

**Agenda Item No:** 8 **Report No:** 107/17  
**Report Title:** Response to Petition – A259  
**Report To:** Council **Date:** 17 July 2017  
**Cabinet Member:** Cllr Tom Jones  
**Ward(s) Affected:** All  
**Report By:** Nazeya Hussain, Director of Regeneration and Planning  
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### **Purpose of Report:**

To respond to the petition submitted to the Council on 10 May 2017 regarding traffic levels on the A259 between Newhaven and Brighton Marina.

### **Officers Recommendation(s):**

- 1 To note the petition in accordance with the Council's petition scheme.
- 2 To continue to work in close partnership with East Sussex County Council and Brighton & Hove City Council to fully address the impact of future housing development on the capacity and operation of the A259 between Newhaven and Brighton and on the Air Quality Management Areas at Newhaven and Rottingdean.

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### **Reasons for Recommendations**

- 1 At its meeting on 10 May 2017, the Council received a petition from Councillor Enever containing a combined total of 4462 signatures. The petition stated:

*"We call upon Lewes District Council together with East Sussex County Council and Brighton & Hove City Council to carry out new and joint traffic evaluation studies on the A259 South Coast Road between Newhaven and Brighton Marina.*

*We also call upon Lewes District Council together with East Sussex County Council and Brighton & Hove City Council to carry out an economic impact study on the detrimental effects caused by traffic congestion on the A259 from*

*Newhaven to the Brighton Marina (particularly at peak times) on the local economy for this area as well as looking at air quality and the quality of life for the residents in this whole area.*

*Once the results of these studies have been reviewed we call upon Lewes District Council together with East Sussex County Council and Brighton & Hove City Council to clearly identify what new physical road infrastructure improvements will be required to meet any identified capacity shortfall, along with a schedule of works for when those improvements will need to be implemented before any further development takes place.”*

In the light of the number of signatures and in accordance with the Council's petition scheme, it was agreed that the petition would be debated by the Council as an individual agenda item at the Council meeting on 17 July 2017.

## **Information**

### **2**

- 2.1** Lewes District Local Plan Part 1: Joint Core Strategy (JCS), adopted in May 2016, sets out the number and distribution of new homes within the district over the period to 2030. The identification of the necessary transport approaches and measures required to support this housing growth involved the District Council and the South Downs National Park Authority working in partnership with East Sussex County Council (ESCC). This work including the commissioning of a number of transport studies to test the impact of future development on the local road network.
- 2.2** Many of the new homes proposed in the JCS will be delivered on two sites allocated for development at Harbour Heights in Newhaven and Lower Hoddern Farm in Peacehaven. The allocation of these sites was recommended by the Inspector of the JCS Examination in Public in order to make the plan sound. In making his recommendations, the Inspector relied upon advice from ESCC that was based upon the findings of the Newhaven Transport Study and subsequent technical assessment work, including transport modelling, carried out in the period up to 2015.
- 2.3** The capacity of the local road network to accommodate the additional transport demands arising from new development, and the potential to mitigate the impact of these demands, is a key influence on the amount of housing growth that can be delivered within the district. ESCC has advised that the proposed development in Newhaven and Peacehaven is contingent on a package of transport measures to mitigate congestion and increase network capacity, including:
  - Junction improvements on the Newhaven town centre ring road
  - Improvements to the junctions of the A259 with Sutton Avenue and Telscombe Cliffs Way

- Effective enhancements to bus service levels and infrastructure along the A259 and serving the residential areas of Newhaven and Peacehaven
- Improvements to the walking and cycling network

