

Cabinet

17 September 2018



Time and venue:

2.30 pm in the Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB

Membership:

Councillor Andy Smith (Chair); Councillors Elayne Merry (Deputy-Chair) Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington, Ron Maskell and Tony Nicholson

Quorum: 4

Published: Friday, 7 September 2018

Agenda

1 Minutes (Pages 1 - 16)

To confirm and sign the minutes of the meeting of the Cabinet dated 2 July 2018.

2 Apologies for absence

3 Declarations of interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

4 Urgent items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be circulated at the meeting to update the main reports with any late information.

5 Public question time

To deal with any questions received from members of the public in accordance with Council Procedure Rule 11 (if any).

6 Written question from councillors

To deal with written questions which councillors may wish to put to the Chair of the Cabinet in accordance with Council Procedure Rule 12 (if any).

7 Matters referred to the Cabinet

Matters referred to the Cabinet (whether by the Scrutiny Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in part 4 of the Council's Constitution.

None.

8 Finance update - performance quarter 1 - 2018-2019 (Pages 17 - 32)

Report of Deputy Chief Executive
Lead Cabinet member: Councillor Giles

9 Portfolio progress and performance report 2018-19 - quarter 1 (Pages 33 - 62)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Merry

10 Wave Leisure Trust annual review 2017/2018 (Pages 63 - 74)

Report of Director of Tourism and Enterprise
Lead Cabinet member: Councillor Nicholson

11 Lewes District Local Plan Part 2: Pre-submission document (Pages 75 - 208)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Jones

12 Electric vehicle charging points technical guidance note (Pages 209 - 228)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Jones

13 Telscombe Tye Public Spaces Protection Order (Pages 229 - 252)

Report of Interim Director of Service Delivery
Lead Cabinet member: Councillor Linington

14 Regeneration and development: Sutton Road, Seaford (Pages 253 - 264)

Report of Director of Regeneration and Planning
Lead Cabinet members: Councillors Smith and Giles

(This report contains exempt appendices. Any discussion of these must take place at item 16 following exclusion of the public.)

15 Exclusion of the public

The Chief Executive considers that discussion of the following items is likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reasons are shown beneath the items listed below. Furthermore, in relation to paragraph 10 of Schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (The requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

(Note: Exempt papers are printed on pink paper).

16 Regeneration and development: Sutton Road, Seaford - Appendix C and D (Pages 265 - 270)

Report of Director of Regeneration and Planning
Lead Cabinet members: Councillors Smith and Giles

Exempt information reason 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Public participation: Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: A member of the Council may ask the Leader, a Cabinet Member or the Chair of a committee or sub-committee any question without notice upon an item of the report of the Cabinet or a committee or subcommittee when that item is being received or under consideration by the Council.

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that committee or subcommittee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

Email: committees@lewes-eastbourne.gov.uk

Telephone: 01273 471600

Website: <http://www.lewes-eastbourne.gov.uk/>



modern.gov app available

View upcoming public committee documents on your [iPad](#) or [Android Device](#) with the free modern.gov app.



Cabinet

Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 2 July 2018 at 10.30 am

Present:

Councillor Andy Smith (Chair)

Councillors Elayne Merry (Deputy-Chair), Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington, Ron Maskell and Tony Nicholson

Officers in attendance:

Robert Cottrill (Chief Executive), Alan Osborne (Deputy Chief Executive), Ian Fitzpatrick (Director of Service Delivery), Tim Whelan (Interim Director of Service Delivery), Catherine Knight (Assistant Director of Legal and Democratic Services) and Simon Russell (Committee Services Lead)

Also in attendance:

Councillors Peter Gardiner (Chair of Scrutiny Committee) and Steve Saunders (Deputy Leader of the Liberal Democrat Group)

Mr John Langley (Tenants' Representative)

1 Minutes

The minutes of the meeting held on 23 April 2018 were submitted and approved and the chair was authorised to sign them as a correct record.

2 Apologies for absence

Apologies for absence were reported from visiting members, Councillors Catlin, Osborne and Ms Debbie Twitchen (Tenants' Representative).

3 Declarations of interest

None were declared.

4 Urgent items - Lewes Bonfire celebrations

The Chair was of the opinion that the following matter (Lewes Bonfire Celebrations) should be considered as a matter of urgency by reason of

special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.

The Cabinet considered the recommendations made by the Scrutiny Committee at its meeting on 28 June 2018. The Scrutiny Committee received a report of the Interim Director of Service Delivery to consider the consultation event with members held by the Chair of the Tactical Co-ordination Group for station closures on bonfire night on public safety ground.

Visiting member, Councillor Gardiner, Chair of Scrutiny Committee addressed the Cabinet and outlined discussions at the Scrutiny Committee on 28 June 2018.

Any recommendations made by the Cabinet would be considered by the Tactical Co-ordination Group, before a decision is made on public safety grounds.

Resolved (non-key decision):

The Cabinet supported the recommendations made by the Scrutiny Committee at its meeting on 28 June 2018. The recommendations would be considered by the Tactical Co-ordination Group at its next meeting.

Reason for decision:

It is recognised that public safety at this event is of considerable concern and of paramount importance, however the impact of station closures would cause significant disruption and disproportionate inconvenience to public users of the service.

The Cabinet agreed and supported the Scrutiny Committee's recommendation to keep the stations open but acknowledged that the final decision would be made by the Tactical Co-ordination Group.

5 Public question time

Jennifer Chibnall submitted the following questions to the Leader of the Council and Cabinet member for Regeneration and Business, Councillor Smith on agenda item 17.

Question 1:

Given the previous history it is a little surprising to find that Artisan now no longer wish to develop this site. It is not clear from the papers for this meeting if they in fact wish to develop the further phases of the development. If so, given that the site has had to be unlocked by HIF funding as the expenses are all in phase 1, it is hard to see how developer can be found to take on only this phase. How and to whom is the site being marketed?

Question 2:

As a registered provider must also be found for the 'affordable' housing before any 'commencement' of the development is permitted have the Council considered that their aims would be more securely achieved by actively seeking a developer who is also such a provider, building market housing to subsidise social housing on the whole site? For example I believe Peabody do this. Perhaps the Council could even do this with their own new housing development companies.

Sheila O'Sullivan submitted the following question to the Leader of the Council and Cabinet member for Regeneration and Business, Councillor Smith on agenda item 17.

Question:

Cabinet is being asked to fund through an allocation of £700,000 the development of a temporary car park (recommendations 2 and 3) from its capital programme.

Why is this decision being wholly financed by LDC? Why are the NSQ landowners (Mas Rei) not contributing to this work and/or why is it not be co-financed. Or provision made as part of the Land Collaboration Agreement.

Please provide detailed reasons as to why the total burden is falling on LDC. And what detailed assessment has been made to justify this expenditure.

Councillor Smith gave a verbal response to the questions at the meeting. A full written response was formulated following the meeting and published on the Council's website.

6 Devolution of open spaces to Town and Parish Councils

The Cabinet considered the report of the Interim Director of Service Delivery, requesting their approval on the recommendations made by the Devolution Committee on 7 June 2018.

Resolved (Non-key decision):

(1) That the state of progress in relation to those Newhaven sites outlined in paragraph 2.1 of the report, devolution of which has already been approved by Cabinet be noted.

(2) To approve the transfer of those sites outlined in paragraph 2.4 and 2.7 of the report and authorise the Interim Director of Service Delivery to take all steps necessary to finalise those transfers.

(3) To approve the recommendation to vary the standard form of overage provision to allow certain developments to take place at Eastside Recreation Ground, Newhaven as outlined at paragraph 2.3 of the report.

(4) To approve the recommendation to devolve Meeching Down, Newhaven, to Newhaven Town Council and authorise the Interim Director of Service Delivery to take all steps necessary to finalise those transfers.

Reasons for decisions:

To note the progress made on devolution of open spaces and to agree the next steps to further progress.

7 Finance update - performance quarter 4 - 2017-2018

The Cabinet considered the report of the Deputy Chief Executive regarding the council's financial performance in 2017/18 and outlining the impact on the Council's current financial position.

In response to a question from visiting member Councillor Gardiner, the Deputy Chief Executive confirmed that the majority of housing benefit overpayments detailed in the report was claimant errors.

Resolved (Key decision):

(1) To agree the financial position on the General Fund, Housing Revenue Account and Collection Fund accounts for 2017/2018.

(2) To confirm the allocation of reserves at 31 March 2018 shown at paragraph 2.9 of the report.

(3) To agree the capital programme outturn for 2017/2018, as set out at appendix 2 to the report.

(4) To approve the updated 2018/2019 capital programme, as set out at appendix 3 to the report.

(5) To approve the write-off of irrecoverable debts noted in paragraph 4.5 of the report.

Recommended to Council (Budget and policy framework):

(6) To approve the annual treasury management report for 2017/2018, as set out at appendix 4 to the report.

Reasons for decisions:

(1) At the end of the financial year, Cabinet should review the impact of the financial performance on its current financial position, determine the level of Reserves available for use and variations, if any, which may be required to the revenue budget or capital programme.

(2) The Council's Treasury Management function deals with very large value transactions on a daily basis. It is essential that the Council is satisfied that appropriate controls are in place and in accordance with the Code of Practice on Treasury Management in the Public Services (the Code) prepared by CIPFA (the Chartered Institute of Public Finance and Accountancy) and adopted by the Council. The Code requires the Council to receive an Annual Treasury Management Report at the end of each financial year.

8 Portfolio progress and performance report 2017-18 - quarter 4

The Cabinet considered the report of the Director of Regeneration and Planning regarding the council's progress and performance in respect of key projects and targets for the fourth quarter of the year (January to March 2018) and the overall year performance as set out at appendix 1 to the report.

Visiting member, Councillor Gardiner addressed the Cabinet and outlined discussions at the Scrutiny Committee on 28 June 2018. One of the recommendations from Scrutiny Committee was to include a performance indicator for air quality. Councillor Smith responded that officer advice would be sought following the meeting.

Visiting member, Councillor Saunders addressed the Cabinet regarding the performance indicator for the Mears contract. The Director of Regeneration and Planning agreed to meet with Councillor Saunders and the Head of Property Services to look at the present performance and trajectory.

The Cabinet commended staff for their work throughout the year in achieving the targets outlined in the report.

Resolved (Non-key decision):

(1) That the council's progress and performance for quarter 4 be received and noted.

(2) That the recommendations made by Scrutiny Committee at its meeting on the 28 June 2018 be considered.

Reason for decisions:

To enable Cabinet to consider specific aspects of the Council's progress and performance.

9 Development of Anchor Field, Ringmer

The Cabinet considered the report of the Director of Regeneration and Planning, updating them on proposed residential development on the Anchor Field, Ringmer and confirm changes from the details outlined in the report to Cabinet in February 2017.

The Cabinet unanimously agreed to make an addition to officer recommendation two and this was detailed in the resolution below.

Resolved (Non-key decision):

- (1) To note the revised project on Anchor Field Ringmer.
- (2) To agree to proceed with the proposal as outlined as 'option 1' in paragraph 6.2 of the report, disposing of Council land holdings at Anchor Field, Ringmer to allow for the delivery of affordable housing. In the event of 'option 1' not proving viable or possible for whatever reason, to delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Members for Finance and Housing, to proceed with such other variation on the options set out in this report, as this will secure both the delivery of affordable housing and best consideration, without risk to the Council.
- (3) To give delegated authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Housing, to dispose of land and easements at Anchor Field held within either the Council's General Fund or Housing Revenue Account, subject to appropriate due diligence being completed. This delegation is to include authorisation not to dispose by auction or invitation of tenders following public advertisements as is usually required by the Council's Contract Procedure Rules (para. 18.1).
- (4) To give delegated authority to the Director of Regeneration & Planning in consultation with the Lead Member for Housing to enter a Development Agreement with the developer of the Anchor Field site in Ringmer.
- (5) To give delegated authority to The Director of Regeneration and Planning in consultation with the Lead Member for Housing to invest in the development of a small number of additional affordable housing units in addition to those that will be built out by the developer for the Council at no cost.

Reason for decisions:

To allow for changes to the approved project following a reappraisal of the deliverability and benefits realisation of the scheme.

10 Review of the council plan 2016-2020

The Cabinet considered the report of the Director of Regeneration and Planning, setting out the results of a review which had been undertaken of the Council's four year plan (2016 – 2020) at the end of the second year. The report enables the Cabinet to consider the successes and achievements to date and to approve the further development and refinement of the Plan as it moves into its third year.

The Scrutiny Committee discussed the plan at its meeting on the 28 June 2018 and made a recommendation to include a reference to the South Downs National Park, which was agreed by the Cabinet.

Resolved (Key decision):

(1) To note the progress made in the second year of delivery of the Council Plan, set out at appendix A to the report.

(2) To approve the design changes to the Council Plan, set out at appendix B to the report.

Recommended to Council (Budget and policy framework):

(3) To agree the Council Plan contents.

Reason for decisions:

During the period of a four year Council Plan adjustments and refinements may need to be made to respond to changed circumstances and emerging opportunities. In acknowledgement of this an annual review is a helpful way of ensuring that the Plan remains focused on delivery of the organisations overall strategic objectives.

11 Equality monitoring policy

The Cabinet considered the report of the Director of Regeneration and Planning, seeking approval for a Joint Equality Monitoring Policy.

Visiting member, Councillor Gardiner, outlined discussions of the policy by Scrutiny Committee at its meeting on 28 June 2018.

Resolved (Key decision):

(1) To approve the Joint Equality Monitoring Policy, as set out at appendix A to the report.

(2) To delegate authority to the Director of Service Delivery, in consultation with the Cabinet Member for People and Performance to make any amendments to the approved text set out in the appendices to the policy, to align with the Census 2021 questions when these are published.

Reason for decisions:

An updated Equality Monitoring Policy is required to ensure the Council meets its legal duties under Equality Act 2010 and collects the information required to fulfil its Public Sector Equality Duty (PSED) whilst complying with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

12 Proposals to develop environmental initiatives

The Cabinet considered the report of the Director of Regeneration and Planning, seeking approval for a series of environmental initiatives as outlined in recent discussions with Councillors.

Councillor Smith thanked visiting member, Councillor Rowell for initiating discussions regarding these proposals. This report would be the start of multiple reports that would be considered by Cabinet and cover a range of environmental initiatives.

Visiting member, Councillor Rowell enquired about the fountains for Lewes Skate Park. It was confirmed that discussions were continuing with the Environment Agency.

Resolved (Key decision):

- (1) To agree match-funding of up to £5,000 for the provision of drinking water at Newhaven skate park.
- (2) To authorise the Strategy & Partnership Lead, Quality Environment, to conduct a desk-based feasibility study for the potential of free drinking water provision within council-owned parks and in other public places within Lewes district, working with partners and stakeholders.
- (3) To agree to support the national 'Refill' campaign through social media and as appropriate.
- (4) To authorise the Strategy & Partnership Lead, Quality Environment, to develop guidance for developers on the provision of underground bins, as part of the wider sustainability planning policy review.
- (5) To delegate authority to the Director of Regeneration and Planning, in consultation with the Portfolio Holder for Environmental Impact, to bid for funding, supported by an appropriate business case, to invest in electric vehicle (EV) charging technology and infrastructure, working with partners and other local authorities.
- (6) To authorise the Strategy & Partnership Lead, Quality Environment, in consultation with the Portfolio Holder for Environmental Impact, to prepare a Sustainability Policy, to provide a framework for council activities for agenda item 15 consideration and approval at Cabinet later in the year.
- (7) To note the launch and progress to date of the 'Single-Use Plastics' project.

Reasons for decisions:

- (1) The need for drinking water provision at skate parks has been identified by users of the skate parks, but there are insufficient funds within the project budget to allow for the installation costs of the water supply at this site.
- (2) Additional drinking water provision could be made available to the general public in areas of high foot traffic, for example shopping precincts and parks. This will support various initiatives currently prominent in the political and public arena including the reduction of single use plastics and promoting healthy and active lifestyles.

(3) The 'Refill' campaign, described in paragraph 1.2, has arrived in Lewes district through community activism.

(4) Underground bins installed as a method of communal waste collection within a significant residential development could be considered for viability, if the guidance were in place.

(5) A charging point feasibility study will provide for an evaluation of the opportunities available to Lewes District Council (LDC) with regards to EV charging on its own estate in light of the national move towards the provision of this infrastructure and Cabinet-approved changes to LDC planning guidance in support of EV charging facilities.

(6) The adoption of a set of guiding principles in the form of an overarching Sustainability Policy would bring Lewes DC into line with many other councils nationally. The policy would support planning policy and guidance, guide procurement decisions, potentially reduce costs with regards to energy and waste (through staff education and project initiatives) and generally work to ensure the council has 'its own house in order' before guiding others.

(7) The Single-Use Plastic (SUP) project started in May as a result of the Council's aim to become SUP free where it is reasonable to do so by 31 December 2018.

13 Affordable housing supplementary planning document (SPD)

The Cabinet considered the report of the Strategy Policy Officer, seeking their endorsement of the affordable housing supplementary planning document (SPD) for formal adoption at Full Council on 16 July 2018.

It was clarified that costs of commuted sums was regularly revised and that this would be referenced in the final version. Recommendation one allows the Director of Regeneration and Planning, in consultation with the Cabinet portfolio holder to make technical adjustments to the SPD.

Resolved (Key decision):

(1) That Cabinet delegate authority to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder to make any minor or technical adjustments found necessary in the affordable housing supplementary planning document before it is presented to Full Council.

Recommended to Council (Budget and policy framework):

(2) That Cabinet endorse the affordable housing supplementary planning document as set out at appendix 3 to the report, and recommend its adoption by Full Council.

Reasons for decisions:

(1) There is an ongoing and increasing need for the provision of affordable housing in the Lewes District, as rent costs and the price of home ownership rises.

(2) There are challenges regarding the delivery of affordable housing. A significant proportion of affordable housing is delivered through the planning system. The Affordable Housing SPD will provide the Council with a policy reference point with weight during negotiations, better enabling the Council to deliver much needed affordable dwellings.

(3) The SPD builds upon and provides more detailed advice and guidance on Core Policy 1 and Core Policy 2 of the Lewes District Local Plan Part 1 – Joint Core Strategy (2016). This will provide developers and housing providers with a useful reference point, making the planning process more efficient and effective.

14 North Street Quarter

The Cabinet considered the report of the Director of Regeneration and Planning, seeking their approval on matters relating to: the acquisition of assets from the North Street Quarter scheme, the development of, and capital allocation for, a temporary car park at the site; the disposal of Council property assets, and applications to amend the existing Traffic Regulation Orders (TROs).

Resolved (Key decision):

(1) To delegate authority to the Director of Regeneration and Planning, in consultation with the Deputy Chief Executive, Leader of the Council and Strategic Property Board, to purchase the Health Hub and Car Park from the North Street Quarter scheme, subject to a satisfactory business case and agreeing a purchase price with joint landowner, NSQ Ltd, in respect of both assets.

(2) To delegate authority to the Director of Regeneration and Planning, in consultation with the Deputy Chief Executive and Cabinet Member for Finance, to authorise the development of a temporary car park at the site of North Street, and to take all and any steps necessary to facilitate implementation of such development.

(3) To make an allocation of £700,000 for the development of the temporary car park within the 2018/19 capital programme.

(4) To delegate authority to the Director of Regeneration and Planning, in consultation with East Sussex Country Council, to seek amendments to the existing off-street and on-street Traffic Regulation Orders (TROs) which are necessary to implement the permitted North Street Quarter development.

(5) To delegate authority to the Director of Regeneration and Planning, in consultation with the Strategic Property Board, to dispose of Council property assets in lieu of part of a cash compensation payment for third party land interests at the NSQ, subject to an independent valuation and this being the most economically advantageous scenario for the Council. Such disposal to be made without the need for auction or the invitation of tenders or expressions of interest following appropriate public advertisement.

(6) To note progress on the acquisition of third party land interests at the NSQ and the intention to appoint specialist advisors to prepare the case for a compulsory purchase order (CPO). The decision to make the CPO, should one be needed, will be the subject of a separate report to Cabinet.

Reasons for decisions:

(1) To progress delivery of the strategically significant North Street Quarter (NSQ) development in Lewes. The NSQ is a £180m mixed use brownfield site that will deliver the following regeneration benefits to the area:

- 416 new homes, of which 40% will be affordable,
- 140,000 sq. ft. of new commercial space, including subsidised creative workspace
- 475 full time jobs
- 100 full time construction jobs,
- a new modern health centre serving in excess of 26,000 patients,
- strategically important flood defences, completing the defence of Lewes,
- a new riverside promenade, new footbridge, extensive new cycle paths and footpaths, and
- a public square hosting contemporary eateries and riverside dining.

(2) To ensure that the Council maximises return on its investment into the NSQ scheme, while at the same time minimising any risks involved in delivery and potential financing.

15 Regeneration at Avis Way, Newhaven

The Cabinet considered the report of the Interim Director of Service Delivery and Director of Regeneration and Planning, seeking their approval to procure and construct a new waste depot and vehicle servicing facility at Avis Way, Newhaven.

Resolved (Key decision):

(1) That Cabinet delegates authority to the Director of Regeneration and Planning, in conjunction with the Interim Director of Service Delivery to develop new premises for the Waste & Recycling Depot in Newhaven in accordance with the detail contained within this report.

(2) That Cabinet allocates the sum of up to £4.1m within the Capital Programme for delivery of the new depot facility.

(3) To delegate authority to the Director of Regeneration and Planning in consultation with the Interim Director of Service Delivery, the Portfolio Holder for Finance, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Clear Futures Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.

Reason for decisions:

To enable the provision of a new waste depot and vehicle servicing facility in Newhaven to replace a life-expired asset.

16 Regeneration of Newhaven Town Centre

The Cabinet considered the report of the Director of Regeneration and Planning, providing an overview of the potential redevelopment of Newhaven Town Centre, as well as the scheme's role in successfully delivering the aims of the Newhaven Enterprise Zone.

Visiting member, Councillor Saunders addressed the Cabinet, supporting the proposal for free parking at recommendation five, however suggested that this should be extended to one hour. The Cabinet agreed to revise recommendation five and this was detailed below.

It was suggested that an internal member working group be formulated to discuss and monitor all the various redevelopment projects in Newhaven from a planning perspective.

Resolved (Key decision):

(1) To note the progress on the business case outlining the investment potential and opportunities within the Newhaven Town Centre area.

(2) To approve the allocation of funding of up to £500,000 from the property acquisition and development budget in respect of consultancy, professional fees, and surveys to fund the project up to the letting of the construction contract.

(3) To delegate authority to the Director of Regeneration and Planning in consultation with the Director of Service Delivery and the Portfolio Holder for

Environmental Impact (and where appropriate the Chief Finance Officer and Assistant Director – Legal and Democratic Services) to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.

(4) To delegate authority to enter into an agreement for lease of the property to the Director of Regeneration and Planning on the basis of the conditions and terms that are no worse than those set out in the report; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

(5) To approve the proposal to allow free parking of at least 30 minutes, perhaps more depending on officer modelling, in both Lower Place and Dacre Road multi-storey car parks to support the regeneration strategy for Newhaven and that authority be delegated to the Interim Director of Service Delivery to implement the decision.

(6) To delegate authority to the Interim Director of Service Delivery to request that East Sussex County Council amends the Traffic Regulation Order and associated on-street and off-street parking places orders to ensure enforcement against nuisance parking, and that parking violations on Denton Island may also be enforced.

(7) To approve the commissioning of a feasibility study to regularise parking at Railway Quay to provide additional parking in advance of the redevelopment of the town centre.

Reasons for decisions:

(1) Newhaven has substantial physical capacity for growth, including large brownfield sites in and around the waterfront and the town centre. The town is planning for 28% of all housing growth within the District over the lifetime of the Local Plan (ie. to 2030). Newhaven is also home to 40% of the district's B-Class employment space, and the designation of the Enterprise Zone emphasises the town's central role in delivering sustainable economic growth.

(2) Newhaven town centre is one of the key redevelopment sites within the town and will be the anchor playing a critical role in delivering new housing, employment space, and other community benefits. The redevelopment of the town centre links closely with delivery of the Newhaven Enterprise Zone that commenced in April 2017 and seeks to address a range of development barriers that are inhibiting effective investment delivery.

(3) In November 2017, Cabinet approved the allocation of £1.2m from the property acquisition and development budget to develop the proposed scheme in order to submit a planning application. At the same time, Cabinet

requested that the Director of Strategy and Planning develop a business case for Cabinet to consider in 2018.

(4) A well-designed parking scheme is one of the factors that can support a successful high street. The Council wishes to offer limited free parking to improve footfall and interest in the town centre in advance of the regeneration plans.

(5) Nuisance parking is having a detrimental effect within Newhaven and this report makes recommendations to regularise enforcement and to improve the parking facilities.

17 Exclusion of the public

Resolved:

That the public be excluded from the remained of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraph of schedule 12A and a description of the exempt information is shown below. (The requisite notice having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

18 Development of Anchor Field, Ringmer - Appendix 1

The Cabinet considered the exempt appendix to agenda item 12.

Resolved:

That the appendix be noted.

Reason for decision:

As detailed in minute 9 above.

Notes: (1) The appendix remains exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

19 North Street Quarter - Appendix 1 and 2

The Cabinet considered the exempt appendices to agenda item 17.

Resolved:

That the appendices be noted.

Reason for decision:

As detailed in minute 14 above.

Notes: (1) The appendices remains exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

20 Regeneration of Newhaven Town Centre - Appendix C

The Cabinet considered the exempt appendix to agenda item 19.

Resolved:

That the appendix be noted.

Reason for decision:

As detailed in minute 16 above.

Notes: (1) The appendix remains exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

21 Regeneration at Springman House

The Cabinet considered the exempt report of the Director of Regeneration and Planning regarding the potential development at Springman House.

Resolved (Key decision):

(1) To approve the allocation of funding of up to £700,000 from the property acquisition and development budget in respect of consultancy, professional fees, surveys and the planning application in respect of the Springman House site.

(2) To undertake early public consultation with a range of stakeholders prior to submitting the detailed design for planning purposes.

(3) To delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Finance and Resources, and the Strategic Property Board, to develop a detailed design for a commercial development scheme at Lancaster Road, Lewes, in readiness to submit a planning application.

(4) To delegate authority to the Director of Regeneration and Planning in consultation with the Portfolio Holder for Resources, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.

(5) Delegate authority to enter into an agreement for lease of the property to the Director of Regeneration and Planning on the basis of the conditions and terms to be no worse than set out in this report; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

Reason for decisions:

A strategic opportunity has arisen to provide a commercial development of the Council's landholdings within the Lancaster Road, Lewes site known as Springman House. The proposed scheme will create a new hotel facility for the town, together with employment opportunities, economic benefits, and a revenue stream for the Council.

Notes: (1) The report remains exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting ended at 12.55 pm

Councillor Andy Smith (Chair)

Agenda Item 8

Body:	Cabinet
Date:	17th September 2018
Subject:	Finance update – Performance Quarter 1 2017/18
Report of:	Deputy Chief Executive
Cabinet member:	Councillor Bill Giles
Ward(s):	All
Purpose of the report:	To update members on the Council’s financial performance in Quarter 1 2018/19
Decision type:	Non Key
Recommendation:	Cabinet is recommended to <ol style="list-style-type: none">1. Agree the General Fund and HRA financial performance for the quarter ended June 2018.2. Agree the amended capital programme as set out in Appendix 33. Agreed the Treasury Management performance.
Reasons for recommendations:	To enable Cabinet members to consider specific aspects of the Council’s financial performance.
Contact:	Pauline Adams, Head of Finance Tel: 01323 415979 or email Pauline.Adams@lewes-eastbourne.gov.uk

1.0 Introduction

- 1.1** It is essential to ensure that the Council has a sound financial base from which to respond to changing activity levels and demand for statutory services and to ensure that, when appropriate, it’s finances are adjusted in response to reducing income levels and inflationary pressures on expenditure.
- 1.2** A report on the financial performance following the end of each quarter is made to Cabinet to ensure that the financial health of the General Fund, Housing Revenue Account, Capital Programme and Treasury Management activates are kept under continual review.

2.0 General Fund

2.1 General Fund performance of the quarter is shown in the table below:

Department	Full Year Budget	Profiled Budget	Actual to 30th June 2018	Variance to date
	£'000	£'000	£'000	£'000
SUMMARY				
Corporate Services	5,239	1,498	1,467	(31)
Service Delivery	8,775	2,607	2,614	7
Regeneration, Planning & Assets	551	221	215	(6)
Tourism & Enterprise Services	713	186	179	(7)
Recharges to the Housing Revenue Account	(3,312)	(828)	(828)	-
Total Service Expenditure	11,966	3,684	3,647	(37)
Contingencies, etc	(996)	(175)	(175)	-
Capital Financing and Interest	5	(25)	(7)	18
Contributions to/(from) Reserves	1,177	-	-	-
Net Expenditure	12,152	3,484	3,465	(19)

Service Details are shown in **Appendix 1**

2.2 The position at the end of June shows a variance of £37k on net expenditure. There are not significant items to note at this stage of the financial year.

2.3 The amount held in the General Fund Uncommitted Reserve, which acts as a buffer against negative movements in the budget, is projected to be £2.1m at 31 March. The table below shows the projected movements in each Reserve in 2018/19 and the balance at the end of the year.

General Fund Reserves	Actual Balance at 1 April 2018	Contributions from General Fund Revenue Budget	Use for Capital and Revenue	Estimated Balance at 31 March 2019
	£'000	£'000	£'000	£'000
Earmarked				
Asset Management	(3,020)	(283)	1,644	(1,659)
Economic Regeneration	(300)	(373)	50	(623)
Revenue Grants and Contributions	(396)	0	0	(396)
Strategic Change	(3,350)	(874)	1,972	(2,252)
Vehicle and Equipment Replacement	(1,445)	(320)	577	(1,188)
Unallocated	(226)	0	0	(226)
Total Earmarked Reserves	(8,737)	(1,850)	4,243	(6,344)
General Fund Working Balance	(2,093)	0	0	(2,093)
Total General Fund Reserves	(10,830)	(1,850)	4,243	(8,437)

3.0 Housing Revenue Account

3.1 HRA performance for the quarter is as follows:

	Current Budget	Profiled Budget	Actual to 30th June 2018	Variance to date
	£'000	£'000	£'000	£'000
HRA				
Income	(16,413)	(4,103)	(4,103)	
Expenditure	13,446	3,363	3,262	101
Capital Financing & Interest	2,967	743	743	
Contribution to Reserves				
Total HRA	-	3	(98)	101

A further breakdown is shown at **Appendix 2**.

3.2 The position at the end of June shows a variance of £101K. Items to note are:

- Spending and income is generally in line with service budgets.
- Spending on responsive and void repairs is demand led and can be expected to fluctuate during the course of the year.

4.0 Capital Expenditure

4.1 The detailed capital programme at Appendix 3, provides a summary of spend for quarter 1 compared to the allocation for 2018/19. The 2018/19 allocation has been revised to allow re-profiling of schemes from 2017/18. Brief comments are provided for each scheme and more detailed comments are provided below for larger schemes.

4.2 The Capital Programme for 2018/19 totals £53,480m compared to the original Capital Programme approved by Council 5 February 2018 of £32,407m. The changes to the Capital Programme are shown in the table below.

Capital Programme Summary 2018/19 - 2020/21	2018/19 £'000	2019/20 £'000	2020/21 £'000
<i>Original Approved Budget 5 February 2018</i>	32,407		
Re-profiled from 2017/2018	16,203	-	-
<i>Variation approved by Cabinet 2 July 2018</i>			
Robinson Road Enabling Works	170	-	-
Asset Management	6	-	-
Coastal Defence Works	50	-	-
North Street Quarter Temporary Car Park	700	-	-
Avis Way Depot Facility, Newhaven	4,100	-	-
<i>Additional requiring approval</i>			
North Street Quarter	93	-	-
Community Infrastructure	286	-	-
HRA Improvements to Stock	(1,176)	-	-
Asset Management	3	-	-
Coastal Defence Works	8	-	-

Vehicle & Plan Replacement Programme	630	-	-
Current Programme	53,480	-	-

4.3 Detailed comments on larger schemes:

HRA Improvements to Stock – Property Services have prepared an updated schedule of works due to be completed in 2018/2019. This budget reduction reflects the revised programme.

Vehicle & Plant Replacement Programme – three refuse/recycling vehicles have been replaced in 2018 that were originally scheduled to be replaced in 2019.

5.0 Treasury Management

5.1 The Annual Treasury Management and Prudential Indicators were approved by Cabinet and Council in February 2018.

5.2 Economic Background

In line with market expectations, the MPC voted to increase Bank rate to 0.75% in August. There were, however, two surprises; the vote was unanimous and market expectations remained subdued despite this fact. The market reaction to the rate hike suggests that investors expect both the relatively weak economic environment and political developments (Brexit negotiations and the US trade relations) to limit the speed of future rises in Bank Rate. The UK economy still faces a challenging outlook as the country exits the European Union with central bank actions and geopolitical risks, such as prospective trade wars, have and will continue to produce significant volatility in financial markets. GDP quarterly annualised expansion of 1.6% remains below the long term average.

Inflation is currently above the Bank of England's target but is projected to fall over the year, before settling at the 2% target round mid-2020.

5.3 Interest Rate Forecast

On 2nd August the MPC increased Bank Rate by 0.25% to 0.75%

Arlingclose, the Council's Treasury Management advisors, forecast base rates increase to 1.00% in March 2019, followed by a further 0.25% increase in September 2019 and then remaining at that level for the foreseeable future.

5.4 Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2018/19 which included the Annual Investment strategy was approved by Council on 19 February 2018. It sets out the Council's investment priorities as being:

- Security of Capital;
- Liquidity;

- Yield.

The following table shows the fixed term deposits and tradeable investments held at 30 June 2018.

Ref	Counterparty	Date From	Date To	Days	Principal £	Int Rate %
FIXED TERM DEPOSITS						
239518	Thurrock Borough Council	14-May-18	14-Nov-18	184	3,000,000	0.63
239718	South Heighton Parish Council	29-May-18	29-Nov-18	184	24,000	0.63
240018	Surry Heath Borough Council	12-Jun-18	12-Dec-18	163	1,000,000	0.6
TRADEABLE INVESTMENT						
XS0739933421	BMW Finance NV	19-Dec-17	14-Dec-18	360	1,000,000	0.691
XS1015890210	Daimler AG	04-Oct-17	16-Jul-18	285	1,000,000	0.805
XS1015890210	Daimler AG	14-Sep-17	16-Jul-18	305	650,000	0.69
					6,674,000	

In addition to the fixed term deposits, the Council has made use of the following Deposit accounts and Money Market Funds:

	Balance at 30 June '18 £'000	Average balance £'000	Interest rate %
Santander Business Reserve Account	£Nil	1,411	0.40
Lloyds Bank Corporate Account	£1,450	1,118	0.40
Goldman Sachs Sterling Liquid Reserves Fund	£Nil	2,003	0.54
Deutsche Managed Sterling Fund	£1,000	1,997	0.53

Approved limits within the Annual Investment Strategy were not breached during the quarter ending 30 June 2018.

5.5 Investment performance

Treasury Management investment performance at the end of Quarter 1 is shown in the table below, along with the average 7-day London Interbank Bid (LIBID) Rate. All activity was consistent with the Council's approved Treasury and Investment Strategy for 2017/2018.

Type of Investment	Average return Qtr4 17/18 %	Average return Qtr1 18/19 %
Fixed Term Deposits	0.40	0.59
Treasury Bills	0.35	n/a
Bonds & Certificates of Deposit	0.65	0.65
Money Market Funds	0.48	0.56
Interest Bearing Account	0.40	0.40
Total Investments	0.47	0.53
7 day LIBID Benchmark	0.21	0.36

5.6 **Borrowing**

The current account with Lloyds Bank remained in credit throughout the period. No temporary borrowing for cash-flow management purposes took place.

There has been no change in the total value of the Council's long term borrowing in the reporting period, which remains at £56.673m.

5.7 **Compliance with Treasury and Prudential Limits**

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. The Council's approved Treasury and Prudential Indicators (affordability limits) are included in the approved TMSS.

During the quarter to 30 June 2018 the Council has operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Statement and in compliance with the Council's Treasury Management Practices.

6.0 **Audit of 2017/18 Accounts**

6.1 As reported to Cabinet in July 2018, the statutory deadline for local authorities to publish draft accounts and make them available to the Auditor is the 31 May and the deadline for completion of the publication of the audited accounts is the 31 July. Unfortunately a delay in receiving valuation information from an external valuer prevented draft accounts from being released by the deadline.

6.2 The Accounts were sent to the Council's external auditors on 25th June, and following discussions with the Audit Manager it was agreed to delay the start of audit until August, as it would have been extremely onus for both the auditors and the finance team to have completed all the audit work by the end of July.

6.3 The audit will commenced on the 13 August and the final accounts and audit report will be submitted to the Audit and Standards Committee for approval at its September meeting.

7.0 **Financial appraisal**

7.1 All the financial implicates are contained within the body of the report.

8.0 **Legal implications**

8.1 There are not legal implications arising from this report.

9.0 **Equality analysis**

9.1 This Finance update is a routine report for which detailed Equality Analysis is not required to be undertaken. the equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant Council reports.

10.0 Conclusion

- 10.1 Both the General Fund and HRA budgets are on target. Capital expenditure is in line with expectations.
- 10.2 Treasury Management performance is on target and all activities were within the approved Treasury and Prudential Limits.

Appendices

- **Appendix 1 – General Fund detail analysis by service**
- **Appendix 2 – Housing Revenue Account**
- **Appendix 3 – Capital Programme**

Background papers

The background papers used in compiling this report were as follows:

- Budget monitoring 18/19 working papers
- Arlingclose Economic and Interest Forecast Aug 18

To inspect or obtain copies of background papers please refer to the contact officer listed above.

