

1 INTRODUCTION

The planning application

Brett Aggregates Limited (BAL), part of the Canterbury based Brett Group (Brett) seeks planning permission for 'the construction and use of plant, namely aggregate processing plant, aggregate bagging plant, concrete batching plant, concrete block-making plant and buildings, ancillary offices and stores for processing and utilising aggregates landed at Newhaven Port and distribution of the products by road and rail together with access to the public highway and the extension of an existing rail siding.'

The proposals seek to redevelop land located at Fisher's Wharf, East Quay at Newhaven Harbour (see Figure 1), which is owned by Newhaven Port Properties Ltd (NPP),

The proposed development would be carried out on the 'development site' (the development site) shown on Figure 1. It comprises an area of 5.78 hectares. Part of the proposed development would be carried out under permitted development rights granted to the port statutory undertakers and their lessees and is not part of the planning application. The application site comprises an area of 5.17 hectares and is shown on Figure 1.

The proposed development, which includes the permitted development would be carried out in four stages in the areas shown in Figure 1 as follows:

Stage 1 development (indicative commencement year 2018)

Collecting aggregates from the existing berth on the East Quay and developing facilities to enable them to be processed, bagged and transported from site by rail and road. At this stage a daily average of 17 lorry loads would be exported by road with no more than 6 loads in any hour and restrictions self imposed to minimize any potential conflict with school and nursery drop-off and pick-up times. The use of the rail for distribution of aggregates in bulk would be maximised.

Stage 2 development (indicative commencement year 2019)

When Rampion Offshore Wind (ROW) relocates to elsewhere on the East Quay, using land, currently occupied by it in connection with the construction of the wind farm in the English Channel, a conveyor system would be installed and the rail siding extended to improve cargo discharge and rail loading efficiency and provide more space for aggregates storage. Output by road would remain unchanged.

Stage 3 development (indicative commencement year 2020)

Only when the new port access road is open to traffic, by-passing Railway Road, Clifton Road and Beach Road, increasing levels of aggregate processing and bagging and adding a ready-mixed concrete batching plant. From this time all traffic associated with the proposed development would use the new port access road.

Stage 4 development (indicative commencement year 2020)

Once the concrete batching plant has been developed, to complement and supplement its other plants in the South, Midlands and Yorkshire, Brett proposes to add a concrete block-making plant on the southern extension of the East Quay, recently permitted.

The link from the development site to the currently permitted sections of the new port access road (NPAR) does not form part of the planning application. This will be the subject of a separate application by NPP. Figure 1 shows indicative routes (only) for links to the roundabout at the southern end of the permitted NPAR from the application site.

BAL has invited a condition to be imposed on any planning permission restricting outputs and lorry movements to those identified for Stages 1 and 2 development in Section 4 below until the NPAR is open to traffic after which that road must be used by all traffic to and from the development site. A condition was also invited preventing the use of the Stage 3 development until the NPAR is open to traffic and also preventing the commencement of development of Stage 4 until that road is open to traffic.

Need for Environmental Impact Assessment (EIA)

The need for an Environmental Impact Assessment (EIA) to be carried out was determined by East Sussex County Council (ESCC) having regard to Schedule 2 of the Town and Country Planning Regulations 2017 (the EIA regulations) under Section 10(g) – Construction of harbours and port installations including fishing harbours; and with reference to Schedule 3 '*Selection criteria for screening Schedule 2 Development*', which takes into account the nature, location and characteristics of the proposed development.

EIA has been undertaken and an Environmental Statement (ES) has been prepared detailing the procedures and findings of the EIA. EIA constitutes a procedural tool for pursuing sustainable development objectives through the UK planning system. The purpose of the EIA is to identify and assess the significance of the potential environmental impacts of the proposed development in an objective and systematic manner. The ES is intended to inform decision-making in the determination of the planning application and ensure that the proposed land use is appropriate and sustainable.

As the various potential impacts were to be examined by experts from several specialist companies experienced in EIA, it was decided to prepare a single document entitled *Proposed Development at Newhaven Port - Planning Application and Environmental Statement*(the statement) with their reports appended for ease of reference.

The structure of the statement

In order to inform the preparation of the planning supporting statement and environmental statement (the statement), BAL commissioned a team of experts:

- (i) to research and report relevant details about the application site and its surroundings;
- (ii) to assess the unmitigated environmental impact of the proposed development and advise on what mitigation is necessary to ensure that no significant adverse effects resulted; and
- (iii) to demonstrate compliance with the development plan policies and Government guidance and standards.

The topics covered and the consultants appointed are set out in Table 1.

Table 1 : Consultants' reports

Topic	Short Name	Statement Appendix
Townscape and visual impact	The LVIA	1
Biodiversity	The Bioscan report	2
Cultural heritage	The Josephs report	3
Flood risk and drainage	The FRDA	4
Noise	The noise report	5
Air Quality	The air quality report	6
Road traffic	The transport assessment	7
Design of the block-making building	The architect's design	8
Employment and economics	The Regeneris report	9

The planning supporting statement and environmental statement is presented in 12 sections as follows:

Section 1 comprises the introduction;

Section 2 identifies BAL as a wholly owned subsidiary of Robert Brett and Sons Limited, the UK's largest independent producer of sand and gravel and ready-mixed concrete and the other Brett businesses which would operate on site;

Section 3 describes the application site and its surroundings;

Section 4 describes the proposed development on the development site but, for completeness also includes infrastructure and operations which would be carried out under permitted development rights;

Section 5 summarises the pre-application consultations which BAL carried out on its draft proposals and the outcome of those consultations and public exhibitions in influencing the proposed development described in Section 4. It highlights that many members of the public focussed their concerns on the principle of development on the backshore of East Beach and the construction of the viaduct over the Brighton to Seaford railway line and Mill Creek both of which, to their surprise, are subject to valid planning permissions. This section also outlines the radical changes made to the proposed block-making building as a result of the public consultation process;

Section 6 contains the required design and access statement and summarises the architect's design for the block-making building;

Section 7 contains a summary of the energy strategy, which provides renewable energy for the non-industrial consumption of electricity in the various buildings in accordance with the building regulations;

Section 8 summarises the flood risk assessment and sustainable drainage report;

Section 9 contains a discussion of alternative locations, scale and plant. It identifies the lack of land won resources of sand and gravel in East Sussex and the need for importation of marine dredged aggregate to meet demand;

Section 10 contains the summaries of the consultants reports and examines the potential environmental impact of the proposed development and identifies any mitigation necessary or beneficial, which in turn has been 'retro' introduced into Section 4;

Section 11 summarises the employment and economic impact report; and

Section 12 demonstrates compliance of the proposed development with both national and development plan policies and concludes that the proposed development accords with the three dimensions to sustainable development identified in the National Planning Policy Framework.

The Non-Technical Summary

Schedule 4 to the EIA regulations requires that a Non-Technical Summary (NTS) of the Environmental Statement is provided in an easy to read format. The requirements for a valid environmental statement are set out in paragraphs 1-8 of Schedule 4. This NTS relates only to those matters set out in those paragraphs.

The statement was prepared in such a way that elements of the description of the application site and its surroundings taken from the reports of experts in the topic discussed has been summarised. The proposed development has then been described in detail and

the environmental impact assessment in the reports summarised. The full impact assessment is, however, set out in those reports.

As the statement has been prepared in summary form, the text below is generally extracted from the statement and presented to comply with the EIA regulations.

2 THE PROCEDURE AND METHODOLOGY OF THE PREPARATION OF THE STATEMENT

The Scope of the EIA

BAL undertook a scoping exercise to determine the terms of reference for the environmental impact assessment (EIA) and the environmental statement (ES). It prepared an outline of the proposed development together with a draft transport statement and requested that ESCC sought views from its various consultees on the issues that needed to be addressed in the ES. Views were given on the following topics:

- (i) landscape and visual impact;
- (ii) biodiversity;
- (iii) cultural heritage;
- (iv) drainage and flood risk;
- (v) noise;
- (vi) air quality; and
- (vii) road transport.

Given the iterative nature of EIA, the scope of the ES has not remained fixed. It has continually evolved to take account of consultation responses, technical recommendations, and other considerations which have come to light throughout the EIA process.

The scope of the individual topic area assessments has been determined in accordance with best practice and guidance and the scope and methodology of each topic area assessment is explained in the relevant report.

In order to comply with the EIA Regulations, the above considerations identified the need to:

- (i) carry out baseline studies;
- (ii) identify any potential impacts which may arise as a result of the proposed development;
- (iii) assess these potential impacts (by quantitative means where appropriate and practicable) to give an indication of their magnitude and significance;
- (iv) advise on appropriate mitigation measures which would either eliminate or reduce any adverse effects to minimum practicable levels; and
- (v) identify and assess any residual long-term impacts.

Each element has been carried out in connection with the topic areas listed above.

In following the procedure, where appropriate, consideration was given to positive and negative potential impacts; secondary and cumulative effects; and impacts in the short, medium and long term, including temporary and permanent effects.

In accordance with best practice and guidance, an EIA is required to consider the potential impacts arising during both the construction and operational phases of the proposed development.

Cumulative Impact Assessment

Schedule 4 to the EIA Regulations states that an ES must include a description of the likely significant effects of the development, including reference to possible cumulative effects. This refers to the potential cumulative impact with other developments which have not yet been built and are either in planning or consented and therefore do not already form part of the environmental baseline. In the main this relates to vehicle movements and this has been addressed in the transport assessment.

Establishing Baseline Conditions

Baseline data were obtained from:

- (i) a combination of published information sources;
- (ii) non-confidential data supplied by the various organisations consulted; and
- (iii) additional fieldwork specifically undertaken for the EIA.

The impact assessments each contain a detailed description of the baseline environmental conditions that are pertinent to each individual topic area and types of impact under consideration.

Assessment of Impact Magnitude and Significance

Methodologies for predicting the nature, extent, magnitude and significance of environmental impacts vary according to the topic area being considered. The methodology for predicting impacts is explained in each report.

Quantitative methods can make reference to thresholds and indicative criteria set out within Government or professional regulations and guidance. Where quantitative criteria are not available or not appropriate, qualitative methods have been adopted which rely on previous experience and professional judgement.

The objective of prediction is to determine the magnitude and other dimensions of identified change in the environment *with* a project action in comparison to *without* the same project or

action. The assessment of significance gives context to the predicted impact and makes a judgement of the severity of the impact on a particular environmental receptor. Significance is generally a function of impact magnitude and the importance/sensitivity of the resources or receptors. Whilst the methods for determining impact significance can vary according to the topic area considered, the underlying principles remain consistent. The assessment of significance generally takes into consideration all or a combination of the following factors:

- (i) geographical extent;
- (ii) rate of change;
- (iii) reversibility of impact;
- (iv) probability of impact;
- (v) duration of impact;
- (vi) size and magnitude of impact; and
- (vii) sensitivity/importance/substitutability of receptor.

The criteria for the assessment of significance has been selected and applied in accordance with published guidance. Such guidance represents the industry standard method for assessing potential impacts and is consistent with EIA best practice. The published guidance used in the undertaking of the assessments is referenced, where appropriate, in each topic area report. Where published guidance or criteria are not available the chosen method for assessing impacts and their significance is explained in detail to ensure transparency.

Stakeholder and Public Consultation

The EIA has been accompanied by a comprehensive programme of stakeholder and public engagement and consultation. This engagement process has served to inform environmental stakeholders and local residents and provide them with opportunities to express their views and contribute to the elaboration of the development proposals prior to submission of the planning application. The consultation process and feedback from it is described in Section 5 of the statement. The principal change to the proposed development made as a result of the consultation process was to the design, colour treatment and orientation of the block-making plant.

Mitigation

The development proposals have evolved mainly in response to the findings of technical assessments and the application of experience. Various iterations have been produced incorporating measures to avoid, reduce and remedy any adverse environmental impacts and to enhance the environmental benefits of the scheme.

In this way the EIA process and its accompanying consultation programme have served to shape and refine the site design, by simultaneously identifying and addressing potential

adverse effects, issues or constraints and effectively ensuring that they are 'designed out' of the scheme as far as practicably possible.

Any impacts that cannot be adequately mitigated through considerate site design have been or will be addressed through a combination of operational methods and techniques, best working practices or specific strategies or action plans implemented as part of the scheme and monitored as part of BAL's integrated management system, certified to: *ISO 14001*; *BES 6001*; and *ISO 9001* which is implemented at all Brett sites and would be implemented at Newhaven Port. All proposed mitigation measures are discussed and documented within the relevant topic report.

The end result of the participatory, integrated and iterative EIA and site design processes is that, at the time of applying for planning permission, it is considered that the negative environmental impacts of the proposed scheme have been reduced to the lowest practicable levels consistent with the overall project objectives.

Assessment of Residual Impacts

The ES is required to demonstrate the extent to which the significance of each adverse impact has been offset by the mitigation measures proposed, or in other words the 'effectiveness' of the mitigation measures. Therefore each technical assessment where appropriate, has sought to assess the significance of each particular 'unmitigated' impact as well as the significance of the impact once mitigation has been applied, also known as the 'residual' impact.

