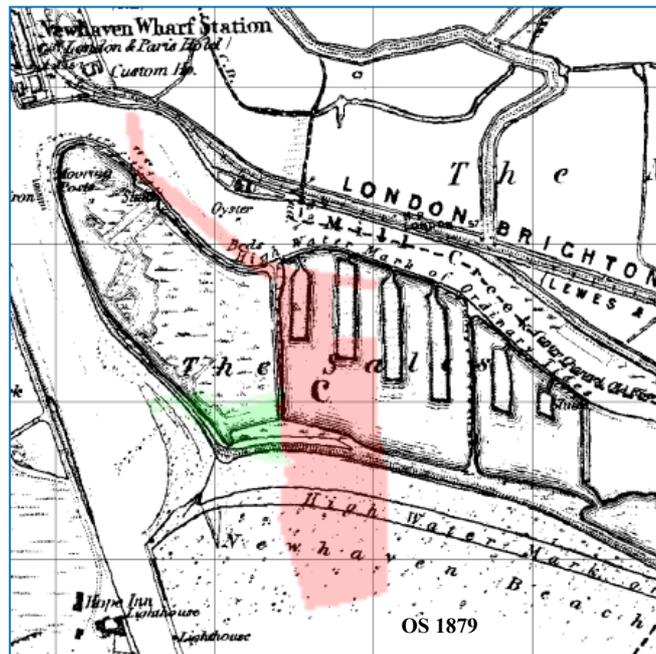


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East Quay Newhaven



Heritage Statement

September 2017

HER reference number 444/16

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1. Introduction

1.1 SCOPE OF THIS REPORT

1.1.1 Description of the proposed development

This Heritage Statement, commissioned by Davies Planning on behalf of Brett Aggregates Limited (BAL), presents the findings of a cultural heritage assessment for a proposed development at the Port of Newhaven in East Sussex. The centre of the Proposed Development Area (PDA) is at approximately TQ 4534 0036.

BAL is seeking planning permission to develop a road and rail connected marine aggregate terminal (the proposed development) on Fisher's Wharf, East Quay at Newhaven Harbour (**Figure 1**), which is owned by Newhaven Port Properties Ltd (NPP), where it would process aggregates and prepare and produce value added products.

The application area comprises an area of 5.17 hectares (ha) and the PDA 5.78ha.

The proposed development would be carried out in four stages in the areas shown in **Figure 2**. The full description of the development is set out in the Planning Statement.

Stage 1 development

Off-loading aggregates at the existing berth on the East Quay and developing facilities on land behind the Quay, to enable sand and gravel to be off-loaded, 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

When Rampion Offshore Wind relocates to elsewhere on the East Quay, using land, currently occupied in connection with the construction of the wind farm in the English Channel, to improve cargo discharge efficiency and provide more space for aggregates storage. Output by road would remain unchanged.

Stage 3 development

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 development would use the new port access road.

Stage 4 development

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 fully developed site is shown on **Figure 3**.

Piling is necessary for all structures. Piling is anticipated as follows, although ground investigations and loading information will be required to confirm:

- Aggregate plant 40 no.
- Concrete Plant 30 no.
- Block plant 68 no.
- Weighbridges 12 no.

It is assumed that piles would be Continuous Flight Auger with an estimated diameter of 400mm

Other than through piling, construction predicted to penetrate below madeground is restricted to water recycling pits. Stages 1-3 land is surfaced but Stage 4 is generally vegetated shingle and will stay as such.

In terms of potential effects upon the setting of heritage assets, it is important to recognise that the existing baseline is one of a well-developed industrial setting since the late 19th century. East Quay is currently used by a metal reclamation company and Rampion Offshore Wind (ROW) in connection with the construction of an offshore wind farm in the English Channel. Part of the PDA is currently occupied by ROW for industrial, office and car parking purposes. The land between the quay and the southern part of the PDA is, with the exception of the port office, generally open and unoccupied but has consent for further development by ROW which is currently under construction.

Existing industrial buildings, about 8m high, are situated in the eastern part of the PDA with extensive areas of concrete hardstanding to their north and south. The access road and rail track are in place and lighting towers are located mainly along the boundaries of the PDA and are long established. Boundaries comprise predominantly 1.8m-2m high galvanised steel palisade fencing.

1.1.2 Scope of cultural heritage

Cultural heritage is represented by a wide range of features that result from past human use of the landscape. These include historic structures, many still in use, above ground and buried archaeological monuments and remains of all periods, artefacts of anthropological origin and evidence that can help reconstruct past human environments. In its broadest form cultural heritage is represented by the landscape and townscape itself.

The Heritage Statement considers both direct and indirect effects upon cultural heritage. Indirect effects can occur as a result of significant changes to the setting of a landscape or asset, whether permanent or temporary. This is particularly relevant to designated cultural heritage assets, such as Scheduled Monuments, Listed Buildings, Conservation Areas and Registered Parks and Gardens.

Of particular relevance to the proposed development is Newhaven Fort and Lunette Battery, a scheduled monument that is situated 250m south-west of the PDA boundary.

1.2 DESK-BASED RESEARCH

In order to assess the effects of the potential scheme, existing cultural heritage information within and up to 2km from the PDA was examined.

A variety of sources were consulted including the East Sussex Historic Environment Record (HER), the Historic England Archive, historic maps, historical works, archaeological reports, local history materials, satellite imagery and information from the online resources relevant to Newhaven Fort.

A site visit and visit to Newhaven Fort was carried out in September 2016.