This page is intentionally left blank

General Fund Service Details

Appendix 1

Departments and Services	Full year budget £000	Profiled budget £000	Actual to 30 June £000	Variance £000
Corporate Management	524	128	110	(18)
Emergency Planning	24	6	6	0
Local Land Charges	(77)	(20)	(20)	0
Organisational Development Programme	254	254	254	0
Pension Costs	569	142	140	(2)
Treasury Management and Bank Charges	55	6	6	0
Corporate Services	1,349	516	496	(20)
Democratic Representation	283	70	63	(7)
District Council Elections	8	0	0	0
Registration of Electors	66	17	11	(6)
Democratic Services	357	87	74	(13)
Audit and Counter Fraud	257	64	64	0
Democratic Services	364	91	92	1
Financial Services	647	161	169	8
Human Resources	321	80	68	(12)
Information Technology	1,417	396	396	0
Legal Services	412	103	108	5
Staff Recruitment, Training and Welfare	115	0	0	0
Salaries and administration	3,533	895	897	2
Corporate Services Total	5,239	1,498	1,467	(31)
Building Control	(317)	(79)	(67)	12
Community Safety	20	5	5	0
Town and Parish Council Grants	141	70	70	0
Travellers Sites	17	4	4	0
Voluntary Sector Support	257	62	59	(3)
Community	118	62	71	9
Animal and Pest Control	31	5	0	(5)
Cemeteries	(18)	(5)	(16)	(11)
Coast Protection	18	5	10	5
Environmental Protection	21	9	14	5
Flood Defences and Land Drainage	145	2	0	(2)
Food Safety	3	1	(3)	(4)
Health and Safety	21	0	0	0
Licensing	(186)	(46)	(35)	11
Port Health	2	1	0	(1)
Public Health	40	14	10	(4)
Environmental Health and Licensing	77	(14)	(20)	(6)
Contribution to Housing Revenue Account	180	45	45	0

Departments and Services	Full year budget £000	Profiled budget £000	Actual to 30 June £000	Variance £000
Homelessness	87	21	16	(5)
Housing Benefit Administration	78	20	23	3
Housing Benefit Payments and Subsidy	(356)	(89)	(89)	0
Housing Strategy	43	11	12	1
Private Sector Housing Renewal	1	0	0	0
Housing (General Fund)	33	8	7	(1)
Council Tax Collection	(57)	28	21	(7)
Council Tax Reduction Scheme Admin.	32	8	8	0
Non-Domestic Rates Collection	(104)	9	10	1
Local Taxation	(129)	45	39	(6)
Parks and Open Spaces	382	95	82	(13)
Sports and Playing Fields	244	61	51	(10)
Parks and Playing Fields	626	156	133	(23)
Recycling	1,062	398	425	27
Waste Collection	705	189	175	(14)
Street Cleansing	519	130	119	(11)
Vehicle Workshop	383	97	111	14
Waste and Recycling	2,669	814	830	16
Case and Specialist Services	1,233	499	499	0
Customer and Neighbourhood Services	1,220	305	305	0
Homes First	2,561	640	640	0
Waste and Recycling Management	367	92	110	18
Salaries and administration	5,381	1,536	1,554	18
Service Delivery Total	8,775	2,607	2,614	7
Car Parking	(490)	(122)	(120)	3
Depots	97	16	16	0
Industrial Estates	(668)	(168)	(166)	2
Investment Property	(910)	(184)	(133)	50
Office Accommodation	316	49	49	0
Public Conveniences	226	49	46	(3)
Surplus Assets	59	18	22	4
Parks and Cemeteries Buildings	52	3	1	(2)
Assets and Property	(1,318)	(339)	(285)	54
Development Control	(780)	(95)	(104)	(9)
Planning Policy	166	34	17	(17)
Planning	(614)	(61)	(87)	(26)
Business Support	201	33	15	(18)
Economic Development	146	47	46	(1)

Departments and Services	Full year budget £000	Profiled budget £000	Actual to 30 June £000	Variance £000
Newhaven Enterprise Centre	(168)	(42)	(42)	0
Street Naming, Numbering and Closures	5	1	(2)	(3)
Regeneration	184	39	17	(22)
Business Planning and Performance	516	138	133	(5)
Assets and Property	420	104	140	36
Planning	1,134	283	246	(37)
Regeneration	229	57	51	(6)
Salaries and administration	2,299	582	570	(12)
Regeneration, Planning and Assets Total	551	221	215	(6)
Arts Development	7	4	4	0
Tourism	228	73	66	(7)
Tourism	235	77	70	(7)
Leisure Centres and Swimming Pools	374	84	84	0
Newhaven Fort	104	25	25	0
Wave Leisure	478	109	109	0
Tourism and Enterprise Services Total	713	186	179	(7)
Recharge to the Housing Revenue Account	(3,312)	(828)	(828)	0
TOTAL SERVICE EXPENDITURE	11,966	3,684	3,647	(37)
Corporate Efficiency Savings	(300)	0	0	0
Service Priorities	4	0	0	0
JTP Efficiency Savings Target	(700)	(175)	(175)	0
Contingencies	(996)	(175)	(175)	0
Capital Financing Costs	205	0	0	0
Interest and Investment Income	(200)	(25)	(7)	18
Capital Financing and Interest	5	(25)	(7)	18
Contributions to Reserves	1,850	0	0	0
Use of Reserves for non-recurring expenditure	(673)	0	0	0
Contributions to/(from) Reserves	1,177	0	0	0
NET EXPENDITURE	12,152	3,484	3,465	(19)

This page is intentionally left blank

Appendix 2

HOUSING REVENUE ACCOUNT - BUDGET SUMMARY	2017/18 ACTUAL £'000	2017/18 BUDGET £'000	2018/19 BUDGET £'000	2018/19 BUDGET Q1 £'000	2018/19 ACTUAL Q1 £'000	Variance (Projected to Actual) £
Income						
Dwelling Rents	(14,785)	(14,766)	(14,520)	(3,630)	(3,630)	-
Non-Dwelling Rents	(427)	(458)	(452)	(113)	(113)	-
Charges for Services and Facilities	(1,211)	(1,231)	(1,237)	(309)	(309)	-
Contributions towards Expenditure	(183)	(200)	(204)	(51)	(51)	-
Total Income	(16,606)	(16,654)	(16,413)	(4,103)	(4,103)	-
Expenditure						
Repairs and Maintenance	4,873	4,892	4,400	1,100	926	(174)
Supervision and Management	1,596	1,708	1,702	426	359	(67)
Special Services	1,233	1,382	1,313	328	213	(115)
Rents, Rates, Taxes and Other Charges	175	177	173	43	20	(23)
Salaries Recharged from EBC					278	278
Increase in Impairment of Debtors	(4)	68	50	13	13	-
Depreciation of Fixed Assets						
- Dwellings	4,512	4,530	4,794	1,199	1,199	-
- Other Assets	642	637	685	171	171	-
Amortisation of Intangible Assets	6	6	6	2	2	-
Debt Management Costs	40	47	47	12	12	-
Joint Transformation Programme (JTP) Efficiency Savings	-	-	(300)	(75)	(75)	-
Total Expenditure	13,073	13,447	12,870	3,219	3,118	(101)
Net Cost of HRA Services	(3,533)	(3,207)	(3,543)	(884)	(985)	(101)
HRA share of Corporate and Democratic Core	776	576	576	144	144	-
Net Operating Cost of HRA Services	(2,757)	(2,631)	(2,967)	(740)	(841)	(101)
Capital Financing and Interest Charges						
Interest Payable	1,839	1,855	1,866	467.00	467	-
Interest Receivable	(32)	(27)	(45)	(11.25)	(11)	-
Amortised Premiums and (Discounts)	(3)	(3)	-	-	-	-
Reversal of Depreciation and Amortisation	(5,160)	(5,173)	(5,485)	(1,371.33)	(1,371)	-
Transfer to Major Repairs Reserve	5,160	5,173	5,485	1,371.33	1,371	-
Repayment of Internal Borrowing	807	807	1,146	287.00	287	-
Total Capital Financing and Interest Charges	2,611	2,631	2,967	743	743	-
(Surplus)/Deficit for the year	(146)	0	0	3	(98)	(101)
Working Balance at 1 April	(2,726)	(2,836)	(2,945)			
(Surplus) or Deficit for the year	(146)	0	0			
Working Balance at 31 March	(2,872)	(2,836)	(2,945)			
Allocation of Working Balance:						
- General Working Balance	(1,500)	(1,500)	(1,500)			
- Special Projects	(1,097)	(1,061)	(1,170)			
- Self Insurance	(275)	(275)	(275)			
Working Balance at 31 March	(2,872)	(2,836)	(2,945)			

This page is intentionally left blank

Line	SUMMARY	Approved Programme 2018/19	Brought Forward 2017/18	Approved Variations	Variations Requiring Approval	Proposed Programme 2018/19	Quarter 1 2018/19 Spend	Remaining allocation
		£	£	£	£	£	£	£
1	HRA HOUSING INVESTMENT CAPITAL PROGRAMME							
2	Construction of New Dwellings	-	1,341,150	-	-	1,341,150	21,136	1,320,014
3	Buy-back of Properties sold Through Right to Buy	200,000	-	-	-	200,000	-	200,000
4	Saxonbury Redevelopment	-	1,485,490	-	-	1,485,490	7,757	1,477,733
5	Improvements to Stock	5,079,000	1,522,380	-	(1,175,618)	5,425,762	521,172	4,904,590
6	Recreation & Play Areas	50,000	44,240	-	-	94,240	-	94,240
7	Conversions & Additional Rooms in Roof	165,000	366,940	-	-	531,940	-	531,940
8	TOTAL HRA HOUSING INVESTMENT CAPITAL PROGRAMME	5,494,000	4,760,200	-	(1,175,618)	9,078,582	550,066	8,528,516
9	GENERAL FUND HOUSING INVESTMENT CAPITAL PROGRAMME							
10	Private Sector Housing Support	135,000	109,900	-	-	244,900	21,352	223,548
11	Mandatory Disabled Facilities Grants	920,000	614,410	-	-	1,534,410	89,923	1,444,487
	Temporary Accommodation			2,200,000		2,200,000		2,200,000
12	TOTAL GENERAL FUND HOUSING INVESTMENT CAPITAL PROGRAMME	1,055,000	724,310	2,200,000	-	3,979,310	111,274	3,868,036
13	GENERAL FUND CAPITAL PROGRAMME							
14	LHIC/Aspiration Homes - loans to facilitate delivery of new homes	15,000,000	5,000,000	-	-	20,000,000	-	20,000,000
15	Joint Transformation Programme (JTP)	-	212,500	-	-	212,500	-	212,500
16	Regeneration							
17	Commercial Property Acquisition & Development	4,000,000	1,233,320	(2,200,000)	(500,000)	2,533,320	2,728,470	(195,150)
18	North Street Quarter	-	-	-	92,500	92,500	92,459	42
19	NSQ Temporary Car Park	-	-	700,000	-	700,000	-	700,000
20	Blue Light Hub	3,400,000	-	-	-	3,400,000	-	3,400,000
21	Springman House Commercial Development	-	-	-	-	-	-	-
22	Asset Development Newhaven	1,000,000	98,260	-	500,000	1,598,260	37,850	1,560,410
23	Sutton Road - Seaford	1,300,000	183,100	-	-	1,483,100	7,257	1,475,843
24	Turkish Baths, Lewes (Refurbishment)	-	171,810	-	-	171,810	8,299	163,511
25	19-21 Cradle Hill, Seaford	-	73,990	-	-	73,990	-	73,990
26	Denton Island Commercial Development	-	530,000	-	-	530,000	-	530,000
27	Springman House	-	99,000	-	-	99,000	-	99,000
28	North Street Commercial Property Acquisition/ Development	-	289,230	-	-	289,230	-	289,230
29	Robinson Road Priority Works	55,000	24,990	170,000	-	249,990	11,600	238,390

Line	SUMMARY	Approved Programme 2018/19	Brought Forward 2017/18	Approved Variations	Variations Requiring Approval	Proposed Programme 2018/19	Quarter 1 2018/19 Spend	Remaining allocation
		£	£	£	£	£	£	£
30	Construction of Avis Way Depot, Newhaven	-	-	4,100,000	-	4,100,000	6,912	4,093,088
31	Newhaven Enterprise Centre (Boiler Works)	-	9,500	-	-	9,500	-	9,500
32	Asset Management	450,000	904,890	5,800	2,812	1,363,502	230,613	1,132,889
33	Community Infrastructure	-	-	-	285,500	285,500	285,122	378
34	Service Delivery							
35	Vehicle & Plant Replacement Programme	156,000	200,120	-	630,000	986,120	642,419	343,701
36	Waste	71,000	907,490	-	-	978,490	223,180	755,310
38	Tree survey Works	10,000	-	-	-	10,000	-	10,000
39	Air Quality Monitoring Station Newhaven	80,000	-	-	-	80,000	-	80,000
40	Flood Protection Measures	136,000	51,800	-	-	187,800	-	187,800
41	Coastal Defence Works	-	107,810	50,000	8,000	165,810	5,113	160,697
42	Parks, Pavilions etc. - Remedial works	50,000	620,660	-	-	670,660	11,418	659,242
43	Information Technology (IT)	150,000	-	-	-	150,000	-	150,000
44	TOTAL GENERAL FUND CAPITAL PROGRAMME	25,858,000	10,718,470	2,825,800	1,018,812	40,421,082	4,290,713	36,130,369
45	TOTAL OVERALL CAPITAL PROGRAMME	32,407,000	16,202,980	5,025,800	(156,806)	53,478,974	4,952,053	48,526,921
46	CAPITAL PROGRAMME FUNDING							
47	Borrowing					38,896,930		
48	Capital Receipts					1,720,190		
49	Reserves					9,949,864		
50	Capital Grants					1,836,720		
51	Section 106 Contributions					347,070		
52	Other Capital Contributions					93,300		
53	Capital Expenditure Financed from Revenue (General Fund)					187,800		
54	Capital Expenditure Financed from Revenue (Housing Revenue Account)					161,600		
55	CIL Contributions					285,500		
56	TOTAL CAPITAL PROGRAMME					53,478,974		







Report to:	Cabinet
Date:	17th September 2018
Title:	Portfolio Progress and Performance Report 2018/19 - Quarter 1 (April - June 2018)
Report of:	Ian Fitzpatrick, Director of Regeneration and Planning
Cabinet member:	Councillor Elayne Merry, Portfolio Holder
Ward(s):	All
Purpose of report:	To consider the Council's progress and performance in respect of key projects and targets for the first quarter of the year (April to June 2018 (Quarter 1)) as shown in Appendix 1.
Decision type:	Non-key
Officer recommendation(s):	Consider progress and performance for Quarter 1 and consider any relevant recommendations made by the Scrutiny Committee.
Reasons for recommendations:	To enable Cabinet to consider specific aspects of the Council's progress and performance.
Contact Officer(s):	Name: Millie McDevitt Post title: Projects and Performance Lead E-mail: Millie.McDevitt@lewes-eastbourne.gov.uk Telephone number: 01273 085637 / 01323 415637

1 Introduction

- 1.1 The Council has an annual cycle for the preparation, implementation and monitoring of its business plans and budgets. This cycle enables us regularly to review the Council's work, and the targets it sets for performance, to ensure these continue to reflect customer needs and Council aspirations.
- 1.2 It is important to monitor and assess progress and performance on a regular basis, to ensure the Council continues to deliver priority outcomes and excellent services to its customers and communities.
- 1.3 The Scrutiny Committee has a key role in terms of oversight of the Council's progress and performance and challenging areas of under-performance. This report sets out the Council's performance against its targets and projects for the first quarter of 2018/19 (the period running from 1st April to 30th June 2018).

2 Performance in the First Quarter of 2018/19

- 2.1 Appendix 1 provides a high level summary of progress and performance arranged by Cabinet portfolio. The summary shows where performance and projects are 'on track/on target' and where there are areas of risk, concern or under-performance. Where performance or projects are 'off track/below target', an explanation of the management action being taken to address this is also provided.
- 2.2 Detailed project/performance tracking information is recorded in the Council's performance management information system (Pentana (formerly known as Covalent)). The system uses the following symbols to indicate the current status of projects and performance targets:

-  = Performance that is at or above target;
-  = Project is on track;
-  = Performance that is slightly below target but is within an acceptable tolerance/projects where there are issues causing significant delay or change to planned activities;
-  = Performance that is below target/projects that are not expected to be completed in time or within requirements;
-  = Project has changed or been discontinued;
-  = Data with no performance target.

3 Scrutiny Annual Report 2017/18

- 3.1 2017/18 was once again a productive year for the Lewes Scrutiny Committee. The Council performance was reviewed on a quarterly basis ahead of Cabinet, and this has been helpful in providing Members with early information about any performance issues/concerns, as well as assuring Members that such issues are being addressed by robust management actions.
- 3.2 Performance and budget monitoring remains an integral part of the work of the Scrutiny Committee, and along with a thorough assessment of the Council's performance every quarter, the Scrutiny Committee has also given consideration to various other issues as part of its overview and scrutiny function. These have included:
- Scrutiny of the Chair of the Council's Civic Programme
 - Scrutiny of North Street Quarter Due Diligence
 - Scrutiny of the Annual Lewes District Community Safety Partnership Report
 - Scrutiny of the Annual Equalities Report
 - Scrutiny of the Voluntary Sector Support
 - Scrutiny of the Draft Lewes Tourism Strategy 2018-2021
 - Scrutiny of the Council's Budget Overview and Tax base Setting
 - Scrutiny of the Council's Sickness/Absence statistics within the

Council

- Participation in a Q&A session with external representatives regarding the reinstatement of the Lewes to Uckfield railway line, and invite discussion regarding their existing strategy and proposal

3.3 The Scrutiny Committee continued to consider significant issues within the community and engaged external witnesses. The Committee were pleased to welcome the following representatives to their meetings:

- Mr Adam Chugg, Chief Executive of 3VA
- Ms Teresa Gittins, Deputy Chief Executive and Head of Services of Action in Rural Sussex
- Mr Rob Whitehead, Advice & Inclusion Services Programme Manager of Sompriti
- Ms Jackie Wilkes, District Manager of Lewes District Citizens Advice Bureau
- Mr Jonathan Knight, Chief Financial Officer of MAS REI
- Mr Roger Blake, National Board Vice-Chair, London & South East regional branch of Railfuture
- Mr Chris Page, National Board Chair of Railfuture

3.4 During 2017/2018 two Panel Groups were established to scrutinise particular aspects of the Council's work:

- Establishment of a scrutiny review to investigate the impact of transport options within Lewes District and their effect on the local economy, also taking into account the Air Quality motion. This review is currently underway.
- Establishment of a scrutiny review to investigate the supply of low-cost and affordable workspace in the Lewes District, and with specific attention to the employment space requirements of the creative sector. This review is currently underway and will report back to the Committee in February 2019.

4 Portfolio Progress and Performance – Quarter 1

4.1 An overview of the Council's performance for the year as at the end of the 1st quarter is set out below:

- 79% of the Council's key projects were either completed or on track at the end of the 1st quarter.
- 68% of the Council's performance targets were either met, exceeded or within acceptable levels during the 1st quarter.
- Eight indicators were outside of their planned targets' tolerance range during the 1st quarter (see paragraph seven below).

5 The Good News for Quarter 1 –  Notable project milestones or service performance achieved

5.1 This section of the report provides specific highlights by portfolio in terms of notable project progress or performance achievements.

5.2 Regeneration and Business

The **Newhaven Town Centre** project aiming to deliver the mixed use regeneration of the town centre was allocated funding by Cabinet in quarter one, and consultation is expected in the autumn.

5.3 People and Performance

The year on year performance for **Average days lost per FTE employee due to sickness** during Quarter one has improved from 2.15 days (2017/18 Q1) to 1.62 days (2018/19 Q1).

5.4 Environmental Impact

Lewes District Council is leading in the fight against single use plastics, successfully launching the **Single use plastic reduction in council offices** project in Quarter One which seeks to significantly reduce their use across council sites.

5.5 Housing

In the **Welfare reform project**, in Q1 the Job CentrePlus presentation for staff, RSLs and Voluntary Sector on Universal Credit was arranged (took place on 24/25 July).

Lewes CABs delivering Assisted Digital Support and Personal Budgeting Support on Councils' behalf.

BHT awarded £30k to recruit a benefits advisor to work 25 hours a week alongside the Homes First team to identify those Lewes residents most in need of support to claim Universal Credit and will provide practical 1:1 support to customers through the whole claims process and to ensure they are able to maintain their claim in the longer term. Further details are in the annexe.

5.6 Planning

The **Neighbourhood Planning** project has now “made” Neighbourhood Plans for *Plumpton* and for *Ditchling, Streat & Westmeston*, and continues to lead and contribute to six more Plans in the District.

5.7 Waste and Recycling Transformation

The roll-out of the **LDC co-mingled recycling** service was completed in Quarter One, with increases in recycling already being reported.

5.8 Customer and Partners

Performance for **Number of people registering for our email service** continues to out-perform expectations, delivering over half the annual target in the first three months of 2018/19 (1,235 against a target of 2,004).

6 **Areas for Improvement** – Project/performance is slightly off track (but within acceptable/5% tolerance). The 'amber' warning flags up performance that has fallen very slightly below target or projects that are slipping behind schedule or going slightly off-track.

6.1 The following performance indicators which fell into this category during the first quarter included:

6.2

- **Percentage of Council Tax collected during the year - Lewes:** The collection rate for Quarter One is down on the quarter target by 0.26%. On 6th June 2018, the revenues service transitioned in to the future model. As we are now establishing the new ways of working, collection has been affected but it is anticipated that as the structure beds in, collection performance will return to projected levels.

6.3

- **Percentage of Business Rates collected during the year - Lewes:** The collection rate for Quarter One is down on the quarter target by 0.59%. Business Rates was also effected by the revenues service transition in June, but it is anticipated that collection performance will return to projected levels.

6.4

- **Percentage of Rent Collected During the Year (Cumulative):** Quarter 1 performance is below the profiled target. This is mainly due to the cross skilling training that is being delivered within the team in order to create future service resilience across both Councils. As a result this has meant that there has been a slight reduction in the number of officers available to process work, however this is being carefully managed to minimise the impact on performance which we expect to improve as more staff are cross-skilled'.

6.5 The following projects are being reported as amber at the end of the second quarter.

6.6

- **Newhaven Port Access Road (ESCC Project):** The final formatting of business and strategic cases was prepared in Q1 and submitted in July. Positive conversations are being held between ESCC and DfT

The contractor is lined up and ready to start as soon as authorisation is received.

6.7 **Devolution of Open Spaces:** Lewes Town Council: The devolution of Landport Bottom successfully completed.

Newhaven Town Council: The first "wave" of transfers was being processed by LDC and NTC solicitors includes a) East Side Recreation Ground, b) Avis Road Recreation Ground, c) Drove Park Recreation Ground, d) Lewes Road Recreation Ground, and e) Valley Road Recreation Ground.

- 6.8
- **Modular Housing:** Feasibility appraisals are being completed on a range of Council owned and non-Council owned sites – legal searches and initial capacity studies will be undertaken and potential contractors have been identified, who can fulfil the criteria of accelerated delivery. A Cabinet report is planned for the end of October, with consultation with Ward and Town Councillors, as well as local residents before any sites move to the construction phase. The report to Cabinet will include the outcome of options appraisals.

- 7
- Areas for Improvement** – ● Performance well below target and/or project significantly off-schedule or revised. Where service performance falls well below target levels, or a project is significantly off track or has been significantly revised or cancelled, priority is given to addressing these issues.

- 7.1
- **Average number of days to re-let LDC Council homes (excluding temporary lets):** The average re-let time for Q1 was 27.5 days. This exceeds the voids target of 25 days. During June we re-let 13 properties. Low numbers are skewing this PI and we expect this to return within target shortly.

Performance Improvement Plan

There was one late unexpected re-allocation required that led to an extended period of re-let delay. The target is closely monitored and the Neighbourhood Housing Team continue to let the properties promptly upon completion of the void works.

- 7.2
- **The Local Plan (Part 2):** The concurrent 'Call for Sites' to deliver the Gypsy and Traveller pitches yielded no results, however further options identified are being considered, with no final decision made. The identification within Local Plan Part 2 of suitable site(s) for the delivery of 5 permanent pitches is established within Core Policy 3 of the Local Plan Part 1, the Core Strategy.

- 7.3
- **Percentage of major applications determined within 13 weeks (LDC only):** It is acknowledged that this PI poses significant swings given the very low volume of applications determined. For Quarter One two applications were determined out of time. Going forward extension of time agreements and close scrutiny of caseload by the SSA's will support an improvement in performance.

- 7.4
- **Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined):** 17 out of 56 minor planning applications did not meet the deadline. Resource has been assigned to cover

knowledge transfer and the processing of applications. This should see an upturn in performance by the end of Quarter Two.

- 7.5
- **The number of days taken to process new housing/council tax benefit claims:** The average days to process new claims for Quarter One was 36.1 days against a target of 20 days. The activity involved in the transition of the benefits service to the new ways of working, which was successfully completed on 6 June, coupled with several new starters led to a dip in performance during April, May and June. It is expected the target to be met from August onwards.

- 7.6
- **Days to process change of circs. (Housing / Council Tax Benefit):** The average days to process changes for Quarter One was 10.5 days against a target of 8 days. As with the PI for *The number of days taken to process new housing/council tax benefit claims* The activity involved in the transition of the benefits service to the new ways of working, which was successfully completed on 6 June, coupled with several new starters led to a dip in performance during April, May and June. It is expected the target to be met from August onwards.

- 7.7
- **Increase the percentage of calls to the contact centre answered within 60 seconds – Lewes:** The speed of answer has increased during Quarter One due to the implementation of revenues and benefits as a new service for Customer Advisors with an additional 7,000+ calls, and the ongoing induction into the new ways of working.

A significant amount of time has been spent training the team to handle these new calls, and queue busting has been implemented to provide customers with alternatives to waiting on the line including going online, using automated services or calling back at less busy times. A recruitment drive was launched in May with eight candidates being offered roles, all of whom are anticipated to be in place and training by the middle of Quarter Two. There are still 6 vacancies with interviews and recruitment underway. Residents who call and have an active enquiry with a back office case worker are also being directed straight through rather than having to wait for call-backs or chasing multiple times.

- 7.8
- **Reduce the numbers of abandoned calls to the contact centre – Lewes:** Higher than normal call volumes resulted in a spike in abandoned call at the start of Quarter One, but the number of abandoned calls has decreased across the quarter. Queue busting continues to take place to answer calls within 5mins to reduce the amount of abandoned calls. A recruitment drive was completed with 8 preferred candidates offered roles, all of whom are expected to start by the end of August.

8 Financial Appraisal

- 8.1
- Project and performance monitoring and reporting arrangements are contained within existing estimates. Corporate performance information should also be considered alongside the Council's financial update reports (also reported to Cabinet each quarter) as there is a clear link between performance and

budgets/resources.

9 Legal Implications

9.1 Comment from the Legal Services Team is not necessary for this routine monitoring report.

10 Risk Management Implications

10.1 It is important that corporate performance is monitored regularly otherwise there is a risk that reductions in service levels, or projects falling behind schedule, are not addressed in a timely way.

11 Equality Analysis

11.1 The equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant Council reports or as part of programmed equality analysis. The equality implications of projects that form part of the Joint Transformation Programme are addressed through separate Equality and Fairness assessments.

Appendices

Appendix 1 – Portfolio Progress and Performance Report (Quarter One 2018/19).

Background Papers

[Council Plan 2016 to 2020](#)

Lewes District Council Portfolio Progress and Performance Report Quarter One 2018-2019 (April to June 2018)

Regeneration and Business Portfolio : Cllr Andy Smith – Projects and Initiatives

People and Performance Portfolio : Cllr Elayne Merry – Key Performance Indicators and Projects and Initiatives

Environmental Impact Portfolio : Cllr Isabelle Linington – Projects and Initiatives









Finance Portfolio : Cllr Bill Giles – Key Performance Indicators

Housing Portfolio : Cllr Ron Maskell - Key Performance Indicators and Projects and Initiatives

Planning Portfolio : Cllr Tom Jones - Key Performance Indicators and Projects and Initiatives

Waste and Recycling Transformation Portfolio : Cllr Paul Franklin - Key Performance Indicators and Projects and Initiatives


Customers and Partners Portfolio : Cllr Tony Nicholson - Key Performance Indicators and Projects and Initiatives





Key			
	Performance that is at or above target Project is on track		Performance that is below target Projects that are not expected to be completed in time or within requirements
	Project has been completed, been discontinued or is on hold		Performance that is slightly below target but is within an acceptable tolerance Projects : where there are issues causing significant delay, changes to planned activities, scale, cost pressures or risks
	Direction of travel on performance indicator : improving performance		Direction of travel on performance indicator : declining performance
	Direction of travel on performance indicator : no change		Data with no performance target



LDC Regeneration and Business Portfolio: Councillor Andy Smith: 2018/19

Portfolio Projects and Initiatives

Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
North Street Quarter	Regeneration of the North Street Quarter area in Lewes to provide over 400 homes; health hub; car park and new commercial space.	Q1 2021/22		<p>The NSQ planning team has made significant progress with SDNP around the information submitted for the discharge of pre-commencement planning conditions. The process is progressing well.</p> <p>The NSQ landowners are finalising the final Land Collaboration Agreement with a view to agreeing the document as soon as possible.</p> <p>Once the LCA is agreed, the landowners will go to market to secure a developer for the scheme. The marketing information is currently being prepared by the two landowners.</p> <p>The landowners continue to progress resolution of outstanding third party land / title matters, including those relating to LDC title.</p> <p>LDC has been granted permission for the early demolition of LDC owned buildings on North Street, due to concerns over the condition of these buildings. A planning application for a temporary car park on the site, during construction of Phase 1 of the NSQ scheme, was submitted in July 2018.</p> <p>A sum of £50,000 was ring-fenced by Council in February 2016 to assist the privately owned businesses trading from land owned and leased by LDC at the NSQ site to relocate within the Lewes District. So far £20,000 of this funding has been used to assist Compass buses with the costs of relocating their depot from the North Street site to the Cliffe Industrial Estate in Lewes. Whilst neither landowner (the Council and MAS REI) have an obligation to find new premises for tenants at the North Street site, the Council will</p>


Project / Initiative	Description	Target completion	Status	Update
				continue to work with all remaining tenants at the site in an attempt to help them find them new accommodation in the Lewes District if they need our help with this.
Newhaven Port Access Road (ESCC Project)	A new road that will remove Port traffic from existing roads to enhance access and economic growth, as well as safeguarding existing residential areas from the impact of Port traffic.	Q1 2019/20		The final formatting of business and strategic cases was prepared in Q1 and submitted in July. Positive conversations are being held between ESCC and DfT The contractor is lined up and ready to start as soon as authorisation is received.
Newhaven Enterprise Zone	NEZ covers 8 key sites of strategic importance with the aim of driving economic growth through the creation of up to 55,000m ² of new employment floorspace, refurbishing 15,000m ² of existing employment floorspace and creating / sustaining up to 2,000 FTE jobs over a 25-year period.	Q4 2041/42		<ul style="list-style-type: none"> • Updated Strategy now in draft form linked to Coast to Capital's new Strategic Economic Plan. A delivery plan is being prepared to highlight the transition of strategic objectives into action. • Article 4 Direction. Approved at Planning Committee on 27th June and will be implemented from 5 November 2018. This confirms the withdrawal of permitted development rights to help to protect key existing and future employment space. • Plans progressing for LDC land at Town Centre and Railway Quay. • Coastal Communities Fund bid submitted for Town Centre. Awaiting outcome. • Phase 2 of Eastside South development under way which will see a further three units added to the two built in Phase 1.. • Closure of UTC at Railway Quay is disappointing, but mitigation is already underway.
Newhaven Town Centre	Delivery of mixed use regeneration scheme within NEZ.	Q4 2020/21		Following Cabinet 2 July, an allocation of up to £500,000 to develop the town centre scheme, up to the letting of the construction contract, was agreed at Cabinet. The scheme will include an anchor food store, car parking, further retail units in the town square and a hotel. The development proposal is split across three key sites; Newhaven Square, Seahaven Leisure Centre and Lower Car Park site. Public consultation on the plans is schedule for the autumn.
Downs Leisure Centre	Project to renovate the Downs Leisure Centre to better serve the community's health needs.	Q3 2020/21		Business case and Investment report scheduled for Cabinet 17 September 2018. Preliminary plans include an updated Downs Leisure Centre with Health Hub provisions incorporated within the Wave Leisure Centre complex.



Project / Initiative	Description	Target completion	Status	Update
				Discussions with the CE of Wave, Seaford Town Council and other stakeholders have taken place. A small convenience store and 8 to 12 residential units are planned within the designated site area, subject to Cabinet approval and Planning permission.
Springman House- New Community Fire Station	Relocation of key emergency services to create a blue light services hub that supports delivery of the North Street Quarter.	Q3 2019/20		Plans for the site are progressing with continued discussions with the Blue Light Services to develop a scheme that is agreeable to all parties
Set up and Energy Services Company (ESCO) for North Street Quarter (LDC)	Establishment of an ESCO to support delivery of the North Street Quarter.	Q3 2019/20		Following the completion of the government's Heat Delivery Network Unit Study, it will be necessary to consider the two recommended options further, along with assessing the feasibility of establishing an Energy Services Company for North Street Quarter.

LDC People and Performance Portfolio: Councillor Elayne Merry: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
Joint Transformation Programme	A major programme to integrate the Eastbourne Borough Council and Lewes District Council workforces, and transform the service delivery model for both organisations. Deliver £2.7m savings while protecting services	Q4 2020		<p>The Programme delivered a number of significant actions/progress towards actions within the Quarter, including:</p> <ul style="list-style-type: none"> • New systems were launched: Civica Financials which enable the councils to make the best use of modern technology to deliver services efficiently and in ways our customers want. • Further services continue to transition to new systems and ways of working - primarily, the Revenues and Benefits teams - enhancing and modernising the way in which we provide services to and interact with residents and businesses. • The ambition to encourage more customers who are able to communicate and interact with us online continues to be realised (in accordance with the aspirations set out in the Channel Shift Strategy). Customers completed 20% of their transactions online in May 2018 compared with 6.3% a year earlier. • The teams working on delivering the aims of the Joint Transformation Programme continue to listen and respond to feedback - mainly in relation to the joint website and the availability of staff on the phones. • Planning for the next stage in the transformation journey : JTP Phase 3 has commenced and further details of the planned change and savings will be communicated to Members over the coming months. <p>The JTP tackles the same challenges and risks that all change management programmes of this scale and ambition face eg issues relating to technologies, personnel and the relationships with third party suppliers are known and are being managed appropriately. Delivery of the transformation is being managed within the £6.8m budget and the £2.8m of savings for JTP Phases 1 and 2 have been achieved.</p>



Project / Initiative	Description	Target completion	Status	Update
Vote 100	The project will organise events and activities to commemorate the centenary of the Representation of the People Act 1918 which first extended the right to vote to women and to encourage greater diversity in public life.	Q3 2018/19		A successful event was held at Pelham House on 9th July with around 100 attending. Discussions are underway to plan further events in the form of a road show.
Lewes District Lottery	A lottery for good causes for Lewes District	Q4 2018/19		Officers are in the process of gaining a Gambling Commission licence for this project.

LDC People and Performance Portfolio: Councillor Elayne Merry: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Key Performance Indicators


Page 46

KPI Description	Annual Target 2018/19	Value	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
			Q1 Target	Status		
Average days lost per FTE employee due to sickness	8.0 days	1.62 days	2 days			<p>This is the first quarter of reporting average days lost due to sickness for our entire staff group, altogether. 1.62 days is a pleasing outcome for Quarter One and represents a decrease from the same period last year which was 2.16.</p> <p>A few long term cases have been resolved recently which has helped with the figure, although there 5 employees were off for the entire quarter all of whom are being supported by their manager with support from HR and progressing through the Attendance Management process.</p> <p>The areas which have the highest overall percentage absence rates are within the service delivery areas and whilst in some respects this is understandable and predictable (e.g. staff who come into regular contact with the public pick up more short term illnesses), the HR team will be paying particular attention to supporting managers in these specific areas to deal with the absence levels.</p>





LDC Environmental Impact Portfolio: Councillor Isabelle Linington: 2018/19

Portfolio Projects and Initiatives

Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
Clear Futures: Joint Venture for Energy and Sustainability	A joint venture between Eastbourne and Lewes Council and a private sector organisation to deliver local energy and sustainability ambitions for the next 20-30 years. The Joint Venture will follow a programme of work.	Q1 2037/38		The monthly JV Steering Board meetings have taken place and numerous New Project Request (NPR) forms have been progressed. The next Board meeting to take place on 21st August.
Single use plastic reduction in council offices	Project aiming to reduce the amount of single use plastic items used in Lewes and Eastbourne Councils' offices.	Q4 2018/19		SUPs around the offices have been replaced by reusable alternatives and an audit of staff use of SUPs has been completed. An internal promotional campaign is now planned after which the audit will be redone to understand the impact of the project.
Upper Ouse Flood Protection and Water	3 year programme of flood protection work across the District	Q4 2018/19		The <i>Ouse and Adur River Trust</i> and <i>Sussex Flow Initiative</i> group met in May to plan for 18/19. Plans for reinstating flood plains for the River Ouse at Barcombe and the River Uck at Isfield were developed, potential improvements to Bevern Stream and water storage in Pashetts and Park Wood were explored, and LDC continue to collaborate on developing rain gardens and other flood protection projects.
Newhaven Flood Alleviation Scheme (Environment Agency)	Enabling the delivery of key infrastructure projects in Newhaven.	Q4 2018/19		Area 2 (south) is now complete and Area 2 (north) is expected to be completed in Quarter Two. The Environment Agency are investigating alternative options to reduce cost and mitigate against loss of access for existing commercial operators in Area 5 (Newhaven Port).. A feasibility study has been commissioned and will report back shortly. Overall scheme completion date (November 2019) remains on schedule.





Key Performance Indicators

KPI Description	Annual Target 2018/19	Value	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
			Target	Status		
Percentage of Council Tax collected during the year - Lewes	97.06%	29.78%	30.04%			The collection rate for Quarter One is down on the quarter target (30.04%) by 0.26%. On 6th June 2018, the revenues service transitioned in to the new ways of working in JTP. As we are now establishing the new ways of working, collection has been affected but it is anticipated that as the structure beds in, collection performance will return to projected levels.
Percentage of Business Rates collected during the year - Lewes	98.50%	28.59%	29.18%			The collection rate for Quarter One is down on the quarter target (29.18%) by 0.59%. On 6th June 2018, the revenues service transitioned in to the new ways of working in JTP. As we are now establishing the new ways of working, collection has been affected but it is anticipated that as the structure beds in, collection performance will return to projected levels.