3 THE APPLICANT

Brett Group is a construction and building materials group of businesses, which is the largest independent company in the sector in the UK. It was established in 1909 in Canterbury and its three core businesses are the supply of aggregates, ready-mixed concrete and landscaping and building products.

Brett operates 'QHEST' (Quality, Health, Environment, Safety Sustainably Together), an integrated management system combining quality, health, safety, environment and sustainability which is externally certified to the following standards:

- BS EN ISO 9001 Quality Management Systems by the Quality Scheme for Ready Mixed Concrete
- BS EN ISO 14001 Environmental Management Systems by Construction Products Certification
- BES 6001 Framework Standard for the Responsible Sourcing of Construction Products by Construction Products Certification.

The policies which form the basis of QHEST are included as Appendix 10 of the statement. Further details about the Brett Group, its products and track record can be found on its website www.brett.co.uk.

4 THE APPLICATION SITE AND ITS SURROUNDINGS

As set out in Section 1 above, the proposed development would be carried out on the 'development site' shown on Figure 1. It comprises an area of 5.78 hectares. However, all that part of the development site which is not within the application site, i.e. where offloading of aggregates from sea going vessels, their storage and rehandling would be carried out, would be carried out under the permitted development rights. Consequently this land is not part of the application site which comprises an area of 5.17 hectares and is shown on Figure 1.

For simplicity, in this section, the development site and the application site, both of which are shown on Figure 1, are referred to as the 'Site'.

Location of the Site

The Site is located within Newhaven Harbour (the harbour), which is located on the south coast of England at the mouth of the River Ouse (the river), to the south of the town of Newhaven in East Sussex (see Figure 1). The harbour is owned and operated by NPP which is also the statutory harbour authority and responsible for its management and safety. The harbour comprises two roll-on-roll-off ferry berths, 1.3km of quayside berths and 122 hectares of land and buildings. The outer harbour is protected by a 705m long Western Breakwater and a 320m long East Pier (see Figure 1). The inner harbour includes a number of quays and the ferry terminal and provides a multi-purpose port (the port) used for general cargo and berthing for small passenger and fishing vessels.

The port is made up of four discrete quays; North Quay to the north of the A259 Brighton to Seaford Road, Railway Quay, on the eastern bank of the river immediately to the south of this road and is the site of the rail connected ferry terminal, East Quay, seaward of Railway Quay and West Quay on the river's western bank, mainly used for leisure purposes and the port's small scale fishing industry.

The Site is on land adjacent to the East Quay. It extends from the river's edge through a quadrant bounded on its southern side by rail sidings which are no longer in use to a rectangular plot extending from Mill Creek in the north to the East Beach in the south and on to the beach' back shore. It is approached from the A259 via Railway Road, Clifton Road, Beach Road and the gated internal port access road. Rail sidings accessed from the Newhaven to Seaford railway line are located close to East Quay and extend into the Site.

East Quay is currently used by a metal reclamation company and ROW in connection with the construction of an offshore wind farm in the English Channel. Part of the Site is currently

occupied by ROW for industrial, office and car parking purposes (see Figure 1). The land between the quay and the southern part of the Site is, with the exception of the port office, generally open and unoccupied. This will be occupied by ROW and is shown as the Rampion land on Figure 2. Existing industrial buildings about 8m high (the warehouse), are situated in the eastern part of the Site with expansive areas of concrete hardstanding to their north and south. Boundaries are generally marked by a 2m high palisade security fence. Photographs of these areas taken in 2016 are shown in Figure 3.

The nearest residential properties lie alongside the route to the A259 on Railway Road, Clifton Road and Beach Road and on the west bank of the river, near Hope Inn.

History of the port and recent uses of the East and North Quays

In 2012, NPP published the *Newhaven Port Masterplan 2012* (the NPM). In section 3.1 it outlined the history of the port as follows:

'The port of Newhaven was first created in 1539 after the decline of Seaford's port as the River Ouse silted up. A steady increase in trade at Newhaven during the subsequent centuries was followed by a major step-up in economic activity during the 19th century with the development of Newhaven as a ferry port and the arrival of the railway.'

Although Newhaven was a railway-owned port, many shipping lines used the facilities. Figures from 1863 show that 1,000 vessels a year used the port.

The early development of Newhaven town generally followed the development of the port with the main population increases occurring in the late 17th and early 18th centuries and then more rapidly through the 19th century.

During the 20th century, Newhaven continued to be a busy ferry port using its railhead as a key modal link but during the 1980s and 1990s began to suffer from shifting patterns of travel and transportation. By the time Sea Containers sold the port to the SEML [Société d'Economie Mixte Locale] in 2001, volumes were in severe decline with the problem exacerbated by decades of underinvestment in port facilities and infrastructure.

Newhaven's share of the Portsmouth to Ramsgate ferry/tunnel market for passengers travelling between the UK and France fell from 3.2% in 1995 to 0.8% in 1999 due to competition from competitor ports of Portsmouth and Dover and, except for a brief rise to over 1% during 2002-04, market share has fluctuated around 0.8% since then.

In recent years, the primary commercial focus of the Newhaven – Dieppe crossing has been freight carryings between Europe and the UK. At the time of

acquisition the port's owners saw the need to preserve the ferry link between Newhaven and Dieppe as well as the potential to turn the port's fortunes around over time.

Before reversing this decline the port needed first to assess and stabilise the position then to consider how to plan for the future in a rapidly changing marketplace. A key turning point was the appointment of new management in 2007, when the port's owners were able to start addressing the issues faced by the port. Under this management team, NPP is currently implementing an investment programme across the port's facilities and the strategic planning process sets out the vision of a sustainable long term future.

Dieppe ferry route, which contributes a significant amount of its revenue. Without the ferry, NPP would be unable to finance the cost of undertaking its duties such as the dredging needed to maintain channel depths. The ferry route is supported by CGSM [The Conseil Général de Seine-Maritime].

Whilst the ferry generates around 100 jobs in the Newhaven area, the current financial position of the ferry operation is not sustainable so the focus on the PMP has to be on realising the business potential of the port's assets and facilities in order to turn it into a driver for growth in the Newhaven area. NPP intend to work in conjunction with Newhaven Town Council, Lewes District Council, East Sussex County Council and key representatives from the local community to implement this strategy.'

In section 3.4 the NPM describes the recent uses of the East and North Quays as follows:

'East Quay

The East Quay leading up to the ferry berth is currently dredged to 5.0m below Chart Datum alongside the quay and a minimum of 6.0m in the channel. The berth is a multipurpose facility used for general cargo, O&M base for various off shore projects and also for berthing small passenger vessels and fishing vessels.

The quay is approximately 520m in length (i.e. the Previous Foot Passenger Terminal plus RoRo 1. RoRo 2 is on Railway Quay). A number of warehouses on the East Quay site are currently occupied. However, due to the reduced level of port throughput observed in recent years, a few vacant units exist which are in suitable condition for let.

North Quay

There are 5 Not Always Afloat But Safe Aground (NAABSA) berths at the North Quay, accommodating vessels up to 6m draft (tide dependent) although only berths 1 and 4 are operational as of 2011:

- No.1 berth, vessels up to 91m LOA,
- No.2 berth, vessels up to 82m LOA,
- No.3 berth, vessels up to 82m LOA,
- No.4 berth, vessels up to 91m LOA,
- No.5 berth, vessels up to 85m LOA.

When considering future usage of the North Quay, a number of constraints need to be taken into account. Whilst the port expects continued shipping activity in the North Quay over the short to medium term, the expectation is that this form of traffic will decline over the long term and there will need to be a switch towards more land-based activities on the North Quay. However, it is difficult for NPP to plan for the North Quay in isolation due to the complexity of the leases, so any initiative will be best served by a collaborative approach with the North Quay tenants. The existence of Veolia's new Energy Recovery facility adjacent to the North Quay offers some potentially interesting opportunities in the emerging energy and environmental sectors and NPP is currently in discussions with Veolia to see how a partnership might be developed around this theme. As a result, developments for the North Quay site will be considered in line with the ESCC Waste and Minerals Development Framework (W MDF) which will decide how and where waste should be dealt with in East Sussex and Brighton and Hove up to 2026.'

As can be seen on NPP's harbour layout drawing on Figure 4, parts of the land at the North Quay are shown leased to both RMC and ARC, predecessors of current aggregate production and distribution companies, Cemex and Hanson respectively. Aggregate handling operations on this land have since ceased. It is understood that F M Conway Ltd has recently submitted a planning application for an asphalt plant which would be supplied with aggregate by 'Not Always Afloat but Safe Aground' vessels on the drying North Quay.

Planning history of the East Quay

BAL carried out a search of the register of local land charges held by Lewes District Council for the harbour and obtained, *inter alia*, the schedule of planning decisions made since 1947; there are over fifty. In addition the eastern part of the Site is subject to the Article 4 direction referred to above which restricts certain permitted development rights on that part of the land. The land affected is shown on Figure 2. The direction does not restrict permitted development rights granted by what is now Class A of Part 18 of Schedule 2 to the GPDO assigns those rights to development permitted under orders such as the Newhaven Harbour Revision Order 2016, which confirms NPP as the statutory port undertaker.

Three planning decisions are of significance to this application, two of which lie within the Site and one which abuts it. These 3 areas are also identified on Figure 2.

Decision notice LW/13/0731 grants approval for *'works to existing warehouse, extension to roof and erection of new warehouse'* on the Article 4 land under what is now Class A of Part 18. The officers' report of the application confirmed that the existing and new buildings would be used for boat building and port related storage. Planning permission LW/15/0034 was granted on land generally on the backshore and beach to the south and south-west of the Site for *'Refurbishment of the existing multi-purpose berth at East Quay including the construction of a new multi-purpose berth and slipway at the southern end of the East Quay; Levelling the backshore area to the east of the new multi-purpose berth to create a new Land Development Area (LDA) and Establishment of a 3.5ha nature reserve above mean high water springs (MHWS) to the east of the LDA area. Capital dredging of the existing approach channel (deepening and localised widening and extension); Capital dredging of the berthing pocket alongside East Quay; Demolition of part of the East Pier structure; (Use of dredged material, where possible, as fill for levelling the LDA. Material not suitable for use as fill or for an alternative use would be disposed of at Newhaven Port & Properties Ltd (NPP)'s existing licensed offshore disposal ground)'*.

Part of the backshore which is to be levelled is part of the Site and the approved development includes provision of 3,000 square metres of floor space in industrial buildings, a visualisation of which is shown on Figure 5.

Planning permission LW/15/0373 was granted on land generally to the west of the Site (the Rampion land, see Figure 1) for *'onshore operations and a maintenance facility for the Rampion Offshore wind farm, with parking, storage and small vessel loading and unloading facilities'*. The development includes a 12m high, 2,300 square metres floor space industrial building a visualisation of which is also shown on Figure 5.

Land use of the Site and its surroundings

Land east of the river

The Site lies east of the river in the south-eastern corner of the port to the east of East Quay. It is approached from the A259 via Railway Road, Clifton Road, Beach Road and the gated internal port access road. Rail sidings accessed from the Newhaven to Seaford railway line are located close to East Quay and extend into the Site (see Figure 1).

East Quay is currently used by a metal reclamation company and ROW in connection with the construction of an offshore wind farm in the English Channel. Part of the Site is currently occupied by ROW for industrial, office and car parking purposes (see Figure 1). The land between the quay and the southern part of the Site is, with the exception of the port office, generally open and unoccupied. This is the Rampion land shown on Figure 2. Existing industrial buildings about 8m high, are situated in the eastern part of the Site with expansive areas of concrete hardstanding to their north and south. Boundaries are generally marked by a 2m high palisade security fence. Photographs of these areas taken in 2016 are shown in Figure 3.

To the north, Mill Creek provides separation between the Site and industrial areas, the Newhaven East Marine [water] Treatment Works (comprising large tanks and operational buildings, see Figure 1) and the Brighton to Seaford railway line. The treatment works form the outer limit of that part of the harbour area which is publicly accessible.

The open area of the beach and sand dunes lie adjacent to the Site to its south and south-east. The South Downs National Park lies to the east and north-east between about 200m and 400m away (see Figure 6).

Public footpath, Newhaven 7b (N7b) runs directly along the eastern boundary of the Site, as shown on Figure 6. This route connects via a footbridge to a long distance footpath, the Vanguard Way/Sussex Ouse Valley Way alongside Mill Creek. A second public footpath, Newhaven 40a (N40a) currently runs east/west through the site, to the immediate north of the backshore. Its diversion around the LDA along the new planned sea wall to the East Pier has been approved.

The nearest residential properties lie alongside the route to the A259 on Railway Road, Clifton Road and Beach Road (see Figure 1) with the nearest estate areas on the outskirts of Seaford 1km to the east and at Denton, about 1.5km to the north. Both of these estates are on rising ground

Land west of the river

To the west of the river, the area is more densely populated than the land to the east. Residential properties, some of which are multi-storey apartment blocks, lie close to the river and extend most of the way from the sea to the A259. The closest properties are on Fort Road near to the Hope Inn (see Figure 1); they are about 250m from the Site. Newhaven Marina lies within the river about 200m north of Hope Inn and is accessed from the west bank. North of the marina, towards the A259, the port's fishing vessels tie up and off-load their catches.