The work was undertaken by Andrew Josephs of Andrew Josephs Associates.

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

1.3 PLANNING POLICY AND GUIDANCE

1.3.1 National Policy and Guidance

The importance of cultural heritage is clearly recognised at both national and local levels. Certain features that are deemed to be of particular importance are given legal protection through the *Ancient Monuments and Archaeological Areas Act 1979* (Scheduled Monuments) and the *Town and Country Planning Act 1990* (Listed Buildings and Conservation Areas).

In accordance with planning policy and guidance, the significance of an effect should be identified as part of a heritage assessment. This is achieved using a combination of the following published guidance and professional judgement.

- National Planning Policy Framework 2012. Department for Communities and Local Government.
- Planning Practice Guidance: *Conserving and Enhancing the Historic Environment* <http://planningguidance.planningportal.gov.uk>
- Historic England¹ 2008. *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*. London.
- Historic England 2015. Good Practice Advice Note 3 (GPA3) *The Setting of Heritage Assets*: Historic England guidance.
- Historic England 2011. *Seeing The History In The View: A Method For Assessing Heritage Significance Within Views*.
- Historic England 2009. *Planning Mitigation and Archaeological Conservation – Resource Assessment*.
- Historic England 2009. *Planning Mitigation and Archaeological Conservation – Resource Assessment*.

1.3.2 National Planning Policy Framework

National planning policy on how cultural heritage should be assessed is given in the National Planning Policy Framework, published in March 2012. This covers all aspects of heritage and the historic environment, including listed buildings, conservation areas, registered parks and gardens, battlefields and archaeology. The relevant policy is reproduced below.

Chapter 12 Conserving and enhancing the historic environment

128². In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require

¹ Historic England was previously a part of English Heritage

² Paragraph numbers are those shown in NPPF

developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- the desirability of new development making a positive contribution to local character and distinctiveness.*

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- the harm or loss is outweighed by the benefit of bringing the site back into use.*

134. *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.*

135. *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

136. *Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*

139. *Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.*

1.3.3 Planning Practice Guidance (PPG)

Planning Practice Guidance (PPG) *Conserving and Enhancing the Historic Environment* was published in April 2014 as a companion to the NPPF, replacing previous Circulars and other supplementary guidance. In respect of heritage decision-making, the PPG stresses the importance of determining applications on the basis of significance, and explains how the tests of harm and impact within the NPPF are to be interpreted.

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

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

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. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. 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.”

1.3.4 Historic England: The Setting of Heritage Assets (2015)

This Good Practice Advice Note observes that amongst the Government's planning objectives for the historic environment is that conservation decisions are based on the nature, extent and level of a heritage asset's significance and are investigated to a proportionate degree. Historic England recommends the following broad approach to assessment, undertaken as a series of steps that apply proportionately to complex or more straightforward cases:

- Step 1: identify which heritage assets and their settings are affected;
- Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
- Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;
- Step 4: explore the way to maximise enhancement and avoid or minimise harm;
- Step 5: make and document the decision and monitor outcomes.

These steps have been followed in this assessment.

1.3.5 Lewes District Council Policy

Lewes District Local Plan of 2003 includes some saved policies of relevance to the proposed development including:

- Listed Buildings (H2)
- Buildings of Local, Historical or Visual Interest (H3)
- Development within or affecting Conservation Areas (H5)
- Areas of Established Character (H12)

Policies H9-H11 'Archaeological Sites' expired in September 2007.

1.4 ASSESSMENT METHODOLOGY AND SIGNIFICANCE CRITERIA

In accordance with the EIA Regulations the significance of an impact or effect should be identified. This is achieved using a combination of published guidance and professional judgement.

Four criteria have been considered in evaluating the significance of the residual effects of the proposed development, taking into account any proposed mitigation measures.

1.4.1 Type of Impact

Impacts may be positive, beneficial, negative, adverse, neutral (i.e. no discernible effect) or none. They may be permanent or temporary, of long, medium or short duration, direct or

indirect. They may also be cumulative or combined with other effects occurring in the vicinity.

Direct impacts have a physical effect upon an archaeological site, structure or cultural heritage asset. This may lead to the partial or total destruction of that asset.

Indirect impacts of development upon scheduled monuments, listed buildings, parks and gardens and other designated features of the cultural heritage landscape are more difficult to assess. Consideration should include the context (or setting) of a cultural heritage asset (or place) and how we should assess its significance. Contextual relationships may be visual, but can also be, for example, functional or intellectual.

1.4.2 Likelihood of the impact occurring

An assessment is made as to the likelihood of the identified impact occurring. Probability is considered as certain, likely, unlikely or not known.

1.4.3 Sensitivity

Three categories of sensitivity are identified: high, medium and low. These are expanded upon in **Table 1**, below.

Table 1 Definitions of sensitivity

Sensitivity	Definition
High	Sites and settings of <i>national importance</i> . Scheduled Monuments. Registered Battlefields. Grade I and Grade II* Listed Buildings and Registered Historic Parks and Gardens. Sites may also be discovered as a result of new research that are also of national importance and are candidates for scheduling.
Medium	Sites and settings of <i>regional importance</i> . Archaeological sites and features that are not considered sufficiently important or well-preserved to be protected as Scheduled Monuments. Grade II Listed Buildings and Grade II Registered Historic Parks and Gardens. Conservation Areas.
Low	Archaeological sites and structures, and other components of the historic environment that contribute to the local landscape. Locally designated assets.