LDC Housing Portfolio: Councillor Ron Maskell: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
Welfare Reform	To support those vulnerable residents affected by the government's welfare reform programme.	Q4 2020		<p>Job Centre Plus presentation for staff, RSLs and Voluntary Sector on Universal Credit arranged on 24/25 July.</p> <p>Lewes CABs delivering Assisted Digital Support and Personal Budgeting Support on Councils' behalf.</p> <p>BHT awarded £30k to recruit a benefits advisor to work 25 hours a week alongside the Homes First team to identify those Lewes residents most in need of support to claim Universal Credit and will provide practical 1:1 support to customers through the whole claims process and to ensure they are able to maintain their claim in the longer term.</p> <p>The service will be focused primarily on homeless people living in temporary accommodation, people at risk of homelessness, and council tenants who are claiming Universal Credit and struggling to pay their rent. The adviser will be co-located with the Council's Homes First staff but the service will be made available from a range of venues including and people's own homes and take account of the particular needs of people living in rural areas.</p>
Housing Delivery : Local Growth Fund	Deliver up to 30 new Council homes for rent on 7 sites.	Q2 2018		This project has now delivered 22 new homes and only remains active due to the defects period which runs to July 2018.
Rural Housing	A project looking at rural housing in the district.	Q2 2019		<p>Guidance on adding annexes to property and the council tax implications of this has been published.</p> <p>A paper is being drawn up to identify findings from research.</p>
Modular Housing	Delivery of modular housing options.	Q2 2019		Feasibility appraisals are being completed on a range of Council owned and non-Council owned sites – legal searches and initial capacity studies will be undertaken and potential contractors have been identified, who can fulfil the criteria of accelerated delivery. A Cabinet report is planned for the end of






Project / Initiative	Description	Target completion	Status	Update
				October, with consultation with Ward and Town Councillors, as well as local residents before any sites move to the construction phase. The report to Cabinet will include the outcome of options appraisals.







LDC Housing Portfolio: Councillor Ron Maskell: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Key Performance Indicators

KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
Disabled Facilities Grants: Time taken from council receiving fully completed application to the council approving the grant	28 days	7		New PI	Performance is expected to improve when the Occupational Therapists (OT's) co-locate with us as LDC will be giving them direction and will be able to set a start time for the process. Senior Practitioners are expected to be in post by the end of October and OT's by January 2019.
Number of Licensed HMO's Inspected per Quarter	8	0		New PI	Licensed HMO's are required by legislation to be inspected once every 5 years and are generally inspected on receipt of the licence application. There were no HMO's inspected this quarter as there were none up for renewal. New HMO regulations state the new definition of an HMO for licensing purposes will be any property occupied by five or more people, forming two or more separate households. This is in contrast to the existing HMO definition which is a property occupied by 5 or more people, forming two or more separate households and comprises three or more storeys.
Percentage of rent collected during the year (cumulative)	96%	90.92%			Quarter 1 performance is below the profiled target. This is mainly due to the cross skilling training that is being delivered within the team in order to create future service resilience across both Councils. As a result this has meant that there has been a slight reduction in the number of officers available to process work, however this is being carefully managed to minimise the impact on performance which we expect to improve as more staff are cross-skilled'.
Total number of days that families need to stay in emergency (nightly paid) accommodation	70	0			This PI relates to the number of days that families need to stay in non self-contained B&B rooms. There have been none in Q1 as families are in self-contained accommodation.
Total number of households living in emergency (nightly paid) accommodation	15	13			There were 13 households living in emergency accommodation in June. In April there were 8 households and May 13. There continues to be a steady rise in the number of clients going into Temporary Accommodation (TA) across the country.
Average number of days to re-let LDC Council homes (excluding temporary lets)	25	27			The average re-let time for Q1 was 27.5 days. This exceeds the voids target of 25 days. During June we re-let 13 properties. Low numbers are skewing this PI and we expect this to return within target shortly.


KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
					<p>Performance Improvement Plan</p> <p>There was one late unexpected re-allocation required that led to an extended period of re-let delay. The target is closely monitored and the Neighbourhood Housing Team continue to let the properties promptly upon completion of the void works.</p>
Overall tenants' satisfaction	75%	88%			95 tenants responded to this question. From these 84 were either very satisfied or fairly satisfied.
Number of households who are at risk of homelessness within the next 56 days and "prevention duty" has been accepted to prevent this	18/19 will be used as baseline figures	n/a	n/a		<p>This is a new PI following the introduction of the Homelessness Reduction Act (HRA). What this refers to is that we have accepted duty under HRA to work with clients who we believe to be eligible and at risk of homelessness within 56 days. The prevention duty lasts for 56 days and it requires the LA to support the client to prevent themselves from becoming homeless. It involves a full assessment of needs, issuing a personal housing plan outlining actions for the client to take and actions for the authority (i.e resolving issues with landlord or finding alternative PRS before eviction date), which should be reviewed and updated as needed. Prevention options can include home visits, mediation, budgeting and debt management advice, referrals to specialist agencies, rent deposit offers. If homelessness is not prevented we would go onto the RELIEF duty.</p> <p>Q1 data unavailable due to technical issues but will have Q2 figures in time</p>
Number of households who are already homeless where "relief duty" has been accepted to relieve their homelessness	18/19 will be used as baseline figures	32	n/a		<p>This is a new PI following the introduction of the Homelessness Reduction Act (HRA). What this refers to is that the client is eligible to assistance and is already homeless. The relief duty requires us to support the client to relieve their homelessness. Again lasts for 56 days. It also includes full assessment and personal housing plan if these have not already been completed (some clients skip the prevention stage if they approach us on the day they are homeless). Option within relief can include budgeting and debt management advice to support with sustainability of future tenancies, referrals to specialist agencies, rent deposit offers. Some, but not all clients will be offered temporary accommodation during this duty (those who are believed to be eligible, homeless and in priority need). If we cannot relieve homelessness we would need to make a decision on whether or not we owe a full homeless duty</p>
Number of households where a "full homelessness duty" has been accepted as unable to prevent or relieve homelessness	18/19 will be used as baseline figures	6	n/a		<p>This is a new PI following the introduction of the Homelessness Reduction Act (HRA). What this refers to is that we have been unable to relieve or prevent homelessness, and assessed the client as being owed a full duty under the housing act. Clients who are eligible, homeless, in priority need, not intentionally homeless and have a local connection will be accepted. A s.184 letter will be issued confirming this decision and client can remain in temporary accommodation until a suitable property is offered. This could be either social housing or a 12-month tenancy in the private rented sector.</p>


KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
					Awaiting data from Locata – deadline for is the end of August therefore data will be available for the Q1 meeting. Target has not been set as this this is a new year and data from this year will be used to benchmark performance for next year.
Proportion of homeless households where decision has been made within 10 working days	18/19 will be used as baseline figures	100%			<p>Awaiting data from Locata – deadline for completion is the end of August therefore data will be available for the Q1 meeting. Target has not been set as this this is a new year and data from this year will be used to benchmark performance for next year.</p> <p>All applications decided within deadline.</p>
Number of households where homelessness has been successfully prevented	18/19 will be used as baseline figures	n/a			<p>Unavailable due to technical issues but will have Q2 figures in time.</p> <p>25 households were assisted with loans for rent in advance and deposit via Home Link – these would be considered as prevention/relief.</p> <p>We are continuing to see applicants for housing assessments and work with households to either enable them to remain in their current home or identify alternative accommodation. We have now recruited an interim member of staff to liaise with landlords and lead on our landlord incentive scheme, this will increase the options available to applicants to help us secure privately rented homes.</p>
The number of days taken to process new housing/council tax benefit claims	20.0	36.1			<p>The average days to process new claims for Quarter One was 36.1 days against a target of 20 days.</p> <p>Performance Improvement Plan The activity involved in the transition of the benefits service to the new ways of working, which was successfully completed on 6 June, coupled with several new starters led to a dip in performance during April, May and June. It is expected the target to be met from August onwards.</p>
Days to process change of circs. (Housing / Council Tax Benefit)	8.0	10.5			<p>The average days to process changes for Quarter One was 10.5 days against a target of 8 days.</p> <p>Performance Improvement Plan See Performance Improvement Plan above.</p>

LDC Planning Portfolio: Councillor Tom Jones: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
Neighbourhood Planning	Work with local communities on neighbourhood Plans, to guide future land use and identify where housing can be built.	Q4 2019/20		<p>Plumpton</p> <p>The Plumpton Neighbourhood Plan was 'made' at the Council Meeting on 2nd May and the South Downs National Park 'made' the Neighbourhood Plan on 12th April 2018.</p> <p>Seaford</p> <p>Further work on the submission documents is ongoing.</p> <p>Newhaven</p> <p>The Town Council anticipate submitting their amended Neighbourhood Plan in accordance with Regulation 15 within the coming months.</p> <p>Peacehaven and Telscombe</p> <p>The Steering Group carried out numerous public engagement events in early/mid-April 2018. The Steering Group have opened a call for sites.</p> <p>Barcombe</p> <p>The Steering Group are still making relevant amendments requiring public engagement in January.</p> <p>Chailey</p> <p>The Neighbourhood Planning Officer provided detailed comments on the most complete draft documents, including the draft policies.</p> <p>Ditchling, Streat & Westmeston</p>




Project / Initiative	Description	Target completion	Status	Update
				<p>On 2nd May the Neighbourhood Plan was 'made' at Full Council following a successful Referendum and Examination. The South Downs National Park Authority made the Plan on 10th May 2018.</p> <p>Lewes Town (SDNPA-led and will form part of the SDNPA development plan, not LDC's)</p> <p>The Town Council formally submitted the Submission Plan to the SDNPA (documents are not submitted to LDC, however, relevant service areas of LDC can comment on the submitted documents). The Reg. 16 consultation began on 11th June and ended on 23rd July 2018.</p>
The Local Plan (Part 2)	Local Plan Part 2 will allocate land for different types of development (including new housing and Gypsy and Traveller pitches) as well as land to be protected.	Q3 2019/20		<p>Local Plan Part 2 consultation responses on the Draft Plan are being considered, the Statement of Consultation is being prepared and necessary amendments are being made to the Plan accordingly.</p> <p>The schedule for the publication of the Pre-Submission Local Plan Part 2 (Regulation 19) is currently September 2018.</p> <p>The concurrent 'Call for Sites' to deliver the Gypsy and Traveller pitches yielded no results. The identification within Local Plan Part 2 of suitable site(s) for the delivery of 5 permanent pitches is established within Core Policy 3 of the Local Plan Part 1, the Core Strategy.</p> <p>Further options have been identified for Gypsy and Traveller sites, and these are being considered, with a final decision expected in time for the Pre-Submission deadline.</p>









LDC Planning Portfolio: Councillor Tom Jones: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Key Performance Indicators

Page 56



KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
Percentage of major applications determined within 13 weeks (LDC only)	65%	50%		↓	<p>2 out of 4 applications took longer than 13 weeks to determine. It should be noted that this PI has significant swings given the very low volume of applications determined.</p> <p>Of the 2 applications referred to, 1 was a significant application with many planning and legal issues. An extension of time was originally agreed, however this application required lengthy legal discussions.</p> <p>The other application was for the development which was refused following a consultee response. This consultee response (external) was submitted late and given that the application was refused there was little likelihood of the applicant agreeing to an extension of time.</p> <p>Performance Improvement Plan Going forward extension of time agreements and closer scrutiny of caseloads by the senior specialist advisors will support an improvement in performance.</p> <p>NB. At the time of publication, 100% of applications were determined within the deadline.</p>
Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined)	75%	70%		↓	<p>17 out of 56 minor planning applications did not meet the deadline. The reasons for the delays relate to a validation backlog; this has now been cleared and going forward there should be an upward move in performance</p> <p>Performance Improvement Plan Resource has been assigned to cover knowledge transfer and the processing of applications. This should see an upturn in performance by the end of Quarter Two.</p>
Processing of other planning applications within 8 weeks (LDC/SDNP combined)	75%	82%		▬	<p>169 out of 205 "Other" Applications were successfully processed within 8 weeks during Quarter One of 2018/19.</p>

KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
Percentage of all planning appeals allowed (officer/committee decisions)	10.0%	0%			
Outcome of planning appeals (Costs awarded (£))	£0	£0			
Number of appeals where the Inspector has considered that there has been unreasonable behaviour by the Local Planning Authority	0	0			
Number of major applications for new housing granted planning permission following appeal (LDC only)	0	0			

LDC Waste and Recycling Transformation Portfolio: Councillor Paul Franklin: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives





Portfolio Projects and Initiatives

Project / Initiative	Description	Target completion	Status	Update
Waste mobilisation programme - overarching	Programme to improve Lewes waste services in conjunction with EBC.	Q4 2020/21		<p>The well-received LDC co-mingled recycling service has been rolled out across the district, as detailed separately.</p> <p>Costs associated with the trade waste service are under review to establish further efficiencies before the anticipated trial of a new trade recycling service.</p> <p>The 'recycling on the go' project has begun with locations agreed for 10 new bins, to be ordered</p>
LDC co-mingled recycling	All households able to accommodate wheelie bins will receive them and co-mingled dry recycling collections will be rolled out across Lewes District.	Complete		<p>Phase Four of the roll out (Lewes, Ringmer and surrounding villages) was completed in April, and Phase Five (Burgess Hill to Cooksbridge) was completed in June, which together brought another 16,000 properties into the co-mingled collection service. All electric vehicles have now been retired, and recycling rates have shown a year-on-year increase from 27% (2017) to 34% in April 2018. All phases of the roll-out are now complete and a review will be undertaken towards the end of Quarter Two.</p>

LDC Waste and Recycling Transformation Portfolio: Councillor Paul Franklin: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

Key Performance Indicators

KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
The average no. of working days taken to remove reported fly tips	2	2.7			<p>Removal of some fly tips required the assistance of external contractors (due to asbestos etc). This is work outside of the council's control and therefore in some cases resulted in the removal of fly-tips taken longer than usual.</p> <p><u>Tackling fly tips:</u></p> <p>In Q1 we installed a temporary CCTV camera at our Fairlight Avenue bring site which was a known hot spot and we saw an immediate reduction of 60% of dumped waste here – we are also following up 2 recorded incidents here.</p> <p>Neighbourhood First have been working with Town and Parish councils again identifying problem areas to see where appropriate fly-tipping aware signage can be installed.</p>
Percentage of household waste sent for reuse, recycling and composting	32%	37%			

Page 59

LDC Customers and Partners Portfolio: Councillor Tony Nicholson: 2018/19


Key Performance Indicators Portfolio Projects and Initiatives

Portfolio Projects and Initiatives







Project / Initiative	Description	Target completion	Status	Update
Devolution of Open Spaces	Work with new grounds maintenance contractor, Town and Parish Councils and local volunteers to maintain high quality public parks and community spaces.	Q4 2018/19		<p>Lewes Town Council: The devolution of Landport Bottom has successfully completed.</p> <p>Newhaven Town Council: The first "wave" of transfers</p>





LDC Customers and Partners Portfolio: Councillor Tony Nicholson: 2018/19

Key Performance Indicators Portfolio Projects and Initiatives

				currently being processed by LDC and NTC solicitors includes a) East Side Recreation Ground, b) Avis Road Recreation Ground, c) Drove Park Recreation Ground, d) Lewes Road Recreation Ground, and e) Valley Road Recreation Ground.
New Arts and Culture Brand and Tourism offer	Promote a strong arts and culture brand across the County.	Q4 2018/19		We currently work with ESCC on the Cultural Partnership and Cultural Advisory Board. With the appointment of the new Director of the Towner and the fact that the gallery is now becoming outward-facing, Eastbourne and Lewes are now becoming more involved in county-wide cultural initiatives including submitting a bid to the Cultural Development Fund and joint research and data interpretation initiatives.

Key Performance Indicators

KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
Number of new sign-ups to the Councils' social media channels	600	592			Social media campaigns included in Q1: Report It app, tenancy fraud reporting, recycling promotion, cliff top safety, ranger events, Neighbourhood First promotion, Self Serve
Number of people registering for our email service	2,004	1,235			GDPR in May led to a spike in re-registrations of users.
Increase the percentage of calls to the contact centre answered within 60 seconds - Lewes	80%	43.47%			The speed of answer has increased during Quarter One due to the implementation of revenues and benefits as a new service for Customer Advisors with an additional 7,000+ calls, and the ongoing induction into the new ways of working. In the first 6 weeks of Q2, the percentage of calls answered within the target time was 25.5%. The number of calls offered in the first six weeks alone in Q2 was 28086 compared with 46759 calls in Q1.

KPI Description	Annual Target 2018/19	Q1 2018/19		Direction of travel between Q4 17/18 and Q1 18/19	Latest Note
		Value	Status		
					<p>Performance Improvement Plan A significant amount of time has been spent training the team to handle these new calls, and queue busting has been implemented to provide customers with alternatives to waiting on the line including going online, using automated services or calling back at less busy times. A recruitment drive was launched in May with eight candidates being offered roles, all of whom are anticipated to be in place and training by the middle of Quarter Two. There are still 6 vacancies with interviews and recruitment underway. Residents who call and have an active enquiry with a back office case worker are also being directed straight through rather than having to wait for call-backs or chasing multiple times.</p>
Reduce the numbers of abandoned calls to the contact centre - Lewes	5%	22.3%			<p>Higher than normal call volumes resulted in a spike in abandoned call at the start of Quarter One, but the number of abandoned calls has decreased across the quarter.</p> <p>In the first 6 weeks of Q2, the percentage of calls abandoned was 23.4%.</p> <p>Performance Improvement Plan See Performance Improvement Plan above.</p>
Improve our ranking compared to similar authorities in relation to all crime - Lewes	5	1			<p>Lewes district remains a low crime area and is ranked lowest for crimes per 1000 population in its MSG this quarter.</p> <p>The Community Safety Partnership has had a focus on tackling youth related anti-social behaviour across the district. This involves setting-up a new multi-agency youth intervention group is to help support young people involved in crime and ASB address their underlying behaviour.</p>

This page is intentionally left blank

Report to:	Cabinet
Date:	17 September 2018
Title:	Wave Leisure Trust Annual Review 2017/2018
Report of:	Philip Evans, Director of Tourism and Enterprise
Cabinet member:	Cllr Tony Nicholson
Ward(s):	All
Purpose of report:	To seek Cabinet approval of the objectives stated within the 2019-20 Annual Service Statement between Lewes District Council and Wave Leisure Trust.
Decision type:	Non-key decision
Officer recommendation(s):	(1) To approve the objectives identified in the 2019/2020 Annual Service Statement. (2) To note Wave Leisure Trust's performance against the Annual Service Delivery Plan for 2017/2018.
Reasons for recommendations:	The agreement between the Council and Wave Leisure Trust requires Cabinet to approve a Service Statement on an annual basis and to receive a report on the performance of the Trust. Additionally, Cabinet is required to approve the joint objectives proposed for the forthcoming financial year.
Contact Officer(s):	Name: Mark Langridge-Kemp Post title: Interim Head of Property and Facilities E-mail: mark.langridge-kemp@lewes-eastbourne.gov.uk Telephone number: 01323 415876

Information

1

- 1.1 Wave Leisure Trust (WLT) has now completed twelve successful years of operation. The partnership between the Council and WLT has matured over this period and the arrangements in place are considered to be successful in bringing about positive outcomes for the local community.
- 1.2 Since WLT took over management of the Leisure Service for LDC, they have:
 - (a) Reduced the annual Service Fee by £653,450 since 2010-2011.

- (b) Maintained visitor numbers at just under 1 million per year.
- (c) Increased turnover to £5.374 million per year.
- 1.3 WLT achieved an operating surplus of £42,460 in 2017/2018, exceeding budget by £94,510 (181.58%). It should be noted that trading performance in 2017/18 allowed contributions of £100,000 to be made to reserves to fund future developments and business opportunities in comparison to £140,000 in the prior year.
- 1.4 A summary of the Chief Executive's Annual report is attached at Appendix A.

Annual Service Statement

3.

- 3.1 The contractual arrangements between the Council and WLT require the Council to prepare and approve an Annual Service Statement each year and to indicate the level of Service Fee to be paid for provision of services. In return, WLT Leisure is required to produce an Annual Service Delivery Plan (ASDP) and submit this to the Council for approval in January of each year.
- 3.2 The ASDP sets out how WLT intends to meet the Council's objectives based on the requirements of the Annual Statement which relates to services that are intended to be delivered in the next financial year.
- 3.3 The ASDP for the financial year 2019-20 will align with objectives of the Council as set out in the Council Plan. The specific objectives for this are set out at Appendix B. In addition, Appendix B sets out the objectives for Newhaven Fort.

Performance Against ASDP 2017/2018

4.

- 4.1 WLT is required to report on its performance against a series of performance indicators agreed with the Client Officer responsible for monitoring the Trust. Performance targets are set taking account of the aims and objectives of the Council and are a means for encouraging the Trust to help meet the Council's overall priorities.
- 4.2 Site specific performance targets are reported by the Trust on a quarterly basis and annually for targets relating to corporate indicators. Performance monitoring is undertaken by the Client Officer throughout the year. There are no ongoing concerns about the performance of the Trust.

4.3 Highlights from Wave's performance against the 2017-2018 Annual Service Delivery Plan include:

- The Community & Health Improvement Team has delivered to 384 older people in Q1, resulting in 2,346 attendances across delivery in Lewes District and Eastbourne Borough.
- Work continues with the Falls Prevention Team and Postural Stability Instruction in Seaford and Eastbourne. With the expansion of Eastbourne delivery this resulted in 842 attendances from 76 people.
- Rural communities continue to have access to Strength and Balance, with 34 older people resulting in 253 attendances.
- Walking Football continues to grow resulting in 90 people (male and female participants) making 681 attendances across 4 sessions.
- Wave continues to work with a network of partners to support development, promotion and delivery of activity for Children and Young People and Families on low income resulting in 2,961 attendances at sessions delivered by the Community and Health Improvement Team.
- Working with Sussex Downs College and Seahaven Academy, Satellite Clubs have been established to provide access to activities for those who otherwise are not participating in sport activity. Wave is currently working with 71 young people who have attended these sessions resulting in 204 engagements.
- Partnerships with Youth Services has resulted in 200 young people attending 8 weekly sessions and 6 taster sessions in activity.
- An extensive and diverse programme of activity is provided across Wave sites to include supportive access to activity, particularly for those being referred into services for a diagnosed health condition. Across the Community and Health Improvement Teams referred into delivery, 139 referrals have been received with 97% attending an activity opportunity, to include support for those with dementia, frailty and pain management. 18 regular sessions are provided across Lewes District and Eastbourne Borough, resulting in 450 people making attendances of 2,524 into supported activity for those with a health condition.
- Provision of a range of holiday activities for Children and Young People of all age ranges continues and within this reporting period the Easter and May Half Term holiday programme has been the main focus of engagement, with a diverse range of activities provided across Wave sites and within the community.
- In addition to this, providing opportunities and activities for residents on low income continues and are either outreach or centre-based and includes tenants in rural communities, delivering activities within community open spaces such as parks and playingfields has resulted in 620 attendances.

- 4.4** Wave continues to work with rural partners and during Q1 the team have maintained rural delivery and started development on a new opportunity with South Downs National Park which has resulted in 33 activities being delivered to 34 people, resulting in 253 attendances within rural delivery.
- 4.5** In order to improve accessibility and social inclusion, a Community and Activities Coordinator has recently been introduced to the team, principally focused on inclusive activities within Newhaven and developing access opportunities into activity for those with Special Educational Needs and Disabilities, reflecting a growing demand for more tailored and supportive services.

Financial Appraisal

5

- 5.1** In return for WLT providing services and undertaking activities that meet the Council's stated objectives, the Council provides the Trust with an Annual Service Fee. The service fees for 2018/2019 are:-

Leisure Management Contract £208,900

Newhaven Fort Contract £104,000

- 5.2** As agreed with the Council in 2014, the Service Fee for the leisure management contract will reduce in 2018/2019 by £104,000 compared with 2017/2018. The fee will continue to reduce each year so that by 2020/2021, the Council will provide no annual funding for this element of the service. The service fee for Newhaven Fort will remain fixed through to 2024-25. This represents an overall saving to the Council of £2.3m over the 10 year period 2015-16 to 2024-25.

Legal Implications

6

- 6.1** Legal Services has confirmed that there are no legal implications arising from this report.

Risk Management Implications

7

- 7.1** There are no additional risks arising as a result of this monitoring report.

Background Papers

- 8** None

Appendices

9

Appendix A:
CEO 12 month report 2017/2018 Executive Summary and KPI performance

Appendix B:
Annual Service Delivery Objectives 2019-2020

Appendix A:

CEO 12 month report 2017/2018 Executive Summary

Executive Summary

Total Company

With a total annual turnover of £5,374,813 and costs of £5,332,353 a surplus of £42,460 was achieved, exceeding budget by £94,510 (181.58%).

Leisure Balance Score Card

Annual Income of £4,656,059 was £19,759 (0.43%) ahead of budget and £69,738 (1.52%) more than generated in the prior year, £4,586,321.

The accumulative expenditure for the year was £4,611,217 against a budget of £4,687,460 a positive variance of £76,243 (1.63%) which resulted in the outturn surplus for the year of £44,842 an increase of £37,897 (545.67%) in comparison to 2016/17 (£6,945).

It should be noted that trading performance in 2017/18 allowed contributions of £100,00 to be made to reserves to fund future developments and business opportunities in comparison to £140,000 in the prior year.

Health and Fitness (Membership, Gym and Group Exercise Combined Income)

Total Health and Fitness for Q4 totalled £519,016 against a prior year total of £487,945 an increase of £31,071 (6.4%). Annual income was £1,999,318 against a prior year total of £1,831,981 an increase of £167,337 (9.1%) and is a direct result of the increased number of members joining since the new committed membership was introduced in December 2015.

Live Total Memberships

Total live members have grown by 1,033 (25.2%) above projected in 2017/18. The increase has been steady with an average growth over the year of 36 members per month.

At the end of the year, total membership stood at 5,133, in comparison to 4,844 at the end of Q3, an improvement of 289 (6%).

In line with the increase in number of members reaching the end of the 12-month committed period, attrition rates have also increased to an average of 3.2% for the year. Sales have exceeded cancellations every month, with the exception of June and December, resulting in the membership growth as presented. An attrition rate below 5% would be deemed as good.

Participation

With a 2017/18 twelve-month total dry side participation figure of 711,170 against 689,151 for the same period in the previous year there has been an increase in dry side participation of 22,019 (3.2%).

Total wet side participation in 2017/18 was 315,612 compared with 325,731 in the previous year, a decrease 10,119 visits (-3.1%).

With a 2017/18 twelve-month total children and young people participation figure of 390,586 against 388,379 for the previous year there has been a small overall increase in participation of 2,207 (0.6%).

Operations

Accidents for 2017/18 totalled 470, compared to 574 in 2016/17, a reduction of 104 (-18.1%). A total of 26 incidents were reported in 2017/18, compared to 36 in the same period last year, a reduction of 10 (-27.8%).

The number of RIDDOR Reportable Accidents in 2017/18 was 4, compared to 0 in the same period in 2016/17.

Newhaven Fort Balance Score Card

Financial

With a total annual income of £335,141 and costs of £344,696 a deficit of £9,555 was achieved, below budget by £20,955 (-183.8%) and compared to a surplus of £23,315 in 2016/17.

Q4 Trading Revenue exceeded budget by £2,908 (11.1%) and was £25,937 (12.6%) above budget for the year. Overall Trading Revenue (£230,937) is £49,121 (27%) up on the previous year (£181,816).

Entrance Fees (including Events) over the Quarter were up against budget by £3,609 and above the annual budget (£120,207) by £16,202. Shop trading was positive for the final Quarter, £462 (13.5%) above target.

Income from the Tea Rooms (Catering) was £929 (13.42%) below budget for Q4 but £2,229 (3.7% ahead of budget (£60,000) for the year (3.7%).

Total Expenditure was £7,195 (9.91%) lower than budget in Q4 and £46,896 (15.7%) higher than budget for the year. This is principally due to the cancellation of a series of music festivals scheduled for the summer of 2017 which incurred a loss of £42,880.

Operations

Total visitor numbers for the year were up in comparison with 2016/17 by 864 (2.9%).

Total School visits and bookings for the financial year 2016/17 were up in comparison with 2016/17 by 127 (1.9%).

Spend per head indicators for the Shop and Catering exceeded targets set and were up on the 2016/17 actuals. Catering Gross Profit for the year (61.9%) was below target (65%) and Shop Gross

Profit (62.8%) exceeded target (60%) for the year.

Visitor Feedback

The number of actual visitor feedback forms received in Q4 was 14, a lower than average figure, reflective of the fact that the Fort was closed to general visits until mid-February. Of these 14 responses, 100% rated their visit as "Good" or "Excellent".

Year to date feedback is also very positive with 100% of 371 visitors rating their visit as good or excellent.

In relation to “Trip Advisor,” at the end of the year the Fort had achieved a rating of 4.5 stars out of a maximum of 5 and awarded a “Certificate of Excellence” as rated by a total of 256 respondents and the “Number 1 place to visit in Newhaven”.

Duncan Kerr
Chief Executive

Performance against KPIs 2017-2018

		Downs Leisure Centre		Lewes Leisure Centre		Peacehaven Leisure Centre		Seahaven Swim & Fitness Centre	
		17/18 YTD Actual	17/18 Annual Target	17/18 YTD Actual	17/18 Annual Target	17/18 YTD Actual	17/18 Annual Target	17/18 YTD Actual	17/18 Annual Target
1	General usage								
1.1a	Visits for dryside activities	271,003	300,000	271,628	252,000	139,050	137,000	12,828	12,500
1.1b	Visits for wetside activities			144,862	145,700			109,910	109,800
1.2a	Total visits by children and young people	70,320	54,100	160,571	166,000	67,976	69,900	51,079	50,800
1.5	Membership Retention rate	73.5%	80%	73.5%	75%	70.5%	77%	76.0%	82%
4.2	Visits at Health Walks	1,305	1,270	433	308	576	841		
2	Customer Satisfaction								
2.1	Overall user satisfaction (net promoter score)	34%	35%	31%	37%	46%	35%	25%	37%
2.2	Mystery Visit Score	60%	65%	69%	65%	66%	65%	61%	65%
5	Quality								
5.1b	Quest score	Very Good	Very Good	Very Good	Very Good	Excellent	Excellent	Very Good	Very Good
6	Environmental								
6.2a	Gas KWh per degree day	116	115	664	700	77	69	579	675
6.2b	Electricity KWh per user	0.95	0.98	1.32	1.59	0.87	0.99	2.98	2.90
6.2d	CO2 Emissions - tonnes (NI185)	154	149	488	500	81	80	376	385
7	Financial								
7.1	Utilities cost per m2	£16.17	£17.00	£39.65	£39.00	£11.58	£12.50	£67.82	£73.00

Appendix B

Annual Service Delivery Objectives Leisure 2019/2020

Lewes District Council is required to furnish the Trust with an Annual Service Statement that will provide the Trust with a framework to produce an Annual Service Delivery Plan.

The Annual Service Delivery Plan that WLT produce should complement and support the Council's objective to promote healthy lifestyles by developing a district wide leisure strategy. The Council recognises that reducing hazards like cold houses and falls in homes could save the NHS over £1 million in treatment costs.

The Council will budget to improve the condition of both private and council homes to prevent accidents and ill health. We will continue to work with the NHS and other partners in the county to improve the health and wellbeing of Lewes District residents.

Besides the major contributions to ill-health prevention from our housing programme, we will work with local communities and companies to provide sport and recreation facilities where people need them. As a result, the Council wishes to set the following objectives for WLT in relation to the Leisure contract.

1. Increasing Participation & Reducing Health Inequality:

- Provision of activities to meet the needs of the ageing population of the District, inclusive of outreach work to provide opportunities of increasing participation and wellbeing, particularly in the rural communities, where people need them.
- Seek to develop new partners as well as enhancing existing relationships with the Council and other key partners, to increase the availability and take up of positive activities for children and young people with the aim of encouraging greater participation by young children and families on a low income.
- Provide a varied programme of activities including taster sessions that positively encourage and promote physical activity, particularly amongst those who are not currently active.
- Provision of a range of holiday activities for children and young people of all age ranges.
- Give due regard to the Equality Act 2010, particularly when there is a change to policy; project development or where new services are being provided or where existing services are discontinued.
- Provide opportunities and activities for Council tenants, which are either outreach or centre-based and which include tenants in rural communities.

- Provide opportunities to engage the rural population, increasing access to activities.

2. Improving Accessibility & Social Inclusion:

- Ensuring activities are accessible by the whole community, but working particularly with people and families on a low income, ensuring that activities are provided in such a way to meet the needs of specific groups within the community.
- Working with partners to identify appropriate funding to support sessions and activities that could be offered free to users at the point of delivery as a means of overcoming lack of income as a barrier to participation.
- Promote opportunities for workforce development to encourage training and skills development for individual staff.
- Explore opportunities to increase non centre-based activity to further reduce access barriers and to encourage participation from current non-users.
- To assist Lewes District Council with undertaking ongoing equalities assessments and monitoring.

3. Reducing Environmental Impact:

- Continue to look for opportunities to increase recycling for customers and staff wherever possible.
- When planning future investment with the Council, identify opportunities to reduce energy usage and help to reduce CO2 emissions. When replacing plant and equipment, cleaner and energy efficient technology should be considered that will help to generate future efficiency savings.

The Trust is required to provide an Annual Service Plan by November 2017 that takes account of the above Council priorities. This plan will then be considered by Cabinet in January 2019, for implementation from April 2019.

Annual Service Delivery Objectives Newhaven Fort 2019-2020

Lewes District Council is required to furnish the Trust with an Annual Service Statement that will provide the Trust with a framework to produce an Annual Service Delivery Plan.

On 1st May 2015 WLT was granted operational management responsibility for the Newhaven Fort. The following sets out the key actions that WLT will focus on for the 2019/20 financial year.

The Fort procurement exercise focused on four core outcomes, namely:

1. Enhance the regeneration opportunities in Newhaven by increasing the number of visitors to Newhaven Fort and generating local job opportunities.
2. Maintain and grow the heritage and educational potential of Newhaven Fort in a way which is accessible to the general public.
3. Improve the current facilities on offer.
4. Minimise the ongoing liabilities of the Council and potentially produce a revenue stream for the Council.

In order to achieve the four LDC outcomes, WLT has identified three separate but interlinked areas for the Fort Management and Operational Team to focus on, namely:

1. Experience.
2. Education.
3. Events.

Report to: Cabinet

Date: 17 September 2018

Title: Draft Lewes District Local Plan Part 2

Report of: Director of Regeneration & Planning

Cabinet member: Councillor Tom Jones (Planning)

Ward(s): All wards that lie wholly or partially outside of the South Downs National Park

Purpose of report: To seek Cabinet approval to progress the Local Plan Part 2: Site Allocations and Development Management Policies through to its formal submission to the Secretary of State and to seek approval for the arrangements for the Examination in Public

Decision type: Budget and policy framework

Officer recommendation(s): (1) To approve the Draft Local Plan Part 2 for public consultation under Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations;

(2) To authorise the Director of Regeneration & Planning, in consultation with the Cabinet Member for Planning, to make any minor changes arising from the consultation and to seek the approval of full Council to submit the Local Plan Part 2 to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations for examination.

Reasons for recommendations: To ensure that the Local Plan Part 2 is progressed towards adoption in a timely manner, thereby supporting the implementation and delivery of the Local Plan Part 1: Joint Core Strategy through the allocation of additional development sites and up-to-date development management policies to assist in the determination of planning applications.

Contact Officer(s): Name: Natalie Carpenter/Robert King
Post title: Senior Planning Policy Officer
E-mail: natalie.carpenter@lewes-eastbourne.gov.uk
robert.king@lewes-eastbourne.gov.uk
Telephone number: 01273 085454/085455

1 Introduction

- 1.1 The Lewes District Local Plan Part 1: Joint Core Strategy (JCS) was adopted by the Council in 2016 and provides the planning policy framework to guide strategic growth across the district to 2030.
- 1.2 The Draft Lewes District Local Plan Part 2 builds upon the strategic policies of the JCS by allocating smaller-scale sites for development and providing the detailed development management policies to inform planning decisions. It will cover the period to 2030 and replace the majority of the ‘saved’ policies of the 2003 Local Plan.
- 1.3 The Local Plan Part 2 only applies to the area covered by the Lewes District Planning Authority (i.e. Lewes District *excluding* the area within South Downs National Park). The South Downs National Park Authority is preparing its own Local Plan, which will on adoption supersede all existing local plan policies within the National Park.
- 1.4 The Draft Local Plan Part 2 was formally published for public consultation in November 2017. All the comments received during this consultation have been carefully considered and, where appropriate, changes have been made to the Draft Local Plan to reflect them. A summary of the main issues raised and how these have been addressed is set out in the ‘Summary of Consultation’ background document.
- 1.5 This report introduces the Pre-Submission Local Plan Part 2, which incorporates the changes made in response to the public consultation above. It will be published for public representations to be made prior to the submission of the document to the Secretary of State. The timetable for the remaining stages of the plan process is set out below:

Stage of Local Plan Preparation	Date
Pre-Submission Plan Consultation (Reg.19)	Sept/Nov 2018
Formal submission to the Secretary of State (Reg.22)	January 2019
Examination in Public	Spring/Summer 2019
Adoption	Autumn 2019

2 Main Changes

- 2.1 The Pre-Submission Local Plan Part 2 is attached at Appendix 1. This document is consistent with the vision, objectives and strategic policies of the JCS and conforms with the National Planning Policy Framework (NPPF). Its policies are based on recent evidence, taking account of responses from statutory consultees and other comments received during consultation. The main changes to the document since the publication of the Consultation Draft Plan are set out below.

Residential Site Allocations

- 2.2 The Consultation Draft Plan contained 11 housing site allocations, all of which received representations. Relevant amendments to the housing site allocations have been made to provide clarification and respond to concerns raised in representations.
- 2.3 Draft Policy BH02: Land at Oakfields, Theobalds Road, Wivelsfield has been removed as a proposed housing site allocation. This Draft Policy received a high number of objections. Representations made raised a number of concerns such as access, capacity of local infrastructure, over development and impact on surrounding wildlife. Whilst investigating these concerns it was confirmed to the Council that the proponent's intentions for the site had changed, to the extent that the site could no longer be allocated within Local Plan Part 2.
- 2.4 Amendments to the site boundaries have been made to three draft housing site allocations: CH01: Glendene, North Chailey; BA01: Land at Hillside Nurseries, Barcombe Cross; and RG01: Caburn Field, Ringmer. The change to Draft Policy CH01 is a correction.
- 2.5 The amendments to Draft Policy BA01 reflect further work and discussions between the Council and proponent in response to representations received concerning the loss of 'saved' Policy BA1 of the Lewes District Local Plan 2003. Policy BA1 allocates land for an extension of the existing Recreation Ground to provide additional recreational space within the village. It was highlighted by the local community that the justification for BA1 still existed and therefore the need to safeguard an area of land in this location remained. As such, the Draft Policy BA01 has been expanded to incorporate a slightly larger development of 10 net dwellings (an increase of 4 net dwellings) and approximately 1600sqm of amenity space to provide equipped and informal play space.
- 2.6 The boundary of Draft Policy RG01 is amended to reflect the total area of land now being jointly promoted by Ringmer Football Club and the District Council for redevelopment. This has resulted in the housing numbers set out in the revised Draft Policy increasing from a 'minimum of 60' to 'approximately 90' net additional dwellings, reflecting the deliverable capacity of the redevelopment.
- 2.7 Local Plan Part 1 Core Policy 3: Gypsy and Traveller Accommodation requires the provision of 5 permanent pitches to serve the needs of the area outside the South Downs National Park. The Consultation Draft Plan did not include any proposed sites for permanent Gypsy and Traveller pitches. This is because at the point of preparation no potential suitable sites had been identified.
- 2.8 To address this shortfall a call-for-sites inviting the submission of potential Gypsy and Traveller sites ran parallel to the November 2017 Draft Plan consultation. No potential sites were submitted. The Council continued the search and, with the support of East Sussex County Council, has identified a potential deliverable site. Draft Policy GT01 in the Pre-Submission Plan therefore allocates land south of The Plough, Station Road, located north of Plumpton Green village adjacent to 'The Old Brickworks', for the provision of 5 permanent pitches.