About 400m south-west of the Site on land overlooking the port lies Newhaven Fort, a Scheduled Ancient Monument.

A public footpath runs from the southern end of Fort Road alongside the harbour wall to the Western Breakwater. Other footpaths lie to the west of the hill on which Newhaven Fort is sited (see Figure 6).

Topography

A topographic survey has been carried out and is included in Appendix 4. The survey indicates that ground levels across the Site vary from 3.20m Above Ordnance Datum (AOD) along the western boundary, adjacent to the existing building, to 4.01m AOD along the

northern boundary and 6.50m AOD in the south eastern corner of the Site. Ground levels along the access road off Beach Road vary from 3.67m AOD at Beach Road to 4.05 at the Site. However, there is low lying area along the access road where ground levels reach 2.54m AOD.

The land immediately to the east and north-east as far as the A259 is generally flat, beyond that road the land rises to about 55mAOD at Rookery Hill to the east, 75mAOD at Norton Hill to the north-east and 105mAOD at Snap Hill to the north-north-east. To the west of the river, at Castle Hill on which the Fort sits the level is 55mAOD and the highest level of the residential estate to the north is about 75mAOD.

Contour levels can be seen on Figure 6.

The local landscape

BAL commissioned Bright Associates to carry out a landscape (townscape) and visual impact assessment of the proposed development. Their report, the LVIA which is included as Appendix 1 of the statement describes the local setting of the Site in wider landscape. Significant matters regarding the setting within 3km of the Site (the study area) are described below:

- the variety of land use found close to the River Ouse is a distinctive feature of the study area. The southern part towards the mouth of the River Ouse includes the port area and the small boat marina of Newhaven Harbour, both form a noticeable visual element. Industrial uses continue north-west of the Site along the eastern side of the river to North Quay and Denton Island about 1.5km away;
- the main residential areas of Newhaven are situated on rising ground to the west of the river with the suburbs of South Highton and Denton to the north. In addition, there is an area permitted for residential, industrial and retail use (Newhaven Eastside) immediately between the current area of industrial development and up to and in places overlapping the South Downs National Park;
- a significant proportion of the urban development is fairly elevated but along dry valleys and therefore relatively concealed from outside views;
- a number of transport routes pass through Newhaven and to the east of the River Ouse this includes the railway (Harbour Station and Newhaven Town Station), a minor road (Railway, Clifton and Beach Roads) and the A259 (Seaford Road) which links the eastern and western parts of the town via a swing bridge;
- in a wider context, the A259 connects the coastal towns of Seaford and Peacehaven, whilst the railway line progresses along the coast to Seaford (east of the Site). Minor roads are not common, however where they do

appear they connect the aforementioned settlements with outlying villages and hamlets such as Bishopstone and Norton to the north-east of the Site;

- the coastline within the study area is varied and comprises chalk cliffs south of Peacehaven and man-made structures such as the Western Breakwater at the entrance to the harbour, West Pier and East Pier. To the east of the Site the land is predominantly a mix of shingle and sandy beaches;
- the historic core (including residential areas) of Newhaven is set back from the seafront, where a wide shingle beach is maintained as a sea defence and also provides amenity space. In contrast, Peacehaven and Seaford are established closer to the sea. Settlement elsewhere includes villages and hamlets together with dispersed residential properties including farmsteads (which are often reached by tracks);
- the South Downs National Park covers much of the study area to the north, east and west of Newhaven (see Figure 6). The National Park which was designated in 2010 is noted for its views, recreational opportunities, landscape of open downland, coastline and history;
- recreation and tourism based land uses are also apparent elsewhere in the study area and include Newhaven and Seaford Sailing Club and Peacehaven Golf Club. Buckle Caravan Park is on the western periphery of Seaford whilst Newhaven Fort and the Castle Hill Local Nature Reserve (LNR) are located south-west of the Site near to the mouth of the river;
- close to the Site is Tide Mills, a ruined 18th century village and granary and the Bishopstone Walk (a promoted walking route by East Sussex County Council) incorporates the Ouse Estuary Nature Reserve and Tide Mills. The Ouse Estuary Nature Reserve which is north of the Site and Tide Mills is recognised as an 'important undeveloped gap between Newhaven and Seaford';
- there is a lack of woodland throughout the study area although small tracts appear in places mainly on higher ground in the South Downs National Park or within the dry valleys. There are also isolated areas in association with Fort Newhaven, Peacehaven Golf Club and Rookery Hill; and
- a distinctive geometric field pattern appears in relation to the River Ouse floodplain to the east of the Site (c.500m) due to a grid of narrow channels (wet fences) which divide pasture fields.

Biodiversity

BAL commissioned Bioscan (UK) Ltd to carry out a study of the baseline ecological interest in and around the site, review the proposed development, assess the unmitigated impact and to recommend mitigation where necessary. Their report (the Bioscan report) is attached as Appendix 2 of the statement.

Surveys

Bioscan carried out a desk-based study, an extended Phase 1 habitat survey and a review of the ecological section of the environmental statement submitted with NPP's port extension planning application.

The desk-based study obtained information on designated sites and archive data on notable and protected species for the area within and up to 2km from the Site in August 2016. Sources consulted included on-line resources such as the Lewes District Council website and the Multi-Agency Geographic Information for the Countryside (MAGIC) website managed by Natural England. A data request was also submitted to the Sussex Biodiversity Records Centre (SxBRC) for notable species records held, as well as for details of statutory and non-statutory designated sites.

A survey was carried out in accordance with Natural England guidance across two visits to the site during which the existing developed areas of the port and Rampion Offshore Windfarm operation were subjected to an 'extended' Phase 1 habitat survey.

The extended survey included reptile and nesting bird (including black redstart) surveys.

The Site is not subject to any statutory nature conservation designation. The nearest such site is the Brighton to Newhaven Cliffs SSSI, the easternmost extremity of which is around 400 metres to the south-west and on the other side of the River Ouse. This extensive site is designated primarily for geological reasons but also with cited biological interest associated with the wave-cut platform below the chalk cliffs.

Although the application site is within the 'impact consultation zone' for the SSSI, in the context of existing port operations there is no conceivable impact vector to it, or to the Castle Hill, Newhaven Local Nature reserve (LNR) which overlaps it at around the same distance, from the proposed development and neither of these sites is therefore considered further in this assessment.

In terms of non-statutory sites, the Site overlaps with a small area (around 0.6ha) of the 155 hectare Tide Mills SNCI, and it also adjoins other parts of this designated area to the east, south and north. The citation for this designation refers to the presence of a number of protected and notable species and habitats, including vegetated shingle, coastal grazing marsh and ponds. Part of the SNCI falling within the Site has however recently been developed by Rampion Offshore Wind as a temporary car-park, and has consequently lost the grassland and vegetated shingle habitats that were formerly reported there.

The beach area contained within the application site, which was assessed by Royal HaskoningDHV as part of the NPP application, continued to be undeveloped at the time of Bioscan's most recent visit on 30th June 2017.

Habitat types identified

The following main habitat types are present within the existing developed parts of the Site

- Unvegetated hard-standing and built structures
- Colonising ground
- Rough grassland and tall ruderal
- Scrub

Unvegetated hard-standing and built structures

This is by far the dominant habitat type on the site, with sealed concrete or tarmac surfaces or built structures occupying more than 90% of this part of the site. These offer scant opportunities for vegetation development, and vary from expansive surfaces of recently laid tarmac in the new car-park in the south-east (which are wholly devoid of any vegetation) through to concrete slabs which have a very few colonists in cracks or joins. The species found are identified in the Bioscan report.

Colonising ground

In peripheral areas that receive somewhat less disturbance, such as around the bases of fences or buildings and at the outer edges of the site, there are rather more opportunities for vegetation colonisation. In addition, substrate scraped up during the construction of the car-park in the southern part of the application site has been stored in an upstanding four-sided and flat-topped mound of loosely consolidated material. A more diverse suite of plant species is found in these areas. Again, The species found are identified in the Bioscan report.

A small area of mounded sand in the northern part of the site (arly maritime species, including red goosefoot *Chenopodium rubrum*, sea couch, hoary mustard, sea mayweed *Tripleurospermum maritimum*, sea spurrey *Sueda maritima* and, of note, oak-leaved goosefoot *Chenopodium glaucum*).

Rough grassland and tall ruderal

The parts of the site that have escaped disturbance for longest, mainly associated with the eastern edge of the Site, but also including some internal boundaries, see a transition from colonising ground vegetation similar to that described above, to closed-sward grassland dominated by graminoid species but also retaining a prominent ruderal component and some developing scrub. A broad array of herb species was noted in these areas, most of them common or ubiquitous.

Scrub

Although scattered bushes or low-growing thickets of bramble, rose and buddleia form a part of the above community, there are a few areas at the site boundary where woody species become dominant to the extent that they cast shade. These include thickets of buddleia, bramble and dog-rose along the eastern boundary behind the warehouse, and bands of scrub along the northern edge and north-eastern fence line, the latter also festooned with traveller's joy *Clematis vitalba* and with a little wayfaring tree *Viburnum lantana*.

Reptile survey

No reptiles of any species were found within the developed parts of the application site itself. However, a small population of common lizard confirmed within the vegetated rail sidings area located on the Site.

Nesting bird survey including Black redstart survey

All the surveys were carried out during weather conditions favourable to bird activity. Nevertheless, no black redstart were observed or heard during any of the checks. The paucity of opportunities presented by the warehouse on the site and the relative lack of even sparsely vegetated areas mean that overall the Site is assessed to be of relatively low suitability for black redstart.

Other fauna

A restricted number of bird species were noted to be using the developed parts of the Site or active in the immediate local area during the habitat survey. On the site and possibly present in a breeding capacity earlier in the year were dunnock, pied wagtail, robin, feral pigeon and house sparrow. Using the edges of the site were flocks of up to twenty linnet, as well as greenfinch and small numbers of starling. Herring gulls were also present on the roofs of the warehouse buildings.

Weather conditions on the day of the habitat survey in 2016 were warm and thus conducive to insect activity. Large white, small white and small copper butterflies were all noted to be present on the site, with clouded yellow also observed (possibly a fresh migrant off the sea). Also potentially present as a fresh migrant was silver y moth. Field grasshopper and short-winged conehead were also noted.

Other fauna confirmed for the Site were field vole, rabbit and fox (field sign evidence of the latter only).

The extant warehouse in the north-eastern part of the Site was assessed for its potential to support bat roosts. This is a large structure of profiled steel sheets attached to an internal steel frame and with corrugated asbestos-type roofing. There is no internal lining to this

structure, and while there are a few sections of very thin board cladding, it was assessed as of negligible potential for bat roosting overall. This part of the site is assessed to have negligible potential for bat foraging.

The existing developed parts of the application site offer no habitat opportunities for any other specially protected species such as great crested newts, badgers, water voles or dormice.

Vegetated shingle information review

A review of the information presented on the vegetated shingle on the port extension land is included in the Bioscan report.

Cultural Heritage

BAL commissioned Andrew Josephs Associates to carry out a cultural heritage desk-based assessment of the proposed development. Their report, the Josephs report which is included as Appendix 3 of the statement describes the local cultural heritage assets as set out below. In order to assess the effects of the potential scheme, existing cultural heritage information within and up to 2km from the centre of the proposed development area (PDA) was examined.

A variety of sources were consulted including the East Sussex Historic Environment Record (HER), the National Monuments Record, historic maps, historical works, archaeological reports for neighbouring sites, local history materials, satellite imagery and information from the online resources relevant to Newhaven Fort, a Scheduled Ancient Monument situated about 250m south-west of the PDA.

All work was undertaken in accordance with Standard and Guidance for Historical Environment Desk-Based Assessment (Chartered Institute for Archaeologists 2014).

No designated assets of cultural heritage importance lie within the boundary of the PDA or adjacent to it.

Newhaven Fort is situated on cliffs above the western bank of the river. No other designated assets lie within 1km of the PDA.

That site was already occupied by a battery which originated in the mid-16th century and was replaced and built over in the 1860s. The fort remained in service until 1962. Restoration began in 1982 following a failed commercial redevelopment venture. It is preserved and maintained by Lewes District Council and is an important educational and visitor attraction.

Only six entries are present in the East Sussex Historic Environment Record within a 1km radius of the PDA. No records lie within the PDA. The paucity of records probably reflects the marginality of the location for much of the past.

Prior to the 19th century, the area was a shingle spur with marshland. In 1879, the eastern part of the PDA and beyond was an area called *The Salts* with six rectangular ponds fed with water (controlled by sluices) off Mill Creek. These are most probably salterns, although could also be oyster beds.

In 1899, the marshland has been reclaimed and a branch taken off the Lewes railway to create Newhaven Harbour Station with sidings and an unmarked building within the PDA. Two linear ponds are shown on a different alignment to 1879.