1.4.4 Magnitude

The magnitude of change to a cultural heritage asset or landscape is considered in terms of its vulnerability, its current condition and the nature of the impact upon it. With respect to sub-surface archaeology, there may be a degree of uncertainty of the magnitude of change, and where this is the case it is noted. Magnitude is assessed as high, medium, small or none and the criteria used in this assessment are set out in **Table 2**, below.

Table 2 Criteria for Assessing Magnitude of Change

Magnitude of Change	Description of Change
High	Complete destruction of a well-preserved archaeological site, historic structure or element of the cultural heritage landscape Change to the setting of a cultural heritage asset such that our ability to understand the resource and its historical context is permanently changed
Medium	Destruction of an archaeological site or other cultural heritage asset already in degraded condition Change to the setting of a cultural heritage asset such that our ability to understand the resource and its historical context is partly or temporarily changed
Small	Destruction of an archaeological site or other cultural heritage asset already in highly degraded condition Change to the setting of a cultural heritage asset such that our ability to understand the resource and its historical context is slightly or temporarily changed
None	No physical effect upon an archaeological site or other asset of the cultural heritage landscape No discernible effect upon the setting of a cultural heritage asset, or our ability to understand the resource and its historical context

1.4.5 Assessing significance

The four criteria are considered together to reach a conclusion upon the significance of residual effects taking into account any mitigation measures. In accordance with the EIA Regulations these are quantified as significant, not significant or neutral (i.e. no change to the existing situation). They may be beneficial or adverse. In some cases it may not be possible to quantify the significance of an effect, for example due to a gap in information, and this is noted.

Table 3 presents a matrix of the inter-relationship of sensitivity with magnitude.

Table 3 Inter-relationship of sensitivity with magnitude

Magnitude →	High	Medium	Small	None
Sensitivity ↓				
High	Significant	Significant	Not significant	Neutral
Medium	Significant	Not significant	Not significant	Neutral

Low	Not significant	Not significant	Not significant	Neutral
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2. Desk-Based Assessment

2.1 DESIGNATED ASSETS

The Historic England Archive was consulted to verify the location of designated assets up to 2km from the PDA.

None lies within the boundary of the PDA.

2.1.1 *Scheduled Monuments*³

One scheduled monument (ref 1002242) lies within the visual envelope of the PDA. This is Newhaven Fort and lunette battery, which at its nearest point is approximately 250m south-west of the PDA boundary (**Figure 4**).

A fort to defend the port of Newhaven was a recommendation of the 1859 Royal Commission on the Defence of the United Kingdom, during the administration of Lord Palmerston. The site selected was on cliffs overlooking the harbour called Castle Hill, which was already occupied by a battery which originated in the mid-16th century. Instead of levelling the site, as was customary, the fort was designed to conform to the existing contours. A 40 foot wide moat protected the northern and western sides of the fort, which were lined with concrete, the first time this material had been used to any extent in a British fortification. The eastern side overlooking the harbour was protected by a short wet moat and by the embankment of the harbour. A covered passage (or caponier) at the foot of the chalk cliffs was reached by a tunnel from within the fort. This is in very poor condition and on the Heritage at Risk Register.

The garrison was to be housed in casemated barracks built into the northern and western ramparts. The main entrance at the north east angle was accessed by an "Equilibrium Bridge" designed and patented by the architect John Ardagh.

Work commenced in 1864, with a workforce of 250 men and three steam engines. Shingle for the concrete was taken from the beach and clay for the six million bricks required was found nearby. Work was completed in the summer of 1871 and the guns were emplaced in 1873.

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 (see **Photograph 1**). A grant was given by English Heritage to repair the lunette battery in 2009.

³ Sources: Historic England, Wikipedia, newhavenfort.org.uk

2.1.2 Listed Buildings

No listed structures lie within 1km of the PDA (N.B. The Fort is not listed). There are a number in the town centre and by the river at the north end of the harbour, approximately 1.2km to the north of the PDA. No line of sight exists with the PDA and there is no historical or contextual relationship with the PDA, as shown on **Figure 4**. They are not considered further.

2.1.3 Conservation Area

The nearest Conservation Area is over 1km northwest of the PDA, centred on Church Hill, Newhaven. Views towards the PDA are blocked by development of post-war date (**Figure 4**). It is not considered further.

2.1.4 Other Designated Cultural Heritage Assets

There are no World Heritage Sites, Registered Battlefields or Registered Historic Parks and Gardens within 2km of the centre of the PDA.

2.1.5 Local Designations

Archaeological Notification Areas (ANA) are not statutorily designated, but have been defined by the LPA because they have a known archaeological resource that may be affected by development.

The boundary of Tidemills ANA (see **Figure 5**) is located 100m to the east of the PDA. An area of 8.01ha (centred on TQ 4588 0023) has been demarcated as having high potential for archaeological remains associated with a derelict village comprising a post-medieval tide mill and about 100 workers cottages. During the First World War the site was an experimental seaplane base, and remains from this period also contribute to its classification as an ANA.

2.2 ARCHAEOLOGICAL BACKGROUND

2.2.1 Introduction and scope

The East Sussex Historic Environment Record (ESHER) was consulted for a record of sites and monuments up to 1km from the boundary of the PDA. The assistance of Daniel Phelps, Historic Environment Record Assistant, East Sussex CC is gratefully acknowledged.

Numbers in () are ESHER reference numbers.