Employment Site Allocations

- 2.9 The Consultation Draft Plan did not include any new employment site allocations. This is because there is sufficient land in quantitative terms to meet the employment floorspace requirement of 74,000sq.m. set out in the JCS Spatial Policy 1. This existing supply will meet the forecast need for employment land and premises, with a modest allowance for market choice to allow for the changing needs of business and for the possibility of a greater than expected level of local economic growth.
- 2.10 In their responses to the consultation , ESCC and Newhaven Town Council have pointed to the need for a new policy to replace 'saved' Policy NH20 of the 2003 Local Plan. This 'saved' policy allocates land at East Quay and East Beach, Newhaven, for uses associated with upgrading and expansion of the port. Whilst most of this site is located within the planning boundary, where development is acceptable in principle, it remains largely undeveloped and it is acknowledged that a replacement policy allocating the land for employment purposes would be appropriate.
- 2.11 Draft Policy E1 in the Pre-Submission Plan therefore allocates land at East Quay for employment uses associated with Newhaven Port. Employment development which is not associated with port-related activity would also be permitted where it can be demonstrated that such development would not undermine the operational use of the port. The allocated site excludes land which currently has planning consent for the expansion of the existing port area.
- 2.12 Officer agreement has also been reached with Brighton & Hove City Council to allocate a site for employment purposes at the American Express Community Stadium at Falmer. This is set out in Draft Policy E2. The allocated site, which straddles the border between the two Councils, provides an opportunity for the development of office or health/education uses associated with the stadium or the two adjacent universities. The site is also allocated in the Draft Brighton & Hove City Plan Part 2, which is currently out for consultation.
- 2.13 Draft Policies E1 and E2 are included in section 3 of the document, which is titled 'Employment Site Allocations'.
- 2.14 The 2003 Local Plan employment site allocations within the designated neighbourhood plan areas at Newhaven, Peacehaven/Telscombe and Seaford continue to be 'saved', and therefore form part of the development plan for the area until the respective neighbourhood plans for these towns are approved. These are listed in Appendix 3 of the Pre-Submission Plan.

Development Management Policies

- 2.15 The draft development management policies were generally well received and it has not been necessary to make any major changes. The Environment Agency and Historic England support many of the proposed new policies in the 'Creating Healthy, Sustainable Communities' and 'Protecting and Enhancing the Distinctive Quality of the Environment' sections of the document.
- 2.16 Natural England and the Sussex Wildlife Trust suggested a number of minor

amendments to embed biodiversity considerations more firmly within the Local Plan. These amendments have been incorporated in Draft Policies DM6 (*Equestrian Development*), DM11 (*Existing Employment Sites in the Countryside*), DM17 (*Former Lewes/Sheffield Park Railway Line*), and DM18 (*Recreation & Rivers*). Minor amendments have also been made to Draft Policy DM24 (*Protection of Biodiversity and Geodiversity*) in the light of comments from both organisations.

3 Consultation

- 3.1 Subject to approval by Cabinet, the Pre-Submission Local Plan Part 2 will be published for consultation over a period of six weeks, in accordance with Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations. This consultation will specifically focus on whether the document is 'sound' and has been prepared in accordance with legal and procedural requirements.
- 3.2 All statutory bodies, together with individuals or organisations that previously commented on the JCS, will be directly notified. The consultation will also be publicised on the Council's web site, through press releases, and working in partnership with town and parish councils. Paper copies of the document will be made available in local libraries and at Southover House. Comments received will be forwarded by the Council to the Secretary of State for consideration at the Examination in Public.

4 Next steps

- 4.1 Following the consultation period, all comments will be carefully considered to ensure that no new issues have been raised that could risk the Local Plan Part 2 being found not 'sound' at examination. Provided that there are no such issues, the approval of full Council will be sought to formally submit the document to the Secretary of State. However, if Council considers that significant changes are necessary to make the document sound, a further round of consultation will be required.
- 4.2 The Examination in Public will commence following submission of the Local Plan Part 2 to the Secretary of State. The examination will include public hearings but the majority of issues will be addressed through written representations. If the document is found 'sound', it will be presented to full Council for formal adoption. The Local Plan Part 2 will then comprise part of the development plan, alongside the JCS, the Waste & Minerals Plan, and any approved neighbourhood plans.

5 Financial appraisal

- 5.1 The financial implications of publishing the Pre-Submission Local Plan Part 2 will be minimal, primarily the costs associated with printing and postage. These costs will be met by the Planning Policy budget and are anticipated to be about £1,000.
- 5.2 The costs associated with submitting the document and the subsequent

Examination in Public will be much more substantial. The cost of the Planning Inspector alone will be over £1,000 per day and further costs will be incurred through the hire of a venue, the appointment of a Programme Officer, administrative expenses, etc.

- 5.3 The exact costs cannot be predicted until it is clear which issues the Inspector will wish to examine and the length of the Examination in Public. The Council has included £40,000 in its 2018/19 General Fund Budget to cover these costs.

6 Legal implications

- 6.1 Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 requires the submission of a Local Plan to the Secretary of State to first be approved by Full Council. In taking this to the next stage, the Council are also required to comply with the provisions of the Planning and Compulsory Purchase Act 2004, Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and to have regard to the National Planning Policy Framework (NPPF) 2012.

- 6.2 Legal Implications Provided 15.08.18 7620-LDC-JCS

7 Risk management implications

- 7.1 I have completed a risk assessment. The following risks will arise if the recommendations are not implemented and I propose to mitigate these risks as follows:

Risk

A delay in progressing the the Local Plan Part 2 towards adoption will mean that the Council will not be meeting its strategic requirements for new homes, including permanent Gypsy & Traveller pitches, and that planning applications will continue to be determined in accordance with broad national policies and the strategic policies of JCS, rather than more detailed, up-to-date planning policies that are locally derived.

A revised NPPF was published on 24 July 2018. However, the Local Plan Part 2 will be examined in the context of the previous NPPF, provided that the document is submitted to the Secretary of State within six months of this date, A delay in publishing the Pre-Submission document for consultation under Regulation 19 would make it impossible to meet this deadline. This

Mitigation

If the recommendations are approved, the Local Plan Part 2 will be progressed in the shortest possible time period. A Members' Briefing has therefore been organised to ensure that Members have an opportunity to more fully understand the supporting evidence and justification for the more detailed policies contained in the draft Pre-Submission Plan. Once the Local Plan Part 2 is adopted, these policies can be used to determine planning applications for development.

As above.

may increase the risk of the Local Plan Part 2 being found 'unsound' at examination because its policies were drafted prior to the publication of the revised NPPF.

At the next stage of consultation (Regulation 19), new issues could be raised which risk the Local Plan Part 2 being judged to be 'unsound' at the Examination in Public.

The Planning Officers Society has been employed to carry out an expert 'critical friend' review of the draft Pre-Submission Plan to help ensure that this situation does not arise.

8 Equality analysis

8.1 An Equality and Fairness Analysis has been undertaken and is included as a background paper to this report .

9 Appendices

Appendix 1 - Pre-Submission Lewes District Local Plan Part 2 (draft version for approval)

10 Background papers

The background papers used in compiling this report were:

- Lewes District Local Plan Part 1: Joint Core Strategy
- Sustainability Appraisal: Pre-Submission Document
- Habitat Regulations Assessment: Pre-Submission Document
- Equality & Fairness Analysis
- Summary of Consultation on the Consultation Draft Local Plan Part 2
- Consultation Draft Local Plan Part 2
- Summary of Consultation on the Local Plan Part 2 Topic Papers
- Local Plan Part 2 Topic Paper 1: Introduction
- Local Plan Part 2 Topic Paper 2: Housing
- Local Plan Part 2 Topic Paper 3: Employment
- Local Plan Part 2 Topic Paper 4: Infrastructure
- Local Plan Part 2 Topic Paper 5: Development Management Policies

All the background papers are available at: <https://www.lewes-eastbourne.gov.uk/planning-policy/lewes-local-plan-part-2-site-allocations-and-development-management-policies/>

This page is intentionally left blank

Appendix 1

LEWES DISTRICT LOCAL PLAN PART 2: SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

Pre-Submission Document

September 2018

This document is available for public consultation for a 6 week period between XXX 2018 and XXX 2018. The quickest and easiest way to submit comments is via the online consultation website at:

www.lewes-eastbourne.gov.uk/planningconsultation

Alternatively, comments can be sent to the District Council by:

email: ldf@lewes.gov.uk

Post: Planning Policy Team
Lewes District Council
Southover House
Southover Road
Lewes
BN7 1AB

Fax: 01273 484452

All comments received in writing by the Council will be passed to the Government when the plan is submitted for examination. This means that any comments you make will be considered by the independent Planning Inspector who is appointed to conduct the Examination in Public.

This document can be made available in large print, audiotape, disc, or in another language upon specific request.

Telephone: 01273 471600

Email ldf@lewes-eastbourne.gov.uk

CONTENTS

Section 1. Introduction.....	5
Section 2. Residential Site Allocations	12
Section 3. Employment Site Allocations.....	56
Section 4. Development Management Policies.....	63

Tables

Table 1 Housing requirement numbers of Spatial Policy 1.....	12
Table 2 Housing requirement outside the National Park	12
Table 3 Planned level of housing, outside the National Park	13
Table 4 Growth identified in Local Plan Part 2	15
Table 5 Allocation requirements for Local Plan Part 2	15

Figures

Figure 1 Local Plan Part 2 Plan Area	6
Figure 2 Housing delivery through LPP2 or neighbourhood plans	17
Figure 3 South of Valley Road housing site allocation	20
Figure 4 Land at The Marina housing site allocation.....	23
Figure 5 Land at the Nuggets, Valebridge Road housing site allocation.....	27
Figure 6 Barcombe Cross housing site allocations	36
Figure 7 Glendene, Station Road housing site allocation.....	39
Figure 8 Layden Hall, East Grinstead Road housing site allocation.....	41
Figure 9 Land adjacent to Mill Lane housing site allocation	45
Figure 10 Caburn Field housing site allocation	50
Figure 11 Land south of The Plough, Gypsy and Traveller site allocation	54
Figure 12 Land at East Quay employment site allocation	60
Figure 13 Land adjacent to AMEX Community Stadium employment site allocation.....	62

Appendices

Appendix 1: Glossary	110
Appendix 2: Superseded 2003 Local Plan Policies	119
Appendix 3: Saved 2003 Local Plan Policies	121
Appendix 4: Monitoring Framework.....	122

INDEX OF POLICIES

Residential Site Allocations

Policy NH01 - South of Valley Road	19
Policy NH02 - Land at The Marina	21
Policy BH01 - Land at The Nuggets, Valebridge Road	25
Policy BA01 - Land at Hillside Nurseries, High Street	29
Policy BA02 - Land adjacent to the High Street	31
Policy BA03 - Land at Bridgelands	33
Policy CH01 - Glendene, Station Road	37
Policy CH02 - Layden Hall, East Grinstead Road	40
Policy RG01 - Caburn Field	48
Policy GT01 - Land south of The Plough.....	52

Employment Site Allocations

Policy E1: Land at East Quay, Newhaven Port	58
Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer.....	60

Spatial Strategy

Policy DM1: Planning Boundary	63
Policy DM2: Affordable Homes Exception Sites	65
Policy DM3: Accommodation for Agricultural and Other Rural Workers	66
Policy DM4: Residential Conversions in the Countryside.....	69
Policy DM5: Replacement Dwellings in the Countryside	70
Policy DM6: Equestrian Development	71
Policy DM7: Institutional Sites	72

Improving Access to Housing

Policy DM8: Residential Sub-Divisions and Shared Housing	73
--	----

Promoting Sustainable Economic Growth and Regeneration

Policy DM9: Farm Diversification	75
Policy DM10: Employment Development in the Countryside	76
Policy DM11: Existing Employment Sites in the Countryside	78
Policy DM12: Caravan and Camping Sites	79
Policy DM13: Existing Visitor Accommodation	80

Creating Healthy, Sustainable Communities

Policy DM14: Multi-functional Green Infrastructure	81
Policy DM15: Provision for Outdoor Playing Space	82
Policy DM16: Children's Play Space in New Housing Development.....	84
Policy DM17: Former Lewes/Sheffield Park Railway Line.....	84
Policy DM18: Recreation and Rivers	85

Protecting and Enhancing the Distinctive Quality of the Environment

Policy DM19: Protection of Agricultural Land	86
Policy DM20: Pollution Management.....	86
Policy DM21: Land Contamination	87
Policy DM22: Water Resources and Water Quality.....	88
Policy DM23: Noise	89
Policy DM24: Protection of Biodiversity and Geodiversity	93
Policy DM25: Design	95
Policy DM26: Refuse and Recycling	96
Policy DM28: Residential Extensions	99
Policy DM29: Garages and other buildings ancillary to existing dwellings	101
Policy DM30: Backland Development	101
Policy DM31: Advertisements.....	102
Policy DM32: Telecommunications Infrastructure	103
Policy DM33: Heritage Assets	104
Policy DM34: Areas of Established Character.....	106

Sustainable Travel

Policy DM35: Footpath, Cycle and Bridleway Network	107
Policy DM36: Station Parking	107
Policy DM37: Former Lewes to Uckfield railway line.....	107

1. **INTRODUCTION**

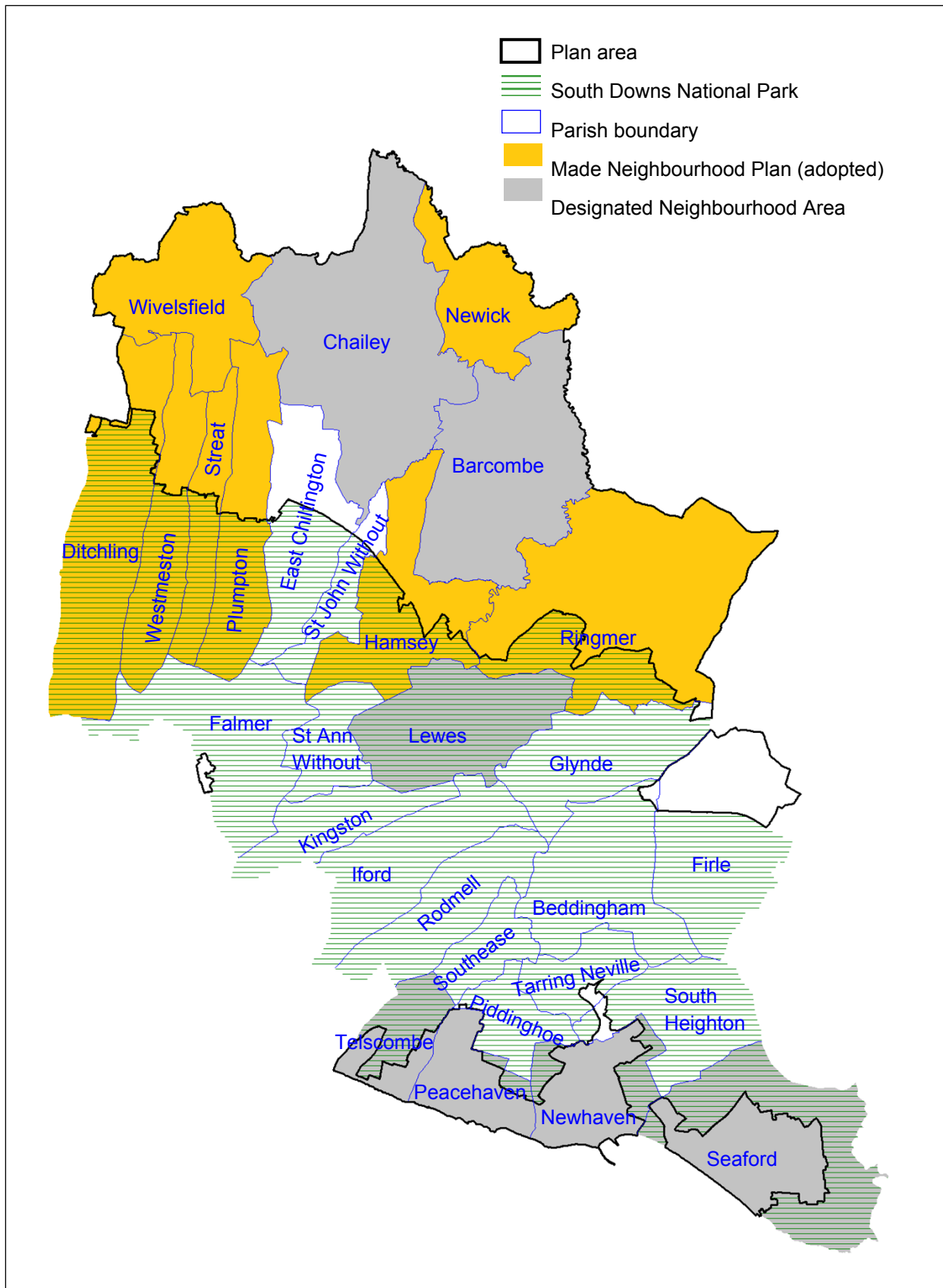
What is the Lewes District Local Plan?

- 1.1. The Lewes District Local Plan will form part of the approved development plan for the area and will comprise of two documents:
- Local Plan Part 1: Joint Core Strategy 2010-2030
 - Local Plan Part 2: Site Allocations and Development Management Policies
- 1.2. The primary document is the Local Plan Part 1, which is a strategic level plan for the whole district. This sets out the long term vision and objectives of the Council and provides a strategic policy framework to guide development and change in the period to 2030. It identifies the spatial strategy for the district by allocating levels of housing growth to settlements within the district and it also contains a number of strategic, large-scale site allocations for development. The Local Plan Part 1 was adopted by Lewes District Council on 11 May 2016, and the South Downs National Park Authority on 23 June 2016 and now forms part of the statutory development plan for the area.

What is the Local Plan Part 2?

- 1.3. The Local Plan Part 2: Site Allocations and Development Management Policies comprises the second of the Local Plan documents. It supports and seeks to deliver the strategic objectives and spatial strategy of the Local Plan Part 1 by:
- allocating additional sites to meet development growth identified in Local Plan Part 1
 - setting out detailed (non-strategic) development management policies to guide development and change
- 1.4. Importantly, the Local Plan Part 2 will only apply to the area of Lewes district covered by the Lewes District Planning Authority (i.e. excluding the area within South Downs National Park). This is shown in Figure 1. The South Downs National Park Authority (SDNPA) is preparing its own local plan, which will when adopted supersede the Local Plan Part 1 for the area of Lewes District within the National Park. For further information, visit www.southdowns.gov.uk.

Figure 1 Local Plan Part 2 Plan Area



What is the role of Neighbourhood Plans?

- 1.5. Neighbourhood plans were introduced in 2012 by the Localism Act. A fundamental principle of neighbourhood planning is that it is community-led, with the community establishing local planning policies for development and use of land within its neighbourhood. Neighbourhood plans enable local people to play a leading role in responding to the needs and priorities of the local community. A neighbourhood plan must be in general conformity with the relevant local plan and can promote more, but not less, development than the local plan.
- 1.6. In Lewes District, the appropriate bodies for producing neighbourhood plans are the Town and Parish Councils. They can set out specific planning policies for their areas and allocate sites for development, thereby supporting the strategic development needs identified in the Local Plan Part 1. A neighbourhood plan attains the same legal status as the Local Plan once it has been approved at a local referendum. At this point it comes into force as part of the statutory development plan and will be used to assess and determine planning applications within the designated neighbourhood area.
- 1.7. Within the area covered by the Local Plan Part 2, six neighbourhood plans have been 'made' (adopted) and six towns or parishes have been formally designated as neighbourhood areas for the purpose of preparing neighbourhood plans. These are illustrated in Figure 1. Where a town or parish council is developing a neighbourhood plan that will include site allocations for specific uses, the District Council is not proposing to allocate sites or identify site specific policies in the Local Plan Part 2.
- 1.8. Until neighbourhood plans for designated neighbourhood areas have been approved at referendum, the 'saved' policies in the Lewes District Local Plan 2003, that are specifically applicable to these designated areas, will continue to form part of the development plan for the area.

How is the Local Plan Part 2 prepared?

Consultation

- 1.9. The process of preparing the Local Plan Part 2 is divided into a number of specific stages, which are identified in the timetable below:

Stages of the Local Plan Part 2 preparation

Issues & Options Topic Papers	Winter 2013/14
Consultation Draft Plan	Winter 2017/18
Pre-Submission Consultation	Autumn 2018
Formal Submission to Secretary of State	January 2019
Examination in Public	Spring/Summer 2019
Adoption	Autumn 2019

- 1.10. This document is the *Pre-Submission Local Plan Part 2* and is being published for public representations under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It follows on from the *Issues & Options Topic Papers* and the *Consultation Draft Plan* published for public consultation in 2013 and 2017 respectively. Views expressed on these earlier consultation documents, together with engagement with key external stakeholders, have been important influences on the Pre-Submission Plan.
- 1.11. A background paper has been published that identifies the main issues raised during the consultation on the *Issues & Options Topic Papers* and how the views expressed influenced the Consultation Draft Plan¹. A background paper has also been published that provides details of the consultation on the *Consultation Draft Plan*, a summary of the main issues raised by the representations received, and how the Council has addressed those issues in the Pre-Submission Plan².
- 1.12. Once the Regulation 19 consultation is completed, an updated draft version of the Plan will be submitted to the Secretary of State, who will then appoint an independent Planning Inspector to undertake an Examination in Public. During the examination process, the Planning Inspector will determine whether the Local Plan Part 2 has been prepared in accordance with the relevant legal requirements and meets the tests of 'soundness' set out in the National Planning Policy Framework (NPPF). If necessary, the Council will ask the Inspector to recommend modifications to the Plan that would address any issues of soundness or procedural requirements that are identified during the examination.

Duty to Co-operate

- 1.13. The NPPF requires local planning authorities to work collaboratively to address strategic priorities and development requirements across local

¹ LPP2 Topic Papers Summary of Representations available at www.lewes-eastbourne.gov.uk

² Consultation Draft LPP2 Summary of Representations available at www.lewes-eastbourne.gov.uk

boundaries. The District Council and the National Park Authority demonstrated how the 'Duty to Co-operate' requirements were met during the preparation of the Local Plan Part 1, adopted in 2016³.

- 1.14. In terms of strategic issues, the District Council continues to actively participate in the East Sussex Strategic Planning Members Group and the West Sussex and Greater Brighton Strategic Planning Board. The aim of the Strategic Planning Board is to address the unmet housing need across this part of the region through commissioning work to assess the options for provision of housing and infrastructure at the sub regional strategic scale. This work is now fully scoped and agreed by the Board. Commissioning the individual studies is imminent, with outputs expected in 2019/2020. Outputs will, therefore, be timely for informing the 5-year review of the Local Plan Part 1 (by 2021).
- 1.15. The only significant cross-boundary issue that remains to be addressed through the preparation of the Local Plan Part 2 is planning to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople (see paras. 2.105- 2.109). A Statement of Common Ground⁴ has been prepared between the SDNPA and Lewes District Council to identify and address the unmet need within the district, which has now been substantially reduced through the Pre-Submission Local Plan Part 2.
- 1.16. Since the adoption of the Local Plan Part 1 a further strategic cross-boundary issue materialised in relation to the Ashdown Forest. The issue concerns the combined effects of neighbouring Local Plans on air quality at the Forest. In response to this issue an extensive Working Group was established; membership includes the SDNPA, Lewes District Council, Wealden District Council, Eastbourne Borough Council, Tunbridge Wells Borough Council, Mid Sussex District Council, Tandridge District Council, Crawley Borough Council, Sevenoaks District Council, Rother District Council, East Sussex County Council (as the relevant Minerals and Waste Planning Authority), West Sussex County Council and Natural England. A Statement of Common Ground⁵ has been prepared in support of this issue.

³ Update on the Duty to Cooperate Statement (October 2015) available at www.lewes-eastbourne.gov.uk

⁴ 1st iteration available on the SDNPA Local Plan Examination webpage <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/SCG08-Lewes.pdf>

⁵ 1st iteration available on the SDNPA Local Plan Examination webpage <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/SDLP-14-Ashdown-Forest-SCG.pdf>

Evidence Base

- 1.17. The preparation of the Local Plan Part 2 has drawn on earlier evidence gathered during the Local Plan Part 1 process, in addition to further evidence-based assessments. As the policies and allocations contained in this document flow from the overarching development strategy and strategic policies of the Local Plan Part 1, they will have the same time horizon and largely the same evidence base. There are two notable updates to the Local Plan Part 1 evidence base: the 2018 Strategic Housing and Economic Land Availability Assessment (SHELAA) and the Habitat Regulations Assessment Addendum 2018, relating specifically to the Plan's effects on air quality in relation to the Ashdown Forest⁶.

Sustainability Appraisal

- 1.18. Sustainability Appraisal (SA) is a tool which is used to inform decision making by identifying from an early stage the potential social, economic and environmental impacts of plans and strategies. The process incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive. The Local Plan Part 2 has been developed and refined using SA to test options against a set of sustainability objectives to see how well they might achieve sustainable development and thereby inform choice. Where possible the scope of the SA has been updated to reflect the area of the district that the Local Plan Part 2 relates to. In order to ensure consistency, the same sustainability objectives have been used to inform both the preparation of the Local Plan Part 1 and Part 2. Information on the reasonable alternative options that have been considered and discounted in favour of the Local Plan Part 2 policies contained herein, are set out in the Local Plan Part 2 Sustainability Appraisal Report, which is published alongside this document.

Habitats Regulations Assessment

- 1.19. The local planning authority is required to ensure that the policies and proposals contained within its local plan will not have a Likely Significant Effect on Sites of European and International Importance (European Sites) such as Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites (internationally important wetlands). A Likely Significant Effect must be established both in terms of the individual plan and of the plan in combination with other policies and proposals, such as the

⁶ These, and other, background documents are available at www.lewes-eastbourne.gov.uk

local plans of neighbouring authorities'. Where a Likely Significant Effect cannot be ruled out, an "Appropriate Assessment" is carried out under the Conservation of Habitats and Species Regulations 2017, commonly known as the 'Habitat Regulations'. The Habitat Regulations Assessment published alongside this document⁷ constitutes a number of individual reports and addendums that demonstrate that there will be no Likely Significant Effect on any of the protected areas as a result of implementing the Local Plan Part 1 or Part 2.

⁷ HRA documents are available at www.lewes-eastbourne.gov.uk

2. RESIDENTIAL SITE ALLOCATIONS

Housing Policy Context

- 2.1. Spatial Policies 1 and 2 of the Local Plan Part 1 set the level and distribution of housing growth to be delivered over the Plan period, 2010 to 2030. As the Local Plan Part 2 applies only to the area of the district outside the South Downs National Park (National Park), the housing requirement has been separated to the relevant local planning authority area.
- 2.2. Taking all figures as minimums, Spatial Policy 1 identifies a housing requirement of 6,900 net additional dwellings (345 dwellings per annum), however in its totality Spatial Policy 2 adds up to 6,929 net dwellings. In separating the 6,926 housing figure, the proportion of housing to be delivered outside the National is then 5,494 net additional dwellings (275 dwellings per annum), as illustrated in Table 1 below.

Table 1 Housing requirement numbers of Spatial Policy 1

Disaggregated housing number table	
Plan	Housing requirement figure
Local Plan Part 1	6,900
Local Plan Part 1 (outside the SDNP)	5,494
South Downs National Park Local Plan	1,468

- 2.3. Of the 5,494 dwellings to be delivered outside the National Park part of this total is already met or identified, as illustrated in the Table 2 below.

Table 2 Housing requirement outside the National Park

Housing requirement and supply (outside the National Park)	
Local Plan Part 1 housing requirement	5,494
Built or committed, as at 1 April 2015	2,216
Housing supply from strategic allocations	1,073
Supply from windfall allowance	468
Supply from rural exception sites allowance	77
Residual requirement outside the National Park	1,660

- 2.4. The residual figure of 1,660 net additional dwellings forms the basis for the housing allocations identified within the Local Plan Part 2 and neighbourhood plans, as illustrated in Table 3 below.
- 2.5. Table 3 also sets out: firstly, the level and distribution of housing growth, as outlined in Spatial Policy 2, for settlements outside the National Park; secondly, the housing growth that has been identified (shaded yellow) or will be delivered (shaded blue) through neighbourhood plans; and lastly, the residual housing growth that the Local Plan Part 2 will identify (shaded pink).

Table 3 Planned level of housing, outside the National Park

Settlement	SP2 Planned housing growth	Neighbourhood Plan housing (adopted and emerging)	Residual housing growth to be identified in LPP2
Newhaven	425	425	-
Peacehaven & Telscombe	255	255	-
Seaford	185	185	-
Edge of Burgess Hill (within Wivelsfield Parish)	100	0	100
Barcombe Cross	30	0	30
North Chailey	30	0	30
South Chailey	10	0	10
Cooksbridge	30	0	30
Newick	100	100	-
Plumpton Green	50	68	-
Ringmer & Broyle Side	215	183	32
Wivelsfield Green	30	34	-
To be determined	200	-	200
Total	1,660	1,250	432

KEY	
	Housing growth to be delivered through neighbourhood plans
	Housing growth identified in made neighbourhood plans
	Housing growth identified in Local Plan Part 2

- 2.6. To help meet the 1,660 dwelling figure, a number of neighbourhood plans identify, or will identify, housing allocations. Housing growth at Newick, Plumpton Green, Ringmer and Wivelsfield Green is planned for through their

respective 'made' neighbourhood plans (shaded yellow). Neighbourhood plans are currently progressing and will identify the housing growth for the following settlements (shaded blue):

- Peacehaven and Telscombe;
- Newhaven; and
- Seaford.

Local Plan Part 2 is therefore required to identify the planned housing growth at the remaining settlements of Edge of Burgess Hill (within Wivelsfield Parish), North Chailey, South Chailey, Barcombe Cross and Cooksbridge.

- 2.7. In areas where an emerging neighbourhood plan is identifying housing allocations, it is anticipated that it will meet the minimum requirement set out in Spatial Policy 2. It should be borne in mind that figures contained within Spatial Policy 2 are expressed as minimums and where appropriate growth should exceed this minimum figure.
- 2.8. Of the 1,660 total net additional dwellings 1,250 are identified, or being planned for, in 'made' and emerging neighbourhood plans. There is a small difference of 32 dwellings within the Ringmer Neighbourhood Plan once the overlap with commitments in Local Plan Part 1 (Table 5, p53) and the strategic allocation Spatial Policy 6: Land north of Bishops Lane, have been taken into account. A detailed explanation is provided within the Ringmer and Broyle Side section (paragraphs 2.119 to 2.121).
- 2.9. Overall, the 'made' neighbourhood plans have together exceeded their total minimum housing requirements by 22 net additional dwellings. The three emerging neighbourhood plans (which intend to deliver housing allocations) will collectively be required to deliver a minimum 865 net additional dwellings.
- 2.10. To satisfy the requirements of Spatial Policy 2 and respect the differences within certain 'made' neighbourhood plans, the Local Plan Part 2 should identify 432 net additional dwellings. Of these 432 dwellings, 305 have come forward since April 2015 and are either now built or committed as planning approvals as shown in Table 4 below.

Table 4 Growth identified in Local Plan Part 2

Settlement	Committed/ Delivered since April 2015	To be allocated in LPP2
Edge of Burgess Hill (within Wivelsfield Parish)	81	19
Barcombe Cross	0	30
North Chailey	14	16
South Chailey	0	10
Cooksbridge	27	3
Ringmer & Broyle Side	0	32
To be determined	183	17
Total	305	127

2.11. The Local Plan Part 2 is therefore required to deliver a minimum 127 net additional dwellings. Table 5 below shows that, overall, Local Plan Part 2 is meeting the minimum required figures.

Table 5 Allocation requirements for Local Plan Part 2

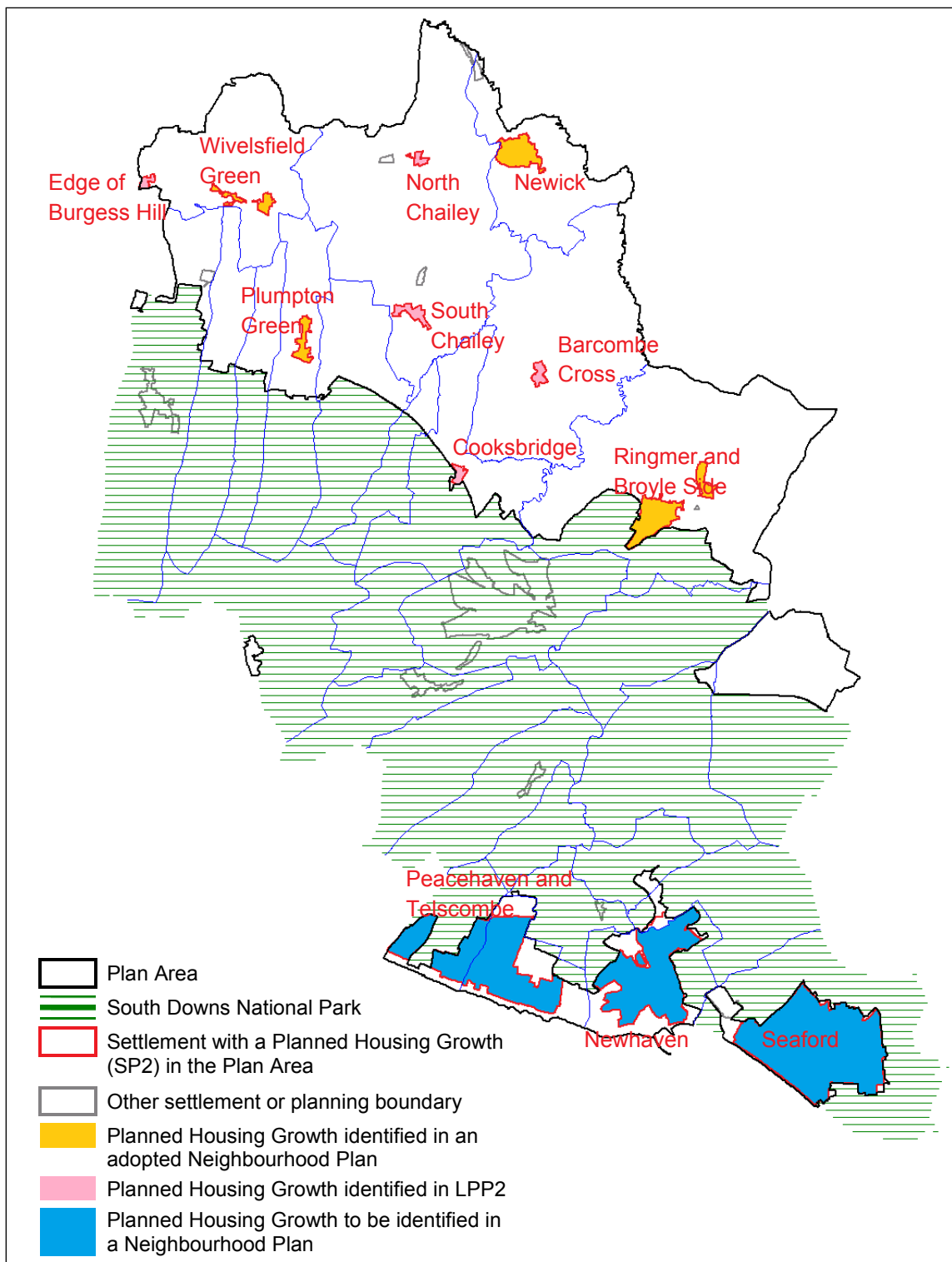
Settlement	Housing growth to be identified in LPP2	Units allocated in LPP2
Edge of Burgess Hill (within Wivelsfield Parish)	19	14
Barcombe Cross	30	42
North Chailey	16	16
South Chailey	10	10
Cooksbridge	3	0
Ringmer and Broyle Side	32	50
To be determined	17	0
Total	127	132

2.12. With regards to the 200 net additional dwellings in locations 'to be determined', as illustrated in Table 3, a total of 183 have now been committed (see Table 4). Following the adoption of the Local Plan Part 1 a large, previously unidentified, site in Seaford town was granted outline planning permission for 183 dwellings at the former Newlands School⁸.

⁸ LW/16/0800: Redevelopment of former Newlands School for up to 183 residential dwellings, including up to 40% affordable housing, provision of a sports pitch and ancillary changing rooms, public open space, a children's play area, parking and landscaping.

- 2.13. This site was first identified as a potential deliverable site within the 2015 Strategic Housing and Economic Land Assessment (SHELAA). This was subsequent to the strategic site allocations and the levels of planned housing growth for settlements established in Local Plan Part 1. As such, it is considered appropriate for the site to contribute towards the residual 200 units.
- 2.14. Figure 2 below illustrates where planned housing growth is being delivered either through 'made' or emerging neighbourhood plans or Local Plan Part 2.

Figure 2 Housing delivery through LPP2 or neighbourhood plans



2.15. Where neighbourhood plans have not identified, or do not intend to identify, sites for housing, allocations are set out below.

2.16. Ensuring that the emerging neighbourhood plans progress in a timely manner has been important to contributing towards achieving the objectives

and requirements of Local Plan Part 1. A timetable of the key milestones of preparation, for each emerging neighbourhood plan, forms part of the Monitoring Framework for the Local Plan Part 2.