Newhaven Harbour was designated as the principal port for the movement of men and material to the European continent during World War I and was taken over by the military authorities. Extensive areas of the East Wharf (East Quay) were covered by railway infrastructure including within the PDA. By 1963 all but one of the railway structures within the PDA had been removed. By 1980 the ponds had been filled in and rectangular warehousing created to the west of the PDA, and slightly encroaching on the PDA.

Hydrology and drainage

BAL commissioned SLR Consulting Limited to carry out a hydrological assessment of the proposed development and carry out a flood risk assessment. Their report, the FRDA is included as Appendix 4 of the statement.

Hydrological Features

The Site is located within Newhaven Harbour, which is bound to the north by the Mill Creek, to the west by the River Ouse and to the south by Seaford Bay.

With reference to the indicative Flood Map for Planning (Rivers and Sea) published by the Environment Agency, both the Mill Creek and the River Ouse are classified as Main River and discharge into the English Channel.

Existing Drainage Arrangements

A services plan was prepared for NPP by Hemsley Orrell Partnership in May 2012, a copy of which is included in Appendix 4. The plan shows two surface water sewers to the west of the Site which form part of the surface water sewer network serving the western and northern part of East Quay. The surface water sewer serving the existing building to the south west of the railway line outfalls to the Mill Creek via a 150mm diameter pipe with an invert level of 1.33m AOD.

The second surface water sewer serves the existing building adjacent to the western boundary of the Site and the hardstanding area along the River Ouse. This sewer is assumed to outfall into the River Ouse as shown on the services plan.

Moreover, with reference to the topographic survey, in Appendix 4 there are a number of gullies and channels across the Site which appear to drain in a northerly direction towards the Mill Creek. The topographic survey identifies a number of outfalls along the Mill Creek, to the north of the Site and east of the outfall identified on the services plan, which are anticipated to be associated with the drainage of the Site.

The southern part of the Site, comprising the proposed concrete block-making plant and storage area, is currently laid to gravel. It is therefore anticipated that surface water runoff from this area is 'drained' via infiltration into the underlying soils.

Flood Zone

The assessment of flood risk in Appendix 4 is based on the definitions provided by *Table 1: Flood zones at Planning Practice Guidance to the National Planning Policy Framework* Paragraph 065 and is summarised below:

Zone 1 - low probability (Flood Zone 1). Land having a less than 1 in 1,000 annual probability of river or sea flooding.

Zone 2 - medium probability (Flood Zone 2). Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or Land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.

Zone 3a - high probability (Flood Zone 3a). Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding.

Zone 3b - the functional floodplain (Flood Zone 3b). This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency.

The Site lies on the fringes of Flood Zones 1 and 2.

Background noise levels

BAL commissioned WBM Acoustic Consultants to carry out a noise impact assessment of the proposed development. Their report, the noise report which is included as Appendix 5 contains details of background noise levels.

The nearest noise sensitive properties to the proposed Site are those on the west side of the River Ouse adjacent to Fort Road at a separation distance of about 150 metres to the proposed location of vessel off-loading and about 300m to the main part of the site. There are dwellings about 1km to the north east of the site at Marine Drive beyond the A259 Seaford Road.

Baseline noise survey data have been obtained to represent the existing noise climate at these receiver locations, at four positions that are accessible by public road or footpath, and by installing two sound level meters for about a week in August 2016.

Attended sample measurements of 15-minute duration were made at four positions, 1 to 4, that are accessible by public road or footpath, as shown on Figure 7. There were 8 measurements taken during the proposed daytime hours of operation on two days i.e. a total of sixteen 15-minute sample measurements, to represent the baseline noise climate for daytime at those positions. The daytime samples were made on Thursday 18 August 2016 and Thursday 25 August 2016.

There were 8 15-minute sample measurements taken during the night-time to represent the baseline noise climate for night-time at positions 1 to 4. The night-time samples were made between Thursday 18 August 2016 and Friday 19 August 2016.

Two sound level meters were installed at secure locations to obtain longer term unattended data for the dwellings on the west side of the River Ouse and those beyond the A259 Seaford Road, between 18/19 August 2016 and Thursday 25 August 2016. The microphones for the meters were installed on the flat roof of a building outside the offices at Newhaven Marina (position A) and in the rear garden of a dwelling on Marine Drive (position B).

A summary of the day time baseline survey results is shown in Table 2

Table 2 - A summary of day time baseline noise survey results

Location	Assessment Period	Average Measured Background Noise Level dBLA90.T	Average Measured Ambient Noise Level dBLAeq.T
1 The Hope Inn	07:00 to 18:00 M - F	45	54
2 Newhaven Marina	07:00 to 18:00 M - F	50	57
3 Cycle paths A259	07:00 to 18:00 M - F	49	53
4 Marine Drive FP	07:00 to 18:00 M - F	46	51
A Newhaven Marina	07:00 to 18:00 M - F	49	58
B Marine Drive	07:00 to 18:00 M - F	43	50

A summary of the night time baseline survey results is shown in Table 3

Table 3 - A summary of night time baseline noise survey results

Location	Assessment Period	Average Measured Background Noise Level dBLA90.T	Average Measured Ambient Noise Level dBLAeq.T
1 The Hope Inn	23:00 to 07:00 M - F	37	42
2 Newhaven Marina	23:00 to 07:00 M - F	37	48
3 Cycle paths A259	23:00 to 07:00 M - F	35	49
4 Marine Drive FP	23:00 to 07:00 M - F	28	42
A Newhaven Marina	23:00 to 07:00 M - F	46	
B Marine Drive	23:00 to 07:00 M - F	39	

LA90,T is the 'A'-weighted level exceeded for 90% of the time interval T, and is often used to describe the underlying background noise level and the 'A'-weighted equivalent continuous sound pressure level LAeq,T, is a notional steady level which has the same acoustic energy as the actual fluctuating noise over the same time period T. The 'A'-weighting filter emulates human hearing response for low levels of sound.

Air quality

BAL commissioned Rural Planning Services (RPS) to undertake an air quality assessment associated with the proposed development which is included as the air quality report in Appendix 6 of the statement.

The local authority, Lewes District Council (LDC), has declared an Air Quality Management Area (AQMA) due to elevated concentrations of nitrogen dioxide (NO₂) as a result of road traffic emissions. The designated AQMA incorporates '*Newhaven Town Centre, Southway, Northway, and sections of the A259 Brighton Road, Lewes Road and the swing bridge*'. The proposed development lies approximately 1 km southeast of the designated AQMA. No AQMAs have been designated in the area due to elevated concentrations of PM₁₀.

Monitors at urban background locations measure concentrations away from the local influence of emission sources and are therefore broadly representative of residential areas within large conurbations. Monitoring at local urban background locations is considered an appropriate source of data for the purposes of describing baseline air quality for the development site. In the vicinity of the site there are two local monitoring stations where urban background concentrations are measured using continuous automatic instruments and three sites where monitoring is undertaken passively using diffusion tubes. The

measured concentrations at all the identified locations are well below the relevant EU Limit Values and Air Quality Strategy objectives for the protection of human-health.

Local highway network

BAL commissioned Cannon Consulting Engineers to carry out a transport assessment of the proposed development. Their report, the transport assessment is included as Appendix 7 of the statement and contained a description of the local highway network which is set out below.

The local highway network, principally comprises Beach Road, Clifton Road, B2109 Railway Road, Drove Road, A259 and The Drove (A259). These roads can be seen on Figure 1. Access to the wider highway network is gained via the A26 and A27.

Beach Road and Clifton Road are subject to a 30mph speed limit, street lit with pedestrian footways on either side of the carriageway and provide local access to the adjacent residential properties, to Newhaven Industrial Estate and to East Quay. Beach Road provides existing access for HGV to the existing industrial uses.

Railway Road is subject to a 30mph speed limit, is street lit with pedestrian footways on either side of the carriageway and provides direct access to the site via Clifton Road and Beach Road. It also provides access to Newhaven Rail Station, access to residential properties, Newhaven Industrial Estate and to East Quay. At its northern end the B2109 is segregated by Drove Road and the A259 (overpass). To the north-west of Drove Road the B2109 continues providing access on to North Quay Road.

Drove Road is predominately a two-way single carriageway, running parallel to Newhaven Port from east to west and is subject to a 40mph speed limit, and runs parallel to the A259. To the north east (via a mini roundabout junction), Drove Road provides access to the A26 New Road which runs north through North Quay and the Eastside Industrial Area. To the east, Drove Road provides access to the adjacent retail outlets of Lidl, KFC, and Factory Outlet Village and at its most eastern point at the McDonalds Roundabout, Drove Road provides access to The Drove A259 and to The Drove Retail Park which comprises a McDonalds, B&Q, Pets at Home, Carpet Road and Halfords. To the immediate west of its junction with Railway Road, there is a level crossing associated with Newhaven Town rail station and the sidings within the port, with pedestrian access into the station. West of the level crossing, Drove Road is two-way up to its access with Railway Approach and the B2109. West of Railway Approach, Drove Road becomes one-way joining The Drove A259. Drove Road is street lit with pedestrian footways on either side of the carriageway and with bus stop facilities located adjacent to Newhaven Town rail station.

The A259 is a two-way single carriageway running parallel to Newhaven Port from east to west and forms an overpass over Drove Road. The A259 is subject to a 40mph speed limit, and provides the main connection between the east side of the town and the town centre to

the west of the port. There are no pedestrian or cycle facilities along the overpass section (between the McDonalds Roundabout to the east up to the swing bridge crossing with the River Ouse) these are provided on Drove Road and from the swing bridge into the town centre.

To the west and beyond the swing bridge, the A259 forms a signalised gyratory referred to as the Newhaven gyratory (A259) with South Way A259 and North Way A259 around the town centre, providing access to West Quay and the Marina. Advance signage is provided on the Newhaven gyratory relating to a 7.5 tonne weight restriction on the A259 towards Peacehaven.

The Drove (A259), provides a dual carriageway link between the McDonalds Roundabout and the Avis Road B2109 roundabout junction. The Drove (A259) is subject to a 40mph speed limit, is street lit, with shared pedestrian / cycle facilities provided on both sides.

The wider highway network comprises the A26 Strategic Road Network (SRN) connecting Newhaven with the A27 (which provides an east/west strategic route between Eastbourne and Brighton) to the north.

5 THE PROPOSED DEVELOPMENT

Whilst all the proposed development is of the nature permitted under either Class I of Part 7 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) - developments related to an industrial process, or Class B of Part 8 - dock, pier, harbour, water transport, canal or inland navigation undertakings, such rights do not apply if they have been restricted under Article 4 of the GPDO.

An Article 4 direction was made on 23 November 1977 in respect of that part of the application site shown on Figure 2 (the Article 4 land) withdrawing the permitted development rights otherwise granted under what are now Class I of Part 7 and Class B of Part 8. That part of the development which on land to the west of the Article 4 land, i.e. offloading of aggregates from sea going vessels, their storage and rehandling will be carried out under the permitted development rights which the statutory harbour authority and its lessees enjoy under Class B of Part 8. Those operations which are part of the stages of development are described as part of the proposed development which would be carried out on the development site shown on Figure 1.

The proposed development would be carried out in four stages; the first (Stage 1) being whilst that part of the application site shown shaded green on Figure 1 is occupied by Rampion Offshore Wind in connection with the development of a wind farm in the English Channel; the second (Stage 2) when that developer has vacated this land, probably in 2019; the third (Stage 3) to coincide with the new port access road being constructed and open to traffic; and the fourth (Stage 4) to follow development of Stage 3.

During the construction of each stage of development, the minimum of construction plant would be used, continuous flight auger piling techniques would be employed to minimise noise and any waste generated would be managed as described below. No more plant would be on site during the construction of a stage of the development than when it is in operation. The imposition of a planning condition requiring the submission, prior approval and implementation of a construction management plan is invited.

Stage 1 development

Stage 1 comprises the collection of aggregates from the quay to produce construction aggregates, their distribution by road and rail and their bagging and distribution by road. The use of the rail for distribution would be maximised.

Infrastructure

The proposed infrastructure comprises:

- (i) water holding tanks and silt recovery facility;
- (ii) an aggregate processing plant, equipped with feed hopper, conveyors, and washing, screening, crushing and sand dewatering plant;
- (iii) aggregate storage bays formed from precast concrete wall segments secured to the ground;
- (iv) a series of feed hoppers, conveyors, weighing, bagging and palletising equipment mainly sited within an existing building (the warehouse); and
- (v) a weighbridge, office and welfare facilities.

The proposed layout is shown on Figure 8, the elevations of the processing plant on Figure 9, the bagging building and external feed hoppers and conveyors on Figure 10 and the weighbridge and site office building on Figure 11.

All steel structures, cladding and buildings would be colour treated as agreed with ESCC. All plant would be designed to be the minimum height practicable.

All the operating areas are either concrete or asphalt surfaced laid to falls with a purpose designed and built drainage system. The access road and rail track are in place and lighting towers are located mainly along the boundaries of the application site and are long established. Those towers and lighting would be retained. The application site boundaries are generally already secured by 2.2m high galvanised steel palisade fencing, which would be retained.