2.2.2 Historic Character Assessment

An Historic Character Assessment of Newhaven was published in 2004⁴. The waterfront of this part of East Quay is contained within one of its 'Historic Urban Character Areas' (**Figure 6**). Apart from its linkage to East Quay wharf the Application Area lies outside.

⁴ Smith, R. 2004 *Newhaven Historic Character Assessment*

2.2.3 Recent and post medieval

There are 104 monument records with 1km of the PDA and the vast majority reflect the coastal location and Newhaven's military and industrial history.

Sites and Monuments within the PDA

Only three sites lie within the PDA. MES16343 is documentary evidence of a 19th century saltworks and MES7553, a demolished WWII pillbox, as shown on **Figure 7**. The railway line (MES7552) crosses through the PDA.

Sites and Monuments in the 1km Study Area

The single largest group of entries (43) relate to wrecks from the post medieval and recent periods. These will not be further considered in the context of this development as the proposals will not affect them.

A further large group of the records relate to the defence of the port at various stages in the post medieval and, in particular, modern periods. On the west side of the estuary is the Newhaven military fort and lunette battery (MES1785) (see **section 2.1.1**) A further two C19 batteries are recorded, (MES7569) and another by the West Pier (MES7568).

More recent defensive works include six pill boxes (MES7551, 7552, 7554 and 7558), a number of coastal battery search light stations (MES7570, 7571) and air raid shelters (MES7559, 7561, 7579, 7580, 7583).

Further entries include a petrol warfare site (MES7549) and a seaplane base (MES7572). There is also a loop-holed wall (MES7575), a military road (MES7576) and a military training site (MES7577), Royal Observer corps station (MES7735) and a World War I transit camp (MES24094).

Buildings and activities from the last two centuries make up a further large group of the entries. A C18 tide-mill (MES57) that gives its name to that part of the town was actually a series of mills, with an adjoining settlement (MES16365), erected from about 1761 and operated until it was severely damaged in a storm in 1884.

One entry covers the site of a C19 lighthouse (MES7489) and the extant C20 pier erected in 1920 (MES23252).

A number of locations have associations with the railways serving the port including Newhaven station (MES1798), a stables (MES8390), some railway workers cottages (MES8360 and MES 8391), a spur line to Newhaven harbour (MES8384) shown on old maps, a C20 narrow gauge (MES8386) and Bishopstone Station station master's house

(MES16366). There is even a railway carriage base recorded at Tidemills that may have served as a holiday home in the post war years (MES7573).

A further collection of entries relate to recent industrial activity, for example the C20 industrial estate (MES8361), the mill pond in Mill Creek (MES8378), the C19 brickfield north of Newhaven Fort (MES8381), a C19 gas works in railway Road (MES8388), the C19 saltworks in Mill Creek (MES16344) and the Parker pen factory site in Railway Road (MES24095).

Recreational activities make up a further group with a C19 bandstand (MES7574), a Scout Hut (MES8375), and two C20 sports pavilions (MES8374, 8393). Further recent entries include a C20 boat shed (MES8376), the C19 Newhaven Harbour Hotel (formerly the London and Paris Hotel) (MES8394), the ruins of the C20 Tidemills hospital, the site of Outfarm at Tidemills (MES32186) and the site of a C20 sheepfold at Bishopstone (MES33504).

2.2.4 Medieval

Meeching Court House, a C17 manor house (MES1808) was built on the site of an earlier C13 structure, but the C17 building was demolished in 1953 and the site has since been redeveloped. There is also a medieval saltern (MES7253) suggested by a series of mounds found during fieldwork in the same area of the estuary as the post medieval saltworks. During a fieldwalking exercise of land inland towards Seaford a concentration of medieval pottery and fire cracked flints were found (MES7254).

2.2.5 Later prehistoric-Saxon

Within the study area there are two records for finds of Neolithic and Bronze Age date, one from Castle Hill (MES1794) where in addition to Neolithic and Bronze Age pottery a hoard of Bronze Age wood-workers tools was recovered. The other entry is for a single Neolithic scraper (MES8477).

To the east of the river is an entry for a series of rectilinear crop marks (MES7252) identified on a 1946 aerial photograph, but subsequent trenching in 2000 failed to identify any evidence for them.

During demolition works within Newhaven Fort in 1970 a quantity of both Iron Age and Roman pottery, along with a spindle whorl, were recovered (MES1783). It is thought an Iron Age hill-fort may once have been present, although now disturbed by both erosion and subsequent military works. Further Iron Age and Roman occupation is also recorded adjacent to the fort from the 1930s when pottery, coins and an armlet were found during excavations for housing development (MES1786).

Given the sparsity of records from the pre-medieval period a wider area, up to 2km around the PDA, was examined. To the west of the river is a Roman building, possibly a villa, examined in the C19 (MES1793) but now covered by modern development. Separately a rectangular

Roman enclosure with a sequence of buildings that included an aisled hall (MES1796) is recorded. A long mound (MES15516) which whilst appearing on the 3rd edition OS looking like a long barrow is probably a WW1 rifle range, much of which has now been lost due to cliff erosion.

2.2.6 Early prehistory

The topography and geology of Newhaven has been shaped over time by the shifting course of the River Ouse. The present landscape is largely the result of changes in the Pleistocene (2.6 million – 11.7 thousand years ago), when the formation and movement of glaciers carved out valleys and caused the mass deposits of sediments. The climatic changes of this epoch, which was characterised by repeated cycles of ice ages, with glaciers extending as far south as the Thames, and warmer periods, meant that there were significant sea-level changes that caused the emergence and submergence of the Channel floor. During periods of low sea-level the Ouse would have formed a tributary of the large English Channel river system. As such it would have offered a natural routeway into the main body of the Wealden landscape for mobile game herds and hunting groups.⁵

An unrolled Palaeolithic hand axe (MES1780) was recovered from First Avenue during building works and a group of 156 Palaeolithic flints were recovered slightly outside the present study area from a fissure during excavations in South Street, (MES1803).