Mechanism for reviewing the Council's approach to neighbourhood planning

The Council will closely monitor the progress of the neighbourhood plans. Should any concerns arise regarding timings then the Council will consider what, if any, measures are needed to resolve the issue(s). These measures might include provision of additional support or the Council recovering the role of identifying allocations through a subsequent development plan document or a future review of the Local Plan.

Housing Site Allocations

- 2.17. This section sets out the proposed housing site allocations intended to contribute towards delivering the minimum level of housing identified in Spatial Policy 2 of Local Plan Part 1, not already met by 'made' or emerging neighbourhood plans. The order of allocations follows the settlement order in Spatial Policy 2 of Local Plan Part 1 and as set out in Table 2 of this document.
- 2.18. Planning boundaries have only been amended on the Policies Map where site allocations identified within this document and 'made' neighbourhood plans are adjacent to an existing planning boundary. A comprehensive review of the planning boundaries will be undertaken as part of a future review of Local Plan Part 1.
- 2.19. Three of the 'saved' housing allocations from the 2003 Lewes District Local Plan that formed part of the commitments for the Local Plan Part 1 Spatial Policy 2, have been reviewed through Local Plan Part 2. This is because they have not, or will not be, picked by a neighbourhood plan. Those 2003 allocations are: South of Valley Road, Newhaven (NH4); Land at the Marina, Newhaven (NH6) and Caburn Field, Ringmer (RG1).
- 2.20. Such a review is considered critical to the delivery of the Development Plan, as a whole, due to the inclusion of these allocations or permissions associated with them (totalling 395) within the commitment figure (1,558) within Spatial Policy 2. As these 'saved' allocations and figures are existing commitments they do not contribute to Spatial Policy 2's settlement figures within Part (2); planned housing growth. The review of these allocations includes necessary amendments to the policy wording to reflect any material changes in circumstance and/ or policy.

- 2.21. The revised 2003 site allocations are identified within the relevant settlement sections below and any resultant uplift in dwellings numbers, over and above the commitments accounted for in Spatial Policy 2, has been identified within Table 4 above (i.e. Ringmer and Broyle Side).
- 2.22. Whilst the site allocations identified in this document establish the principle of development, planning permission must still be obtained through the planning application process. Planning applications will be determined in accordance with the development plan, including Core Policies of the Local Plan Part 1, Development Management (DM) and Site Allocation policies of the Local Plan Part 2, once adopted, and policies contained within neighbourhood plans where sufficient weight can be given. Other relevant plans, such as the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, will also be given appropriate consideration at the time.

Towns

Newhaven

- 2.23. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 425 net additional dwellings to be provided within the settlement of Newhaven.
- 2.24. Newhaven Town Council is preparing a neighbourhood plan that will include housing site allocations to meet their identified planned level of growth over the Plan period. Newhaven Town Council consulted on its Draft Newhaven Neighbourhood Plan in May 2017 which identifies housing sites with the potential to deliver 446 net additional dwellings. The District Council will therefore maintain a supporting role to the Town Council as it progresses its neighbourhood plan to submission and does not propose any new housing allocations within Local Plan Part 2.
- 2.25. There are, however two retained 'saved' 2003 Lewes District Local Plan housing allocations: South of Valley Road and Land at the Marina (also known as West Quay). These sites are deliverable unimplemented housing allocations, included within Newhaven's housing commitment figure⁹, and which continue to contribute to the District's housing supply.
- 2.26. In reviewing the two allocations amendments have been made to the policy wording to reflect current circumstances of each site, including where a planning permission has previously been granted. Small amendments to the site boundaries have been made to reflect any changes in land availability

⁹ Table 5 of Local Plan Part 1: Joint Core Strategy

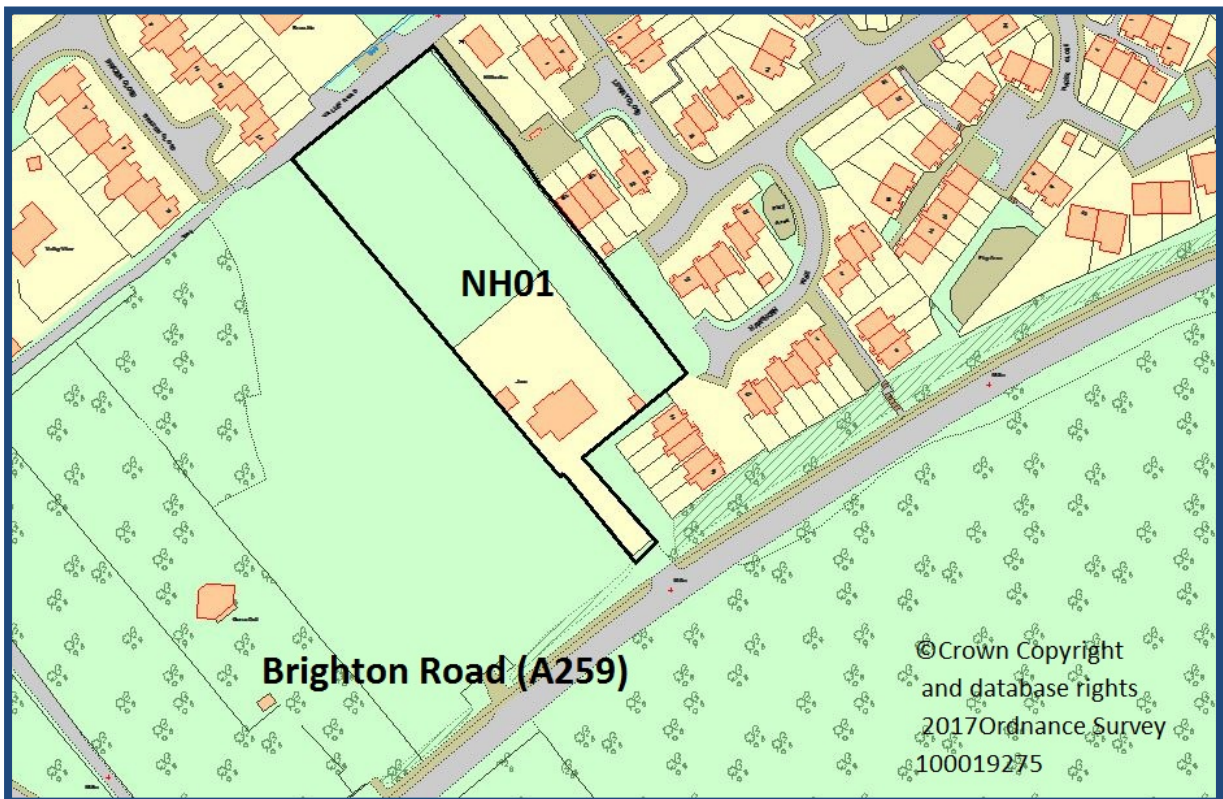
(i.e. excluding where land has now been developed). Furthermore, with guidance from the Environment Agency an update has been undertaken to the Flood Risk Assessment which accompanied the 2007 West Quay planning application to support the retention of the housing allocation. This can be found as part of the Sustainability Appraisal assessment.

Policy NH01 - South of Valley Road

Land south of Valley Road (0.72ha), as shown on figure 3, is allocated for residential development providing approximately 24 net additional dwellings subject to compliance with all appropriate development plan policies:

- a) Access, including provision for pedestrians and cyclists, to be provided from Valley Road;**
- b) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible; and**
- c) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

Figure 3 South of Valley Road housing site allocation



- 2.27. The land South of Valley Road is an allocation taken forward from the 2003 Lewes District Local Plan. Part of the original allocation has been constructed, with the north section recently promoted through a planning application. Land to the south west has extant planning permission for 85 units. The area within the NH01 allocation is therefore the remaining area to be brought forward.
- 2.28. The site itself does not form part of a formal biodiversity designation. However, local records indicate presence of slow worm nearby. The site is also a greenfield site close to a Local Wildlife Site (Meeching Down). As such, an ecological impact assessment (EclA) will be required, together with appropriate mitigation, informed by the EclA, to be implemented accordingly.
- 2.29. Any development should respect the visibility of the site from long and short views, from the A259 in particular. In order to provide a development which blends into the existing form of development and landscape, it may be appropriate for some limited excavation to be carried out in the land form.

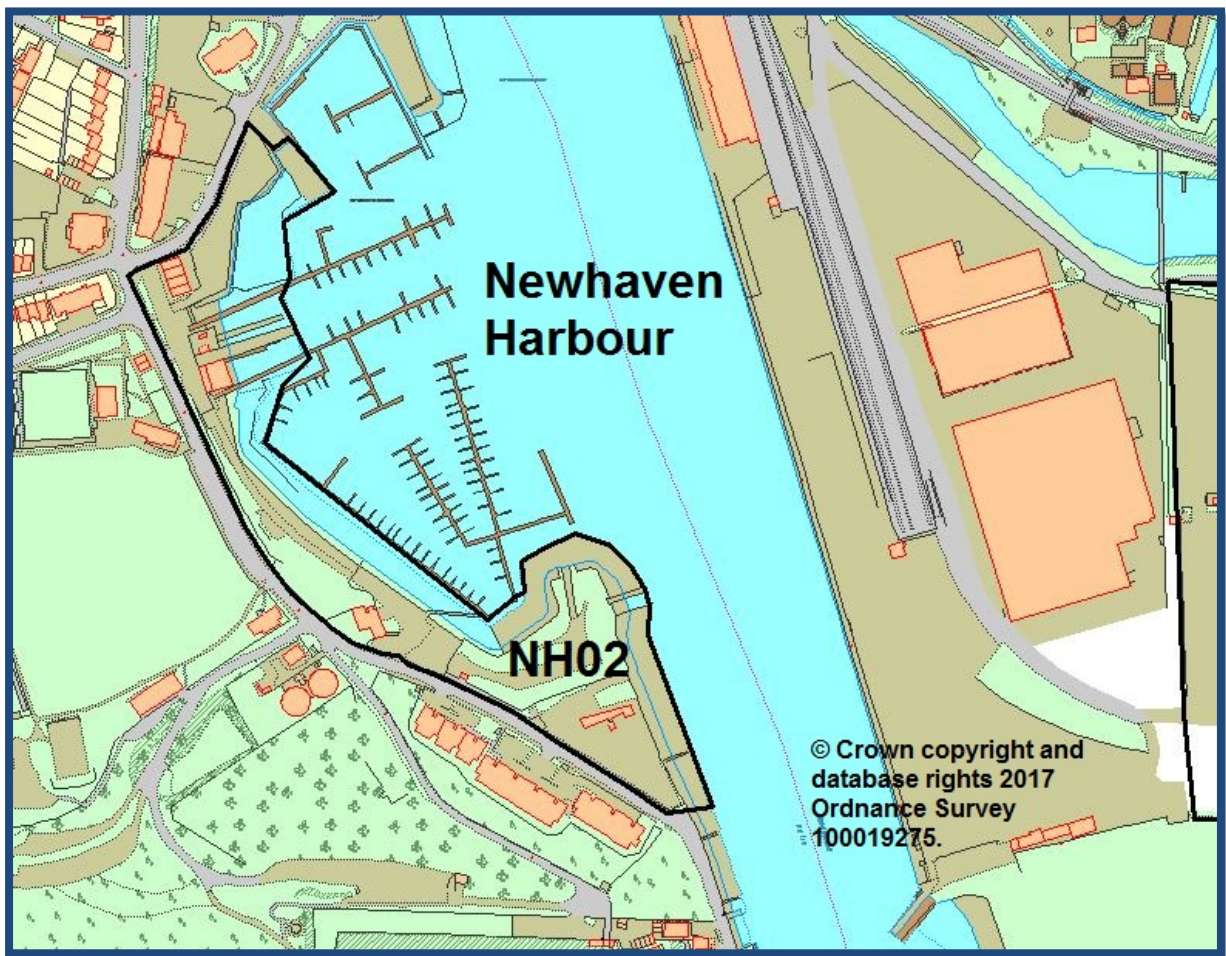
Policy NH02 - Land at The Marina

Land at The Marina (4.5ha), as shown on figure 4 below, is allocated for residential development providing approximately 300 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Provision of suitable access, including for pedestrians and cyclists;**
- b) No loss in the number of existing berths;**
- c) Provision of adequate parking to serve the berths;**
- d) New development must include an appropriate standard of flood protection (including safe access to the site), and provision for future maintenance, to be agreed with the Environment Agency;**
- e) Development is subject to investigation into potential contamination and appropriate mitigation measures agreed with the relevant authority;**
- f) A noise and odour impact assessment is undertaken to ensure that acceptable noise and odour standards are achievable within proposed homes and amenity areas;**
- g) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible; and**
- h) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

In association with the residential development small-scale specialised retail/food and drink premises and leisure uses associated with The Marina activities would also be acceptable.

Figure 4 Land at The Marina housing site allocation



- 2.30. The Marina site (also known as West Quay) is located south of Newhaven town adjacent to the River Ouse. The site lies in a very prominent position along the Quayside, close to Newhaven Fort (a Scheduled Ancient Monument) and across the river from established industrial uses on Beach Road. It is appreciated that there is scope for the rationalisation of the existing uses within the site, whilst still maintaining the maritime character.
- 2.31. The site is at risk of flooding and, therefore, any development should provide adequate flood defence measures, and associated maintenance, in accordance with current planning guidance.
- 2.32. The Marina fulfils an important role in Newhaven and it is important that such a use is maintained within the site. However, as demonstrated by the previously approved planning application for 331 dwellings¹⁰, it is considered

¹⁰ LW/07/1475: Erection of 319 residential apartments & 12 town houses arranged in 11 blocks (between 3 & 9 storeys high) with car parking; 973sqm of commercial floorspace (including A3 restaurant &/or A1 marina related shops; marina facilities (including office, clubroom etc); boat/car park; berths & riverside walkway. Expired 26 July 2015.

that a target minimum of 300 net additional dwellings could also be accommodated within the site. As such, it is considered that with a high quality design development, at a higher density than set out in Core Policy 1, could be acceptable on this site.

- 2.33. The provision of adequate car and trailer parking to serve the users of the Marina is considered as an important operational requirement for the Marina. Therefore, any scheme should ensure that adequate facilities are provided.
- 2.34. The nature of current and historic industrial activities at the development site raises significant potential for contamination to be present, which could adversely impact site users and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).
- 2.35. The development should result in no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
- 2.36. Where impacts on biodiversity cannot be avoided or mitigated, like-for-like compensatory habitat at or close to the development site will be required, taking account of an up-to-date ecological survey, subject to the agreement with the relevant authorities.
- 2.37. Where loss of habitat occurs due to construction of walkways, moorings or pontoons or from boats resting on intertidal habitat, creation of new like-for-like compensatory habitat will be required.
- 2.38. The policy makes reference to the need for an assessment into potential noise and odour impacts on future residents of the development. Whilst the west bank of the river is predominately residential the east bank has a mix of existing industrial and Port related uses. In addition, Newhaven East Wastewater Treatment Works lies approximately 630m east of the site. Whilst these activities are not seen as an immediate constraint on development they should be considered in the design and layout of future development to help minimise potential impacts on future and existing occupants and businesses.

Peacehaven & Telscombe

- 2.39. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 255 net additional dwellings to be provided within the settlements of Peacehaven and Telscombe.
- 2.40. Peacehaven and Telscombe Towns are designated as a single neighbourhood plan area and the Town Councils are looking to progress a neighbourhood plan that will identify housing site allocations to meet their identified level of growth over the Plan period. The Town Councils have undertaken some informal community consultation and are preparing their Regulation 14 document for consultation in late Summer 2019. The District Council will maintain a supporting role as they progress their neighbourhood plan to submission.

Seaford

- 2.41. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 185 net additional dwellings to be provided within the settlement of Seaford.
- 2.42. Seaford Town is designated as a neighbourhood plan area and the Town Council is preparing a neighbourhood plan that will identify housing site allocations to meet their identified level of growth over the Plan period. The Town Council has to date undertaken its Regulation 14 consultation and is advancing technical background work to feed into their next preparation stage. The District Council will maintain a supporting role as they progress their neighbourhood plan to submission.

Edge of Burgess Hill (within Wivelsfield Parish)

- 2.43. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 100 net additional dwellings to be provided within the area of Edge of Burgess Hill (within Wivelsfield Parish). Wivelsfield Parish Council has a made neighbourhood plan which allocates housing only for the settlement of Wivelsfield Green. It is therefore necessary for LPP2 to identify sites for the edge of Burgess Hill.
- 2.44. The 2018 SHELAA, as well as previous Assessments, identified a very limited number of suitable sites to meet the planned level of housing for the Edge of Burgess Hill area. Two of the previous housing site options, land at Medway Gardens (for 27 net additional dwellings) and land rear of The Rosery (for 54 net additional dwellings), have planning permission and are

either now complete or under construction. Both developments contribute towards the minimum 100 net additional dwellings required by Spatial Policy 2.

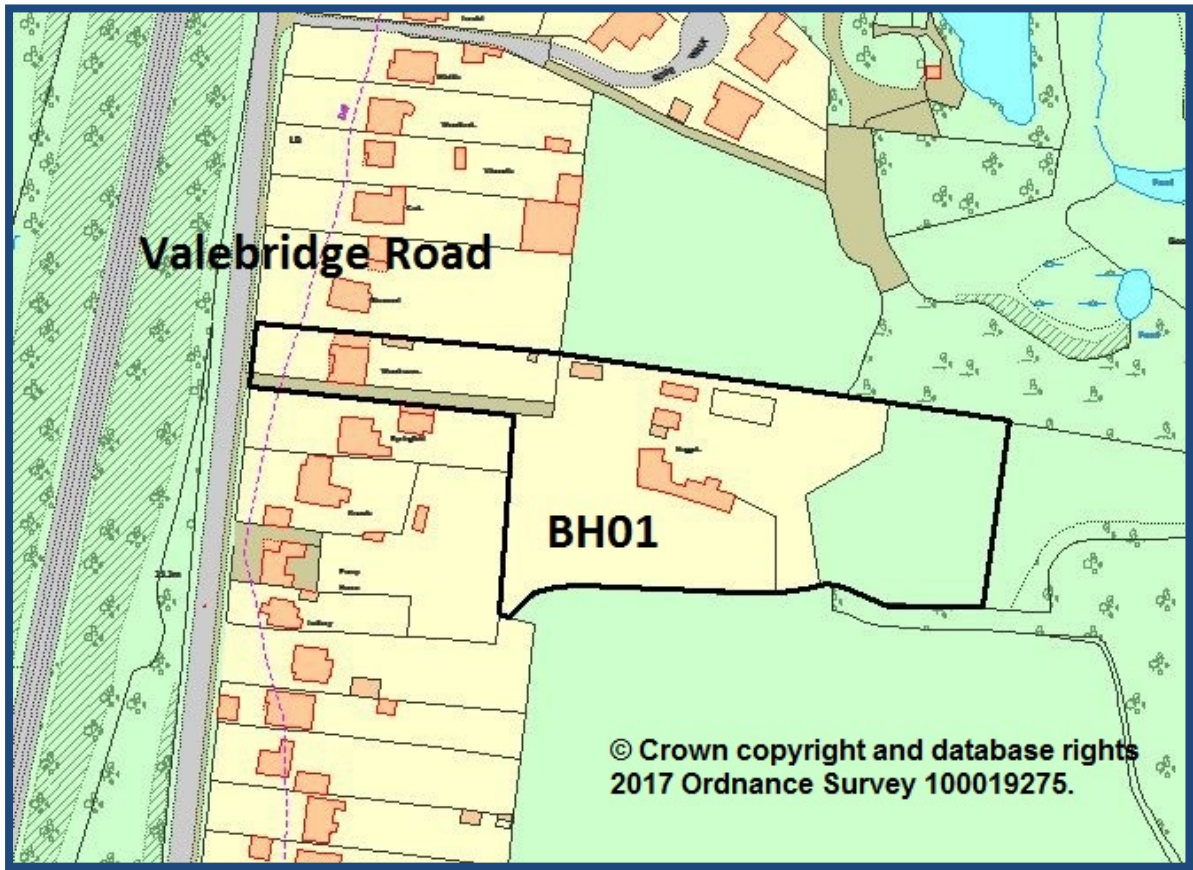
- 2.45. The following site allocation is the remaining identified deliverable site in the 2018 SHELAA at the Edge of Burgess Hill delivering 14 net additional dwellings resulting in a total of 95 net additional dwellings against the minimum 100 requirement in Spatial Policy 2. The shortfall of five net additional dwellings cannot be currently met at the edge of Burgess Hill. However, the shortfall has been balanced by other nearby settlements exceeding their planned housing figure through either site allocations and/ or permitted unidentified sites. Should additional suitable site(s) be identified they will be considered through a future review of the Local Plan or Wivelsfield Neighbourhood Plan.

Policy BH01 - Land at The Nuggets, Valebridge Road

This site (1.1ha), as shown on figure 5 below, is allocated for residential development providing approximately 14 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from Valebridge Road;**
- b) Buildings reflect the local character in terms of mass, height and form;**
- c) Retention of boundary trees, where possible, to provide appropriate landscape buffer;**
- d) Tree surveys undertaken and appropriate measures, including proper buffers, are identified and implemented accordingly to mitigate potential adverse impacts on the Tree Protection Order group and Ancient Woodland on and/ or adjacent to site;**
- e) Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;**
- f) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts, either directly or indirectly, on biodiversity, including irreplaceable habitats. Development allows for the protection of biodiversity and enhancement; and**
- g) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**
- h) Development layout is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.**

Figure 5 Land at the Nuggets, Valebridge Road housing site allocation



- 2.46. This policy allocates land for residential development. The site lies north east of Burgess Hill, east of Valebridge Road, off an existing private track leading to the property called the 'Nuggets'. The site is a relatively large, single plot of land accommodating one property, a small pond and several outbuildings with extensive residential curtilage to the rear. Whilst key services and facilities are not within walking distance, bus services to access the town centre are available within approximately 400m of the site.
- 2.47. Access to the site is currently gained from the private track which serves the 'Nuggets' property. Demolition of the property 'Woodreeves' is needed to enable the required road widths and junction improvements to be achieved, unless other suitable access is established. Whilst the site is predominately in East Sussex County, the junction with Valebridge Road is in West Sussex County. Therefore, issues of access and potential impacts of additional traffic on the local transport network will need to be considered by both county councils as highway authorities.
- 2.48. Existing development along the nearest section of Valebridge Road is largely linear with private tracks providing access to a small number of properties to the rear. However, recent approved developments south of the site will

effectively 'fill out' the areas to the east of Valebridge Road, between the 'Nuggets' and Theobalds Road. Landscape analysis shows that this area has medium/ high capacity for change in landscape sensitivity and value terms. The site itself is well contained by tree shaws leading to more substantial parcels of woodland, providing natural existing mitigation to the surrounding landscape from development.

- 2.49. Much of the site's north and south boundaries are bordered by a group Tree Protection Order (TPO) or sections of Ancient Woodland, which contribute to the local green infrastructure and irreplaceable habitat network supporting local biodiversity. These designations are not seen as a significant constraint on the development of this site but must be properly assessed. As such, an ecological impact assessment, to include a survey of woodland ground flora, and tree surveys, is required. Appropriate mitigation, including at least 15m buffer zones, will need to be implemented to help protect these features against the potential impacts of development.
- 2.50. The site itself does not form part of a formal biodiversity designation. However, local records indicate presence of bats, dormouse, barn owls and reptiles. As such, an ecological impact assessment (EclA) will be required, together with appropriate mitigation, informed by the EclA, to be implemented accordingly.
- 2.51. Whilst the site does not lie within any historical designation, such as an Archaeological Notification Area, the County Archaeologist identifies the site as within an area of medium archaeological potential. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.52. Southern Water has identified that there are existing combined and foul drainage sewers under the site requiring an easement. However, this is not considered to be a significant constraint to development but will need to be taken into account in the design and layout of any future proposed development.

Barcombe Cross

- 2.53. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 30 net additional dwellings to be provided within the settlement of Barcombe Cross. Housing site allocations to deliver the minimum are identified below and will deliver approximately 42 net additional dwellings.
- 2.54. Barcombe Parish is designated as a neighbourhood plan area and is at the very early stages of preparing a neighbourhood plan. The Parish Council has decided not to identify housing site allocations within its neighbourhood plan. Therefore, the District Council has identified housing site allocations to meet the housing numbers required at Barcombe Cross. Once the Barcombe Neighbourhood Plan has gained sufficient weight, policies in it will form part of the determination process of future planning applications.
- 2.55. Barcombe Cross is a nucleated settlement largely concentrated at the junction of the High Street, School Hill and Barcombe Mills Road. The village is approximately three and a half miles north of Lewes town and four and a half miles south west of Uckfield, which lies within Wealden District.
- 2.56. At the 2011 Census Barcombe Parish had a population of 1,473. The Parish includes Barcombe Cross and the smaller settlement of Barcombe located to the south of Barcombe Cross. Barcombe Cross has a good range of key services for a village of its size but limited accessibility to public transport. The village is classified as a Service Village within the District Council's Settlement Hierarchy recognising that the some day-to-day needs of residents are met within the village.
- 2.57. Barcombe Cross is located on a ridge giving it an elevated position within the wider landscape. As such, longer views of the Low Weald can be had, particularly to the north and east of the village. The surrounding landscape is predominately formed of medium to larger irregular shaped fields bordered by hedges and trees, characteristic of the Low Wealden landscape. Other notable features are the Bevern Stream which meanders north and east of Barcombe Cross and the now disused Lewes to Uckfield railway line which runs north/ south to the west of the village.
- 2.58. The 2018 SHELAA as well as previous SHELAA documents identified a limited number of suitable sites to meet the planned level of housing for Barcombe Cross. This is due to visually sensitive nature of the landscape surrounding areas adjacent to the village, limiting opportunities for expansion. Nonetheless three sites are proposed for allocation that will

deliver approximately 42 net additional dwellings, 12 above the minimum requirement for the settlement.

Policy BA01 - Land at Hillside Nurseries, High Street

This site (0.69ha), as shown on figure 6 below, is allocated for residential development providing approximately 10 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from High Street. Pedestrian links to the existing recreation field to also be provided;**
- b) Development incorporates approximately 1600sqm of public amenity space along the northern boundary to allow for the provision of equipped and informal play space;**
- c) Development respects the character and appearance of the Barcombe Cross Conservation Area;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;**
- e) Development is subject to investigation into potential contamination and appropriate mitigation measures agreed with the relevant authority;**
- f) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible; and**
- g) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

- 2.59. This policy allocates land at the former Hillside Nurseries for residential development. This site is located on the western edge of Barcombe Cross village between the property of 'Hillside' and a small private residential development, 'The Grange'.
- 2.60. The site is a medium, flat and relatively enclosed grassed field and forms part of the former nurseries. A number of small derelict buildings are located in the south west corner which will be removed as part of any development. The site is in walking distance of local services and facilities available in the village centre, offering a sustainable location for new development.
- 2.61. The site is currently accessed by a track from the High Street which primarily provides vehicular access to the residential properties of 'Hillside' and 'Vine Slead'. A small number of other adjacent properties have use of access via

the track. Improvements to the junction and track are required to accommodate additional dwellings.

- 2.62. Barcombe Cross currently benefits from a surplus of informal children's play space. However, it has long been recognised that when the pitches at the adjacent Recreation Ground are in use by local teams there is little alternative land suitable for informal play. To address this conflict, the 2003 Lewes District Local Plan allocated approximately 0.4ha of the site as an extension of the Recreation Ground (policy BA1) for informal recreation. The Core Strategy identifies policy BA1 as a retained 'saved' policy recognising the continued pressure between the different users. Further to the above, a shortfall of children's equipped play space is identified by the local community and Council's assessment of outdoor playing space.
- 2.63. This site allocation therefore offers a real opportunity to address and deliver the needed recreation space for the village in a suitable location. The provision of pedestrian links from the existing recreation ground to the new facilities will be essential in order for it to benefit from the adjacent, established recreational uses. To secure the delivery of the needed recreation facilities it is preferable that the land be transferred in a suitable condition (i.e. level and grassed) to Barcombe Parish Council, or suitable management company. The required equipment could then be provided using Community Infrastructure Levy (CIL) contributions.
- 2.64. The site lies within the Barcombe Cross Conservation Area. The Barcombe Cross Conservation Area Appraisal (CAA) highlights that the historic core is focussed at the village crossroads to the east of the site. The village has grown incrementally to the south (Weald View), east (The Grange) and, more recently, north (The Willows). The property adjacent to the site, 'Hillside', is noted within the CAA as one which makes a contribution to the townscape. New development should therefore be of high quality and respect the qualities of the Conservation Area.
- 2.65. Whilst the site does not lie within any historical designation, such as an Archaeological Notification Area, it is within an area of medium archaeological potential. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.

Policy BA02 - Land adjacent to the High Street

This site (1.24ha), as shown on figure 6 below, is allocated for residential development providing approximately 25 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from High Street;**
- b) Buildings are no more than two storeys in height;**
- c) Development respects the character, appearance and setting of the adjacent Barcombe Cross Conservation Area, including adjacent buildings of historic interest;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;**
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development will also allow for the protection of biodiversity and enhancement where possible;**
- f) Appropriate Flood Risk Assessment, surface water drainage strategy and mitigation is agreed with appropriate body and local planning authority and implemented accordingly; and**
- g) Occupation of the development is phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.**

- 2.66. This policy allocates land for residential development. The site lies at the western edge of Barcombe Cross between Bridgelands and an existing private track leading to the property of 'Hillside'. The site is in walking distance of local services and facilities available in the village centre, offering a sustainable location for new development.
- 2.67. Access to the paddock is currently gained from the track east of the site. This track primarily provides vehicular access to the two residential properties of 'Hillside' and 'Vine Sled'. A small number of other adjacent properties have use of access via the track. An easement on the track provides access to the site. Improvements to the junction and track, if utilised to gain access, are required to accommodate additional dwellings.
- 2.68. The site is a medium sized, grassed field currently used as a paddock. The site slopes up gradually from the main road, High Street, giving a sense of openness. Consequently, it is visually sensitive, particularly when entering the village from the east. Glimpses of the rooftops of 'Hillside' and The Grange residential estate can be seen. However, the site is otherwise

relatively contained from wider surrounding views by existing development to the south and east, by the disused railway embankment to the west and by mature trees to the north. As part of any development, new properties should be set back from the High Street, be no more than two storeys and 'blocks' of development avoided to help retain a sense of transition into the village from the surrounding rural area.

- 2.69. Barcombe Cross Conservation Area borders the site on three sides. The Barcombe Cross Conservation Area Appraisal (CAA) highlights that the historic core is focussed around the crossroads to the east of the site. The residential property 'Willow Cottage' located adjacent to the south west of the site is identified as a building of historic or local interest within the CAA. Careful consideration will need to be given to the design and layout of future development, ensuring any scheme is sensitive to potential landscape impacts and constraints of the local historic environment.
- 2.70. A small corner in the south east part of the site is within an Archaeological Notification Area, noted for its post-medieval hamlet interest and WWII remains. The site also lies in an area of medium archaeological potential. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.71. The site itself does not form part of any formal biodiversity designation. However, slow worms and grass snakes have been recorded on site, these are identified as protected species as well as subject to Biodiversity Action Plan. As such, an ecological impact assessment will be required, together with appropriate mitigation where necessary as informed by the ecological impact assessment.
- 2.72. Although the site is within Flood Zone 1 (the least at risk of flooding), the area to the west of the site 'The Bridgelands' currently experiences issues of surface water flooding. To ensure that the situation is not exacerbated by the development of this site, a site specific flood risk assessment will be required. Any necessary mitigation measures, including appropriate Sustainable Urban Drainage System (SuDs) will need to be implemented to mitigate any risk of surface water flooding resulting from the development.
- 2.73. Southern Water, through modelling the capacity of the local sewerage network, has identified a limited capacity to accommodate increased levels of flow at the practical point of connection in the local sewer. This is not a limit to growth but is highlighted here to indicate that extra work is likely to be required and ensure that this is undertaken at the right time to mitigate the localised risk of sewer flooding.

Policy BA03 - Land at Bridgelands

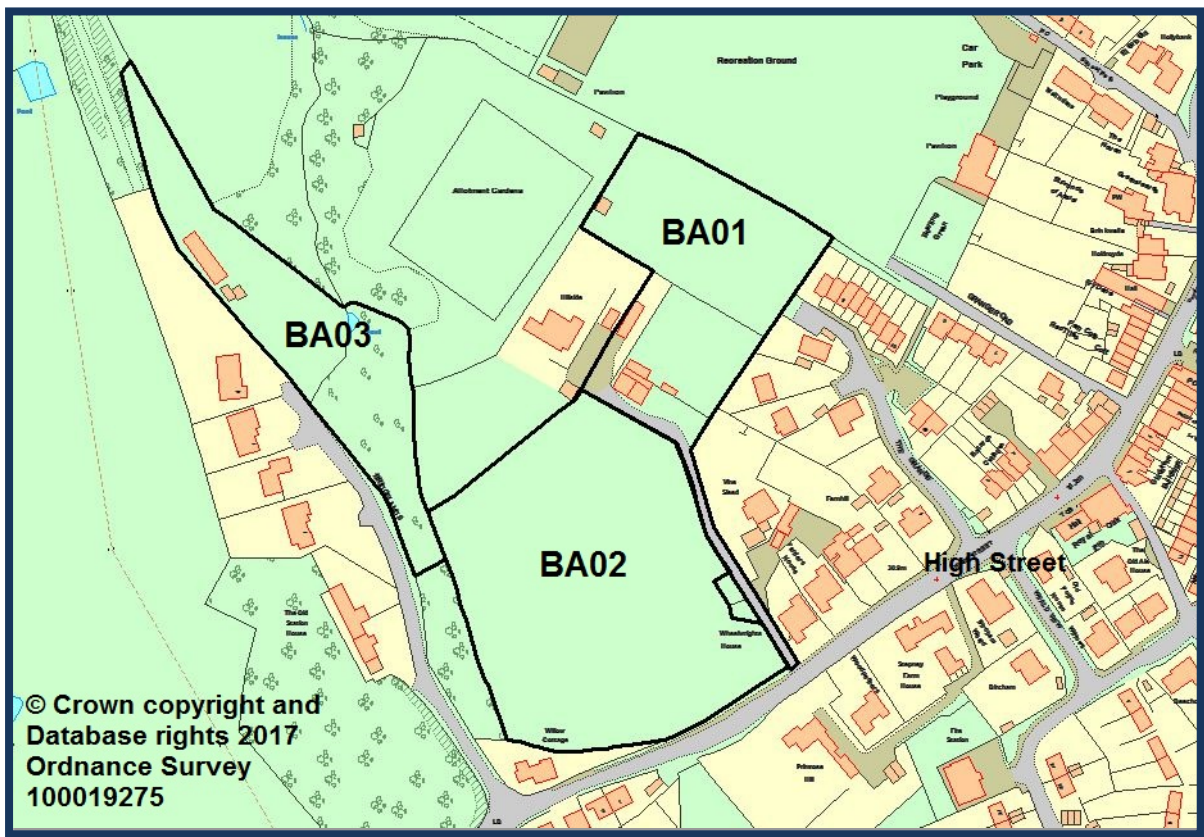
This site (0.55ha), as shown on figure 6 below, is allocated for residential development providing approximately 7 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from the High Street via Bridgelands;**
- b) Development complements the character of the existing local built form, in terms of height, mass and design, and the site's village edge location;**
- c) Development respects the character and appearance of the adjacent Barcombe Cross Conservation Area;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;**
- e) Appropriate Flood Risk Assessment, surface water drainage strategy and mitigation is agreed with appropriate body and local planning authority and implemented accordingly;**
- f) Tree surveys undertaken and appropriate measures are identified and implemented accordingly to mitigate potential adverse impacts on Tree Protection Order on site;**
- g) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement, where possible; and**
- h) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

- 2.74. This policy allocates land for residential development. The site lies at the western edge of Barcombe Cross between Bridgelands, to the west, and the allotments to the east. The site is within reasonable walking distance of local services and facilities available in the village centre, offering a sustainable location for new development.
- 2.75. Access to the site is from Bridgelands which serves a small number of properties. Initial technical highways work has been undertaken by the proponent and demonstrates that the necessary junction improvements to achieve the required visibility to accommodate the additional dwellings, and proposed shared pedestrian access, are acceptable in principle with East Sussex County Council, the highway authority.

- 2.76. The site is a small, linear and vacant parcel of land tapering at the both the north and south end. The site is well contained from wider surrounding views by existing development and disused railway embankment to the west, and by mature trees to the north and east. Bridgelands is characterised by larger, detached two storey properties set back from the road. The development of this site should be sensitively designed to complement the local character, as well as the site's village edge location, bearing in mind the general need for smaller housing units, as reflected in Core Policy 2 of Local Plan Part 1.
- 2.77. A small section of the site's southern boundary is adjacent to the Barcombe Cross Conservation Area. The Barcombe Cross Conservation Area Appraisal (CAA) highlights that the historic core is focussed around the crossroads to the east of the site. The CAA notes that the residential property 'The Old Station House' located to the south west of the site is identified as one which makes a contribution to the Conservation Area.
- 2.78. Whilst the site does not lie within any historical designation, such as an Archaeological Notification Area, the County Archaeologist identifies the site as within an area of medium archaeological potential. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.79. The site is within Flood Risk Zone 1 (the least at risk of flooding). Despite this, the site and surrounding area currently experiences issues of surface water flooding. The site presently accommodates a pond and number of ditches. Therefore, to ensure that no dwellings are placed in an area of flood risk and the flooding situation is not exacerbated by the development of this site, a site specific flood risk assessment will be required and any necessary mitigation measures, including appropriate Sustainable Urban Drainage System (SuDs), implemented accordingly. The ponds and ditches offer potential ecological value, therefore in considering mitigation options regard should be given to opportunities for positive contributions to be made towards valuable habitats for wildlife and future residents' amenity.
- 2.80. Within the site a single designated Tree Protection Order (TPO) is present. The incorporation of the designation within a scheme's layout is considered achievable. As such, the designation is not seen as a significant constraint on the development of this site. However, ecological and tree surveys will need to inform appropriate mitigation and implemented accordingly.

Figure 6 Barcombe Cross housing site allocations



North Chailey

- 2.81. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 30 net additional dwellings to be provided within the settlement of North Chailey.
- 2.82. Chailey Parish is designated as a neighbourhood plan area and the Parish Council is at the early stages of preparing a neighbourhood plan. The Parish Council has decided not to identify housing site allocations within its neighbourhood plan. Therefore, the District Council has identified housing site allocations to contribute to meeting the requirement at North Chailey. Once the Chailey Neighbourhood Plan has gained sufficient weight, policies within it will form part of the determination process of future planning applications.
- 2.83. North Chailey is a relatively nucleated settlement concentrated around the staggered cross roads of East Grinstead Road (A275), Haywards Heath Road (A272 westbound) and Station Road (A272 eastbound). Ribbon development along the north side of Station Road extends the built up area eastwards towards Newick. The village is approximately 5 miles east of

Haywards Heath (the nearest town and located within Mid Sussex district) and approximately 7 miles north of Lewes town.