- 2.4** This advice was accepted by the Inspector who found the JCS sound last year. The petitioners claim in their submission that ESCC's advice relied upon base data which failed to take account of the cumulative impact of development in Brighton & Hove, as well as in Lewes district. This is incorrect. The Newhaven Transport Study and subsequent traffic modelling both incorporated forecast traffic growth external to Newhaven and Peacehaven using TEMPRO, a software programme that is nationally accepted for transport planning purposes.
- 2.5** The transport measures required to support the proposed new homes in Newhaven and Peacehaven, together with the time-frame for their delivery, are set out in the Lewes District Infrastructure Delivery Plan May 2016. They are also addressed in JCS Spatial Policy 7 (Land at Harbour Heights, Newhaven) and JCS Spatial Policy 8 (Land at Lower Hoddern Farm, Peacehaven). The latter requires the identification and delivery of a co-ordinated package of multi-modal transport measures to mitigate the impact of the development on the A259.
- 2.6** The multi-modal transport measures required by Spatial Policy 8 are currently being considered as part of a planning application for 450 homes at Lower Hoddern Farm (LW/17/0226). The applicant's transport consultants are working with ESCC to review and update baseline studies, impact assessments, and possible mitigation measures along the A259 coast road between Newhaven and Rottingdean. Any future decision on this application will be based on the most up-to-date information available and will take into account the transport impact of development from other sites.
- 2.7** Whilst a planning application has yet to be submitted for the proposed 400 homes on land at Harbour Heights, Newhaven, the site promoters have also been working with ESCC on potential measures to mitigate congestion and increase highway capacity on the A259. In the light of this ongoing work, it is considered unnecessary at this time for the District Council to commit additional funding to commission a further transport study to assess the impact of the proposed housing development in the coastal settlements over the JCS period.
- 2.8** In respect of concerns raised about air quality, the District Council regularly monitors nitrogen dioxide levels at strategic locations along the A259 in accordance with its duties under Part IV of the Environment Act 1995. It has declared an Air Quality Management Area (AQMA) in Newhaven, where a number of locations exceed the annual mean nitrogen dioxide objective, and an Air Quality Action Plan for the AQMA was published in 2016.

**2.9** Core Policy 9 of the JCS seeks to address air quality issues and requires all planning applications for development that could impact on an existing AQMA to:

- Have regard to any relevant Air Quality Action Plans (AQAP) and to seek improvements in air quality through implementation of measures in the AQAP
- Provide mitigation measures where the development and/or associated traffic would adversely affect any declared AQMA (both within and outside of the district)

**2.10** Core Policy 9 also requires all applications to provide mitigation measures where the proposed development and/or associated traffic could lead to the declaration of a new or extended AQMA, and to ensure that the development will not have a negative impact on the surrounding area in terms of its effect on health, taking into account cumulative impacts. This policy approach was extensively debated at the JCS Examination in Public and found sound by the Inspector.

**2.11** Notwithstanding, the petitioners concerns are acknowledged, and officers will continue to work in close partnership with ESCC and Brighton & Hove City Council to fully address the impact of future housing development both on the capacity and operation of the A259 between Newhaven and Brighton and on the Air Quality Management Areas at Newhaven and Rottingdean. The strategic transport infrastructure required to support housing growth across the wider area will be addressed through our participation in the West Sussex & Greater Brighton Strategic Planning Board and other bodies.

## **Financial Appraisal**

**3** There are no direct financial implications of approving the recommendations in this report.

## **Legal Implications**

**4** The Council has a duty to co-operate under the Localism Act 2011 and although we have the duty to engage constructively, actively and on an ongoing basis with our neighbours it is a matter for each individual council to determine the most effective way of dealing with requests to engage and undertake joint studies with neighbouring Councils.

Legal Implications Provided 26.06.17 006465-LDC-JCS

## **Risk Management Implications**

**5** The risk assessment checklist has been completed; no new risks will arise if the recommendation is implemented

## **Equality Screening**

- 6** Equality scoping has been undertaken and there is no requirement for an equality analysis report

### **Background Papers**

- Lewes District Local Plan Part 1: Joint Core Strategy  
<http://www.lewes.gov.uk/corestrategy/index.asp>
- Inspector's Report to Lewes District Council and the South Downs National Park Authority <http://www.lewes.gov.uk/planning/22277.asp>
- Newhaven Transport Study  
[http://www.lewes.gov.uk/Files/plan\\_Newhaven\\_transport\\_study\\_report.pdf](http://www.lewes.gov.uk/Files/plan_Newhaven_transport_study_report.pdf)
- Infrastructure Delivery Plan  
[http://www.lewes.gov.uk/Files/plan\\_Infrastructure\\_Delivery\\_Plan\\_May\\_2016.p  
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