Rising sea levels in the Mesolithic and Neolithic periods would have flooded the lower reaches of Sussex and continually transformed the coastal environment. As the sea levels began to stabilise in the Neolithic period longshore drift would have started to occur, which in Sussex is known to have diverted water courses eastwards and resulted in the growth of coastal shingle barriers across streams and rivers⁶.

This transportation of sediment along the coastline would have impeded drainage of the Ouse valley and generated a higher water table inland. In turn this created suitable conditions for the formation of peat deposits, with those found in the Ouse Valley dating to 6000 BC.

Some way to the northeast of the PDA a scatter of flintwork of early Mesolithic to late Bronze Age date and fire cracked pebbles (MES22155) was identified on slightly undulating ground and beyond the study area a further scatter of Mesolithic flints (MES16381) was recovered in the Harbour Heights area during archaeological excavation.

⁵ Johnson, C. and Chuter, G. 2009. *Assessing The Historic Environment Of The East Sussex Aggregate Resource*. Desk-Based Assessment of River Terrace Gravel Geology (Within The Ouse Valley). (Page 19). Aggregates Levy Sustainability Scheme.

⁶ Woodcock, A. 2003. 'The Archaeological implications of Coastal Change in Sussex'. In Rudling, D. (Ed) *The Archaeology of Sussex to AD2000*. (Pages 3-4)

2.3 CARTOGRAPHIC AND HISTORICAL RESEARCH

The PDA lies adjacent to the mouth of the River Ouse. Over the centuries the river has migrated between Newhaven and Seaford in response to the growth and decay of a shingle spit at its mouth. The growth of the shingle spit hindered the outflow of the river, which consequently flooded the Levels upstream and restricted access to the port. Therefore a channel through the shingle spit was cut in the mid-16th century below Castle Hill, creating access to a sheltered harbour. This was the origin of modern Newhaven.

However, shingle continued to accumulate and the mouth of the Ouse began to migrate eastwards again. Under the Ouse Navigation Act (1790), a western breakwater was constructed to arrest longshore drift and so cut off the supply of shingle to the spit. A new outlet (The Cut) was built on the river's present course, to the west of the PDA.

The PDA would therefore 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.

The village was of little maritime importance until the opening of the railway line to Lewes in 1847. The London Brighton and South Coast Railway (LB&SCR) constructed their own wharf and facilities on the east side of the river, and opened the Newhaven harbour railway station. The railway also funded the dredging of the channel and other improvements to the harbour between 1850 and 1878, to enable it to be used by cross channel ferries and in 1863 the LB&SCR and the Chemin de Fer de l'Ouest introduced the Newhaven-Dieppe passenger service.

The Ordnance Survey, 1st edition of 1879 (**Figure 8**), shows the early development of this part of Newhaven. The railway line and ferry wharf lie to the north-west of the PDA, which is isolated and marshy. In the eastern part of the PDA and beyond is an area called *The Salts* with six rectangular ponds fed with water (controlled by sluices) off Mill Creek. These are most probably salterns.

In the next 20 years, the marshland has been reclaimed and a branch taken off the 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 (**Figure 9**).

Further expansion of sidings and buildings takes place before 1911 (**Figure 10**), including within the PDA. The linear ponds have been linked with north-south pond and a channel, presumably controlled by sluices.

Newhaven Harbour was designated as the principal port for the movement of men and material to the European continent during World War I, taken over by the military authorities and the ferries were requisitioned for the duration of the war. Between 22 September 1916 and 2 December 1918, the port and town of Newhaven were designated a 'Special Military Area' under the 'Defence of the Realm Regulations', and the Harbour station was closed to the

public. The port and harbour facilities, rail sidings and warehousing were greatly enlarged at this time and electric lighting installed to allow for 24-hour operation. A seaplane base, RNAS Newhaven, was established in 1917 at Tide Mills.

This is reflected on the map of 1938 (**Figure 11**) with extensive areas of the East Wharf covered by railway infrastructure including within the PDA.

Newhaven also played an important role during the Second World War – it was the home of the HMS Forward secret intelligence centre, responsible for all of the naval establishments in the area and the coastal defences for Sussex, and was involved in a number of operations including the Channel Dash (1942), the Dieppe Raid (1942), D-Day or Operation Overlord (1944), Motor Torpedo Boat (MTB) raids and commando reconnaissance of the French Coast⁷.

Newhaven Harbour was heavily defended. Beaches were mined and defended with barbed wire and pillboxes; the mouth of Newhaven Harbour was blocked with a boom and submerged vessels. Strategic positions were defended with barrage balloons, searchlights and anti-aircraft batteries and gun emplacements. The River Ouse formed part of the GHQ Stop Line, designed to slow down any Nazi invasion. Most of the defences were removed after the war, though numerous pillboxes survive along the River Ouse⁸.

In 1963 (**Figure 12**), all but one of the structures within the PDA have been removed. By 1980 (**Figure 13**), the ponds have been filled in and rectangular warehousing created to the west of the PDA.