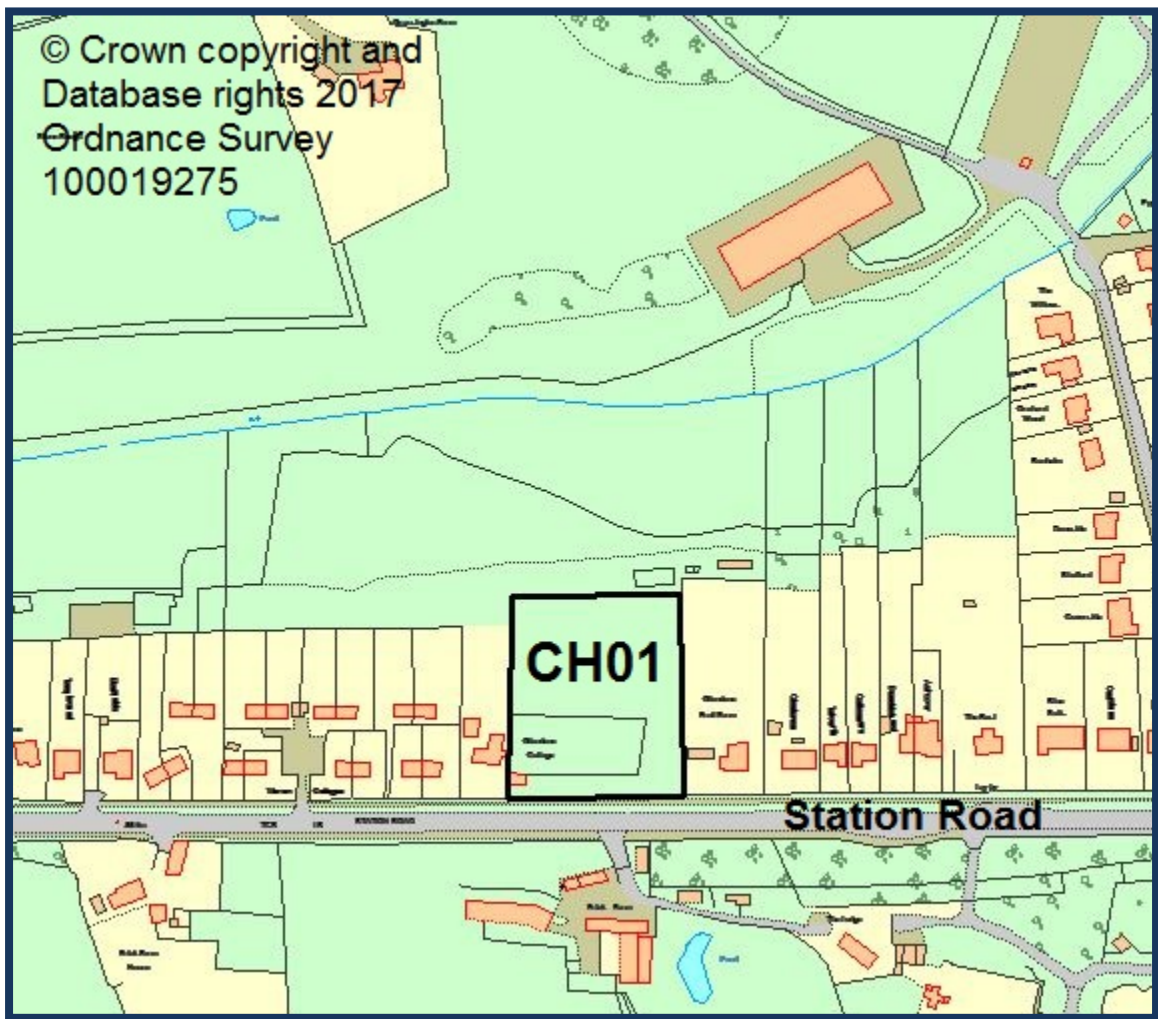
- 2.84. At the 2011 Census Chailey Parish had a population of 3,088. This includes the settlements of South Street, South Chailey and Chailey Green located to the south. North Chailey has a limited range of key services but is well placed to access a wide range of services and facilities in Haywards Heath. Access to public transport is limited resulting in a likely reliance on private transport. The village is classified as a Local Village within the District Council's Settlement Hierarchy recognising that few facilities, services employment opportunities are immediately available and accessibility to higher order settlements is poor.
- 2.85. North Chailey is located within the Low Weald landscape character area. The settlement and surrounding landscape character is influenced by several distinguishing features, including smaller, irregular fields, parcels of small to medium sized woodland areas and remnant heathland and common land. Chailey Common (designated SSSI and Local Nature Reserve) borders much of the settlement to the north and west. A stretch of land along Downs View to the east is also designated as a LNR. As a result of the above, the built area of North Chailey is relatively compact and, in landscape terms, well contained with limited long distance views from the surrounding area.
- 2.86. The 2018 SHELAA, as well as previous SHELAA Assessments, identified a limited number of suitable sites to meet the planned level of housing for North Chailey. One of those housing sites, the Kings Head for 14 net additional dwellings, has now been approved for housing and is under construction. Given the limited number of alternative sustainable housing site options for North Chailey the Kings Head development will contribute towards the identified minimum 30 net additional dwellings. Therefore leaving 16 net additional dwellings to be allocated on a further site(s) in the Local Plan Part 2. The following two proposed allocations deliver a combined total of 16 net additional dwellings.

Policy CH01 - Glendene, Station Road

This site (0.5ha), as shown on figure 7 below, is allocated for residential development providing approximately 10 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from Station Road;**
- b) Buildings reflect the local character in terms of mass, height and form;**
- c) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;**
- d) Appropriate surface water drainage mitigation is agreed with appropriate body and local planning authority and implemented accordingly;**
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts. Development allows for the protection of biodiversity and enhancement where possible;**
- f) Appropriate buffer, at least 15m, between the site and adjacent Ancient Woodland; and**
- g) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**

Figure 7 Glendene, Station Road housing site allocation



2.87. This policy allocates land for residential development. The site lies approximately 500m east from the centre of North Chailey. The site is a small, grassed field sloping away from the main road to the south (Station Road) and largely lacking in distinguishing features. It forms part of the previous Glendene Fruit Farm, now occasionally used for grazing.

2.88. A new access point to the site will be directly from Station Road which borders the site's southern boundary. Supporting transport and access statements, as well as other supporting assessments mentioned below, were submitted as part of a recent planning application¹¹. The proposed access point and impact of additional development on the highway network is considered acceptable in principle by East Sussex County Council, the highway authority.

¹¹ LW/15/0550: Outline application for the redevelopment of the site to provide 10 residential dwelling with all matters reserved except for access

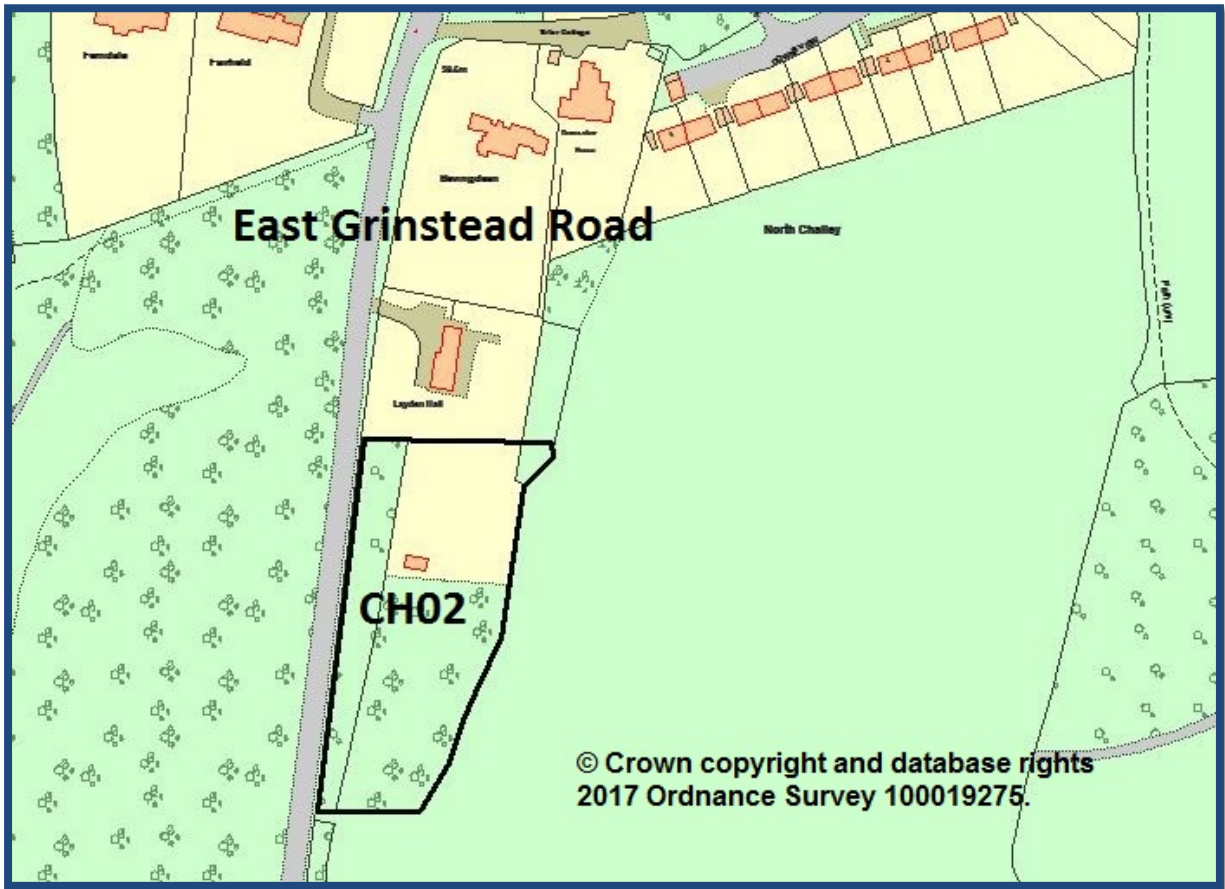
- 2.89. The site forms a gap within an otherwise ribbon form development along the north side of Station Road. Existing development adjacent to the site is characterised by two storey, detached and semi-detached properties set back from Station Road with generous back gardens. New development on this site should complement the adjacent character.
- 2.90. Whilst the site does not lie within any historical designation, an extensive area to the south of Station Road is designated an Archaeological Notification Area, noted as Roman industrial settlement, medieval and post-medieval farm complex. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.91. The site itself does not form part of any formal biodiversity designation. However, protected species (bats) have been recorded adjacent to the site. An Extended Phase 1 Habitat Survey, along with a Reptile Survey and Mitigation Report has been undertaken to inform the 2015 planning application. Surveys concluded the site to have a population of common species of slow worm and grass snake limited to the northern woodland edge boundary. Suitable mitigation measures were identified. Surveys demonstrate that these ecological interests would not preclude the development of this site, subject to any final mitigation measures being appropriately implemented. Above appropriate surveys may need to be repeated to inform future development proposals depending on how frequently latest guidance advises surveys should be undertaken for the same area.
- 2.92. A rectangular section of woodland, increasing to a more substantial section of woodland to the east, is located approximately 12m, at its nearest point, north of the site. A smaller section of this woodland, including the southern edge nearest the site's boundary, is designated as Ancient Woodland. Whilst the area of Ancient Woodland is not immediately adjacent to the site the appropriate measures, including at least a 15m buffer, must be provided to mitigate against potential impacts on the Ancient Woodland from the development of this site.
- 2.93. The site lies within Flood Risk Zone 1 (at least at risk of flooding). A supporting Sustainable Urban Drainage Systems (SuDs) assessment, submitted as part of the aforementioned planning application, demonstrates that appropriate SuDs could be accommodated to manage run-off from proposed development and therefore would not preclude the development of this site.

Policy CH02 - Layden Hall, East Grinstead Road

This site (0.51ha), as shown on figure 8 below, is allocated for residential development providing approximately 6 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from East Grinstead Road;
- b) Development complements nearby local character in terms of height, mass and form;
- c) Retention of boundary trees, where possible, to provide appropriate landscaping buffer;
- d) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on Chailey Common SSSI and the local biodiversity. Development allows for the protection of biodiversity and enhancement where possible; and
- e) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly.

Figure 8 Layden Hall, East Grinstead Road housing site allocation



- 2.94. This policy allocates land for residential development. The site lies approximately 250m south of the centre of North Chailey. The site is a small, rectangular parcel of land forming part of the garden to the property 'Layden Hall' and part woodland.
- 2.95. A new access point to the site will be directly from East Grinstead Road utilising land in the same site ownership. Safe pedestrian access should also be provided, linking the site to the existing extent of the pavement to north along East Grinstead Road (approximately 120m).
- 2.96. The site is located to the south of the village. Development of this site would extend the built up area southwards. Adjacent development is characterised by predominately large, detached two and two and a half storey properties, set back from the road and within generous gardens. Development along Downs View to the north east of the site is more uniform and generally semi-detached. Development of this site should complement the adjacent character, with particular attention to the height of buildings to help mitigate potential impacts on views into the site from the surrounding area.
- 2.97. The southern section of the site is largely covered by trees, the majority of which will need to be cleared to enable development. Whilst there are presently no tree protection order designations on or adjacent to the site, tree surveys should be undertaken. The retention of boundary trees is considered important in helping to mitigate potential impacts on the surrounding landscape, particularly from the south where longer views are possible, and should be taken into account when establishing a landscape buffer scheme for the development. The site is also approximately 25m east of and across the road from Chailey Common, a Site of Special Scientific Interest (SSSI). Chailey Common is predominately located west of the A275 and straddles the A272. It is designated for its heath habitat, which supports diverse invertebrate and bird communities. An appropriate ecological impact assessment is therefore required to identify any potential impacts and appropriate mitigation to be implemented.
- 2.98. Whilst the site does not lie within any historical designation, is in close proximity to two designated Archaeological Notification Areas, noted as Roman industrial settlement, medieval and post-medieval farm complex and WWII search light and hut bases. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.

South Chailey

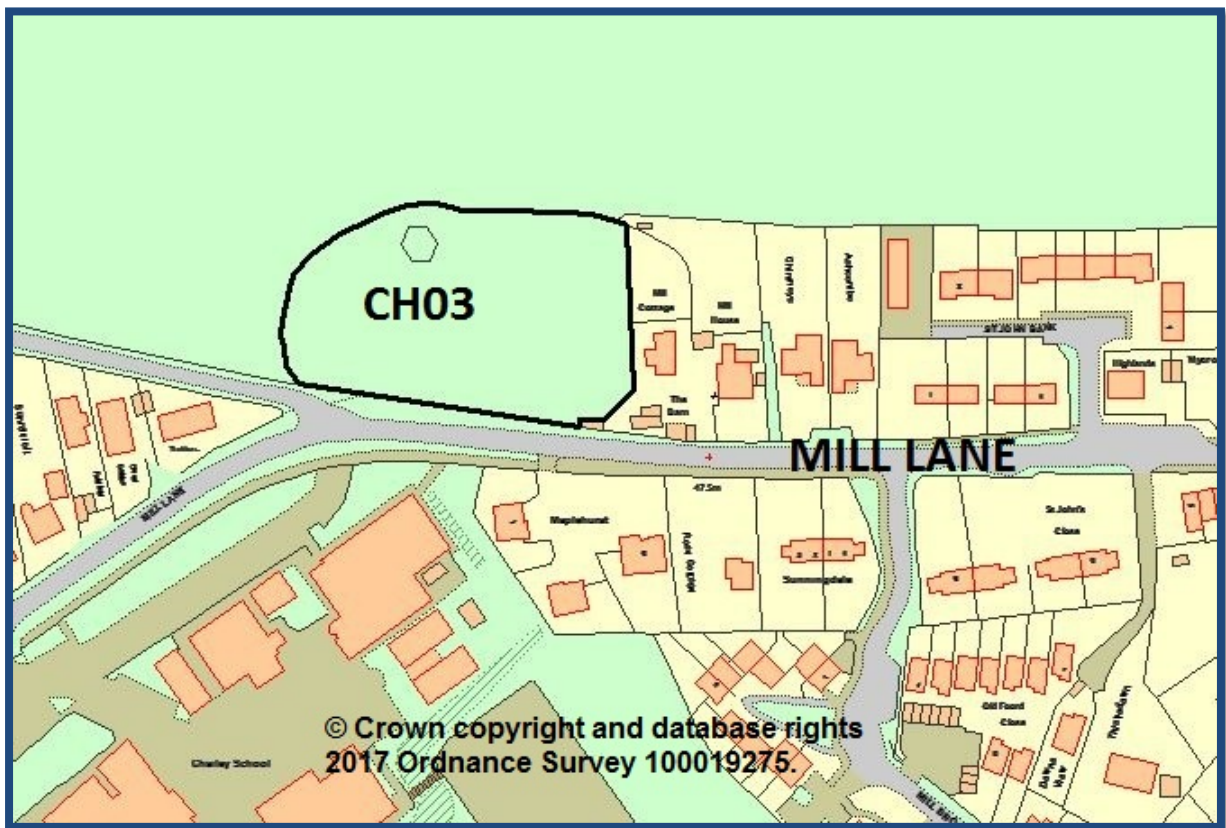
- 2.99. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 10 net additional dwellings to be provided within the settlement of South Chailey. A housing site allocation to deliver the minimum 10 net additional dwellings is identified below.
- 2.100. Chailey Parish has been designated as a neighbourhood plan area and the Parish Council is at the early stages of preparing a neighbourhood plan. The Parish Council has decided not to identify housing site allocations within its neighbourhood plan. Therefore, the District Council has identified housing site allocations to meet the housing requirement for South Chailey. Once the Chailey Neighbourhood Plan has gained sufficient weight, policies within it will form part of the determination process of future planning applications.
- 2.101. South Chailey appears as a relatively linear settlement along South Road (A275) and Mill Lane where development is concentrated. However, several offshoots of development run from these two bisecting roads resulting in incremental pockets of newer development. The village is approximately 5 miles north of Lewes town.
- 2.102. At the 2011 Census Chailey Parish had a population of 3,088. This includes the settlements of South Street, Chailey Green, South Chailey and North Chailey. South Chailey has a limited range of key services but is well placed to access a wide range of services and facilities in Haywards Heath. Access to public transport is limited resulting in a likely reliance on private transport. The village is classified as a Local Village within the District Council's Settlement Hierarchy recognising that few facilities, services and employment opportunities are immediately available and accessibility to higher order settlements is poor.
- 2.103. South Chailey is located within the Low Weald landscape character area. The settlement and surrounding landscape character is influenced by several distinguishing features, including small to medium sized fields generally irregular in shape and parcels of medium sized woodland areas connected by hedges and shaws. South Chailey is slightly elevated from the surrounding area. Consequently some longer, albeit interrupted, views may be observed, particularly from the south and west of the village.
- 2.104. The 2018 SHELAA only identified one potentially suitable site for housing at South Chailey and this forms the proposed allocation below.

Policy CH03 - Land adjacent to Mill Lane

This site (0.47ha), as shown on figure 9 below, is allocated for residential development providing approximately 10 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) Suitable vehicular and pedestrian access provided connecting site to Mill Road and pavement;**
- b) Development complements nearby local character in terms of height, mass and form;**
- c) Retention of boundary hedge and trees, where possible, within an appropriate landscape buffer;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;**
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;**
- f) The development will provide connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water; and**
- g) Development is subject to investigation into potential contamination and appropriate mitigation measures agreed with the relevant authority.**

Figure 9 Land adjacent to Mill Lane housing site allocation



- 2.105. This policy allocates land for residential development. The site lies on the northern edge of South Chailey. The site is a small, rectangular parcel of land which slopes gently down to the south to Mill Road. The site is between the property 'Mill Cottage', to the east, and access point to Broomfield Farm to the west.
- 2.106. A new access point to the site will be directly from Mill Road. Safe pedestrian access should also be provided, linking the site to the existing pavement on the southern side of Mill Road.
- 2.107. Development of this site would marginally extend the built up area westwards. Adjacent development is characterised by two storey detached and semi-detached properties, set back from the road, with some single storey properties north of Mill Lane in St John Bank. Development of this site should complement the local character, having regard to the above and the site's edge of village location. Whilst the site itself is relatively well contained by an existing hedge and the immediate topography, the landscape to the north of the site is open and slightly elevated. Therefore, particular attention to the height of buildings and boundary treatment should be given to help mitigate potential impacts on views into the site from the surrounding area.

- 2.108. The site is within an Archaeological Notification Area, noted for the presence of windmill remains and prehistoric activity and therefore has high archaeological potential. The base of an old smock mill, South Common Mill, is located in the North West part of the site. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.109. The site itself does not form part of a formal biodiversity designation. However, local records indicate presence of protected species, including bats. As such, an ecological impact assessment will be required, together with appropriate mitigation, informed by the EclA, to be implemented accordingly.

Cooksbridge

- 2.110. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 30 net additional dwellings to be provided within the settlement of Cooksbridge.
- 2.111. Hamsey Parish Council has a made neighbourhood plan¹². The neighbourhood plan does not allocate housing sites but sets out a number of housing site selection and design policies to assist in the selection and delivery of housing to meet the settlement's planned housing requirement.
- 2.112. The 2018 SHELAA, along with previous SHELAA Assessments, identifies a limited number of suitable sites to meet the planned level of housing growth for Cooksbridge. Out of the three previously potential suitable sites identified one is within the SDNP and another is now designated a Local Green Space within the Hamsey Neighbourhood Plan. The remaining site, Chatfields Yard, has planning approval (LW/16/0935) for 27 dwellings and is under construction.
- 2.113. Given the current lack of potential suitable housing sites identified in Cooksbridge the approved Chatfields Yard development will contribute to the settlement's planned housing figure. The shortfall of three net additional dwellings cannot be currently met in Cooksbridge. However, the shortfall has been balanced by other nearby settlements exceeding their planned housing figure through either site allocations and/ or permitted unidentified sites. Should additional suitable site(s) be identified they can be considered

¹² The Hamsey Neighbourhood Plan was made by LDC on 21 July 2016 and by the SDNPA on 14 July 2016.

through either a future review of the Hamsey Neighbourhood Plan or Local Plan.

Newick

- 2.114. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 100 net additional dwellings to be provided within the settlement of Newick.
- 2.115. Newick Parish Council has a made Neighbourhood Plan, adopted July 2015, that allocates sites for 100 net additional dwellings. One allocated site, Newick Hill identified for 30 net dwellings is almost complete. Any future planning applications, or potential review of the Newick Neighbourhood Plan which considers housing allocations, will need to take into consideration policies within the adopted development plan.

Plumpton Green

- 2.116. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 50 net additional dwellings to be provided within the settlement of Plumpton Green.
- 2.117. Plumpton Parish Council has a made neighbourhood plan¹³. The neighbourhood plan contains a number of housing policies and allocates four housing sites totalling 68 net additional dwellings. Any future planning applications, or potential review of the Newick Neighbourhood Plan which considers housing allocations, will need to take into consideration policies within the adopted development plan.

Ringmer and Broyle Side

- 2.118. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum 215 net additional dwellings to be provided within Ringmer and Broyle Side. Ringmer Parish Council has a 'made' neighbourhood plan¹⁴ which contains a number of housing policies and allocations. A number of these allocated sites have since gained planning permission.
- 2.119. As referred to earlier in paragraph 2.8, a number of sites within Policy 6.4 of the Ringmer Neighbourhood Plan (RNP) overlap with commitments or the strategic allocation, Land north of Bishops Lane, identified in Spatial Policy 2 and Table 5 of Local Plan Part 1. The removal of these duplications results

¹³ The Plumpton Neighbourhood Plan was made by Lewes District Council on 2 May 2018.

¹⁴ The Ringmer Neighbourhood Plan was made by Lewes District Council on 25 February 2016.

in a total of 183 net additional dwellings identified within the RNP; a shortfall of 32 net additional dwellings, against the planned housing growth figure of minimum 215 net additional dwellings.

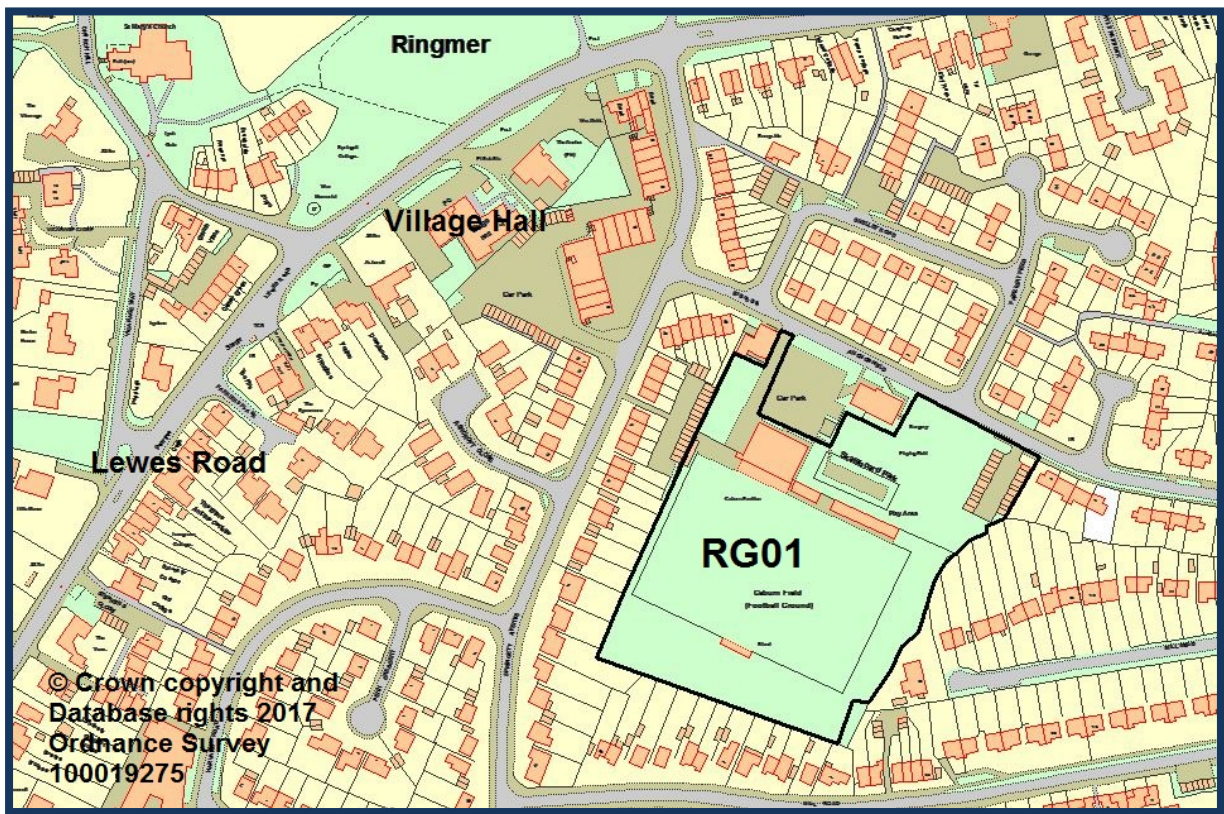
- 2.120. The shortfall was recognised and discussed at the Local Plan Part 1 Examination, during which it was agreed that the retained 'saved' 2003 Lewes District Local Plan housing allocation RG1: Caburn Field was highly likely to deliver above the original target minimum of 40 dwellings (the number contained within the commitments figure for Spatial Policy 2). An additional 20 dwellings, thereby providing a total of 60 net additional dwellings, was considered at that time to be a reasonable anticipated capacity for an eventual proposal.
- 2.121. The increase in capacity was partly due to the inclusion of adjacent Lewes District Council owned land. A further 12 dwellings, however, is still required to meet the minimum of 215 net additional dwellings. Progress has since been made on the development proposals for this site, which indicate a yield of 96 dwellings. It is therefore proposed to allocate Caburn Field for approximately 90, meeting the shortfall of 32 and providing an additional 18 over the minimum of 215 net additional dwellings. This represents an uplift of 50 over and above the 'saved' 2003 allocation.

Policy RG01 - Caburn Field

Land at Caburn Field (1.91ha) as shown on figure 10 below, is allocated for residential development providing approximately 90 net additional dwellings subject to compliance with all appropriate development plan policies and the following criteria:

- a) A replacement playing field of equivalent area and quality is available and ready for use at an acceptable location in Ringmer before development takes place;**
- b) Access, including provision for pedestrians and cyclists, to be provided from Anchor Field;**
- c) The identification, delivery and funding of sustainable transport improvements to mitigate the impacts of development on the local highway network, and in particular the Earwig Corner junction, to the satisfaction of the local planning authority in consultation with the local highway authority;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and any mitigation measures implemented accordingly;**
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;**
- f) Layout is planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes; and**
- g) Occupation of the development is phased to align with the delivery of sewerage infrastructure, in liaison with the service provider, and completion of the planned junction improvements at Earwig Corner.**

Figure 10 Caburn Field housing site allocation



- 2.122. This retained 2003 Local Plan allocation for the relocation of Ringmer Football Club and redevelopment of its current ground, Caburn Field, reflects the continued wish for the club to move to an alternative site. The Club provides an important recreational resource for the village and the surrounding area and relocation will allow the club to improve its facilities.
- 2.123. The site, covering approximately 1.91ha, is located in close proximity to most of the facilities, services and public transport links in the centre of the village. It is enclosed on three sides by residential development. Therefore, residential development is considered to be appropriate within this location. The redevelopment of this site offers the unique opportunity to deliver a highly sustainable residential scheme with the benefit of improved community facilities. Its village centre location lends itself to a density above that set out in Core Policy 1 of Local Plan Part 1, which should be achieved through high quality design.
- 2.124. The housing growth at Ringmer and Broyle Side, as identified within Local Plan Part 1, is limited due to the current highway constraints of the B2192 and A26 (Earwig Corner) junction. Current identified junction improvements, to be delivered by the strategic site at Bishops Lane, allow for a total of 385 net additional dwellings to be accommodated within the settlement. Due to

the junction capacity constraints there is effectively a cap on development in Ringmer and Broyle Side beyond the planned 385 net additional dwellings. This is even allowing for the planned junction improvements that will be delivered through the strategic allocation at Bishops Lane. The development of Caburn Field at approximately 90 dwellings will exceed this cap by 14 dwellings, once overlapping allocations and expired permissions have been taken into account. However, in discussion with the local highway authority there is an agreement that development on the Caburn Field site that would take the total planned development in Ringmer beyond the 385 figure would be acceptable in principle. This is on the basis of Caburn Field having a highly sustainable village centre location and the fact that the principle of residential development has long been established on this site.

- 2.125. This quantum of development would be subject to the identification and implementation of sustainable transport improvements that minimise car use and encourage sustainable methods of transport to and from the site (i.e. bus, cycling and walking). This would be applied to the whole development, rather than just the proportion of development within the 385 'cap', providing an element of trip banking to occur, offsetting vehicle movements of the additional dwellings.
- 2.126. The site is within an Archaeological Notification Area, noted for the presence of medieval and post-medieval village and potteries. The site also identified to lie in an area of high archaeological potential. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.127. The site itself does not form part of a formal biodiversity designation. However, local records indicate presence of protected species, including slow worms. As such, an ecological impact assessment will be required, together with appropriate mitigation, informed by the EclA, to be implemented accordingly.
- 2.128. Southern Water has identified a surface water sewer under the site. As such, an easement will be required. This will need to be designed into the layout of any development so that it is clear of all proposed buildings and tree planting.
- 2.129. Southern Water has, through modelling the capacity of the local sewerage network, identified a limited capacity to accommodate increased levels of flow at the practical point of connection in the local sewer. This is not a limit to growth but is highlighted here to indicate that extra work is likely to be

required and ensure that this is undertaken at the right time to mitigate the localised risk of sewer flooding.

Wivelsfield Green

- 2.130. Spatial Policy 2 of the Local Plan Part 1 sets the requirement for a minimum of 30 net additional dwellings to be provided within the settlement of Wivelsfield Green.
- 2.131. Wivelsfield Parish Council has a made neighbourhood plan¹⁵. The Wivelsfield Neighbourhood Plan (WNP) allocates three sites for 34 net additional dwellings within the settlement of Wivelsfield Green. The WNP also provides a spatial policy of the neighbourhood plan which prioritises where new development might be supported within the Parish. Any future planning applications, or potential review of the Wivelsfield Neighbourhood Plan which considers housing allocations, will need to take into consideration policies within the adopted development plan.

Gypsy and Traveller Accommodation

- 2.132. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. Government's national Planning Policy for Traveller Sites (PPTS) notes the importance of local authorities both assessing the accommodation needs of Gypsies, Travellers and Travelling Showpeople and then planning for this need.
- 2.133. To this end, a Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken over 2015. Informed by the GTAA, Core Policy 3 of the Local Plan Part 1 sets out a requirement for 13 net additional permanent pitches for Gypsies and Travellers across Lewes District. This figure is apportioned across the two areas: inside and outside the South Downs National Park, to enable each local planning authority to plan for the need within their area. As such, Core Policy 3 identifies a need for five permanent pitches to serve the area of Lewes District outside the South Downs National Park and eight permanent pitches to serve the area within the Park.
- 2.134. At the time of adopting the Local Plan Part 1, no suitable pitches had been identified for allocation. Therefore, Core Policy 3 sets out criteria to be considered in any future assessment of subsequent potential Gypsy and Traveller pitch allocations made through Local Plan Part 2, the National Park

¹⁵ The Wivelsfield Neighbourhood Plan was made by LDC on 7 December 2016.

Authority's Local Plan or neighbourhood plans. Core Policy 3 is also to be used in determining any planning applications for Gypsy and Traveller or Travelling Showpeople use.

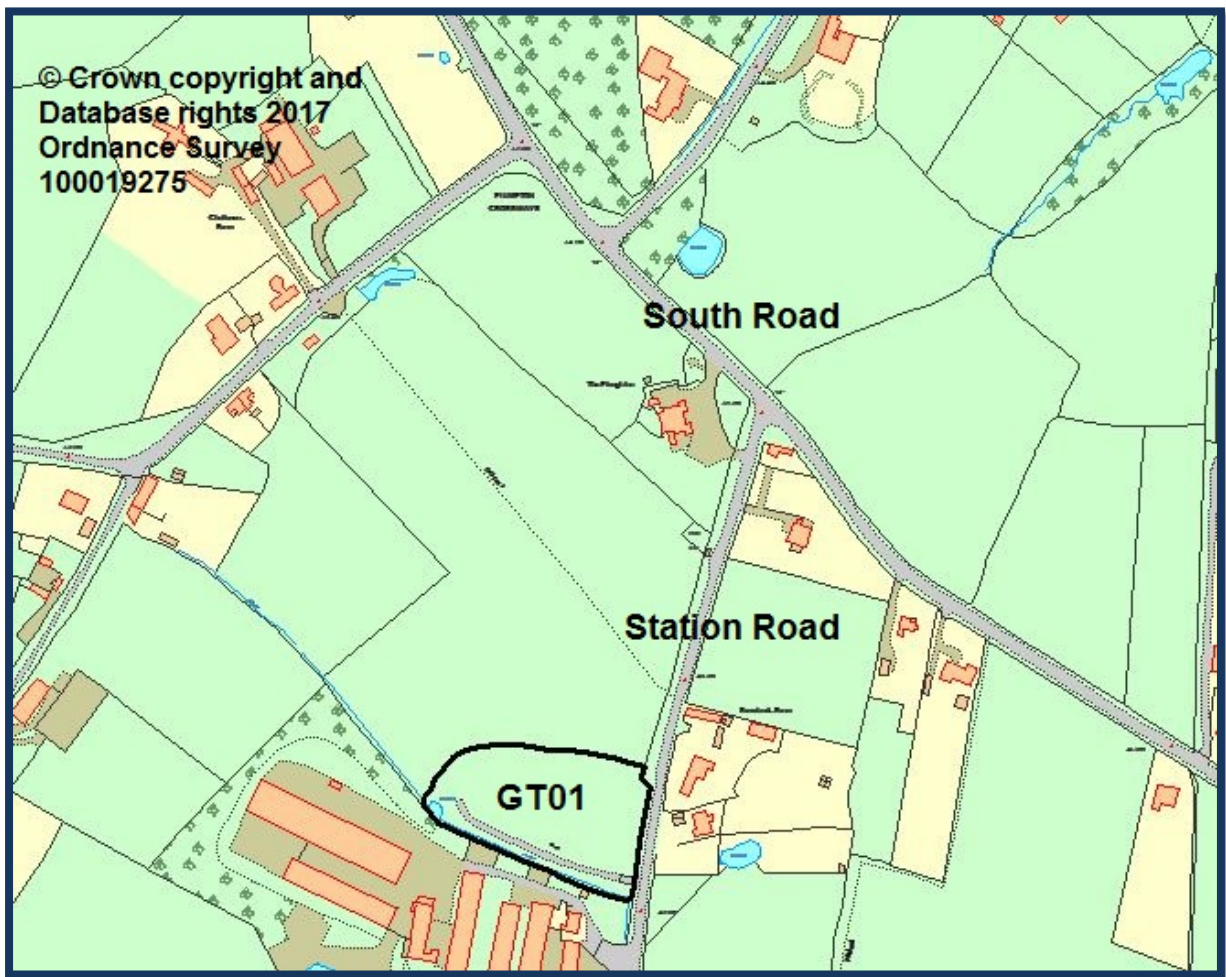
- 2.135. The Gypsy and Traveller call-for-sites undertaken as part of the 2017 draft Local Plan Part 2 consultation did not attract any potential site submissions. Further collaborative work between the Council and East Sussex County Council however has resulted in the Council being able to identify the below proposed permanent Gypsy and Traveller site. The proposed site meets the Council's duty to make provision for 5 permanent pitches.