Site operations

Offloading and storage

Dredged sand and gravel landed on the East Quay would be either stored temporarily on the quay or loaded directly into dumptrucks and transported to the application site. In any event, as the East Quay is also be used by operators of other businesses at the port, the stored material would be moved as soon as is practicable and transferred to the aggregate bays on the eastern boundary of the site (see Figure 8).

Sand and gravel processing

Dredged sand and gravel would be fed into the processing plant by loading shovel via a feed hopper and conveyor and washed, graded and crushed as necessary and the coarse (stone) and fine (sand) products stored in bays where shown on Figure 8. Water taken from NPP's on-site borehole would be used to wash the dredged sand and gravel and the water recirculated with the silt first being removed then reintroduced into the fine products.

Aggregate bagging

A photograph of the warehouse in which aggregate bagging would be carried out is shown in Figure 3. Filled bags would normally contain either 15kg (small bags) or 750kg (bulk bags) of material. The proposed layout of the bagging plant is shown on Figure 8 and external elevations on Figure 10. It would comprise:

- (i) a series of loading shovel fed feed hoppers with rising conveyors outside the building;
- (ii) semi-automatic bagging plants, comprising overhead aggregate storage with weigh gear beneath; and
- (iii) automatic heat sealing of small bags and pallet loading machinery.

Stored sand and stone would be loaded directly into the feed hopper by loading shovel and elevated to the overhead storage hopper. From there material would be discharged into a weigh hopper and thence a measured quantity would be discharged into bags. Bulk bags would be handled by forklift truck but the small bags would be placed on pallets manually or automatically and then picked up by forklift which would transport them for storage where shown on Figure 8 to the north of the building.

A limited number of other aggregate products which are not readily available by sea going vessels (e.g. building sand) would be imported by road, generally in lorries returning from making deliveries.

The anticipated annual output would be 50,000 tonnes.

Stage 1 bulk and bagged aggregate distribution

It is estimated that approximately 100,000 tonnes of aggregates would be exported by road annually. 50,000 tonnes would be bagged and 50,000 tonnes in bulk.

Loading of material in bulk would be by loading shovel into tippers whilst bagged materials either in small bags on pallets or single reusable bulk bags containing would be by forklift truck on to flat bed lorries.

Once it is developed, all road going vehicles would leave the site via the weighbridge.

The estimated average payload for both tipper and flat bed lorries is 21 tonnes and over a 275 working day year this would result in a daily average of 17 loads being delivered resulting in 34 lorry movements (17 in and 17 out), peaking at 8 movements per hour of which a maximum of 6 would be out.

Although no maximum would be set for distribution by rail, it is estimated that 100,000 tonnes of aggregates would be exported in bulk by rail annually. Stored products or products taken straight from the processing plant would first be loaded by loading shovel and transported by dumptruck and stored alongside the rail track where shown on Figure 8 The temporary stockpile, which would be the equivalent of a trainload, would be loaded into the waiting train by hydraulic excavator or high lift loading shovel. It is not envisaged that more than two trains would arrive and leave in any one day.

The total aggregate processed during Stage 1 would be in the region of 200,000 annually.

Stage 2 development

In general the Stage 2 development would be little changed from the Stage 1 development. The extension of the available land would improve the efficiency of ship discharging and train loading as well as making more space available for aggregate storage. Again, the use of the rail for distribution would be maximised.

Infrastructure

All of the infrastructure developed or used in the development of Stage 1 would be retained.

The additional infrastructure would be as shown on Figure 12 as follows:

- (i) a feed hopper sited on the quay and a rising conveyor with a tripper discharge attached (see Figure 13);
- (ii) additional storage bays to accommodate dredged sand and gravel and imported crushed rock, mainly sub-base material;
- (iii) additional product storage bays in the south of the application site; and

(iv) an extension of the rail track.

All steel structures would be colour treated as agreed with ESCC. All plant would be designed to be the minimum height practicable.

All new storage bays would be formed using similar precast concrete wall units to those used in the Stage 1 development. Any asphalt surfacing which is damaged would be replaced by concrete. As much of the existing lighting as is practicable would be retained.

Site operations

Whilst the processing, bagging and distribution by road operations would be unchanged, material handling when ship unloading and train loading would be much reduced with both economic and environmental benefits

In the main, the dredgers used to transport the sand and gravel to the quay would now be self discharge vessels which would transfer the aggregate direct to storage bays via a feed hopper on the quay and a tripper conveyor.

Crushed rock probably imported in vessels which are not self discharging would be rehandled before being placed in the feed hopper and transported by the tripper conveyor to the stockpile shown on Figure 12.

The extension of the rail track into the application site would enable wagons to be loaded by high lift loading shovel direct from the storage bays.

Stage 2 bulk and bagged aggregate distribution

When Stage 2 is in operation distribution by road would remain the same as in Stage 1 but it is predicted that aggregates exported by train could increase by an annual 50,000 tonnes. Hence the total aggregate processed during Stage 2 could rise to 250,000 annually.

Stage 3 development

Stage 3 comprises the additional manufacture of ready-mixed concrete from the processed sand and gravel, cement and additives. Operations would commence only after the new port access road is open to traffic. The proposed layout of the development site during Stage 3 is shown on Figure 14.

Infrastructure

The proposed infrastructure comprises:

- (i) a surface mounted feed hopper with an inclined radial conveyor designed to be fed by loading shovel;
- (ii) aggregate storage bins;
- (iii) cement and cement substitute silos;
- (iv) water storage tanks;
- (v) aggregate and cement weigh hoppers;
- (vi) a control cabin;
- (vii) a water recycling system;
- (viii) welfare facilities; and
- (ix) a storage area for consumables within which any cycles used by site personnel for travelling to work would be parked during the day.

Elevations of the proposed concrete batching plant are shown on Figure 15. All cladding shown would be Plastisol coated, profiled sheet steel with the truckmixer loading points only open at the front for lorries to manoeuvre. The control room, welfare building and store would be bespoke units with shutters fixed to windows to ensure security.

All steel structures, cladding and buildings would be colour treated as agreed with ESCC. All plant would be designed to be the minimum height practicable. The factor determining the capacity and height of the cement and cement substitute silos is the need to accommodate sufficient for at least 3 days use of each material to ensure continuous availability of these vital raw materials in the production process.

Site operations

Ready-mixed concrete production

The basic operation of a concrete batching plant is the controlled discharge of measured quantities of sand, stone, cement (and cement substitute), any admixtures and water into a mixing unit with the mixed material being loaded in batches into a truckmixer waiting beneath.

Stored aggregates would be loaded into the feed hopper by loading shovel and from there they would be conveyed to the aggregate storage bins by radial conveyor which would feed into the bins, each containing a material of a particular grade. Computer controlled from the control cabin, the required proportions of each grade of aggregate for a batch of concrete would be discharged into a weigh hopper and conveyed to the mixer. Cement and cement substitute, imported by road tanker and loaded pneumatically into the silos would be fed from the silos to the mixer by sealed screw conveyor via a weigh hopper.

Any required admixtures and water would be added and the batch would then be discharged to the truckmixer waiting below.

Whilst the principal source of supply of water for use in the production of concrete would be taken from the NPP's licensed borehole the use of recycled water would be maximised.

Recycled water would be derived from the following sources:

- (i) rainwater drainage from the paved area around the batching plant; and
- (ii) water used in cleaning out truckmixers' drums at the end of the working day.

Rainwater would drain to the 'washout sump'. Truckmixers would be washed out into the 'washout bay' and water together with cement removed from the aggregate in residual concrete in the cleaning process would drain to the 'washout sump'. The water and cement would then be pumped into the 'stirrer tank' where the solids would be constantly agitated and remain in suspension and clean water weired over and pumped to the water tank for use in concrete production.

The suspended solids would be allowed to settle and from time to time would be recovered, allowed to dry and removed from site. The aggregate from which the cement has been removed in the washing out process would be transferred from the 'washout bay' to the 'drying bay' and, once dry, reloaded into the aggregate bins together with the stored aggregate.

All site generated waste would be placed in standard wheeled and covered containers which would be emptied as and when necessary by waste collection contractors. Separate containers for waste for disposal and waste for recycling would be provided.

Annual output of ready-mixed concrete is predicted to be 25,000 cubic metres requiring 50,000 tonnes of aggregates. In general, the aggregates will be those processed and stored on site but, on occasions, special aggregates, e.g. lightweight aggregate and limestone would be imported by road.

Stage 3 bulk and bagged aggregate distribution

Once the new port access road is open to traffic, tight constraints on vehicle movements would be lifted enabling the business to grow organically. It is estimated that annual distribution of bulk aggregates by road would increase to 150,000 tonnes and bagged aggregates to 70,000 tonnes.

Table 4 : Total output of aggregates during Stage 3

Aggregates in bulk distributed by road (tonnes)	150000
Aggregates in bulk distributed by rail (tonnes)	150000
Aggregates in bags (tonnes)	70000
Aggregates in ready-mixed concrete (tonnes)	50000
Total aggregates (tonnes)	420000

Estimated lorry movements associated with Stage 3 development

Table 5 : Estimated lorry movements associated with aggregates in bulk

Annual output of aggregates in bulk (tonnes)	150000
Average payload (tonnes)	21
Annual loads of aggregates in bulk	7143
Annual lorry movements of aggregates in bulk	14286

Table 6 : Estimated lorry movements associated with bagged aggregates

Annual output of aggregates in bags (tonnes)	70000
Average payload (tonnes)	21
Annual loads of aggregates in bags	3333
Annual lorry movements of aggregates in bags	6667

Table 7 : Estimated lorry movements associated with concrete output

Annual output of concrete (cubic metres)		25000
Average payload (cubic metres)		6
Annual loads of concrete		4167
Annual concrete truck movements	A	8333
'Special' aggregate importation by road (tonnes)		1000
Average payload (tonnes)		25
Annual loads of 'special' aggregate		40
Annual 'special' aggregate lorry movements	B	80
Average cement and admixture content per cubic metre of concrete (kg)		300
Total cement and admixture used (tonnes)		7500
Average carrying capacity of vehicles importing cement and admixture(tonnes)		30
Loads of cement and admixture imported		250
Annual lorry movements associated with the import of cement and admixtures	C	500
Annual lorry movements associated with concrete output (A+B+C)		8913

Table 8 : Estimated lorry movements associated with Stage 3 development

Annual lorry movements of aggregates in bulk	14286
Annual lorry movements of aggregates in bags	6667
Annual lorry movements associated with concrete output	8913
Total annual lorry movements	29866
Working days	275
Average daily lorry movements	109

Stage 4 development

Stage 4 comprises the additional manufacture of concrete paving blocks from the processed sand and gravel, cement and additives. The proposed layout of the development site during Stage 4 is shown on Figure 16 and the building elevations on Figure 17.

Infrastructure

The proposed infrastructure comprises:

- (i) a surface mounted feed hopper with an inclined conveyor designed to be fed by loading shovel;
- (ii) an architect designed industrial building with administration offices within;
- (iii) cement silos alongside the building;
- (iv) water storage tanks;
- (v) an aggregate batching system
- (vi) 48 drop block paving plant;
- (vii) a curing system;
- (viii) a packaging and handling system; and
- (ix) an external product storage area.

The proposed industrial building has been designed by commercial architects and the design concept is set out in Appendix 8 of the statement and in Appendix A to this non technical summary. A lighting assessment for the area was submitted as part of the port extension application environmental statement and is included as Appendix 11 of the statement.

Site operations

Stored aggregates would be loaded into the feed hopper by loading shovel and from there they would be conveyed to the industrial building by an inclined conveyor which would feed into a series of bins, each containing a material of a particular grade. Cement would be imported by road tanker and loaded pneumatically into the silos.

The appropriate proportions of aggregate, cement and added pigment needed for a particular mix design would be drawn from storage and be weighed in a weigh hopper and transported to a planetary mixer for mixing to the correct consistency. Once these ingredients have been mixed, the material would be transported to a concrete block paving block machine where the material would be placed in a mould and vibrated to produce 48 concrete block pavers.

These block pavers would then be transferred to a curing chamber to cure for a period of 24 to 48 hours. Once cured, the blocks would be sent through a packaging line and stacked into cubes on pallets and placed in the gravel surfaced product storage area for 14 to 28 days to reach their final strength. Once the product has reached its final strength, it would be loaded by all-terrain forklift truck on to flat bed lorries for distribution to the end user.

The projected annual output is 100,000 tonnes of blocks requiring 80,000 tonnes of aggregates. Hence when all four stages of the project are developed, the annual throughput of aggregates would be in the region of 500,000 tonnes.

Table 9 : Estimated lorry movements associated with concrete block output

Annual output of concrete blocks (tonnes)		100000
Average payload (tonnes)		21
Annual loads of concrete blocks		4762
Annual lorry movements of concrete blocks	D	9524
Average cement and admixture content per tonne of concrete blocks (kg)		200
Total cement and admixture used (tonnes)		20000
Average carrying capacity of vehicles importing cement and admixture(tonnes)		30
Loads of cement and admixture imported		667
Annual lorry movements associated with the import of cement and admixture	E	1333
Annual lorry movements associated with concrete block output (D+E)		10857
Working days		275
Average daily lorry movements		39

Hence, added to the daily average of 109 movements associated with Phase 3, the daily average movements would be 148 (79in and 79 out).