2.4 PREVIOUS ARCHAEOLOGICAL STUDIES

2.4.1 Port of Newhaven Extension, 2014

In 2014 Wessex Archaeology carried out a desk-based assessment of East Quay and Port Expansion Area⁹, including consideration of marine archaeology. The DBA included the PDA.

⁷ Statton, M. 2015. Newhaven Flood Alleviation Scheme Technical Appendix D, Report 1: *Cultural Heritage Desk-Based Assessment*. Capita URS. (Page 27).

⁸ Johnson and Chuter 2009 (Page 25). *Op cit*.

⁹ Wessex Archaeology. 2014. Newhaven Port East Quay Expansion Area, East Sussex. *Archaeological Desk-Based Assessment*. Unpublished report ref. 101990.01

They concluded that there was potential for unknown archaeology that could be affected by construction. This ranged from high potential for the modern period to low for the Saxon and medieval periods, with unknown potential for prehistoric, Iron Age and Roman periods.

With respect to the setting of designated assets, they concluded that construction activities for the proposed project were expected to have *‘an overall minor adverse impact on the wider historic landscape with minor adverse impacts predicted on the Newhaven Fort and the Iron Age fort at Castle Hill.’*

During operation, it was concluded that *‘due to the visibility of new structures, it is predicted that there would be ‘minor adverse impacts’ on the Newhaven Fort, Rookery Hill barrow cemetery and the overall historic landscape character, all other impacts would be negligible or less.’*

Mitigation was proposed for the land-based elements of the scheme that comprised a watching brief with a protocol for the reporting archaeological discoveries outside the scope of the watching brief.

Residual impacts were predicted as negligible as a result of mitigation measures.

2.4.2 Flood Alleviation Scheme, 2015

The PDA fell within a wide study area of 55ha in the Ouse valley to inform potential flood alleviation schemes. The work was carried out by Capita URS and provides very useful background on the archaeology of the Ouse valley including geoarchaeological information that has identified the chalk head gravels, which may preserve Pleistocene landforms, and Holocene deposits infilling the Ouse valley that have potential to preserve palaeoenvironmental remains.¹⁰

¹⁰ Statton, M. 2015. *op cit.*

3. Impacts and Mitigation

3.1 DIRECT IMPACTS

3.1.1 *Scope of impacts*

Despite the wide range of dates and types of sites within the study area only three entries are located within the PDA: the site of a late 19th century saltworks (now infilled), a demolished WWII pillbox and railway infrastructure.

The paucity of records from the eastern side of the river and within a 1km radius of the PDA reflects the marginality of the location for much of the past.

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.

The current ground level is on made ground, below which will be infilled ponds of 19th century date in the north-eastern part of the PDA and grading associated with the expansion of the railway in the late 19th and early 20th century. Stages 1-3 land is surfaced but Stage 4 is generally vegetated shingle and will stay as such. Other than through piling, construction predicted to penetrate below made ground is restricted to water recycling pits.

Piling is necessary for all structures. In total it estimated that there will be 150 piles of 0.4m diameter (0.2m radius) in an application site of 5.17 ha.

Total area = $\pi r^2 \times 150 = 3.142 \times 0.2 \times 0.2 \times 150 = 18.85\text{m}^2$

It is assumed that piles would be Continuous Flight Auger.

3.1.2 *The impact of piling*

Historic England (2015) guidance¹¹ states that the key to mitigation is understanding the zone of disturbance.

¹¹ Piling and Archaeology (*op cit*), page 34.

“Avoidance strategies should be considered on a site-by-site basis, taking into account the scale and nature of the development and the archaeological potential. All piling operations will result in the physical destruction of archaeology directly in the path of the pile and, while it is accepted that destruction will occur, there has been much discussion of what constitutes an acceptable level.

A study into development and archaeology in the City of York (Ove Arup and Partners and York University in association with Bernard Thorpe 1991) proposed that the use of single bored (replacement) piles centred on a 6m by 6m grid would result in the destruction of between 2% and 5% of the area within the footprint of the construction while still maintaining the ‘legibility’ of the deposits. The value of 5% has, inadvertently, gained credence as the maximum permissible area of destruction. This does not take into account the cumulative effects of successive developments

Developments on archaeologically sensitive sites should strive to achieve lower values.”

In accordance with HE guidance, the area of disturbance (18.85m²) caused by the pile should be doubled to represent the potential zone of damage caused through the drilling and removal of the auger, i.e. 37.70m². This would represent 0.072% of the application area.

Thus, although it is recognised that the 5% figure should not be regarded as the tariff below which the ‘legibility’ of the archaeology is maintained, or which is ‘*the maximum permissible area of destruction*’, the potential area of disturbance within the PDA that would penetrate to archaeologically sensitive layers 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 clearly a less than significant impact.

3.2 MITIGATION OF DIRECT IMPACTS

The majority of the PDA site is covered in made ground of 19th century and later date. Assuming that the development is executed as proposed, 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.

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.

3.3 INDIRECT IMPACTS

Only one designated heritage asset has any visual link with the PDA. This is Newhaven Fort and lunette battery, a scheduled monument, as described in **Section 2.1.1**.

3.3.1 Overview

Indirect impacts are those that do not physically affect a cultural heritage asset or landscape, but that alter the context or setting. They may be beneficial or adverse. Such impacts can be difficult to define and should draw on guidance, in particular that published by Historic England and cited in **Section 1.3**.