Policy GT01 – Land south of The Plough

This site (0.69ha), as shown on figure 11 below, is allocated for the development of 5 net additional permanent Gypsy and Traveller pitches, subject to compliance with all appropriate development plan policies and the following criteria:

- a) Access, including provision for pedestrians and cyclists, to be provided from Station Road;**
- b) Development should be levelled and laid out to provide sufficient room to allow for vehicles to turn around within the site;**
- c) Development should use the natural topography in screening the site from wider, sensitive landscape views and designed to minimise the perception of urbanisation in this location, particularly with regards to hardstanding and amenity buildings;**
- d) Development is subject to an appropriate assessment and evaluation of archaeological potential and mitigation measures implemented accordingly;**
- e) An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate potential adverse impacts on biodiversity. Development allows for the protection of biodiversity and enhancement where possible;**
- f) Appropriate flood risk assessment and surface water drainage strategy and mitigation is agreed with the appropriate body and implemented accordingly; and**
- g) The development should be occupied by only those that fulfil the definition of a Gypsy or Traveller.**

Figure 11 Land south of The Plough, Gypsy and Traveller site allocation



2.136. This policy allocates land for the development of Gypsy and Traveller pitches. The site lies approximately 650m north of Plumpton Green village, adjacent to 'The Old Brickworks' industrial site and a small number of residential dwellings. There is a good range of services and facilities, including a local convenience shop, primary school and train station, within Plumpton Green. Whilst the site is not within a reasonable walking distance of these facilities there is a bus stop approximately 200m north of the site with services to the village and Lewes town to the south and Haywards Heath to the north.

2.137. An existing agricultural access point is located within the south east corner of the site. Improvements, including removal and maintenance of boundary hedgerows, are required to provide a suitable and safe access for vehicles and pedestrians. This includes a small section of hedges to the south not within highway land or the same landownership. The necessary improvements must be agreed by the local planning and local highway authorities and implemented accordingly.

- 2.138. The site lies in the south east corner of a larger agricultural field which gently slopes north to south. The area of the site is considered appropriate to accommodate 5 permanent pitches and the required large vehicle turning space. The site is bounded to the east and south by existing hedges and trees respectively but is otherwise undefined to the north and west. As such, the development will need to establish a new, well defined boundary to avoid encroachment into the adjacent land. In levelling the site the local topography, as well as additional appropriate bunding, provides an opportunity to create a natural, banked landscape buffer and border to the north and west.
- 2.139. Whilst the site does not lie within any historical designation, such as an Archaeological Notification Area, the wider area has evidence of historical activity from the Roman period onwards. As such, an appropriate archaeological assessment and evaluation of the site's archaeological and historic interest will be expected to inform appropriate mitigation by design and recording.
- 2.140. The site itself does not form part of a formal biodiversity designation. However, local records indicate the presence of notable and protected species, including bats, and other notable invertebrates and vascular plants. As such, an ecological impact assessment (EclA) will be required, together with appropriate mitigation, informed by the EclA, to be implemented accordingly.
- 2.141. The site lies within Flood Risk Zone 1 (at least risk of flooding). However, a risk of surface water flooding has been identified from the stream running east-west along the site's southern boundary. Therefore, to ensure that flood risk is not created on or off-site by the development consideration should be given to the design and layout of the site. A specific flood risk assessment may also be required and mitigation implemented accordingly.
- 2.142. The allocation is for the provision of permanent pitches for Gypsies and Travellers as defined within Annex 1 of government 2012 Planning policy for traveller sites. The Council will work with East Sussex County Council Gypsy and Traveller Team, and other relevant organisations where appropriate, to identify local families in need of accommodation.

3. EMPLOYMENT SITE ALLOCATIONS

- 3.1. Spatial Policy 1 of the Local Plan Part 1 sets out a planned level of employment floorspace (B1, B2 and B8) of 74,000 sq.m. over the period from 2012 to 2031. This figure was informed by the findings of the Employment and Economic Land Assessment (EELA) for Lewes District, which was commissioned as part of the evidence base for the preparation of the Local Plan. It was also influenced by the housing delivery target for the district, since it is important to balance the number of jobs with the people available to fill them.
- 3.2. The Local Plan Part 1 demonstrates that there is sufficient land in quantitative terms to meet the employment floorspace requirement of 74,000 sq.m. within the district in the period to 2031. This is illustrated in Table 3 (p.49) of the document, which compares the need for industrial and office space with the identified potential supply. This identified supply will allow the employment needs of the district to be met on existing employment sites and premises (including unimplemented site allocations) with a modest allowance for market choice to allow for the changing needs of business and the possibility of a greater than expected level of local economic growth.
- 3.3. Consequently, there is no requirement in quantitative terms to allocate additional sites for employment purposes in the Local Plan Part 2. The EELA does identify a qualitative need for additional office and light industrial floorspace within Lewes town in the South Downs National Park. Some of this qualitative need will be met at the North Street Quarter, which is allocated for a mixed-use development in the Local Plan Part 1, and on unimplemented site allocations at Malling Brooks Business Area. Further opportunities within Lewes town are expected to be identified by the South Downs Local Plan and/or relevant Neighbourhood Plans.
- 3.4. Whilst there is no identified requirement for additional employment sites within the area of the district covered by the Local Plan Part 2, Core Policy 4 (*Economic Development and Regeneration*) of the Local Plan Part 1 sets out a positive approach to sustainable economic growth by safeguarding existing employment sites, promoting mixed-use developments, and supporting the intensification, upgrading and redevelopment of existing employment sites for employment purposes. The stimulation of the rural economy is given further support by Policies DM9 (*Farm Diversification*), DM10 (*Employment Development in the Countryside*) and DM11 (*Existing Employment Sites in the Countryside*) in this document.

- 3.5. Core Policy 4 (*Economic Development and Regeneration*) also contains a presumption in favour of retaining the unimplemented employment site allocations from the Lewes District Local Plan 2003. The preparation of the Local Plan Part 2 has therefore included a review of the deliverability and suitability of existing employment site allocations and their retention where appropriate. As a consequence, the site allocated for the upgrading and expansion of Newhaven Port in the Local Plan 2003 is carried forward by Policy E1 in this document, with appropriate amendments to bring it up to date. A new opportunity for employment development has also been identified on land adjacent to the American Express Community Stadium at Falmer, as set out in Policy E2.
- 3.6. As described earlier, site allocations within the designated neighbourhood plan areas of Newhaven, Peacehaven & Telscombe, and Seaford are outside of the scope of this document. This is because these town and parish councils are preparing neighbourhood plans which will consider appropriate land-use allocations within their areas. The policies allocating sites for employment purposes at Eastside, Newhaven, Hoyle Road, Peacehaven, and Cradle Hill, Seaford, in the Local Plan 2003 will therefore continue to be 'saved' and form part of the development plan for the area until the respective neighbourhood plans for these towns are approved. The relevant policies are listed in Appendix 3.
- 3.7. Many of the sites allocated for employment uses within the rural parts of the district in the Local Plan 2003 are currently occupied or comprise previously developed land. The Council considers that Core Policy 4 (*Economic Development and Regeneration*) and Policy DM11 (*Existing Employment Sites in the Countryside*) provide an appropriate policy framework for the consideration of development proposals on such sites. They are therefore not carried forward as specific employment allocations in this document. Other employment allocations in the Local Plan 2003 have not been retained because they have either received planning consent for development or are no longer considered suitable for employment purposes.
- 3.8. At Newhaven Port, the operations and maintenance base for the Rampion Offshore Wind Farm has now opened in accordance with Core Policy 4 (*Economic Development and Regeneration*). This is acting as a catalyst for the regeneration of the town and helping to stimulate the local economy. The Local Plan's approach to economic development and the regeneration of the coastal towns has also been supported by the formal designation of the Newhaven Enterprise Zone (EZ), which covers 79 ha of land across eight sites.

- 3.9. The EZ is a partnership venture between the District Council and the Coast to Capital Local Enterprise Partnership. Over the next 25 years, it is anticipated that the EZ will act as catalyst to deliver 55,000 sq.m. of new employment floorspace and the refurbishment of some 15,000 sq.m. of existing employment premises. This investment will create new business opportunities and encourage further growth and investment in the town.
- 3.10. Also in Newhaven, an Article 4 Direction will take effect in November 2018, withdrawing permitted development rights for changes of use from offices or light industrial to residential. This action has been taken by the District Council to support Core Policy 4 (*Economic Development and Regeneration*) in terms of safeguarding existing employment sites from other competing uses so as to avoid a lack of supply or choice of premises becoming a barrier to business investment and the continued economic growth of the district.

Land at East Quay, Newhaven Port

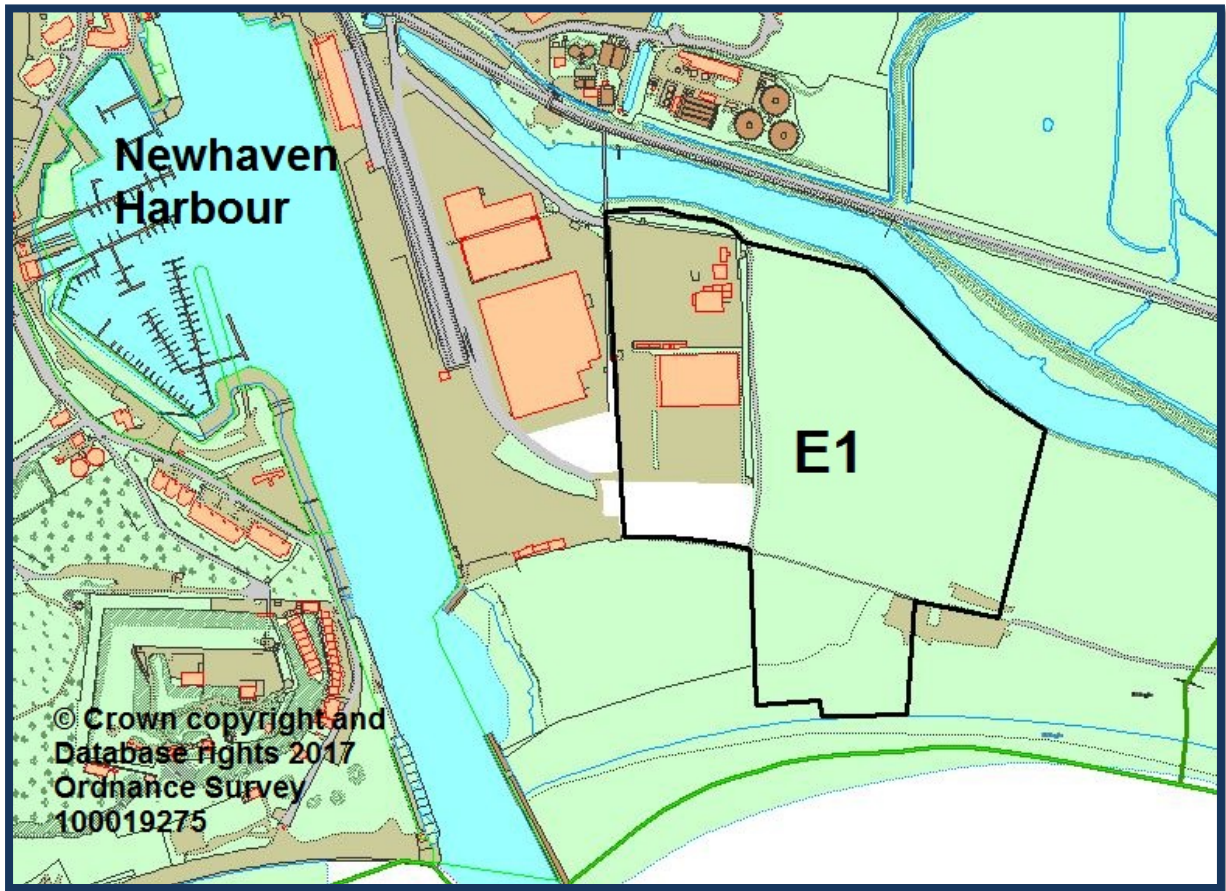
- 3.11. Newhaven is a relatively small port but provides important maritime links to mainland Europe. It also plays a vital role in the operation and maintenance of the Rampion offshore wind farm, which is located 13km of the Sussex coast, and the importation of marine aggregates. Its wharves and railheads are safeguarded for the existing and future mineral imports and processing by the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Policy WMP15) and the Waste and Minerals Sites Plan (Policy SP2).
- 3.12. The port is owned and operated by Newhaven Port and Properties (NPP), who published a masterplan in 2012 to provide a strategic framework for the development of the port over the next 20-30 years. Lewes District Council, East Sussex County Council and Newhaven Town Council have agreed to work with NPP to achieve the implementation of this masterplan in recognition that Newhaven needs a higher level of economic activity in order for both the town and the port to have a sustainable future.
- 3.13. In 2016, NPP were granted planning permission for the expansion of the existing working port area, including the refurbishment of the existing multi-purpose berth at East Quay, the construction of a new berth and slip way to the south, and new space for associated offices, warehouses and workshops. It is anticipated this development will allow the port to remain competitive by offering modern facilities to future investors and customers and allowing the port to accommodate larger vessels should the opportunity arise.

- 3.14. The further expansion and enhancement of Newhaven Port is supported by Core Policy 4 (*Economic Development and Regeneration*) of the adopted Local Plan Part 1 in order to help revitalise the economy of the coastal area. An extensive area of largely undeveloped land in the ownership of NPP exists to the north-east of the proposed port expansion and new berth and slipway and this area is considered suitable for the future expansion of port-related activities.
- 3.15. Much of this area was previously allocated in Policy NH20 of the Lewes District Local Plan 2003. However, development of this site has previously been constrained by its poor vehicular access, which is currently via Railway Road and Beach Road. The construction of the final section of the new Newhaven Port access road is anticipated to unlock capacity for new employment space in this part of Newhaven and significantly enhance the development potential of the site.
- 3.16. The first phase of the Newhaven Port access road was completed in 2015, with the construction of the final phase due to be completed by 2020. The new road will then carry traffic by a bridge over the Newhaven to Seaford railway line and Mill Creek, providing a direct vehicular access from the A259 to both the allocated employment site and the remainder of the port land.
- 3.17. The viability of employment development on the site will be further enhanced through the current investment in new flood defences in Newhaven by the Environment Agency and the two Local Enterprise Partnerships (Coast to Capital LEP and South East LEP). This flood alleviation scheme will provide a 1-in-200-year standard of protection for the town and the port, taking into account the effects of climate change, and is due to be completed by the autumn 2019.

Policy E1: Land at East Quay, Newhaven Port

Land at East Quay, as defined on the Policies Map, is allocated for employment uses associated with Newhaven Port. Employment development which is not associated with port-related activity will be permitted only where it can be demonstrated that such development would not undermine the operational use of the Port. All development proposals should ensure that the visual impact on the landscape and scenic beauty of the South Downs National Park is minimised.

Figure 12 Land at East Quay employment site allocation



Land Adjacent to American Express Community Stadium, Village Way, Falmer

- 3.18. This site is adjacent to the American Express Community Stadium and is located within the boundaries of both Lewes District Council and Brighton & Hove City Council¹⁶. As a major sporting venue, the stadium is protected by Policy CP17 of the adopted Brighton & Hove City Plan Part 1. However, the allocated site provides an opportunity to enhance the stadium facilities by providing offices or health/ education uses associated with the stadium or with Sussex and Brighton Universities, whose campuses are located in close proximity. Development proposals for the site should not constrain the operation of the stadium as a major sporting venue.
- 3.19. Whilst the allocated site and the stadium are outside of the South Downs National Park, the stadium is visible in a significant number of key views from within the National Park itself. Any new development should therefore conserve and enhance the locality and overall setting of the stadium in order

¹⁶ The Brighton & Hove City Plan Part 2 is also proposing to allocate the part of the site within its administrative area for the uses set out in Policy E1.

to avoid harm to the special setting of the National Park. Development proposals should also address any adverse noise impact from the adjacent road and railway, in accordance with Policy DM23 (*Noise*).

- 3.20. The curved and sloping form of the stadium provides a prominent architectural element in the area and is designed to sit within the natural curves of the surrounding downland. An existing landscaped bund on the site helps to lessen the bulk of the stadium and integrate it into its downland setting. The design of any development proposals will therefore need to give careful consideration to the relationship with the stadium in order to ensure that new development does not erode or detract from the stadium's architectural presence.
- 3.21. The design and massing of any proposed development will also need to consider the visual impact on both the Grade II registered Stanmer Park and the Listed Buildings within the University of Sussex campus. Careful consideration should be given to the choice of materials which should be complementary to those of the stadium, yet distinct and subservient, and designed to fit comfortably within the site's downland context.
- 3.22. The loss of the landscaped bund, which is located within the boundary of Brighton & Hove City Council, is considered acceptable provided that it is mitigated through the use of green walls, green roofs or landscaping, in accordance with Core Policy 8 (*Green Infrastructure*). Opportunities should also be taken to improve the public realm around the stadium for users, in accordance with Policy DM25 (*Design*).
- 3.23. Any development of land within the boundary of Brighton & Hove City Council will need to take account of the priorities set out in Policy DA3 (*Lewes Road Development Area*) of the adopted Brighton & Hove City Plan Part 1. The main thrust of the City Council's strategy for the Lewes Road Development Area is to promote and enhance the role of the area for higher education, whilst securing improvements to the townscape, the public realm, green infrastructure, biodiversity and air quality.

Policy E2: Land Adjacent to American Express Community Stadium, Village Way, Falmer

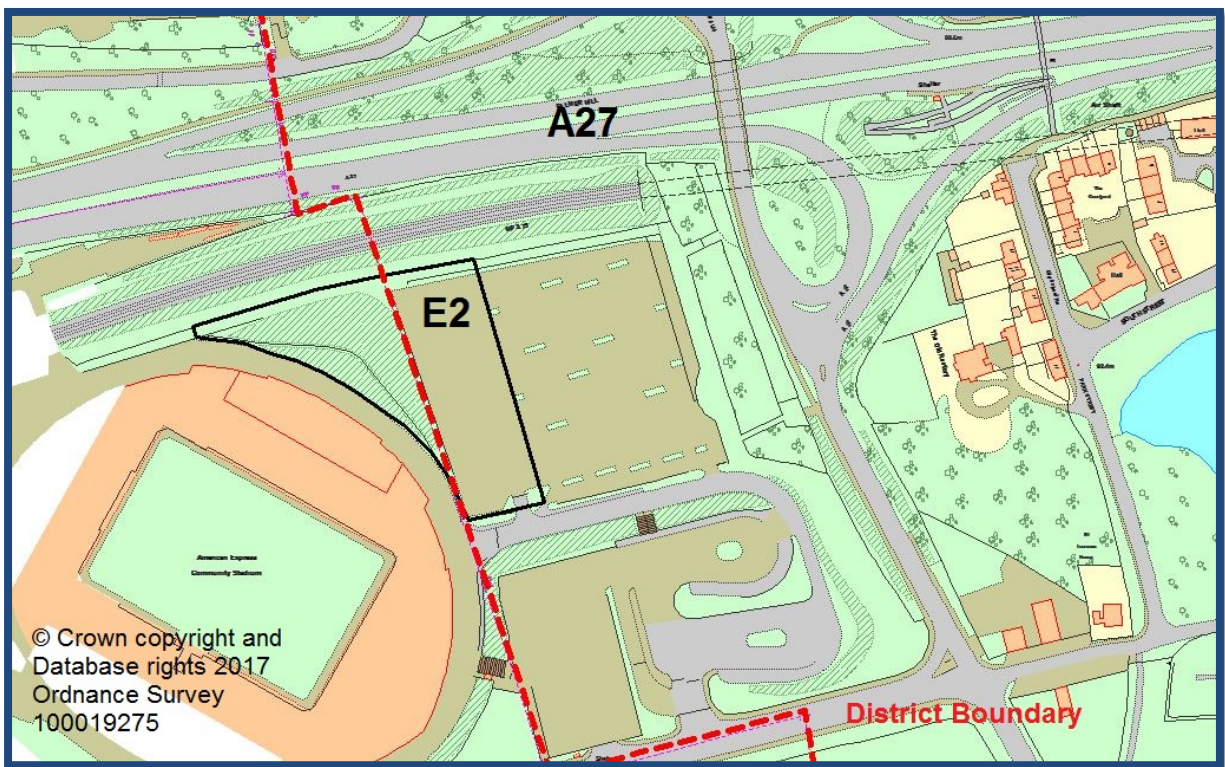
Land adjacent to the American Express Community Stadium, as defined on the Policies Map, is allocated for B1a (offices) and/or D1 (health/education) uses associated with the Stadium and/or Sussex and Brighton Universities.

Development will be permitted subject to compliance with all appropriate

development plan policies and the following criteria:

- a) Development should achieve a high quality of design which respects and enhances the adjoining stadium development and downland character;
- b) Development should preserve and where possible enhance the setting of the South Downs National Park and nearby heritage assets;
- c) Sustainable transport infrastructure will be required to support proposals and to ensure that there is no adverse air quality impact;
- d) The provision of green infrastructure and wider landscaping enhancements through creative landscape solutions (including features such as green walls and green roofs);
- e) Development must ensure that groundwater sources are protected to the satisfaction of the Environment Agency;
- f) The developer will enter into a training place agreement to secure training for local people;

Figure 13 Land adjacent to American Express Community Stadium employment site allocation



4. DEVELOPMENT MANAGEMENT POLICIES

- 4.1. The policies in this document set out the more detailed criteria against which planning applications for the development and use of land and buildings will be considered in those areas of the district outside the South Downs National Park. Their purpose is to provide a consistent approach to the assessment of planning applications, and to help provide clarity to applicants about the Council's expectations in respect of achieving sustainable development.
- 4.2. The development management policies contained in this document should not be read in isolation. The Local Plan Part 2 should be read as a whole, together with the policies set out in the Local Plan Part 1, the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, and any neighbourhood plans that have been brought into force. National planning policies in the National Planning Policy Framework (NPPF) are not repeated and should also be read alongside this document.
- 4.3. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. This policy approach is set out in full on page 40 of the Local Plan Part 1.
- 4.4. For ease of reference, the format of this document follows the same headings as the Local Plan Part 1. This does not mean that the policies in each section contribute only to the themes under which they appear. However, as the development management policies supplement the Local Plan Part 1 policies and help to deliver a common set of objectives, it is considered helpful to follow the same structure.

SPATIAL STRATEGY

Planning Boundaries

- 4.5. The Council has adopted the use of 'planning boundaries' to make a clear distinction between town and village locations where, in principle, further development would be acceptable, and the countryside (i.e. outside of the planning boundaries) where development would be acceptable only in certain circumstances. The purpose of the planning boundaries is to positively focus growth on sustainable settlements, reduce the need to

travel, and protect the intrinsic character and beauty of the countryside, in accordance with the spatial strategy set out in the Local Plan Part 1.

- 4.6. It is important to note that the planning boundary is a policy line applying Local Plan policies to a specific area, thereby giving a sound basis for development control decisions. It does not attempt to define town or village limits in physical or social terms. The planning boundaries have been carefully considered, taking into account a range of factors including the existing form, pattern and function of settlements, important 'gaps' of countryside between them, the character and setting of individual towns and villages, and environmental considerations, such as the need to conserve designated areas of national landscape, ecological, geological, or historic importance.
- 4.7. Whilst land outside of the planning boundaries is regarded as countryside for planning policy purposes, this does not represent an absolute restriction on development. The potential for new development outside of the planning boundaries to support vital rural communities and also to conserve or enhance the intrinsic qualities of the rural area is recognised. The Local Plan includes specific policies for development proposals that would help to promote a sustainable rural economy or meet recognised local needs for affordable housing or community facilities. Other uses, such as renewable energy or essential infrastructure, may also be appropriate where an overriding need for the development to be located in the countryside can be demonstrated.

Policy DM1: Planning Boundary

Within the planning boundaries, as defined on the Policies Map, new development will be permitted provided that it is in accordance with other policies and proposals in the development plan

Outside the planning boundaries, the distinctive character and quality of the countryside will be protected and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated.

Development proposals that result in a net increase of one or more dwellings within 7km of the Ashdown Forest will only be permitted where they comply with Core Policy 10(3) of the Local Plan Part 1.

Affordable Homes Exception Sites

- 4.8. The shortage of affordable housing for local people can result from high house prices driven up by demand from people moving to rural areas, coupled with restricted scope for new house building. The strategic housing sites allocated in the Local Plan Part 1 at Lewes town, Newhaven, Peacehaven and Ringmer will help to increase the supply of affordable housing in the towns and larger villages in the district. However, in smaller villages and rural areas which have very limited or no facilities, new housing development will be focused on providing affordable homes which meet an identified housing need among local people who are unable to compete in the private housing market.
- 4.9. 'Affordable Homes Exception Sites' can be used to release sites to deliver affordable housing in rural communities where such land would not otherwise be used for housing. The Coastal West Sussex Strategic Housing Market Assessment recommends this as one of a number of mechanisms which should be used to increase the supply of affordable housing in rural areas. At the national level, the 2008 Taylor Review of Rural Economy and Affordable Housing urges the need for more proactive engagement to bring forward sites for affordable homes to meet local needs in smaller rural communities (generally defined as settlements with populations under 3,000).
- 4.10. It is important that housing schemes should be needs led, the starting point being that a need for housing exists in the parish, rather than the availability of a particular site. Proposed developments must be based on sound evidence of housing need and must fulfil the criteria as stated in Policy DM2 below. The ability of the proposed scheme to meet identified local housing needs must be clearly demonstrated to the satisfaction of Lewes District Council. This will be assessed using the Council's Housing Register and other available up-to-date housing needs assessments. It should also be demonstrated that the proposal is financially viable and deliverable.
- 4.11. Given that housing permitted through this policy is an exception to normal countryside policies, it is important that it remains 'affordable' in perpetuity. Only tenures which can be guaranteed to remain affordable in the long term will be permitted in such schemes. For example, general shared ownership schemes where occupiers can potentially purchase 100% of the equity will not be considered appropriate. Where planning permission would not normally be permitted for housing, it can still be difficult to encourage landowners to sell their land below open market residential values. In order to address this, a proportion of market housing may be permitted where it can be demonstrated that an affordable housing scheme would be unviable

without cross-subsidy. Viability will be independently assessed by the District Valuer, or equivalent, at the applicant's expense.

Policy DM2: Affordable Homes Exception Sites

Outside the planning boundaries, as defined on the Policies Map, proposals for affordable housing to meet local needs will be permitted where the following criteria are met:

- (1) the proposed development will assist in meeting an identified and genuine local need in terms of the sizes, types, and tenures of the dwellings;**
- (2) the proposed development is within, adjacent to, or otherwise well related to an existing village or other settlement;**
- (3) the scale and design of the development is appropriate to the nature of the settlement and will respect its character and setting;**
- (4) the affordable housing is made available to, and will be retained in perpetuity for, households with a local connection;**
- (5) the proposed scheme is subject to an appropriate legal agreement to ensure that it is able to be properly managed by a partner Registered Provider or other approved body;**
- (6) development proposals within 7km of the Ashdown Forest comply with Core Policy 10(3) of the Local Plan Part 1.**

The inclusion of open market housing will not normally be supported unless it can be demonstrated that an affordable housing scheme that meets the above criteria would be unviable without cross-subsidy. In such exceptional circumstances, the amount of market housing must be lower than the amount of affordable housing and at the lowest proportion that will enable the delivery of significant affordable housing.

Accommodation for Agricultural and Other Rural Workers

- 4.12. The NPPF states that one of the few circumstances where an isolated new home may be justified within the countryside is when the accommodation is essential to enable a rural worker to live permanently at or near their place of work. In Lewes district, it may often be as convenient and sustainable for such workers to live in nearby towns or villages, so avoiding new and potentially intrusive development in the countryside. However, it is acknowledged that there will be some instances where the nature and demands of certain rural businesses will make it essential for one or more

people engaged in the enterprise to live at, or very close to, their place of work. Such a need must nevertheless be essential to the successful operation of the business.

- 4.13. Planning applications will be subject to a functional test to establish whether it is essential for one or more full-time workers to be readily available to meet the established needs of the enterprise at most times, day and night, such as to provide for the proper supervision of agricultural processes or livestock. It will not be sufficient that it is merely convenient or desirable to live on the holding. Security is not in itself a sufficient justification. In relation to demonstrating genuine need, it will also be necessary to apply a financial test to assess whether an agricultural or other rural enterprise is economically viable and planned on a sound financial basis. The Council will draw upon independent professional advice when considering such proposals.
- 4.14. Changes in the scale and character of agricultural and forestry businesses have the potential to affect the longer-term requirement for dwellings in the countryside particularly where these had an “agricultural worker occupancy” condition attached when planning permission was granted. In such cases, the Council recognises no purpose would be fulfilled in keeping such dwellings vacant, or that existing occupiers should be obliged to remain in occupation simply by virtue of a planning condition that has outlived its usefulness.
- 4.15. Nevertheless, applications for the removal of an occupancy condition will need to demonstrate convincingly that there is no long-term need for an agricultural dwelling in the locality. Such dwellings could be used by other agricultural and rural workers seeking accommodation within the wider surrounding area, therefore it will need to be demonstrated to the Council that the dwelling tied to an occupancy condition has been effectively marketed to likely interested parties in the area concerned, and that no genuine interest has been shown regarding the purchase or rental of the dwelling for a rural worker with an essential need to live in the local community.

Policy DM3: Accommodation for Agricultural and Other Rural Workers

Outside the planning boundaries, as defined on the Policies Map, new permanent dwellings will be permitted for those employed in agriculture, forestry or another enterprise requiring a countryside location where it can be demonstrated that the following criteria are met:

- (1) there is a clearly established existing functional need;**

- (2) the functional need relates to a full-time worker;**
- (3) the unit and the rural enterprise concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so;**
- (4) the functional need cannot be met by another existing dwelling on the unit or other existing accommodation in the area which is suitable and available for occupation by the workers concerned;**
- (5) the proposed dwelling, and any subsequent extension, is of a size commensurate with the established functional need of the enterprise. Dwellings and any subsequent extensions which are unusually large in relation to the needs of the unit or unusually expensive to construct in relation to the income it can sustain in the long term will not be permitted;**
- (6) the dwelling is suitably located to meet the identified functional need of the enterprise, is well related to existing buildings wherever possible, and its siting and design is appropriate to the rural character of the locality.**

Where the functional need is proven but Criterion 3 is not met, a temporary permission will be granted for a caravan, mobile home or other temporary accommodation where it can be demonstrated that the following criteria are met:

- (i) Criteria (1) and (4) above;**
- (ii) there is clear evidence of a firm intention and ability to develop the enterprise concerned;**
- (iii) there is clear evidence that the proposed enterprise has been planned on a sound financial basis.**

Occupancy conditions will be imposed on dwellings permitted in accordance with this policy and, where appropriate, on other dwellings within the holding. Applications to remove such conditions will only be permitted where it can be demonstrated that all the following criteria are met:

- (a) the essential need which originally justified the dwelling no longer applies and the dwelling will not be required to meet such need in the longer term;**
- (b) the property has been actively marketed in specialist and local press and estate agents at least once a month for a minimum of 12 months;**
- (c) the advertised selling price or rental is realistic given the age, size, condition and location of the property; and**
- (d) no realistic offers have been made to the vendors for occupation of the dwelling in compliance with the original occupancy condition.**

In appropriate circumstances, the Council will seek a planning obligation to tie a permanent dwelling to adjacent buildings or to the land forming the holding.

Proposals within 7km of the Ashdown Forest will only be permitted where they comply with Core Policy 10(3) of the Local Plan Part 1.

Residential Conversions in the Countryside

- 4.16. A new home in the countryside may be justified where it involves the re-use of a redundant or disused building and leads to an enhancement to the immediate setting. Residential development outside of the planning boundaries will therefore be supported where it complies with the criteria set out in Policy DM4. If a building is not redundant, or its conversion would be likely to result in the need for a replacement structure, then the proposal is unlikely to be acceptable.
- 4.17. In order to prevent the cumulative erosion of the distinctive rural character and qualities of the district's countryside, proposals for conversion to residential use will normally only be acceptable where the building to be converted or replaced is structurally sound and capable of conversion to the proposed use without significant reconstruction, modification or extension. This may need to be demonstrated through the submission of a structural survey.
- 4.18. Where a redundant agricultural or other rural building is considered a heritage asset, residential conversion will only be supported if this represents the optimal viable use in accordance with paragraph 55 of the NPPF. The Council will not normally support the re-use of buildings which are subject to a planning condition or condition of prior approval which requires their removal on cessation of agricultural use.
- 4.19. Redundant agricultural or other rural buildings often serve as bat roost or habitats for other protected species identified in the Countryside and Rights of Way Act 2000, the UK Biodiversity Action Plan, and other Regulations and Directives. The Council may therefore require an ecological impact assessment to accompany planning applications in order to identify protected species within the application site, set out any mitigation measures where necessary, and recommend appropriate measures for the enhancement of biodiversity.
- 4.20. Some redundant agricultural buildings may have been used for engineering purposes or the storage of vehicles, fuel, herbicides or other pesticides.

Proposals for the conversion of buildings that are known or suspected to be affected by contamination will have to meet the requirements set out in Policy DM21 (Land Contamination). In locations at risk from surface or ground water flooding, a site specific flood risk assessment may also be required in accordance with Core Policy 12 of the Local Plan Part 1.

Policy DM4: Residential Conversions in the Countryside

Proposals for the conversion of redundant agricultural or other rural buildings to residential use outside the planning boundaries, as defined on the Policies Map, will be permitted where the following criteria are met:

- (1) the building is of sound construction and capable of conversion without significant rebuilding, modification or extension. The Council will normally require this to be demonstrated through the submission of a structural survey;**
- (2) the building is not in an exposed or isolated location where the construction of lengthy access roads or overhead power lines would be harmful to the rural character of the area;**
- (3) the proposed development will lead to an enhancement to the immediate setting of the building, either by the removal of existing structures and features that detract from the character and identity of the locality or by improved boundary treatment that responds sensitively to the rural nature of the site;**
- (4) any proposed alterations to the building (e.g. fenestration, doors, internal subdivision) would not harm its architectural integrity nor materially change its appearance as a rural building;**
- (5) the creation of a residential curtilage would not detract from the rural setting of the building or harm the character of the wider landscape;**
- (6) the proposal would not create an unacceptable impact on the local road network and there is a satisfactory means of vehicular access and parking arrangements;**
- (7) the proposed development would not prejudice any viable agricultural operations;**
- (8) development within 7km of the Ashdown Forest will comply with Core Policy 10(3) of the Local Plan Part 1.**

Where appropriate, conditions may be imposed to remove permitted development rights.

Replacement Dwellings in the Countryside

- 4.21. The suitable replacement of existing dwellings is considered acceptable outside of the planning boundaries. In order to avoid new isolated dwellings in the countryside, replacement dwellings will normally only be acceptable on a one to one basis, i.e. there should be no increase in the number of dwellings. However, the Council seeks to minimise the impact of built development on the distinctive character and qualities of the rural environment and avoid 'suburbanisation' of the countryside. In determining planning applications for replacement dwellings, consideration may be given to the removal of permitted development rights in order to retain the identity and character of the surrounding countryside.

Policy DM5: Replacement Dwellings in the Countryside

Outside the planning boundaries, as defined on the Policies Map, the replacement of an existing dwelling by another dwelling within the same residential curtilage will be permitted where the following criteria are met:

- (1) the scale, form, height, and massing of the replacement dwelling is compatible with its rural location and the surrounding form of development;**
- (2) the replacement dwelling is located in the same or similar position of the existing dwelling, unless an alternative location would result in clear landscape, highway access or local amenity benefits.**

In sensitive locations, permitted development rights relating to future extensions and other structures may be removed.

Equestrian Development

- 4.22. There are a limited number of large commercial equestrian centres in the district but it is predominantly small-scale facilities for individual and private pursuit that come forward as planning applications. Typically, proposals for stables will include a tack room as well as external hard-standings and manure bays but may also incorporate sand schools, jumps or new access roads from the highway.
- 4.23. Horse riding and other equestrian activities are increasingly popular forms of recreation in the countryside that can complement agricultural activities and help to diversify rural economies. However, equestrian and associated development needs to be carefully managed, primarily for landscape

reasons. This is important in terms of both new developments in isolated rural locations and the cumulative impact of the subdivision of farm holdings, the formation of paddocks, and the construction of stables and associated facilities within a concentrated area.

- 4.24. In assessing proposals for equestrian development, consideration will also be given to the need to ensure the safety and comfort of horses in terms of space for grazing and exercising. This will also help to address the problem of the excessive sub-division of fields and over grazing/loss of soil structure which can often result from such development. Generally, stocking at a density of one hectare per horse should be used as an appropriate guideline. (*Good Practice Equine Pasture Management, SEEDA 2008*).

Policy DM6: Equestrian Development

Proposals for equestrian development will be permitted where the intrinsic and locally distinctive character and amenities of the countryside are maintained. In particular:

- (1) the siting, scale and design, including materials and boundary treatment, of any new buildings or facilities should be appropriate to their rural setting;**
- (2) consideration will be given to the cumulative impact of equestrian developments on landscape character and features and biodiversity;**
- (3) proposals should not be sited in prominent or isolated locations;**
- (4) all proposals, including sand schools, commercial riding schools, livery stables and related facilities, should be satisfactorily integrated with existing buildings;**
- (5) any associated floodlighting, earthworks, new access routes or other ancillary structures, including storage facilities, manure bays, hard-standings, fencing and jumps, should not have an unacceptable adverse impact on the surrounding countryside, biodiversity or local residential amenities;**
- (6) adequate provision should be made for the safety and comfort of horses in terms of the size of accommodation and land for grazing and exercising;**
- (7) commercial riding schools, livery stables and other commercial facilities should have satisfactory access to the public bridleway network without the use of unsuitable roads.**

In some circumstances, conditions (such as the removal of permitted development rights for fencing and external storage) may be applied to

prevent any potential harm to the local landscape.

Institutional Sites

4.25. Sites occupied by residential institutions (Use Classes C2 or C2a) within the countryside can come forward unexpectedly for development when an existing use ceases to be viable. Often these sites have, over time, become well integrated into the countryside. In such cases, widespread site clearance is unlikely to be appropriate unless the site is wholly occupied by intrusive or unsightly structures. The re-use of the site is therefore expected to normally combine the retention and conversion of the best buildings and removal of the worst. The acceptability of alternative uses will depend upon the nature of the site, the buildings and their rural setting, and the availability of services, including public transport.

Policy DM7: Institutional Sites

Outside the planning boundaries, as defined on the Policies Map, proposals for the change of use and conversion of land and buildings occupied by residential institutions will be permitted where the following criteria are met:

- (1) existing buildings which make a positive contribution to the existing character of the site will be retained;**
- (2) existing buildings which are detrimental to the rural character of the locality will be removed;**
- (3) the site is genuinely redundant;**
- (4) development proposals that result in a net increase of one or more dwellings within 7km of the Ashdown Forest comply with Core Policy 10(3) of the Local Plan Part 1.**

Alternative uses will be assessed by consideration of the characteristics of the site, its buildings and setting, the availability of local services and the appropriateness of the proposed use.