Hours of working

The hours of working would be different for the separate elements of the proposed development: ship docking, unloading and leaving; aggregate processing and bagging; and train loading. They would be as follows:

Ship docking, unloading and leaving (Stages 1, 2, 3 and 4)

As directed by the Harbourmaster as part of port operations permitted development.

Aggregate processing, bagging and distribution (Stages 1, 2, 3 and 4)

Monday to Friday (excluding public holidays): 07:00 to 18:00

Saturday: 07:00 to 13:00

No deliveries would be made between 08:00 and 09:00 Monday to Friday

Train loading (Stages 1, 2, 3 and 4)

Monday to Saturday 06:00 to 20:00

Ready-mixed concrete production and distribution (Stages 3 and 4)

Monday to Friday (excluding public holidays): 07:00 to 18:00
Saturday: 07:00 to 13:00

Concrete block production (Stage 4)

Monday to Friday (excluding public holidays): 00:00 to 24:00
Saturday: 00:00 to 13:00

No external operations would be carried out between 22:00 and 07:00 hours the following morning.

Concrete block distribution (Stage 4)

Monday to Friday (excluding public holidays): 07:00 to 18:00
Saturday: 07:00 to 13:00

Only essential maintenance would normally be carried out outside these hours.

The control of noise and dust

The control of noise

The following noise control measures would be applied:

- (i) plant start-up alarms and sirens would be designed to avoid unnecessary off-site awareness;
- (ii) there would be no use of a tannoy system at the site;
- (iii) chutes and conveyor transfer points would be lined with appropriate noise reducing materials;
- (iv) screen decks would be constructed from noise (and wear) reducing materials;
- (v) acoustically lined cladding would be used where necessary to reduce noise emissions from fixed plant;
- (vi) unnecessary scraping of the loading shovel buckets on the ground would be avoided;
- (vii) all mobile plant and vehicles used would be serviced regularly, maintained in good working order and fitted with effective silencers;
- (viii) reversing beepers would not be used by plant or lorries operating at the site. A white noise or other approved device would be used instead;
- (ix) vehicle drivers would be advised that there should be no use of horns except for emergency purposes; and

- (x) the block-making building would be appropriately acoustically lined and all doors to the building would be closed and no external operations would take place between 22:00 and 07:00 hours the following morning; and
- (xi) the maximum hours of working would be restricted to those set out above.

The control of dust

The following dust control measures would be applied:

- (i) all combustion powered plant would be fitted with exhausts directed vertically upwards to prevent raising of dust at ground level;
- (ii) 'drop heights' of aggregates into hoppers, rail wagons and lorries would be minimised;
- (iii) all unsurfaced areas over which plant and vehicles are required to travel would be damped down with water using a towed water bowser equipped with a spray bar, when necessary, to reduce dust emissions;
- (iv) a speed limit of 10 mph would be applied to all plant and vehicles operating on the site;
- (v) all paved areas would be swept and cleaned routinely and additionally whenever necessary; and
- (vi) a site management plan would be prepared and implemented to establish a protocol for managing dust episodes which could become a nuisance to sensitive receptors if unaddressed.

The handling of bulk cement is classified as a prescribed process under *The Pollution Prevention and Control Regulations 2000* and a Local Authority Pollution Prevention and Control permit to operate would be sought before the batching plant was erected.

The following cement dust control measures would be proposed in the application for the permits for both the concrete batching plant and the block-making plant:

- (i) the cement (and cement substitute) silos would be filled by tankers generally delivering 30 tonnes of material. Flexible hoses attached to the tankers would be connected at ground level to continuous sealed steel pipes attached to the outside of the silo. Each silo would be equipped with audible and visual alarms, a reverse jet dust filter and a pressure relief valve;
- (ii) the maximum discharge pressure would be marked adjacent to each filling pipe and before the transfer of material takes place, all connections would be checked to ensure that they are secure. Filling of the silos would only be carried out under the supervision of a competent person and appropriate action would be taken in the event of malfunctions arising during the delivery operation. Further deliveries would not be permitted until faults are rectified if there are likely to be emissions to air;

- (iii) the transfer of cement from the silos to the weigh hopper would be by sealed screw conveyor, the integrity of the enclosing structure being checked weekly by visual inspection and repaired when breached;
- (iv) spray bars, which would provide a curtain of water around the loading point each time dry materials are discharged, would be fitted to the 'roof' of the loading point. Water would drain to the water recycling system;
- (v) any spillages of cement would be cleared up promptly using either wet handling techniques or a vacuum cleaning system; and
- (vi) effective preventative maintenance would be employed and staff would receive all appropriate training and instruction in their duties relating to control of the process and emissions to air.

Operations at the site would be controlled by planning conditions and compliance with them would be monitored as part of Brett's integrated management system.

Energy efficiency measures

The 'Be Lean' measures which would be employed on site to improve the energy efficiency of the fixed plant and buildings include:

- (i) energy efficient motors;
- (ii) belt speed control measures will be incorporated to optimise the electricity consumption;
- (iii) installation of sub-meters;
- (iv) power factor correction would be applied; and
- (v) the use of energy efficient lighting.

Ecological mitigation and enhancement

Vegetation and other areas likely to be affected and capable of being used by nesting birds will be cleared in the non-breeding season, or under supervision to ensure no nests are affected. Whilst not recorded in 2017, a precursor check for black redstart will be carried out if works with the potential to affect the species are programmed, especially if in the breeding season.

Other than the measures to avoid impacts on nesting birds outlined above, which is likely to be relevant to both the existing developed areas of the site and the vegetated shingle beach, the remaining impacts which require specific mitigation relate only to the vegetated shingle beach. As such, the mitigation proposed for the vegetated shingle habitat itself, set out in Section 5 above and any reptiles that might be present would be carried out.. For the avoidance of doubt, Brett does not have control of the area of 3.5ha mentioned below which NPP agreed to provide to establish a new nature reserve,

'13.6.1 Ecological Mitigation and Management Plan (EMMP)

All mitigation measures proposed below would be incorporated and detailed in an overarching EMMP. The EMMP would be a live document that is produced to cover the pre-, during and post-construction stages of the project. The EMMP would take into account any planning obligations and conditions attached to the project should consent be granted. The EMMP would be submitted to and agreed with LDC and other stakeholders, including the East Sussex County Council (ESCC) ecologist, SDNPA, Friends of Tide Mills and Sussex Wildlife Trust. The EMMP would include the principal requirements of mitigation including:

- Any necessary pre-construction ecological surveys;*
- An overall strategy for delivery of any mitigation proposed in this EclA and agreed with regulators as necessary; and*
- Production of a habitat creation and management plan for a new nature reserve to be created in the vicinity of the port.*

13.6.2 Loss of coastal vegetated shingle

The project has been designed to minimise the footprint (See Section 1 Introduction and Section 2) and thus the extent of the impact on the coastal vegetated shingle. However, due to the nature of the development it has not been possible to avoid the habitat altogether. The following mitigation measures are recommended:

- Target plant species shall be translocated from the area to be impacted to other areas of the same habitat nearby. These would be species that are present in the habitat affected but not in the receiving habitat;*
- Temporary fencing would be used to physically demarcate the working area from the remaining coastal vegetated shingle habitat and prevent access to the area;*
- All construction activities would take place within the fenced area and no plant or materials shall be stored outside of the area;*
- An ECoW would oversee the erection and dismantling of temporary fencing to ensure compliance with the measures;*
- Remaining areas of coastal vegetated shingle within the port area that are currently in unfavourable condition would be brought into active management; and*
- An area of 3.5ha would be provided to establish a new nature reserve, which would include either the translocation or re-creation of coastal vegetated shingle. The amount to be translocated/re-created shall be determined in consultation with NE, SDNPA, Friends of Tide Mills and the County Ecologist (see Section 13.7). N.B. NE screened out coastal vegetation as a national or international concern during consultation, and was satisfied with local bodies being consulted as regards mitigation for this habitat. However, they did*

express interest in remaining involved due to the opportunities that may occur with regard to translocation of vegetated shingle not in an international or national nature conservation designation.

Death or injury to common lizard and slow-worm and loss of habitat

The project has been designed to minimise the footprint and thus the extent of the impact on notable plant species. However, due to the nature of the development direct impacts are predicted to Area 6. The following mitigation measures are recommended:

- A detailed strategy for the translocation of these species would be incorporated into an EMMP and agreed in consultation with LDC. The strategy would include:*
- A pre-construction survey to validate the location and extent of areas being used by reptiles as identified in this EclA and any other notable plant species not previously identified; and to identify suitable receptor sites for the translocation of reptiles;*
- A Precautionary Method of Working (PMoW) drawn up to provide details to the contractor of reptile-sensitive methods to be used during construction;*
- Details of exclusion fencing around the works area where it falls within or in close proximity to known reptile habitat to be maintained throughout the construction period and removed post development under ecological supervision;*
- Details of a reptile translocation that would aim to capture and relocate any reptiles within the works area (likely to require 30-60 days to complete);*
- Identification of suitable habitat within the surrounding habitats where captured reptiles would be released as informed by the reptile survey results;*
- Enhancement of the receptor area to be sufficient to receive an increased population;*
- Enhancements to include the creation of log piles and hibernacula for shelter and alterations to management of grassland areas;*
- The reptile capture area to be destructively searched by removing the top soil using a 360° excavator under ecological supervision; and*
- Appropriate timings for translocation of captured animals, identification of receptor site and enhancement measures.*
- The strategy would be informed by a finalised landscaping scheme for the port prior to being submitted to LDC'.*

The NPP EclA also set out the compensation and enhancement measures which would be associated with the creation of the new nature reserve and reference should be made to that document for details.

Other options for the enhancement of the application site such as the additional of bat and bird nest boxes would not appear to be applicable in this instance. The designs of the proposed buildings do not lend these to the addition of such features, which are typically designed to be installed on trees or into the fabric of a brick or stone building. Similarly, the addition of a green roof to the existing warehouse would to add significant weight to the overall structure and it is unknown if it would therefore be possible.

Site lighting

Although lighting is generally already in place for Stages 1 to 3 and a lighting strategy has been submitted to cover the Stage 4 land, a condition similar to that imposed on the port extension permission (LW/15/0034) is invited to be attached to a planning permission. It states:

'17. No development shall take place until the developer has provided an agreed lighting scheme mitigating the environmental impact of all forms of artificial lighting from the development. The scheme is to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of the scheme within five years.'

The management of waste

Construction waste

The Site predominantly comprises hardstanding and disturbed ground. The proposals do not therefore require any large scale demolition or excavation works and waste management during construction would predominantly focus on excavated soil, the development of foundations and any other civil works.

Construction waste, for example spoil would be reused or recycled where feasible and will only be sent to landfill where no other options exist. For example, soil excavated from the foundation works can be reused as fill material during backfilling operations or other ancillary civil works providing it is free of contamination.

It is expected that minimum construction waste will be produced during the construction phase because, with the exception of the block-making plant, the main structures for the developments including store rooms, offices, cabins, tanks and other plant, would be pre-fabricated structures (which are themselves recyclable) that are delivered to Site and installed on purpose built foundations.

During construction, subcontractors and suppliers will be encouraged to operate 'take-back' for packaging.

Throughout the construction phases of the Site, reference would be made to the Considerate Constructors Scheme and British Standard S906: 2005 Waste Management in Buildings - Code of Practice, to ensure that best practice guidance is applied.

Operational waste

All onsite waste management processes would be carried out in accordance with any planning conditions or permitting arrangements, and best practice guidance including the adopted waste hierarchy.

If any aggregates are contaminated as a consequence of their handling or loading shovels running over the edge of stockpiles, would if necessary be rewashed and remain as primary aggregates.

Any concrete returned to site for any reason would be recycled as described above. As discussed above, water including rainwater would also be reused on site where possible to reduce the use of main water supplies in accordance with usual best management practice for concrete batching plants in the UK.

Any sub-standard or damaged blocks would, as appropriate, be transferred to an aggregate recycling facility.

Site generated waste

All Site generated waste would be placed in standard wheeled and covered containers which would be emptied as and when necessary by waste collection contractors. Separate containers for waste disposal and waste for recycling would be provided; each would be kept in the vicinity of the offices and welfare buildings.

Internal recycling bins will be provided within the office areas for recyclable waste including, as a minimum, paper, metal, glass and plastic, and details of these facilities and how they can be used will be made available to staff to ensure sustainable onsite waste management objectives are adhered to.

Proper material storage areas will be established on site to minimise the damage to new materials. The segregation of waste on site will be implemented where there is sufficient working room and where the facilities exist locally in order to process the various waste streams segregated on site.

Employment Opportunities

The potential job opportunities which would be created by the four stages of development are tabulated below.