The National Planning Policy Framework (NPPF) states that *‘the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’*

Historic England’s 2015 *Good Practice Guide 3, The Setting of Heritage Assets (GPA3)* states that:

“while setting can be mapped in the context of an individual application or proposal, it does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset because what comprises a heritage asset’s setting may change as the asset and its surroundings evolve or as the asset becomes better understood or due to the varying impacts of different proposals”.

With regard to the appreciation of setting GPA3 notes:

“Because setting does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it; this would downplay such qualitative issues as the importance of quiet and tranquillity as an attribute of setting, constraints on access such as remoteness or challenging terrain, and the importance of the setting to a local community who may be few in number. The potential for appreciation of the asset’s significance may increase once it is interpreted or mediated in some way, or if access to currently inaccessible land becomes possible.”

At page 7 of GPA3 it states that

“Historic England recommends that, when submitted as part of a Design and Access Statement, Environmental Statement or evidence to a Public Inquiry, technical analyses of this type should be seen primarily as material supporting a clearly expressed and non-technical narrative argument that sets out ‘what matters and why’ in terms of the heritage significance and setting of the assets affected, together with the effects of the development upon them.”

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

These comments are all relevant to the current proposals.

3.3.2 Assessment of the effects on the visual setting of Newhaven Fort

Views from the Fort to the PDA

GPA3 provides information on good practice to assist local authorities, planning and other consultants, and others in implementing historic environment policy in the (NPPF) and the related guidance given in the *National Planning Practice Guide: Conserving and enhancing the Historic Environment* (2014)). It discusses the concepts of *setting, curtilage, character and context* all of which are considerations when assessing the impact of development proposals.

The Guide states that '*the contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, including a variety of views of, across, or including that asset, and views of the surroundings from or through the asset, and may intersect with, and incorporate the settings of numerous heritage assets*' and that '*views can be particularly important where a relationship exists with another heritage asset which can help to understand the significance and function of the asset.*'

One approach to assessing heritage significance within views is provided by Historic England (2011) in *Seeing the History in the View: A Method for Assessing Heritage Significance within Views* (currently under review).

The current view towards the PDA is shown on **Photograph 2**. A photomontage has been prepared by Rick Bright Associates (**Photographs 3-5**). This shows the current situation when viewed from the Fort, a further baseline when the structures associated with the Port Extension have been constructed and the visual impacts of the four stages associated with this proposal.

There are no views towards the PDA at ground level from within it, or from any of the inward facing buildings.

The Fort and Lunette Battery have no visual relationship with any other relevant designated asset.

Adapted from the guidance of *Seeing the History in the View* (Table 1), the value of the view from the Fort has medium importance, defined in *Seeing the History* Table 1 as:

‘The asset may...be a World Heritage Site, grade I or II listed building, scheduled monument, grade I or II* historic park and garden or historic battlefield which does not form a main focus of the view but whose significance is still well represented in the view. In this case the Viewing Place (and/or Assessment Point) may be a good, but not the best or only place to view the heritage asset.’*

The rationale for a medium score is that the viewing focus of the Fort was out to sea, rather than obliquely across the river to the PDA.

The magnitude of change to the view is here argued to be low defined in *Seeing the History* Table 3 as:

‘The development erodes to a minor extent the heritage values in the view, or the view as a whole, or the ability to appreciate those values’.

The low score is derived from the current industrial nature of the PDA that has existed for at least 100 years, the permitted development of the port’s eastern expansion and further intervening development, such as the 1970s housing development that lies immediately adjacent to the Fort (**Photographs 6 and 7**).

The impact of the permitted Port Extension upon the Fort was assessed by Wessex Archaeology in 2014 as *‘minor adverse’*.

A matrix is included by Historic England to calculate the overall effect, **Table 5**.

Table 5: Overall effect upon visual setting of Newhaven Fort

	WITH HIGH VALUE	WITH MEDIUM VALUE	WITH LOW VALUE
With high magnitude of impact	Major effect	Major effect	Moderate effect
With medium magnitude of impact	Major effect	Moderate effect	Minor effect
With low magnitude of impact	Moderate effect	Minor effect	Negligible effect
Negligible/neutral impact	Negligible effect	Negligible effect	Negligible effect

The overall impact of the development proposals upon visual setting of the Fort is therefore assessed as minor adverse.

3.3.3 Assessment of the effects on the historic setting of Newhaven Fort

The NPPF makes clear that *'the setting of an historic asset is the surroundings in which a heritage asset is experienced'*. Almost all settings change through time, and that is demonstrably so with Newhaven Fort.

When the Fort was constructed in 1864, upon a site already occupied by a battery which originated in the mid-16th century, it lay isolated on a promontory overlooking the sea and beaches below, but, on the other side (east bank) of the river Ouse and the area of East Quay, The London Brighton and South Coast Railway (LB&SCR) had already constructed their own wharf and facilities and opened the Newhaven harbour railway station. The railway also funded the dredging of the channel and other improvements to the harbour between 1850 and 1878, to enable it to be used by cross channel ferries and in 1863 the LB&SCR and the Chemin de Fer de l'Ouest introduced the Newhaven-Dieppe passenger service.

The historical setting of the Fort, looking east, has always therefore been one of industry and transportation.

For assessing the effects of a proposed development upon overall historic setting, Historic England recommends (GPA3, page 11) using a checklist of *'the potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset.'*

Of the checklist suggested *'only a limited selection of these is likely to be particularly important in terms of any particular development.'* Those relevant are assessed in **Table 6**.

An assessment is made of the magnitude of change based upon the scale high (4), medium (3), low (2), negligible (1) or neutral (0) (i.e. no change to the existing situation).

