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East Sussex  
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Our Ref: SDNP/17/05659/ADJAUT  
Contact Officer: Heather Lealan  
Tel. No.: [REDACTED]

5th December 2017

Dear Sir/Madam,

**Neighbouring Authority Consultation**

**Proposal: ADJOINING AUTHORITY CONSULTATION - EAST SUSSEX COUNTY COUNCIL - LW/799/CM(EIA) - 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.**

**Address: Fisher's Wharf, Newhaven Port, Newhaven**

Thank you for consulting the South Downs National Park Authority on the above proposal. My comments are submitted on behalf of the SDNPA and specifically concern the impact of the proposals on the South Downs National Park.

The Development Plan for the application site comprises the following:

- (i) East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan - Adopted 19 February 2013 (WMLP);
- (ii) Lewes District Local Plan Part 1 Joint Core Strategy 2010 - 2030 - adopted May 2016 (Core Strategy); and
- (iii) the Lewes District Local Plan - Saved Policies set out in the Schedule to the letter from Housing and Planning Directorate to Lewes District Council dated 25 September 2007 (Saved Policy/Policies)

The application site lies within the settlement planning boundary for Newhaven as defined in Policy CT1 of the Lewes District Local Plan. As such, the principle of development is established. Policy NH20 (Newhaven Harbour Upgrading and Expansion of the Port) of the LLP sets out that:

Land at East Quay and East Beach, as defined on Inset map No 2 (Area A), is allocated for the upgrading and expansion of the port, provided that:

- (a) a full environmental impact assessment is submitted with the planning application
- (b) the proposed access road has been, or is in the process of being, provided
- (c) provision is made for access to The Port by public transport
- (d) adequate screening is provided along the eastern edge of the proposal site
- (e) the proposals are in compliance with all appropriate District-Wide Policies.

Encroachment onto other land between Mill Creek and the former railway line, as separately defined on Inset Map No 2 (Area B), may be permitted (to the minimum extent necessary) if it can be demonstrated to be essential to the expansion of the port in order to support the continuing operation of a modern cross-channel passenger and freight vehicle ferry service. In such event planning permission will only be granted within Area B for open storage uses, including vehicle and trailer parking. Any planning permission for Area B would be dependent on acceptable measures being taken to minimise the visibility and impact of the use through the design of any lighting, fencing, earth bunds and other features.

The application site is located within Area A. For reference, the proposal does not encroach upon Area B as defined. However, the supporting Planning Statement (Paragraph 12.17) states that the planning application is not for the expansion of the port. Essentially, it is considered that the applicants have misinterpreted Policy NH20. The proposal is for the importation and processing of sea dredged sand and gravel, together with the preparation and manufacture of value added products (Class B2 use). Clearly this is a port related use: marine dredged materials are as a matter of course landed at coastal or riverine wharfs. Policy NH20 does not specifically clarify what development falls under the rubric of "upgrading and expansion of the port". As such, this wording is open to interpretation. In this instance it is considered reasonable to include the processing of marine won mineral resources as an upgrading of port facilities.

The Lewes Core Strategy sets out (Core Policy 4: Encouraging Economic Development and Regeneration);

In order to stimulate and maintain a buoyant and balanced local economy through regeneration of the coastal towns, support for local and key strategic businesses and the rural economy and ensuring that the district's economy does not become reliant on one or two sectors, the local planning authority will take a flexible and supportive approach to economic development through the following measures (inter alia):

7. Support the continued use of Newhaven port for freight and passengers including plans for expansion and modernisation of the port as identified in the port authority's Port Masterplan. Support will also be provided to the delivery of onshore infrastructure and support services for the Rampion offshore windfarm.

The supporting text (paragraph 7.48) states:

Newhaven Port is an important strategic asset both for the district and the wider region. Development and job-creation opportunities related to the Port are considered vital to the regeneration of Newhaven and the surrounding coastal area and to improve the continental 'gateway' to the South Downs National Park.

