 and C7 are recognised as significant obstacles to sustainable travel behaviour in the Lower Ouse valley.</p> <p>The plan could be enhanced if it gave reference to the DfT Cycling and Walking Investment Strategy (CWIS) which identifies the government's targets for walking and cycling levels; and Local Cycling and Walking Infrastructure Plan (LCWIP) which provides a guide process for authorities to follow when considering future cycling and walking demands / infrastructure.</p> <p>The Plan could lay out a strategy for encouraging more sustainable movement. For example: target sustainable movement for shorter journeys such as - to school / education and / or target everyday utility journeys into and around the town, so over time it becomes habit forming and the norm.</p>	<p>connections within and beyond the town. The map could also identify open space / recreation facilities, attractions, future access and development schemes.</p> <p>Where appropriate, refer to non-motorised users (NMUs) to represent all users (pedestrians, cyclists, disabled etc) as a collective.</p> <p>The Plan could include a policy that supports NMU provision along the lower Ouse valley both off-highway (such as the Egrets Way) or within / alongside highway schemes on the A26 and C7.</p> <p>Consider reference to or commit to create a LCWIP. Consider committing to the creation of a cycling and walking (or NMU) network map and identifying infrastructure schemes for evaluation and prioritisation.</p> <p>Consider developing an approach / strategy for sustainable movement.</p>
8.1	Text refers to railway stations giving access to Seaford, Brighton and London but not Lewes.	Consider text ' <u>access to Seaford and Lewes and onward journeys to Brighton and London.</u>

Policy T1-3	This policy could go further.	Consider text 'New development will be required to incorporate NMU provision and NMU links to the access network and areas of public access'
Policy T1-4	This policy could be enhanced.	Consider adding text ' <u>...throughout and connections with the town...</u> '
9.13 Policies for local economy, tourism and employment		
Para 9.27	We welcome reference to the South Downs National Park and developing Egrets Way cycle path to help support the pursuit of more sustainable forms of tourism. Note EW is developed for a range of users and is not restricted to cyclists.	<p>Please refer to Egrets Way as a multi-user path. Consider adjusting the text – <u>Egrets Way multi-user path offering leisure access to the lower Ouse valley and connectivity to the South Downs Way National Trail and Lewes, will encourage the development of tourism facilities such as bike hire, accommodation, food and refreshments.</u></p> <p>Consider including a similar comment within section 8 transport and sustainable movement.</p>
General comments	Little or no mention is given to the requirement / opportunity of travellers to/from Europe via the port. Is there available evidence identifying port traveller trends such as the possible increase in European cyclists travelling through the port.	Consider policies that improve / encourage tourist provisions for port travellers.
10. Public Open Space, Sports and Recreation Facilities		
Policy RI – Recreation, Leisure and Local Green Spaces	This policy designates two sites as Local Green Spaces at Castle Hill Nature Reserve and Meeching Down in the Neighbourhood Plan. It is explained that these are demonstrably special to the local community and offer sanctuary away from the built up areas to which they are adjacent. We question why Ouse Estuary Nature Reserve has not been considered for designation as Local Green Space as it lies within the Neighbourhood Plan area and would seem to have some similar qualities to that of Castle Hill. While the wider Tide Mills wildlife	<p>Consider identifying Ouse Estuary Nature Reserve as a Local Green Space.</p> <p>Consider identifying the access network (inc RoW and cycleways) to proposal map 4.</p>

	site extends beyond the boundary of the Newhaven Neighbourhood Area, the area within the plan area can be designated as Local Green Space.	
11. Natural Environment, Biodiversity and Flood Protection		
General comments	Given that the South Downs forms the backdrop to Newhaven town and parts of it are included in the Neighbourhood Plan area, this section would benefit from mention of the special qualities of the National Park that are particularly relevant to Newhaven and how the Neighbourhood Plan might support these. This would also help to make the plan more National Park focused. This section should also highlight the importance of views into the town from higher ground and out from the town towards the Downs and that new development will need to respect these. Consideration should be given to identifying any important views on a map.	Amend this section to include mention in supporting text of the special qualities of the National Park and views towards and from the Downs that are particularly relevant to Newhaven and how the Neighbourhood Plan might protect these. Consideration should be given to identifying any important views on a map.
Para 11.9	This paragraph refers to Newhaven port owners proposing a new 3.5 hectare nature conservation area east of the port at Eastside, as part of the proposed port expansion works. It would be useful for clarification regarding whether this is the River Ouse Estuary Environmental Area proposed in the Lewes Local Plan 2006. The Neighbourhood Plan should identify the location and boundaries of this area and whether through partnership working it could help to deliver some of the objectives of the Neighbourhood Plan and that of the SDNP, as well as how it might mitigate any harmful impacts from development at Eastside.	Identify where new nature conservation area at Eastside would be located and how it might mitigate any harmful impacts from development.
Policy NE1– Biodiversity protection and enhancement	We are supportive of this policy which seeks to protect biodiversity and seeks mitigation for any development proposals that might impact on this. However we suggest that this policy (or a new policy) also refers to the conservation and enhancement of the landscape of the South Downs, and its special qualities. New development should avoid causing harm to these qualities of the National Park, including through development in its setting.	Amend policy and supporting text to include protection and enhancement of the landscape of the South Downs and its setting.