Table 6 Assessment of effects upon setting of Newhaven Fort and Lunette Battery

Factor	Comment	Magnitude of Change	Score
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<u>Location and siting of the development</u>			
<ul style="list-style-type: none"> Proximity 	The PDA boundary would be 250m from the scheduled boundary of the Fort, 325m from the Lunette Battery and 275m from the public entrance to the Fort. The block plant would be 350m east of the scheduled boundary.	Medium adverse	-3
<ul style="list-style-type: none"> Extent 	The area of proposed development covers 5.78 Ha (Application Area 5.17 Ha)	Low adverse	-2
<ul style="list-style-type: none"> Position in relation to landscape Physical or visual isolation 	Within an existing industrial site that has existed for at least 100 years.	Low adverse	-2
<ul style="list-style-type: none"> Position in relation to key view 	The key view from the Fort is out to sea	Negligible adverse	-1
<u>Form and appearance of the development</u>			
<ul style="list-style-type: none"> Prominence, dominance or conspicuousness 	The proposed development would be absorbed within the existing and permitted industrial, maritime and railway landscape.	Low adverse	-2
<ul style="list-style-type: none"> Competition with or distraction from the asset 	Movement within the PDA may attract the eye of a visitor to the Fort, but it would not compete with it.	Negligible adverse	-1
<ul style="list-style-type: none"> Dimensions, scale, massing and proportions 	The block plant in Stage 4 would be the only addition to existing buildings and layout, and this would be constructed in a location already permitted as part of the Port Extension.	Medium adverse	-3
<u>Other effects of the development</u>			
<ul style="list-style-type: none"> Introduction of movement or activity 	Movement would be clearly discernible from the ramparts of the Fort, but not from ground level. Movement however already takes place within and around the PDA.	Medium adverse	-3
<ul style="list-style-type: none"> Change to skyline 	The proposed structures would not break the skyline.	Neutral	0
<ul style="list-style-type: none"> Noise, odour, vibration, dust, lighting 	Potential impacts have been assessed and with the mitigation proposed it is not anticipated there will be any significant adverse effects arising as a result of the proposed development.	Low adverse	-2
<ul style="list-style-type: none"> Changes to land use 	Current and permitted land use is industrial, although there will be some intensification from increased	Negligible	-1

	activity.		
<ul style="list-style-type: none"> Change to communications and accessibility 	None	Neutral	0
<u>Permanence of the development</u> <ul style="list-style-type: none"> Reversibility 	Given the changing nature of the PDA over the past 100 years, and that the proposed development predominantly makes use of existing infrastructure, the development is technically reversible.	Neutral	0
<u>Longer term or consequential effects of the development</u> <ul style="list-style-type: none"> Economic and social viability 	When all four stages of the proposed development are fully developed nearly 100 job opportunities would be created. It would provide building products to the local and regional markets, including using both marine and rail movement, thus reducing road transport in the region.	High beneficial	+4
Total assessment score -16 Average based on 11 criteria (excludes neutral scores) where high=4, medium=3, low=2, negligible=1 and neutral=0			-1.45

4. Evaluation of Significance of Effects

In accordance with the EIA Regulations the significance of an effect should be identified. This is achieved using the methodology set out in **Section 1.4** and reported upon in **Section 3**, above.

	Type of Effect	Probability Of Effect Occurring	Sensitivity	Magnitude of Effect	Significance	Rationale
Adverse direct effects upon statutorily designated assets of the historic environment	None	Certain	High/Medium	None	Neutral	There will be no adverse direct effects upon statutorily designated assets.
Effects upon buried archaeology within PDA	Negative Permanent	Unlikely	Low	Small	Not significant	The PDA would appear to lie within an area of low overall archaeological potential and other than piling, construction predicted to penetrate below madeground is restricted to water recycling pits. 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
Indirect effects upon setting of Newhaven Fort scheduled monument	Negative Permanent	Certain	High	Slight	Not significant	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. The proposed development lies within a long-established industrial area. The overall impact of the development proposals upon the <i>views from the Fort</i> 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.
Indirect effects upon setting of listed buildings and Conservation Areas	None	Certain	Medium	None	Neutral	A combination of distance, intervening development and topography will prevent adverse effects.

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5. Summary and Conclusions

5.1 SCOPE OF WORK AND RESULTS

This Heritage Statement, commissioned by Davies Planning on behalf of Brett Aggregates Limited (BAL), presents the findings of a cultural heritage assessment for a proposed development at the Port of Newhaven in East Sussex.

BAL proposes to seek consent for an aggregate processing plant, an aggregate bagging plant, a concrete batching plant and concrete block plant on land at Fisher's Wharf, East Quay at Newhaven Harbour. Marine dredged aggregates would be imported over the quay and distribution of processed aggregates in bulk would be by both road and rail.

The Statement 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.

Three archaeological sites are recorded within the PDA: the site of WWII pillbox (now demolished), an infilled salt workings of 19th century date and railway infrastructure. 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 early prehistoric and 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.

5.2 DIRECT IMPACTS UPON ARCHAEOLOGY

Other than through piling, construction predicted to penetrate below madeground is restricted to water recycling pits. The madeground itself may retain the foundations associated with the railway and military activity.

The piling could affect Pleistocene landforms and Holocene deposits that have potential to preserve early prehistoric and 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.

5.3 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.

5.4 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.

5.5 CONCLUSION

Planning Practice Guidance (PPG) *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 NPPF are to be interpreted.

In particular, the PPG 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.