Table 10 : Total employment opportunities when Stages 1 and 2 only are operating

Aggregates in bulk production and distribution	
Ship unloading	1
Loading shovel drivers	2
Pocessing plant attendant	1
Supervision/Maintenance	1
Weighbridge clerk	1
Lorry drivers	3
Total associated with aggregates in bulk A	9
Aggregates in bags	
Bagging plant attendants	2
Packaging plant attendants	2
Forklift driver	1
Lorry drivers	5
Total associated with aggregates in bags B	10
Total employment Stages 1 and 2 (A+B)	19

Table 11 : Total employment opportunities when Stages 1, 2 and 3 only are operating

Aggregates in bulk production and distribution		
Ship unloading		1
Loading shovel drivers		2
Pocessing plant attendant		1
Maintenance		1
Weighbridge clerk		1
Lorry drivers		6
Total associated with aggregates in bulk	C	12
Aggregates in bags production and distribution		
Bagging plant attendants		2
Packaging plant attendants		2
Forklift driver		1
Lorry drivers		7
Total associated with aggregates in bags	D	12
Ready-mixed concrete production and distribution		
Loading shovel driver		1
Batching plant attendant		1
Truckmixer drivers		5
Total associated with ready-mixed concrete	E	7
Total employment Stage 3 (C+D+E)		31

Table 12 : Total employment opportunities when Stages 1, 2 3 and 4 are operating

Stages 1, 2 and 3 employment	F	31
Concrete block production and distribution (Stage 4)		
Production operatives		15
Secondary processing		9
Material handling		3
Forklift drivers		4
Ingate/Outgate control		2
Logistics manager		1
Lorry drivers		15
Site manager		1
SHE administrator		1
Operational administrator		1
Laboratory technicians		2
Sample operative		1
Sales office manager		1
Receptionist		1
Internal sales		3
Logistics/Transport		2
Total employment associated with concrete blocks	G	62
Total job opportunities generated by all four stages (F+G)		93

Hence, when all four stages of the proposed development are fully developed nearly 100 job opportunities would be created.

6 THE ENVIRONMENTAL EFFECTS OF THE PROPOSED DEVELOPMENT

Summaries of Experts' Reports

Where appropriate matrices have been used in the reports to determine the significance of an impact and present an easy read summary. For the avoidance of doubt, the assessment of the environmental effects of the proposed development is contained within each topic report in the relevant appendix in the statement and reference to them should be made for detailed information..

Landscape and visual amenity

BAL commissioned Bright Associates to carry out a landscape (townscape) and visual impact assessment of the proposed development. Their report, the LVIA is included as Appendix 1 to the statement.

The LVIA was carried out in adherence with industry guidelines and best practice including the GLVIA Third Edition. The Methodology is outlined in Section 3 of the report. Given the type and scale of development involved, a study area of approximately 3km from the Site boundary was adopted which was judged to be a suitable distance to assess the baseline (i.e. landscape setting character, landscape designations) and within which viewpoint locations have been identified.

Landscape setting

The baseline situation of the Site and environs has been evaluated and described. The Site is located on the eastern side of Newhaven harbour which is used for mixed industrial and port activities close to the mouth of the River Ouse. Industrial buildings (sheds) are situated in the eastern part of the Site and there are large areas of concrete hardstanding to the north and south of the buildings.

The Site already constitutes existing development of similar land use to that being proposed and due to the consented Port Authority extension area. In addition, the Rampion building which is currently under construction and is adjacent west of the Site

Landscape Character effects

At a national level, the Site is located on the edge of the South Downs National Character Area (NCA) No.125. The proposed development is not of a scale whereby it would notably modify any key characteristics (due to size and diversity) of this particular NCA. Under 'Drivers of change', it is noted that there is scope for *'well-designed developments that contribute to landscape and settlement character ...'*

With respect to The East Sussex Landscape Character Assessment (2016), Local Landscape Character Areas (LLCA) are identified and divided into 'County Landscape Character Areas' and 'Urban Areas'. In principle, two LLCAs apply to the Site, namely the **Firle Bishopstone Downs LLCA No.21** (County Landscape Character Area) and the **Newhaven LLCA No.34** (Urban Area). However, the scale of mapping and analysis undertaken as part of the 2016 review may have resulted in an error regarding the boundary between the two LLCAs in so far as it affects the Site. This has been examined further and taking account of the existing landscape setting and characteristics of the Site and environs, it is evident that it should be categorised within Newhaven LLCA No.34. It should be noted that the review of The East Sussex Landscape Character Assessment (2016) was published prior to several recent planning permissions in the vicinity.

With respect to direct effects on landscape character, the Site has an industrial character and features existing buildings including sheds, porta cabins and large areas of concrete hardstanding. Stage 4 of the Proposed Development will be located within the consented Port Authority extension area.

For Stage 1 to 3, given the type and scale of development, there will be virtually no effect on the existing baseline situation, in terms of landscape character and quality. Due to the **Low** landscape sensitivity, there will be a **Negligible** magnitude of impact and significance of effect. In Stage 4, there will be a slight effect on landscape character albeit within the context of permitted development i.e. the Newhaven East Quay and Port Expansion Area (reference LW/15/0034) which has already established the principle of development in this part of the Newhaven LLCA. However, **Negligible** magnitude of impact and significance of effect will be relevant.

The same ratings would apply to the indirect effects on the landscape character of the **Firle Bishopstone Downs LLCA No.21** which is assumed to directly adjoin the Site on its eastern boundary.

Landscape designations

The Site is not located within a statutory or non-statutory designated area.

The South Downs National Park has a **Very High** sensitivity given its designation, although due to the geographic location of existing and permitted development along the River Ouse at Newhaven, the core central areas such as open downland etc. are found at some distance from the Site. Accordingly, the sensitivity in this instance is rated as **Medium to High**.

Potential effects resulting from Stage 1 to 4 of the Proposed Development will be restricted in such areas, given the type and scale of each Stage involved and in light of the current baseline situation.

For Stage 1 to 4, there would be a **Negligible** magnitude of impact and significance of effect.

Visual effects

It was determined that the likely effects on visual receptors is limited during Stage 1 to 3, and the magnitude of change from the baseline situation ranges broadly from **Negligible** to **Small**. The latter would typically apply when new or additional elements are introduced which would constitute only a minor component of the wider view and such changes would not affect the overall quality of the scene. In all such cases, significance of effect was **Moderate** or more commonly lower and the nature of effect was **neutral**.

Higher levels did occur in relation to Stage 4 due primarily to the concrete block plant (building) which resulted in a **Small-Medium** or **Medium** magnitude of change. A **Moderate** significance of effect was determined for Viewpoint location 3: From car park near Fort Newhaven (for visitors and residents). Otherwise significance of effect was lower and in all cases, the resultant nature of effect was **neutral**.

Field work undertaken as part of the LVIA found that the following aspects are of importance and limits the potential effects resulting from the Proposed Development:

- The Site has **existing industrial uses** which are also found in close proximity;
- The Site is located in an **area of low lying land which includes the port area**. Consequently, potential views of the Proposed Development can be obscured due to existing built form and due to the lack of elevated views to the north and north-west of Newhaven;
- The **existing land uses found along the River Ouse in Newhaven** are an important factor for views east of the Site. The Proposed Development will be seen within the existing port area and given the location of Stage 1 to Stage 3, elements such as the aggregate processing plant and cement silos etc. are seen against a back drop of rising ground comprising trees, open grassland and primarily residential development, on the western side of the River Ouse;
- In Stage 4, **the concrete block making plant (building) will be arranged on an east to west alignment** and close to the other Stages of the Proposed Development. Palisade fencing will filter direct views of the lower elevations of the building and the storage areas. The cladding of the building will primarily be brown in colour on the eastern and southern façades. For easterly views (close and medium range), the difference in colour offers a break in the overall mass of the industrial buildings currently found in the port area. It will mitigate the coalescence of the existing building style and will be more visually appealing. Stage 4 will replace the developable area identified through the consented Port Authority extension area and although exact details regarding the built form of the latter are not currently available, it is reasonable to assume that other buildings would be constructed up to the southern boundary; and
- With respect to potential views from the **South Downs National Park**, given the type and scale of development, industrial land uses established in the port area, combined with the lack of elevated locations; only limited views of Stage 1 to 4 of the Proposed Development would be available. Furthermore, potential views from the edge of the South Downs National Park might be considered not as sensitive to those in less modified landscapes at further distance from coastal areas and industrial development.

Landscape Capacity

Landscape capacity relates to the landscape character sensitivity as well as value and is also informed by the effects upon the visual amenity.

The proposed development would be located in the port area and the effects such as they have been predicted will bring about a change to the Site. The proposed aggregate processing plant, concrete block plant (building), conveyors and cement silos etc. will be in keeping with existing industrial uses. These are of a type and scale which will adhere to existing land uses and the identified effects are not overbearing upon the current features of landscape value or in visual terms.

In this regard, it can be concluded that there is sufficient 'capacity' to enable the proposed development without significant **adverse** effects to both the character and value of the adjoining landscape.

Appendix B contains the photomontages from viewing points that were included in the documents displayed at the public exhibition and those from the same viewing points following the redesign of the block-making building.

Biodiversity

BAL commissioned Bioscan (UK) Ltd to carry out a study of the baseline ecological interest in and around the site, review the proposed development, assess the unmitigated impact and to recommend mitigation where necessary. Their report (the Bioscan report) is attached as Appendix 2 to the statement.

The Bioscan report:

- (i) sets out the survey methodology;
- (ii) establishes the baseline conditions;
- (iii) evaluates the baseline interest and identifies the key receptors;
- (iv) sets out the impact assessment methodology;
- (v) assesses the likely significant effects in the absence of mitigation;
- (vi) describes the mitigation and enhancement;
- (vii) reviews development policy, and
- (viii) assesses the residual effects.

The survey methodology and baseline conditions are described in Section 4 above.

The assessment methodology followed as far as possible the guidelines produced for ecological impact assessment by the *Institute for Ecology and Environmental Management*. It involved:

- (i) identification and evaluation of key receptors;
- (i) determining the sensitivity of key receptors;
- (iii) defining the impact magnitude;
- (iv) assessing the significance of effects; and
- (iv) defining the impact prediction level of confidence.

The principal legislation is identified as the Wildlife and Countryside Act 1981 (as amended) (WCA) and the Conservation of Habitats and Species Regulations 2010 (as amended) which update the Conservation (Natural Habitats &) Regulations 1994 (as amended) and implement the EC Habitats Directive. Some animals are protected under separate legislation (e.g. the Protection of Badgers Act 1992).

The presence or absence of the following key receptors was examined:

- (i) international;
- (ii) national;
- (iii) regional/county;
- (iv) district/borough;
- (v) parish/local.;
- (vii) within zone of influence only (which might be the project site or a larger area)

It was found that the key receptors are as follows:

International/national importance

The nearest statutory sites are some 400m distant, on the opposite side of the River Ouse and there is no conceivable impact vector to them in the light of existing port uses. They are thus screened out of any further assessment.

County importance

Tide Mills SNCI - No statutory protection but afforded local policy protection (e.g. under Core Policy 10 in the adopted Joint Core Strategy)

Site/immediate zone of influence importance

Reptiles (e.g. common lizard) - All species with the potential to occur on the site are protected under WCA1981 and are Species of Principal Importance

Nesting birds - All nesting birds protected under WCA1981 with black redstart subject to special protection as a Schedule 1 species. Dunnock, starling and house sparrow are Species of Principal Importance

The Bioscan report presents a matrix of the likely significant effects on those sensitive receptors in the absence of mitigation but then describes that mitigation and enhancement which is part of the proposed development. It is as follows:

Vegetation and other areas likely to be affected and capable of being used by nesting birds would be cleared in the non-breeding season, or under supervision to ensure no nests are affected. Whilst not recorded in 2017, a precursor check for black redstart would be carried out if works with the potential to affect the species are programmed, especially if in the breeding season.

Other than the measures to avoid impacts on nesting birds outlined above, which is likely to be relevant to both the existing developed areas of the site and the vegetated shingle beach, the remaining impacts which require specific mitigation relate only to the vegetated shingle beach. As such, the mitigation described Section 13.6 of the NPP application ecological impact assessment in respect of the mitigation proposed for the vegetated shingle habitat itself, set out in Section 5 above and any reptiles that might be present would be carried out. However, For the avoidance of doubt, Brett does not have control of the area of 3.5ha mentioned below which NPP agreed to provide to establish a new nature reserve,

The NPP EclIA also set out the compensation and enhancement measures which would be associated with the creation of the new nature reserve and reference should be made to that document for details.

Other options for the enhancement of the application site such as the additional of bat and bird nest boxes would not appear to be applicable in this instance. The designs of the proposed buildings do not lend these to the addition of such features, which are typically designed to be installed on trees or into the fabric of a brick or stone building. Similarly, the addition of a green roof to the existing warehouse would to add significant weight to the overall structure and it is unknown if it would therefore be possible.

The Bioscan report then examines the residual effects after mitigation and concludes that:

'no significant net negative ecological effects from the proposals on those parts of the site that are already developed are predicted. In the operational state, the site is likely to offer a continuation or even possibly an expansion of the types of peripheral habitat opportunities that currently occur.'