The Port Masterplan[1] sets out the following (Section 5.3) with regard to East Quay: Newhaven Port currently trades in a number of cargoes, with a principal focus on metal recycling and aggregates. Recent trends in international trade indicate that there is a developing market in the import and export of refuse derived fuels and biomass to support the development of biomass powered power stations. This represents a significant opportunity for the port and can be accommodated on the East Quay within the existing infrastructure.

However, in terms of the documents submitted and mitigation measures proposed therein the SDNPA raises an objection to the scheme due to landscape and visual impact with particular focus on the South Downs National Park, its purposes and special qualities.

- The significant visual effects of the proposal are clearly demonstrated in the photomontages and are most striking when viewed from the Tide Mills area of the National Park. This is likely the most significant view as the change here will be front and centre in views. The significance of these effects and the role that the site currently plays in the landscape character of the area and the setting to the National Park has failed to be drawn out in the LVIA.
- As a result of the astonishingly poor quality LVIA, there is a significant lack of mitigation measures - particularly in response to the adverse visual effects on the National Park.

In addition the poor LVIA has taken such a general approach (and not adhering to the definition of landscape or landscape character) the majority of impacts remain unacknowledged at all. For example:

- Only impacts of the built form of the proposal have been assessed - there is no assessment of the landscape and visual impacts of the indirect affects e.g. new access routes, traffic increase, noise, dust, lighting etc.
- There is no assessment at all of key elements of landscape character and particularly those which relate to the National Park, such as:
  - Tranquillity
  - Dark Night Skies
  - Landscape History
  - Perceptual Qualities - the experiential qualities of this landscape and the effect the proposal will have on walkers has not been given sufficient thought in the LVIA. The LVIA takes a random approach to defining the sensitivity of visual receptors with some walkers being classed as less sensitive than local residents - this is contrary to the guidance.
- The entire landscape baseline fails to demonstrate the distinctive landscape character of the site and its context - it simply presents an inventory of land use. The reader is left none the wiser about the local character here and the information presented does not take a qualified landscape specialist to determine it.
- The amount to which the site and its environs contribute to the landscape setting of the National Park has not been understood - therefore the impacts of the scheme on the national park have not been understood.
- The amount to which the site and its environs contribute to the landscape and visual setting of the Scheduled Monument of Newhaven Fort have

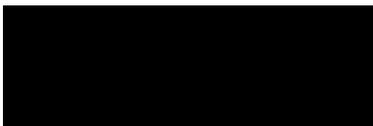
not been understood - therefore the impacts of the scheme on the national heritage asset have not been understood.

- The landscape of the National Park is only considered to be of medium to high sensitivity. The SDNPA has significant concerns about this and would suggest this approach is fundamentally flawed. The National Park is a nationally important landscape and its sensitivities are most keenly felt around the edges of the designation.
- The section headed Landscape Capacity is meaningless and includes no evidence about the local landscape - the assessments of capacity are simply judgements - there is no transparency about how these were made and are clearly not based on any landscape evidence nor does it follow recommended guidance.
- The potential changes to valued habitats in the local area is also likely to have an adverse impact on the National Park as well as local landscape character.

Whilst the SDNPA would defer to your Ecology Consultee, along with other relevant statutory consultees to comment on the suitability of the facilities, the SDNPA's Eastern Ranger team have raised strong concerns with regard to the impact of the scheme on the grounds of it being another industrial process within short distance of important habitats, LWS's and the River Ouse. Particular concerns are raised, given the site constraints, of the ability of the applicant to successfully mitigate against any adverse impact on the adjacent tranquil area of Tide Mills and important threatened shingle habitat.

The SDNPA request to be kept informed of the progress of this application and would wish to engage with the applicants and MPA with regard to addressing our concerns.

Yours faithfully



**TIM SLANEY**

Director of Planning  
South Downs National Park Authority

**Contact Officer**

Heather Lealan