Tide Mills	While appreciating that the Tide Mills site is outside the Neighbourhood Plan area, we would encourage that the Neighbourhood Plan gives greater reference to the value and importance of the Tide Mills area to Newhaven, an outdoor area for recreation, as well as being a Site of Nature Conservation Importance and thereby a valuable habitat for wildlife. The site provides the only coastal beach area for the people of Newhaven to enjoy, since losing the West Beach. The SDNPA are improving interpretation on the site in a joint project with Sussex Past.	Include mention in the Neighbourhood Plan of the Tide Mills area and its importance to the town.
12. Good Quality Design and Image		
Policy D1 – Good design, improving the image and attractiveness of Newhaven and design and climate change	This section mentions the backdrop of the Downs and how this contributes to the identity of the town, While views from the towns towards the Downs are important to this identity, key views back towards the town from the Downs should also be protected and enhanced where possible. We suggest, the provision of green roofs in some developments may be a way of reducing the impacts of new development in views as well as helping to mitigate impacts of climate change. Consideration therefore should be given to including the provision of green roofs where appropriate in the policy criteria.	Consider the inclusion in the design policy a criteria relating to the provision of green roofs on new development, where appropriate.
13. Housing		
General comments	<p>All housing sites need to incorporate designs and provisions within the site for NMUs (non-motorised user such as pedestrians, cyclists, disabled) that encourage sustainable movement (and discourage private car use) for shorter journeys within the town.</p> <p>Sites must also incorporate designs that give NMU connectivity to the access network (including RoW, cycle ways, public access sites) particularly that provide convenient access to schools/education establishments, amenities, leisure facilities and open space.</p> <p>The illustrative maps do not (but would benefit from) indicate sustainable movement routes for NMUs (particularly cycle ways) that connect with amenities and the broader town access network.</p>	

<p>Policy H4: East of Reprodex House, Beach Road, Eastside, Policy H5: Bevan Funnell, Norton Road, Eastside</p>	<p>Both of these allocations are located in close proximity to the boundary of the National Park and are within its setting. While they are brownfield sites that contain buildings, we refer you to our comments, set out above in relation to policy ES2 at Eastside regarding minimising impacts on the setting of the National Park, ensuring key views are protected and high quality design and landscaping is provided to mitigate impacts.</p>	<p>Include additional criteria in policies H4 and H5 relating to protecting the setting of the South Downs National Park, ensuring key views are protected and high quality design and landscaping is provided to mitigate impacts.</p>
<p>Policy H6: Eastside North (Former Asda site)</p>	<p>This site lies immediately adjacent to the boundary of the National Park. It is on the other side of the watercourse that forms a clear physical barrier and separates this open land from that of the more developed land of Newhaven. We repeat our comments above in relation to Policy ES2 and potential impacts on the setting of the National Park and the nature conservation interests of the Ouse Estuary Nature Reserve. We would wish to see a wide landscape buffer provided between the site and the National Park boundary, in order to protect its setting, views from the Downs and the nature conservation interests of the Ouse Estuary Nature Reserve. There should also be appropriate landscaping so that the new development and port road integrates with, or is screened as much as possible from the wider landscape and provides a transition from urban built form to open countryside and in particular, National Park. We would also expect the design of any new development at this site to be of an appropriate scale and a high standard.</p> <p>In the Policy, we would expect to see Landscape criteria which respect the site's contribution to the setting of the South Downs National Park; reflects its potential visual sensitivities, responds to local landscape character; and that any future application for development includes a Landscape and Visual Impact Assessment. The design and layout of the external lighting for the site should also comply with the South Downs Local Plan 'dark skies' criteria by limiting the upward lighting component and that all areas of external lighting would be automatically timed.</p> <p>It would be appropriate for any development if possible to provide, appropriate public footpath and cycle accessibility to the National Park, to help promote and</p>	<p>Include additional policy criteria in; Policy H6: Eastside North (Former Asda site) 1. This site as defined by Proposals Map 12 is allocated for mixed use for a minimum of 65 dwellings with 4000 m2 leisure or commercial floorspace subject to:</p> <ul style="list-style-type: none"> • <u>The provision of a wide landscape buffer to protect the setting of the South Downs National Park, views from the Downs and the nature conservation interest of the Ouse Estuary Nature Reserve;</u> • <u>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;</u> • <u>Any future application for development includes a Landscape and Visual Impact Assessment;</u> • <u>Lighting schemes for the site comply with the SDNPA's dark skies criteria;</u> • <u>The provision, where possible, of appropriate footpath and cycle routes from the site to the National Park.</u>

	provide the positive benefits of the National Park close to this residential development as mentioned in the general housing comments.	
Sustainability Appraisal		
General comments	As stated above, the Sustainability Appraisal will need to reference the High Court ruling relating to the methodology for the Habitat Regulations Assessment (HRA) in regard to measuring traffic movements through Ashdown Forest, and how this might impact on the Newhaven Neighbourhood Plan.	We advise that reference is made in the sustainability appraisal to the recent High Court ruling relating to the Ashdown Forest which is a Special Area of Conservation (SAC).
Objectives	We consider that the protection of the special qualities of the South Downs National Park which is a national designation should be included in the environment objective.	Include protection of special qualities of National Park within Environment objective.
Eastside employment and housing allocations	The housing and employment allocations at Eastside have the potential to impact on the South Downs National Park, through development within its setting. The sustainability appraisal should identify any potential harmful impacts and these should be included in the scoring matrix.	Sustainability Appraisal to identify potential impacts of allocations at Eastside on South Downs National Park and its setting.