Appendix C contains the findings of habitat surveys

Cultural heritage

BAL commissioned Andrew Josephs Associates to carry out a cultural heritage desk-based assessment of the proposed development. Their report, the Josephs report is included as Appendix 3 to the statement

The Josephs report considers both direct and indirect effects upon cultural heritage. Direct effects are those that physically affect a cultural heritage asset. Indirect effects can occur as a result of significant changes to the setting of a cultural heritage landscape or asset, whether permanent or temporary. This is particularly relevant to designated features of national importance, such as Scheduled Monuments, Listed Buildings, Conservation Areas and Registered Parks and Gardens.

Two archaeological sites are recorded within the Proposed Development Area (PDA): the site of WWII pillbox (now demolished) and infilled salt workings of 19th century date. The land of the PDA would appear to be founded on a shingle spur of medieval date and the lack of any archaeological records within the PDA and its vicinity would bear this out.

At depth below the PDA, chalk head gravels, which may preserve Pleistocene landforms, and Holocene deposits infilling the Ouse valley are likely to exist, and these have potential to preserve palaeoenvironmental remains.

Early records are relatively sparse and predominantly relate to chance finds of prehistoric and Roman date. In the broader townscape and landscape, there are numerous archaeological records, predominantly of 19th and 20th century date, that reflects the town's importance as a transport hub and vital role in both world wars as an embarkation port and line of defence against invasion.

Archival research shows that the majority of the PDA has had an industrial function since the late 19th century with progressive development and redevelopment.

Direct impacts upon archaeology

Other than through piling, construction predicted to penetrate below made ground is restricted to water recycling pits. The made ground itself may retain the foundations associated with the railway and military activity, although this potential is considered low.

The piling could affect Pleistocene landforms and Holocene deposits that have potential to preserve palaeoenvironmental remains. The potential area of disturbance caused by piling represents a maximum of 0.072% of that archaeological layer should it exist as a continuous and coherent land surface across the PDA. This is not a significant adverse effect.

Mitigation of direct impacts

A watching brief may be required in specific areas to permit the identification, investigation and recording of any archaeological remains exposed during the construction work. The locations of the watching brief, if considered appropriate, should be determined in consultation with the East Sussex Archaeological Officer when detailed construction designs are available.

Indirect effects

Indirect impacts are those that do not physically affect a cultural heritage asset, townscape or landscape, but that alter the context or setting.

Only one designated heritage asset has any visual link with the PDA due to separation by distance, intervening development and topography. This is Newhaven Fort and Lunette Battery, a scheduled monument.

A thorough assessment of the visual and historical setting of the monument has been undertaken in relation to the proposed development based upon criteria published by Historic England.

This has concluded that the overall impact of the development proposals upon the views from the Fort is minor adverse. In respect of the historical setting of Newhaven Fort and Lunette Battery, the proposed development would have a negligible-low adverse effect.

Conclusion

National Planning Practice Guidance (NPPG) *Conserving and Enhancing the Historic Environment* (2014), and in respect to heritage decision-making, stresses the importance of determining applications on the basis of significance, and explains how the tests of harm and impact within the National Planning Policy Framework (NPPF) are to be interpreted.

In particular, the NPPG includes the following in relation to the evaluation of significance and harm:

'Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases.... It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.'

The predicted effects are therefore significantly less than substantial harm, which is the test set by NPPF and paragraph 134 therefore applies:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

Therefore, and having regard to the baseline conditions and the scope of the proposed development, there would be negligible-minor adverse residual effects upon the setting of

Newhaven Fort and a negligible effect upon the archaeological resource. Under the EIA Regulations this constitutes a 'not significant' effect. The proposed development therefore fully accords with both local and national cultural heritage policy.

Drainage and flood risk

BAL commissioned SLR Consulting Ltd (SLR) to prepare a hydrological and hydrogeological assessment of the proposed development and to prepare a site specific flood risk assessment. Its report, the flood risk and drainage assessment (FRDA) is included in Appendix 4 to the statement.

The assessment has been completed in accordance with national and local guidance with respect to assessing, managing and mitigating flood risk. The flood risk assessment not only considers flood risk to the site and site users, but also the potential for the proposed development to pose increased flood risk off-site and to third parties.

A detailed review of the potential sources of flood risk to the site has been considered (e.g. the potential for flooding to occur from river, tidal, groundwater, overland flow flooding etc.). Tidal and fluvial (river) flooding have been shown to pose the greatest risk to the site. The magnitude of flood risk, and the level of protection provided by existing flood defences has been identified. The potential effects of climate change on the frequency and extent of flooding has also been completed in accordance with current best practice guidance.

The proposed development, and its potential effects on flood risk has then been considered.

It has been confirmed, and with reference to the National Planning Policy Framework and the National Planning Practice Guidance, that the site is considered 'water compatible development' and thus is an appropriate form of development at this location.

Safeguards have been proposed to ensure vulnerable site infrastructure (e.g. site weighbridge, offices and welfare facilities) is located above potential flood levels; this would also provide safe refuge for employees and contractors in the unlikely event this was required during a flood event.

It is also proposed that a site specific flood emergency plan is prepared and that the site subscribes to the Environment Agency flood warning service which would provide a minimum of 2 hours warning of a potential flood event occurring. Subject to these safeguards it is considered flood risk at site be appropriately managed and be managed in accordance with current best practice guidance. It has also be shown that runoff from the site will not increase flood risk to users of the site or to third parties.

Noise

BAL commissioned WBM Acoustic Consultants to carry out a noise impact assessment of the proposed development. Their report, the noise report, is included as Appendix 5 to the statement.

The noise report addresses the environmental noise implications of the proposal by setting out the findings of noise measurements at the nearest properties to the site; discussing the existing noise climate, and presenting the calculated noise levels arising from the proposed operations with extensive mitigation measures incorporated into the development.

If this development were not to proceed the area would be developed by NPP, for example, buildings and associated area to extend the dock facilities.

The effects of the noise from the construction phase would be direct, negative, short-term and temporary and below the threshold of a significant effect at dwellings.

The effects of the noise from the development would be direct, negative, long-term and temporary (for the duration of the operations on the site).

The calculated noise levels for the development have been compared with guideline values set out in BS 8233:2014 "*Guidance on sound insulation and noise reduction for buildings*" and the WHO document "*Guideline on Community Noise 1999*". The calculated daytime levels are between 3 and 17 dB(A) below the daytime guideline values. The calculated night-time levels are between 7 and 21 dB(A) below the night-time guideline values.

An assessment of the development noise levels has also been carried out in accordance with British Standard BS4142:2014 "*Methods for rating and assessing industrial and commercial sound*".

The measured background noise levels for the night-time period 11 pm to 7 am varied significantly for the install meters, depending on wind speed, time of night, traffic on the A259 for measurements at Marine Drive and scrap metal loading activity at the Port of Newhaven for measurements at Newhaven Marina.

For the purposes of the BS4142 assessment, the 25 percentile levels have been calculated from the install meters which it is believed provides representative background sound levels rather than using average values for the daytime and night-time periods.

For the daytime operations, an acoustic feature correction of + 3 dB(A) could be required and therefore the rating level is equal to the specific noise level + 3 dB(A). The rating levels would be equal to the specific noise levels if there was no need for an acoustic feature correction and this will not be known until the site is operational.

For the daytime, with the acoustic feature correction included, the excess of rating level over background indicates below an adverse impact for the four receiver locations and would avoid noise from giving rise to significant adverse impacts.

In the context of the existing operations on East Quay, vessels using the River Ouse and the expansion of Newhaven Harbour it is considered that this impact is acceptable for daytime operations.

For the night-time, the rating levels for the development are below the background which indicates a low impact, depending on the context and it is considered this impact is acceptable for night-time operations.

Air quality

BAL commissioned Rural Planning Services (RPS) to undertake an air quality assessment associated with the proposed development which is included as the air quality report in Appendix 6.

The local authority, Lewes District Council (LDC) has declared an Air Quality Management Area (AQMA) due to elevated concentrations of NO₂ as a result of road traffic emissions. The Site lies approximately 1 km southeast of this designated AQMA.

Regarding the operational impact of the traffic generated by the proposed development on the surrounding area, detailed atmospheric dispersion modelling has been undertaken for three separate years, 2018, 2019 and 2020 to reflect different stages of the development. The operational impact of the proposed development on existing receptors in the local area is predicted to be 'negligible' taking into account the changes in pollutant concentrations and absolute levels. Using the criteria adopted for this assessment together with professional judgement, the overall impact on the area as a whole is described as 'negligible'.

The operational dust control measures required by Defra's "*Process Guidance Note 3/01(12) Statutory guidance for blending, packing, loading, unloading and use of cement*", will be enforced to Best Available Techniques (BAT) standard by way of a 'Part B' Environmental Permit. An assessment has been undertaken, using the Institute of Air Quality Management - Minerals guidance, to predict the residual risk of impacts on surrounding users of the land.

The residual disamenity-dust impacts and the PM₁₀ impacts on the surrounding area as a whole were predicted to be 'negligible' even with numerous pessimistic and conservative assumptions. The effect resulting from these negligible impacts are considered to be "not significant". On that basis, the BAT dust-control measures required by the Part B Permit are deemed adequate and no additional mitigation measures are considered necessary over and above those incorporated into the design of the scheme.

Using professional judgement, the overall air quality effect of the proposed development, covering both traffic emissions and dust, is considered to be 'not significant'.

The 'golden thread' of presumption in the NPPF runs through plan making and decision taking. For determining planning applications, this means approving development proposals if they accord with the local development plan, unless material considerations indicate otherwise. If the development plan is absent, silent or the policies are out of date, then planning permission should be granted unless any adverse impacts would significantly outweigh the benefits, or specific policies in the NPPF indicate development should be restricted.

The National Planning Practice Guidance advises that in considering planning permission, the relevant question for air quality is 'will the proposed development (including mitigation) lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants or fail to comply with the requirements of the Habitats Regulations?' The proposed development will not.

The proposed development does not, in air quality terms, conflict with national, local or development plan policies. There are no constraints to the development in the context of air quality.

Transport

BAL commissioned Cannon Consulting Engineers to carry out a transport assessment of the proposed development. Their report, the transport assessment is included as Appendix 7 to the statement.

The transport assessment demonstrates that the local highway network has a good provision of pedestrian facilities with street-lit footways on the surrounding roads providing excellent pedestrian connectivity between the site and throughout Newhaven, and in particular to and from the local public transport facilities on Drove Road, which include bus stops and the Newhaven Town Rail Station. This also includes signalised pedestrian crossings locally to the site, and shared pedestrian / cycle facilities.

The local roads are conducive to cycling and National Cycle Route 2 runs past Newhaven Port and through Newhaven from east to west.

Bus stops are located on Drove Road providing 4-7 buses per hour Monday – Saturday between the site and the key settlements of Brighton, Newhaven and Eastbourne. As part of the Former Parker Pen Factory consented development, bus stops on Drove Road are to be improved with new bus shelters, raised kerbs, seating, signs and the inclusion of Real-time passenger information. These improvements will further improve sustainable travel in Newhaven and will be of specific benefit to the site.

Newhaven Town Rail Station is located within less than 10-minutes' walk from the site. The services are operated by Southern Rail, with regular links provided between Lewes and Seaford.

Due to the proximity of the site to the A26 New Road, identified as being the Strategic Road Network local to the site, and the existing environmental weight restrictions to the west at Peacehaven, all HGVs will route to and from the site via the A26 New Road. For Stages 1 and 2, the HGV route will be via Beach Road, Clifton Road, Railway Road, the B2109 Drove Road and the A26 New Road. For Stages 3 and 4, 75% of all vehicular traffic associated with the existing and permitted operations at East Quay is predicted to divert to the New Port Access Road (NPAR). However, 100% of the activity associated with the BAL operations for both Stages 3 and 4 will use the NPAR.

Whilst it is acknowledged that staff vehicle movements will generally occur outside of the AM and PM Peak Hours, in order to ensure a robust assessment, the level of car traffic predicted for each stage of the proposed development has been assigned to the surrounding highway network during the peak periods.

Consideration has been given to the arrival / departure operations of the Dieppe Ferry and it is considered that the proposed development will have no material impact on these operations.

The daily and peak hour threshold analyses, demonstrates that the net increases in flows associated with all four stages of development are low and will not have a material impact on the local highway network. Accordingly, in traffic terms it is considered that the proposed development is consistent with the National Planning Policy Framework, specifically paragraph 32, which states that "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*"

Conclusion

The above summarises the findings of experts in the following disciplines:

- (i) townscape and visual Impact assessment;
- (ii) ecology and nature conservation;
- (iii) archaeology and cultural heritage;
- (iv) hydrology and hydrogeology and flood risk;
- (v) noise;
- (vi) air quality; and
- (vii) transport and highways.

in relation to the potential environmental impact of the proposed development described in Section 5 above.

Their reports in Appendices 1 to 7 of the statement have been prepared in accordance with the relevant legislation and planning guidance and policy and, by determining the scale of any impact and the sensitivity of the relevant receptor, show that the development would not cause any adverse impact of significance on;

- (i) the landscape and visual amenity;
- (ii) ecology and nature conservation;
- (iii) archaeology and cultural heritage;
- (iv) the surface and groundwater regimes or increase the risk of flooding;
- (v) noise levels;
- (vi) air quality; or
- (vii) the highway network.