IMPROVING ACCESS TO HOUSING

4.26. The need to deliver an appropriate range of homes to meet the identified needs of the district, whilst accommodating new residential development in sustainable locations without adversely affecting the character of the area, are two key objectives of the Local Plan. Policy DM8 supplements Core

Policy 2 (*Housing Type, Mix and Density*) of the Local Plan Part 1 in seeking to help achieve these objectives. Proposals for new dwellings in the countryside, including affordable homes on exceptions sites, are addressed by Policies DM2, DM3, DM4 and DM5 in the 'Spatial Strategy' section of this document, whilst residential extensions and ancillary buildings are addressed by Policies DM28 and DM 29 in the section titled 'Protecting and Enhancing the Distinctive Quality of the Environment'.

Residential Sub-Divisions and Shared Housing

- 4.27. The increase in the number of small households and rising house prices have increased the demand for small low-cost dwellings, particularly from single people and young couples on modest incomes. Apart from new build developments, one effective way of providing this type of accommodation is through the sub-division of existing family sized dwellings within the settlement planning boundaries.
- 4.28. It is acknowledged, however, that the conversion of single dwellings to flats can give rise to an increased requirement for off-street parking, as well as a need for the provision of adequate amenity space, which is both private and useable, and provision of refuse storage facilities for future occupants. The effect of a number of changes from single dwellings to multiple units in a street may also progressively change its character and appearance for the worse. This is particularly the case for terraced dwellings.
- 4.29. Other issues that may need to be addressed include the potential for increased noise and the overlooking impact on neighbouring households resulting from the use of upstairs rooms as main living rooms.

Policy DM8: Residential Sub-Divisions and Shared Housing

Within the planning boundaries, as defined on the Policies Map, proposals for the sub-division of existing dwellings to flats or the conversion of existing dwellings to houses of multiple occupation or other forms of shared housing will be permitted where the following criteria are met:

- (1) there is adequate provision for car parking, private amenity space for residents, and storage for bicycles and recycling/refuse containers;**
- (2) the proposal would not result in unacceptable harm to the amenities of neighbouring residential properties through loss of privacy or daylight or levels of activity that give rise to excessive noise or disturbance;**
- (3) there would be no adverse impact on the character of the immediate**

locality through the cumulative impact of physical alterations or extensions to the original dwelling or other structures;

Development proposals within 7km of the Ashdown Forest will only be permitted where they comply with Core Policy 10(3) of the Local Plan Part 1.

PROMOTING SUSTAINABLE ECONOMIC GROWTH & REGENERATION

4.30. The Local Plan seeks to stimulate a buoyant and balanced local economy, recognising both the role of the rural area and the contribution of tourism in terms providing employment opportunities, attracting investment and creating wealth. The policies in this section supplement Core Policies 4 (*Encouraging Economic Development and Regeneration*) and 5 (*The Visitor Economy*) of the Local Plan Part 1, and provide a more detailed framework for the consideration of proposals for the diversification and growth of the rural economy and for the retention and improvement of existing visitor accommodation within the district.

Farm Diversification

4.31. National planning policy promotes the development and diversification of agricultural and other land-based rural businesses. Diversification can be described as any proposal which seeks to supplement income on working farms and is often vital to the continuing viability of many farm enterprises. The Council is supportive of well-conceived farm diversification schemes that contribute to sustainable development objectives and help to maintain the agricultural enterprise, provided that they are consistent in scale and design with their rural location.

4.32. The nature and extent of diversification should respect the landscape qualities of the countryside and accord with the protection of its distinct character and appearance. It should also take account of the Local Plan's spatial strategy, which seeks both to relate development to existing centres of population and to reduce reliance on the car for journeys to work. General infrastructure difficulties in servicing dispersed development should also be recognised. Certain types of development, such as those which generate high volumes of traffic or which would generate significant additional movements of heavy goods vehicles, particularly on unsuitable roads, may be inappropriate.

4.33. The Council encourages the submission of Farm Business Plans to indicate clearly the implications of diversification proposals on the continued

operation of the whole farm and to assist in weighing the environmental and economic issues, particularly where these are finely balanced. Such plans are informal and complementary to a planning application and can cover matters such as the implications for other land and buildings, possible demolition of unsightly buildings, landscape management, habitat improvement, public access, etc., as appropriate. It is unlikely that proposals for farm diversification could be supported for smaller parcels of land which are not part of a working farm. Proposals should be a secondary activity to the main farm enterprise and ideally will complement the daily farm activity.

Policy DM9: Farm Diversification

Development which forms part of a farm diversification scheme or otherwise helps maintain the viability of farm businesses engaged in sustainable land management will be permitted where the following criteria are met:

- (1) the proposed development will stimulate new economic activity with a use appropriate to its rural location;**
- (2) wherever possible, new or replacement buildings are located within or adjoining an existing group of buildings;**
- (3) any new building responds sensitively to its rural setting, in terms of its scale, layout, design and use of materials;**
- (4) the proposed development would not create an unacceptable impact on the local road network or require highway improvements that would harm the landscape or ecological value of rural roads in the area.**

Employment Development in the Countryside

- 4.34. In order to positively focus growth on sustainable settlements and to help protect the intrinsic character and beauty of the countryside, the towns will continue to be the focus of employment growth. Accordingly, large-scale employment development should normally be located within the settlement planning boundaries. However, the re-use or redevelopment of redundant buildings in the countryside can potentially provide an important source of employment space to assist in supporting the vitality of rural communities and local jobs.
- 4.35. Small-scale employment development outside of the planning boundaries will therefore be supported where it involves the re-use or replacement of redundant buildings and where it can be demonstrated that the business activity can be accommodated without harm to the rural character and

amenities of the area, or to the historic significance of any heritage assets. The replacement of existing buildings in the countryside for employment purposes will also be supported where it would result in a more acceptable and sustainable development than could be achieved through conversion.

- 4.36. It should be recognised that not all buildings in the countryside are suitable for conversion or replacement to accommodate new business uses. There are many minor sheds and shelters in the countryside which, due to their lightweight construction, do not readily lend themselves to conversion and, once redundant, are best demolished. In order to prevent the cumulative erosion of the distinctive character and qualities of the district's countryside, proposals for employment use will therefore normally only be acceptable where the building to be converted is structurally sound and capable of conversion to the proposed use without significant reconstruction, modification or extension.
- 4.37. Tourist or leisure facilities requiring new buildings will normally be expected to locate within existing towns and village planning boundaries, in accordance with the overall spatial strategy for the district. However, the conversion or replacement of existing rural buildings to provide visitor accommodation or leisure facilities may also be permitted outside of the planning boundaries provided that the proposed development meets the criteria set out Policy DM10 and Core Policy 5 (*The Visitor Economy*) of the Local Plan Part 1.
- 4.38. Matters such as the nature of the proposed use, hours of operation, noise levels, use of external areas, including parking and access arrangements, may be controlled by planning conditions and in some circumstances legal agreements will also be required. The Council will not normally support the re-use of buildings which are subject to a planning condition or condition of prior approval which requires their removal on cessation of agricultural use.
- 4.39. Redundant agricultural or other rural buildings often serve as bat roost or habitats for other protected species identified in the Countryside and Rights of Way Act 2000, the UK Biodiversity Action Plan, and other Regulations and Directives. The Council will therefore require an ecological impact assessment to accompany planning applications in order to identify protected species within the application site, set out any mitigation measures where necessary, and recommend appropriate measures for the enhancement of biodiversity.

Policy DM10: Employment Development in the Countryside

Outside the planning boundaries, as defined on the Policies Map, proposals for small-scale employment development, including tourist and leisure facilities, will be permitted where either:

- (a) it involves the conversion or re-use of an existing agricultural or other rural building, or**
- (b) it comprises the demolition and replacement of an existing agricultural or other rural building where this would result in a more sustainable development than could be achieved through converting the building.**

A building to be converted must be structurally sound and capable of conversion to the proposed use without the need for significant reconstruction, modification or extension. The Council will normally require this to be demonstrated through the submission of a structural survey.

All proposals for the conversion or replacement of an existing agricultural or other rural building must also satisfy all the following criteria:

- (1) the detailed design responds sensitively to its rural setting, in terms of its scale, layout and use of materials;**
- (2) the siting and design respects the local landscape character, both in terms of immediate impact and distant views;**
- (3) the proposed boundary treatment is appropriate to a rural location and helps to integrate the development into the wider landscape;**
- (4) unobtrusive provision can be made for any associated servicing and parking facilities or plant, equipment or storage;**
- (5) External lighting, or light spillage from internal lighting, is kept to the minimum necessary for operational or safety purposes;**
- (6) the proposed use would not adversely affect the residential amenities of nearby properties by reason of the scale and nature of use, noise, dust, fumes or the general level and nature of activities;**
- (7) the proposed use would not create an unacceptable impact on the local road network or require highway improvements that would harm the landscape or ecological value of rural roads in the area.**
- (8) the proposed development would not prejudice any viable agricultural operations.**

Existing Employment Sites in the Countryside

4.40. There are a number of existing industrial and commercial enterprises located outside of the settlement planning boundaries, including garden centres and nurseries. In order to help support the rural economy and, where appropriate, retain key employers, proposals for the redevelopment or intensification of existing employment sites will be supported in the countryside, subject to the criteria set out in Policy DM11. Environmental considerations remain important and such development will only be permitted where it can be demonstrated that the distinctive character of the local countryside will be conserved and that other amenity, traffic, access and layout considerations are satisfactorily addressed in keeping with the rural surroundings.

Policy DM11: Existing Employment Sites in the Countryside

Outside the planning boundaries, as defined on the Policies Map, the redevelopment or intensification of existing employment sites will be permitted for employment purposes where the following criteria are met:-

- (1) the existing development and employment use is lawful;**
- (2) the proposed development would not detract from the distinctive rural character of the locality or local residential amenities by virtue of the nature and intensity of the use, noise, dust, fumes, the siting, design, scale and site coverage of the buildings, or its access requirements or associated traffic generation;**
- (3) proposals which would be likely to create a significant number of jobs are well located in relation to neighbouring towns or villages and readily accessible by public transport.**

Exceptionally, the outward expansion of an existing employment site outside the planning boundaries will be permitted where it can be demonstrated that it would facilitate the retention of an employment use which is important to the local economy, subject to the above criteria and there being no suitable alternative site available. Proposals will be expected to deal comprehensively with the site as a whole and include measures to secure environmental improvements, such as enhanced landscaping and biodiversity gains.

Caravan and camping sites

4.41. The overarching policy approach in Core Policy 5 (*The Visitor Economy*) of the Local Plan Part 1 is to support tourist facilities, giving encouragement to retaining and improving the supply of visitor accommodation, including

caravan and camping sites. It is acknowledged that short stay holiday accommodation provided by caravan and camping sites contributes significantly to the local economy. However, whilst the Council wishes to ensure that there are adequate facilities for caravanning and camping within the district, this aim must be balanced against the need to protect and conserve the environment that attracts visitors in the first place.

- 4.42. Holiday caravan sites can be very intrusive in the landscape and static caravan sites can have a particularly damaging impact, especially on the exposed coastline. Touring caravan and camping sites generally have a lesser impact due to their lower density, seasonal use (mainly during the summer months when vegetation cover is greatest). In view of these considerations, proposals for new static caravan sites are unlikely to be permitted. However, proposals for the further provision of touring caravan and camping sites will be permitted subject to meeting the criteria set out in Policy DM12.
- 4.43. Within 7km of the Ashdown Forest, proposals for new caravan and camping sites, or extensions to existing sites that would increase the number of available pitches, will be required to contribute to the Joint Strategic Access Management and Monitoring (SAMM) Strategy for Ashdown Forest Special Protection Area. The SAMM Strategy will provide the necessary mitigation measures to avoid or reduce the impact of additional recreational pressures on the Forest and will be delivered by the Conservators of the Ashdown Forest in partnership with the relevant local authorities.

Policy DM12: Caravan and Camping Sites

Proposals for new or extended touring caravan and camping sites will be permitted where the following criteria are met:

- (1) there is reasonable accessibility from the primary or secondary route network;**
- (2) the size and scale of the proposal would be compatible in terms of appearance and intensity of use with its location;**
- (3) the proposal would not be visually intrusive in the landscape and would be adequately screened, either by existing vegetation or by a landscape scheme that enables the development to be accommodated without detracting from the character and quality of the countryside;**
- (4) existing buildings or structures are used, where possible, to provide ancillary facilities;**

- (5) the design of any new buildings responds sensitively to its rural setting, in terms of its scale, layout and use of materials**
- (6) in the case of extensions to existing sites, the proposals should result in an improved layout and landscaping.**

Conditions will be applied to limit the use of the site in order to preclude its use as permanent residential accommodation or as winter storage for touring caravans. Proposals for new static caravan sites will not be permitted.

Existing Visitor Accommodation

- 4.44. The availability of a wide range of high quality visitor accommodation is necessary for a successful tourist industry. Visitor accommodation attracts overnight stays, generates income from spending by staying visitors, and provides important employment and business opportunities. It is therefore important to resist the loss of such accommodation unless a sound economic case can be demonstrated in accordance with Policy DM13. Where an application is made that would result in the loss of existing visitor accommodation, it will need to be supported by evidence of at least 12 months active and continuous marketing of the property for visitor accommodation at an appropriate market level. Details of the numbers and types of interested parties and their reasons for not pursuing their interest in the property for visitor accommodation will be expected.

Policy DM13: Existing Visitor Accommodation

Development which would result in the loss of existing visitor accommodation, including touring caravan and camping sites, will only be permitted where it can be demonstrated that either:

- (1) the building or land is no longer suitable to accommodate the current use and it is not economically viable to retain, enhance or reinstate the visitor accommodation through redevelopment of the site; or**
- (2) there is no demand for the accommodation and it can no longer make a positive contribution to the local economy.**

CREATING HEALTHY, SUSTAINABLE COMMUNITIES

- 4.45. The policies in this section supplement Core Policy 7 (*Infrastructure*) and Core Policy 8 (*Green Infrastructure*) of the Local Plan Part 1. They seek to promote healthy, sustainable communities by informing the design and

layout of development proposals and increasing opportunities for recreation, exercise and relaxation. The aim is to achieve an improved network of multi-functional green infrastructure that will open up opportunities for physical activity and social inclusion and provide wider community benefits, such as the conservation and enhancement of landscape character and biodiversity.

- 4.46. Since the adoption of the Local Plan Part 1, 11.8 ha of public open space has been provided at Newick, funded by new housing development in the village. This area comprises meadows, woodland, streams and ponds, providing Suitable Alternative Natural Greenspace (SANG) to help mitigate the impact of new development on the Ashdown Forest Special Protection Area. Significant improvements to outdoor play space provision have also been achieved at Newhaven, Peacehaven, Telscombe, Seaford and Wivelsfield, funded by housing development in these locations.
- 4.47. The Council expects the design of new open spaces in development proposals to take account of the range of technical guidance available through organisations such as Fields in Trust, Sport England and the Landscape Institute.

Green Infrastructure

- 4.48. Core Policy 11 (*Green Infrastructure*) of the Local Plan Part 1 sets out the overall strategic framework for managing and enhancing the green infrastructure network across the district. Green infrastructure maintains critical ecological links between town and country and provides us with essential ecosystem services such as flood protection, clean air and water, carbon storage, food and materials. It also provides us with cultural services, such as access to the wider countryside, and health and well-being benefits through opportunities for walking, cycling and other activities, as well as contributing to the economy through the creation of attractive environments which can encourage business investment.
- 4.49. Unless development is carefully managed, there is a risk that it could result in increased pressure on existing green infrastructure resources and contribute to the future fragmentation, loss and deterioration of the district's habitats and species. However, at an individual site level, development can provide an opportunity to enhance the quality and quantity of green infrastructure, as well as improving its accessibility and connectivity, and ecological and social value. Policy DM14 therefore seeks to ensure that green infrastructure is delivered as an integral part of the design of new development proposals and achieves multiple environmental, social and economic benefits where appropriate.

Policy DM14: Multi-functional Green Infrastructure

Development will be permitted where opportunities for the provision of additional green infrastructure have been fully considered and would be provided where justified by the character of the area or the need for outdoor playing space. Green infrastructure provided as part of new development should incorporate features to encourage biodiversity and retain or, where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and ecological corridors should, where practical and appropriate, form an essential component of green infrastructure provision to ensure habitat connectivity.

Outdoor Playing Space

- 4.50. In line with Government guidance, it is considered essential that adequate provision for outdoor playing space is made in association with new housing developments in order to meet the recreational needs of new residents and to avoid exacerbating existing deficiencies. The existence of outdoor playing space encourages people to adopt an active lifestyle and also helps residents, both young and old, to play and socialise with others.
- 4.51. The Council therefore seeks to ensure that the provision of outdoor play and informal recreation space meets the needs arising from new development. The Council's adopted standards for outdoor playing space are based on benchmark guidelines published by Fields in Trust (FiT) to address issues of quantity, quality and accessibility (*Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard, FiT 2015*).
- 4.52. Currently the overall provision of outdoor playing space in the district's towns and villages indicates that most fall below the FiT recommended levels, with a particular deficiency in the provision of children's play space. Consultation with the town councils confirms the overall deficiency at a local level, a situation that is often emphasised by local sports clubs and organisations.
- 4.53. The opportunities for providing additional outdoor sports facilities are limited due to the lack of sites in Council ownership. However, the Community Infrastructure Levy (CIL) provides a source of funding to enhance existing facilities, for example by the improved drainage of pitches, the provision of all-weather pitches, or the upgrading of ancillary facilities, to enable them to be used more intensively.

Policy DM15: Provision for Outdoor Playing Space

The Council will seek to achieve provision of outdoor playing space, which is as a matter of practise and policy available for public use, to the following minimum standards:

- (a) 1.6 ha per 1000 population for outdoor sports, including playing pitches, tennis courts, and bowling greens;**
- (b) 0.25 ha per 1000 population for equipped/designated children's play space;**
- (c) 0.3 ha per 1000 population for other outdoor provision (multiple use games areas and skateboard parks).**

In areas where there is deficiency of outdoor playing space in either quantitative or qualitative terms, the impact of the increase in population from new residential development will be mitigated either by on-site provision or by the use of the Community Infrastructure Levy to secure the provision of new, or the enhancement of existing, outdoor playing space and facilities.

Children's Play Space

- 4.54. Outdoor play is important to children's health and well-being. It helps to develop their physical abilities and their emotional responses. Lack of consideration for children's play in the past has led to them playing in potentially dangerous areas such as roads, railway embankments, or close to homes on spaces not designed for play with consequential disturbance problems. The Council, in partnership with town and parish councils, continues to provide and maintain children's playgrounds and playing fields but considers that a complementary role should be played by house builders in terms of providing opportunities for play within new housing developments.
- 4.55. The provision of on-site children's play space will therefore be required within new housing developments of 20 dwellings or more, as set out in Policy DM16. The scale of provision should relate to the demand generated by the development, calculated by the average household size of the relevant town or parish, and the existing level and quality of children's play space provision in the locality using the FiT benchmark guidelines. An exception to this policy will be made in the case of one bedroom units, sheltered housing or other specialist accommodation for the elderly/retired, and student housing.
- 4.56. Children's play space should be located within a short walking distance of homes, with safe and convenient pedestrian access. It should be designed

to minimize vandalism, avoid nuisance to neighbours and allow easy supervision. There should be a combination of designated equipped play areas and informal play space which should be safe, secure and stimulating. Play equipment should be designed, manufactured, installed and maintained in accordance with European Standards EN1176 and EN1177. Account should also be taken of existing national guidance, including *Design for Play: A guide to creating successful play spaces* (Play England, 2008).

Policy DM16: Children's Play Space in New Housing Development

Residential developments of 20 dwellings or more will only be permitted where children's play space is provided on-site in accordance with the minimum standards set out in criteria (b) of Policy DM15. This space should be:

- (1) integral to the overall design and layout of the development;**
- (2) sited in safe, open and welcoming locations which are overlooked by dwellings and well used pedestrian routes;**
- (3) provided with seating for accompanying adults;**
- (4) additional to any incidental amenity space;**
- (5) properly drained, laid out, landscaped and equipped for use at an agreed stage or stages no later than the completion of the final dwelling of the development.**

The above standard will not be applied in the case of one-bedroom dwellings or specialist accommodation for older people or students.

Former Lewes/ Sheffield Park Railway Line

- 4.57. It is unrealistic to protect the route of the former Lewes/Sheffield Park Railway Line for future potential use as a public transport corridor because parts of the track have been developed. However, part of the route is currently used as a bridleway and much of the undeveloped part of the route provides a valuable wildlife habitat. The Council will therefore encourage opportunities to increase access to the countryside by enabling the provision of a footpath, cycleway or bridleway along the undeveloped part of the former line.

Policy DM17: Former Lewes/Sheffield Park Railway Line

Informal recreational uses, such as walking, cycling and horse-riding, will be permitted along the route of the undeveloped part of the Lewes/Sheffield Park railway line where it can be demonstrated that such uses would maintain or enhance the biodiversity value of the route. Development which would prejudice such uses will not be permitted unless proposals are accompanied by alternative route provision.

Recreation and Rivers

4.58. The River Ouse and its hinterland offer potential as a recreational resource, both for water-based activities and for walking, cycling and horse-riding, provided that such activities can be accommodated without adversely affecting the integrity of any river or tidal defence embankment. However, it is important to ensure that the tranquil character of the river corridor and its wildlife and geological features are protected, in particular taking into account the impact of traffic and parking on this sensitive environmental location. Policy DM18 therefore sets out the circumstances in which recreational development affecting the River Ouse and its hinterland would be acceptable.

Policy DM18: Recreation and Rivers

Development proposals for recreational use on the River Ouse, its margins and associated wetlands (as defined on the Policies Map) will be permitted where it can be demonstrated that there would be no adverse impact, either directly or indirectly, on their quiet and natural character, wildlife or geological features or on the natural functioning of the river and associated wetlands.

PROTECTING AND ENHANCING THE DISTINCTIVE QUALITY OF THE ENVIRONMENT

4.59. The high quality of the district's natural and built environment is one of its major assets and valued by residents and visitors alike. Its value for wildlife is recognised by 16 Sites of Special Scientific Interest, including two Special Areas of Conservation designated under the European Habitats Directive. The district also has a rich legacy of heritage assets, including 35 Conservation Areas. It is vital to ensure that these valued environmental resources are protected and enhanced wherever possible. The policies in this section supplement Core Policies 9 (*Air Quality*), 10 (*Natural*

Environment & Landscape Character) and 11 (*Built & Historic Environment and High Quality Design*) of the Local Plan Part 1. They seek to provide a framework within which natural and built assets can be effectively protected and prudently managed through the control and implementation of development proposals.

Protection of Agricultural Land

- 4.60. Farming activity varies across the district according to differing soils, topography, drainage and tradition. Local planning authorities are expected to take into account the economic and other benefits of the best and most versatile agricultural land (land in grades 1, 2 and 3a of the Agricultural Land Classification) and use areas of poorer quality land in preference to that of a higher quality where the significant development of agricultural land is unavoidable. Protecting the best and most versatile agricultural land is not only important for food production but enables further environmental benefits to be realised, such as flood alleviation or aquifer recharge.

Policy DM19: Protection of Agricultural Land

Development that would result in the irreversible loss of the best and most versatile agricultural land (Grades 1, 2, 3a in the DEFRA Agricultural Land Classification System) will not be permitted unless it can be demonstrated that there are no suitable alternative locations and the proposal would have overriding sustainability benefits that outweigh the loss of land from agricultural use.

Pollution Management

- 4.61. The control of pollution is largely regulated by the Environment Agency and the Council's Director of Service Delivery, in consultation with the Health & Safety Executive, through the Environmental Protection Act 1990 and related legislation. However, any unacceptable risk from pollution arising from the development and use of land can be a material planning consideration and should be taken into account in the determination of planning applications. The Council will therefore use its planning powers to ensure that development with the potential to cause pollution or other harmful environmental effects is appropriately located and its impact on other land uses carefully managed. The aim is to provide a safe and healthy environment for those who live and work in the district.

Policy DM20: Pollution Management

Development that may potentially contribute to, or be adversely affected by, unacceptable levels of soil, air, water, noise or light pollution will only be permitted where it can be demonstrated that:

- (1) its location is appropriate in terms of land use in relation to the uses in the surrounding area;**
- (2) the development will not have an unacceptable impact on health, the natural environment or general amenity;**
- (3) the development will not have an adverse impact on the use of other land;**
- (4) where relevant, the appropriate after-use of land can be secured**

Land Contamination

4.62. Any land contaminated with hazardous or toxic materials is potentially a serious cause of pollution. Contamination can result from previous uses of the site, for example, industrial processes involving chemicals or closed waste disposal sites where landfill gas and leachate are still present. The NPPF places the onus with the developer and/or landowner for securing a safe land/development. It also requires a risk assessment of land potentially affected by contamination and expects all investigations to be undertaken in accordance with established practices such as BS10175 (2013) 'Code of Practice for the Investigation of Potentially Contaminated Sites'.

4.63. The Council needs to ensure that the implications of contamination for a new development not addressed by other legislation are properly considered through the planning system. Policy DM21 provides the framework for considering planning applications where land contamination issues are involved. There is further information on land affected by contamination contained in the national Planning Practice Guidance and an overview of contaminated land produced on the GOV.UK website which should also be referred to prior to submitting a planning application.

Policy DM21: Land Contamination

Development proposals on a site is that is known or suspected to be affected by contamination will only be permitted where the Council is satisfied that all works, including investigation of the nature of any contamination, can be undertaken without escape of contaminants that could cause unacceptable risk to health or to the environment. Information should be provided detailing the methodology by which risks will be addressed and ensuring the treatment and/or removal of all contaminants prior to the commencement of development. Development will not be permitted unless practicable and

effective measures are taken to avoid:

- (1) exposing the future occupiers and users of the development to unacceptable risk;**
- (2) threatening the structural integrity of any building or structure built on or adjoining the site**
- (3) causing the contamination of any water course, water body or aquifer;**
- (4) causing the contamination of adjoining land or allowing such contamination to continue;**
- (5) damaging or putting at risk the quality of the natural environment.**

Water Resources and Water Quality

- 4.64. The protection and enhancement of water quality in rivers and other water bodies is important in terms of sustaining the supply of water and the ecology and general amenity of the district. Lewes district has an extensive and varied water environment, including chalk aquifers, chalk streams, the Ouse and Cuckmere rivers, lakes and ponds, springs, and the sea. The Water Framework Directive establishes a statutory framework for the protection of groundwater and inland surface waters, estuaries, and coastal waters.
- 4.65. All new development should ensure that there will be no adverse impact on the water environment, both within the district and beyond, through surface or storm water run-off, water abstraction or sewerage discharge in accordance with the Water Framework Directive. The appropriate management of surface water run-off is addressed by Core Policy 12 (*Flood Risk, Coastal Erosion, Sustainable Drainage and Slope Stability*) of the Local Plan Part 1.
- 4.66. The protection of ground water is particularly important in Sussex, since the majority of the public water supply is abstracted from water-bearing strata or aquifers. These features also provide an important water source for rivers, sustaining flow in dry periods, and for other wildlife habitats. The quality of ground water is easily polluted, directly and indirectly, and can pose a serious risk to public health. It is better to prevent contamination at source rather than treat it afterwards.
- 4.67. The Environment Agency has defined Groundwater Source Protection Zones which indicate where there are likely to be particular risks to the quality or quantity of groundwater. Applicants should consider any possible impact of proposed development on groundwater recharge, flows and levels. If it is anticipated that works may penetrate the natural winter water table then the impact of such works will need to be assessed and discussed with the

Environment Agency. If detrimental consequences for the water environment are likely, agreed mitigation measures will be necessary.

Policy DM22: Water Resources and Water Quality

Development will be only permitted where it can be demonstrated that it would not result in:

- (1) unacceptable risk to the quality and quantity of surface and groundwater (including reservoirs); or**
- (2) changes to groundwater and surface water levels that would have unacceptable adverse impacts on:**
 - (a) adjoining land;**
 - (b) the quality of groundwater resources or potential groundwater resources;**
 - (c) the potential yield of groundwater resources, river flows or natural habitats.**

Work beneath the water table will not be permitted unless there is a comprehensive groundwater management scheme agreed for the construction, operation, restoration and on-going management of the proposal.

Noise

- 4.68. The planning system has a role in seeking to ensure that new noise sensitive development, such as housing and schools, is not located close to existing sources of noise, including industrial uses and noise generated by vehicles and other forms of transport that would lead to nuisance. It should also ensure that potentially noise creating uses such as some industrial processes or some recreational activities are not located where they would be likely to cause nuisance. Where this is not possible, planning conditions will be imposed to secure adequate mitigation. This approach is reflected in Policy DM23. The national Planning Practice Guidance provides further guidance on addressing noise related development and additional information is available in the 'Explanatory Note to the Noise Policy Statement for England' (DEFRA).

Policy DM23: Noise

Residential and other noise sensitive development will be only permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses.

Noise-generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing or future users. Where appropriate, proposals will be required to mitigate noise impacts through careful planning, layout and design. In assessing mitigation proposals, account will be taken of;

- 1) the location, layout and design of the proposed development;**
- 2) existing levels of background noise;**
- 3) measures to reduce or contain generated noise**
- 4) hours of operation and servicing**

Where noise sensitive uses are likely to be exposed to significant or unacceptable noise disturbance, the Council will require that applications are supported by a Noise Impact Assessment prepared in accordance with the Planning Noise Advice Document: Sussex (July 2015) or any subsequent updated document. Development that would expose noise sensitive uses to unacceptable noise levels will not be permitted.

Protection of Biodiversity and Geodiversity

4.69. It is important to recognise the value of the natural environment in planning for our future, not least because of the crucial role it plays in sustaining human life. The district's natural environment is one of its greatest assets and supports a range of habitats, species and other features that contribute to biodiversity or geodiversity value, including internationally and nationally important sites. It is essential that these are protected, and where possible enhanced, in accordance with Core Policy 10 (*Natural Environment & Landscape Character*) of the Local Plan Part 1.

4.70. Sites and areas recognised for their biodiversity and geodiversity value in Lewes District include:

- European Sites of International Importance
- Sites of Special Scientific Interest
- National Nature Reserves
- Local Nature Reserves
- Wildlife Trust Reserves
- Local Wildlife Sites

- 4.71. Details of the international and national designations can be obtained from Natural England, whilst information on Local Nature Reserves, Wildlife Trust Reserves and Local Wildlife Sites can be obtained from the Council.

Internationally Designated Sites

- 4.72. Lewes District contains two Special Areas of Conservation (SAC) – Castle Hill and Lewes Downs – which are both located outside of the Plan area. These sites have been designated under the European Habitats Directive that provides for the protection of species of European importance and the habitats that support them through the establishment of a network of protected sites called Natura 2000. The aim of this network is to assure the long-term survival of the most threatened species and habitats, with the emphasis placed on sustainable management, both ecological and economical.
- 4.73. The provisions of the European Habitats Directive have been transposed into UK law through a range of acts and regulations, most recently the Conservation of Habitats and Species Regulations 2010. Any development that may have an impact on a European Site will be required to undertake a Habitat Regulations Assessment. If this Assessment concludes a likely significant effect then an Appropriate Assessment will be required.
- 4.74. The Ashdown Forest SAC and Special Protection Area (SPA) is located wholly outside of Lewes District. However, a Habitats Regulation Assessment undertaken on the Local Plan Part 1 concluded that development in that part of the district within 7km of the Ashdown Forest, in combination with development in neighbouring districts, could have a significant adverse impact on protected species within the SAC and SPA. Additional residential development within 7km of the Ashdown Forest is therefore required to mitigate its potential harm in accordance with criterion 3 of Core Policy 10 of the Local Plan Part 1.
- 4.75. The necessary provision for Suitable Alternative Natural Greenspace (SANG) to help mitigate the impact of new residential development on the Ashdown Forest SAC and SPA has been made on 11.8ha of land at Reedens Meadow on the edge of Newick village. All development proposals that result in a net increase of one or more dwellings within 7km of the Ashdown Forest will be required to contribute towards the future management and monitoring of the SANG, as well as the implementation of the Strategic Access Management and Monitoring Strategy (SAMMS) for the Ashdown Forest. Lewes, Wealden and Tandridge District Councils, in partnership with the Conservators of the Ashdown Forest, have produced a

SAMMS guidance document and tariff for the collection of the necessary contributions.

Nationally Designated Sites

- 4.76. The Plan area includes four Sites of Special Scientific Interest (SSSIs) that have been designated for their national biological or geological interest. SSSIs are given a high level of protection through both the planning and legal systems. The Beachy Head West Marine Conservation Zone (MCZ) was designated in 2013 and runs parallel to the district's coastline between Brighton to the west and Beachy Head to the east.
- 4.77. The Countryside and Rights of Way Act 2000 makes provision for the notification, protection and management of SSSIs, whilst the Wildlife and Countryside Act (1981) places a general duty on local authorities to take reasonable steps to further the conservation and enhancement of the features for which the sites are designated. There is not a requirement for the 'Appropriate Assessment' process for SSSIs, but developments likely to impact on a SSSI will normally require an Environmental Impact Assessment.

Local Sites

- 4.78. There are three Local Nature Reserves, one Wildlife Trust Reserve and 49 Local Wildlife Sites within the Plan area. These local sites do not receive the same legal protection as internationally or nationally designated sites. Nevertheless, they have been identified and selected locally for their substantive nature conservation value, based on important, distinctive and threatened habitats and species and geological features. Collectively they represent an essential part of the district's critical stock of natural capacity.

Habitats of principal importance

- 4.79. Habitats of principal importance for the purpose of conserving biodiversity in England are identified under Section 41 of the Natural Environment and Rural Communities Act 2006. They do not receive statutory protection but potential adverse impacts upon them will be taken into account by the Council in the consideration of development proposals. In partnership with other bodies and organisations, the Council seeks to promote the preservation, restoration and re-creation of priority habitats and the protection and recovery of priority species populations, linked to national and local targets.

Managing sites of nature conservation or geological sites

- 4.80. The Council will give priority to the protection, enhancement and management of the areas listed above, seeking to ensure their integrity and increase their ecological resilience in order to enhance landscape character, protect and increase biodiversity, and establish a coherent ecological network resilient to current and future pressures. Development that has potential to harm these areas listed will not be permitted unless the circumstances set out in Policy DM24 are met.
- 4.81. Protected species, which often exist on designated habitats, are the subject to specific legislation under the European Birds and Habitats Directives and the Wildlife and Countryside Act (1981). Nevertheless, the existence of protected species is a material consideration in the determination of planning applications. Development proposals should therefore assess the likely impact, including cumulative impact, on protected species both on and in close proximity to the development site. Such an assessment should be informed through consultation with the Sussex Biodiversity Record Centre¹⁷.
- 4.82. In the same way, all development proposals affecting designated sites, important habitats, or other biodiversity or geodiversity features should be accompanied by up-to-date information proportionate to their nature conservation value. The type of assessment needed will vary from a biodiversity survey and report through to EIA and Appropriate Assessment if a European Site is involved. Such an assessment should be informed through consultation with the Sussex Biodiversity Record Centre. National guidance is available on how and when to undertake such assessments.
- 4.83. It is important to bear in mind that the survey work needed to inform such assessments will be seasonally restricted. Discussion of biodiversity survey needs at pre-application stage can help reduce the likelihood of delays resulting from requirements for survey being identified at a later stage. All ecological reports should include findings of the survey, details of the survey methodology and assessment of the impacts. They should also contain details of avoidance, mitigation, compensation and enhancement measures to enable report recommendations to be conditioned and enforced in accordance with Policy DM24.
- 4.84. Any harm or loss to a designated site should only occur as a last resort and should be compensated by replacement with a feature of comparable or higher ecological value. Where, very exceptionally, a species population

¹⁷ <https://sxbrc.org.uk/home/>

needs to be moved to make way for development, work should be undertaken to an appropriate professional standard with the aim of improving the local status and security of that population. All off-site work necessary to ensure the survival of the translocated species or habitat should be undertaken prior to the start of the development.

Policy DM24: Protection of Biodiversity and Geodiversity

Development which would be likely to adversely affect a designated Ramsar site, designated or candidate Special Area of Conservation (SAC) or a classified or potential Special Protection Area (SPA) will only be permitted where adverse likely significant effects can be avoided and/or mitigated against. After avoidance and mitigation measures have been considered, where residual adverse likely significant effects arise, development will only be permitted if there is no alternative solution, there are imperative reasons of over-riding public interest that would justify the development and suitable compensation is provided.

Development proposals that result in a net increase of one or more dwellings within 7km of the Ashdown Forest will only be permitted where they comply with Core Policy 10(3) of the Local Plan Part 1. The requirement of Core Policy 10 (3i) can be fulfilled through a contribution towards the management and monitoring of the Suitable Alternative Natural Greenspace (SANG) at Newick, as defined on the Policies Map.

Development which would be likely to adversely affect a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), or a Marine Conservation Zone (MCZ) will only be permitted where the benefits of the development, at this site, outweigh the damage to the nationally recognised special interest of the designated site and any adverse impacts on the wider network of SSSIs.

Development which would result in damage or loss to a site of biodiversity or geological value of regional or local importance including Local Nature Reserves (LNR), Wildlife Trust Reserves, Local Wildlife Sites, irreplaceable habitats, and habitats and species of principal importance for biodiversity, will only be permitted where the benefits of the development clearly outweigh the damage to the conservation interest of the site and any loss can be mitigated to achieve a net gain in biodiversity and/or geodiversity.

Where development is permitted, the Council will use conditions and/or legal agreements in order to minimise the damage, ensure adequate mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

Design

- 4.85. High quality design (including architecture, urban design and landscape architecture) is fundamental to the creation of high quality places. It influences safety and security, encourages economic investment, and contributes to community cohesion and inclusion. The design of the built environment can promote increased levels of walking and cycling to address health and well-being, as well as addressing the causes and effects of our changing climate.
- 4.86. High quality design is crucial if the towns and villages within the District are to maintain and enhance their valued local distinctiveness, and emerge as more sustainable and higher quality settlements that thrive economically, socially and culturally. The Council does not wish to stifle innovative design especially in areas where the existing design quality is poor and vernacular design cues are weak or absent. However, contemporary and innovative design will still be required to follow good design principles and achieve satisfactory standards to ensure that new development reinforces a sense of place.
- 4.87. The detailed criteria in Policy DM25 should be read in conjunction with Core Policy 11 (*Built & Historic Environment and High Quality Design*) and other relevant policies in the Local Plan Part 1. The NPPF and Planning Practice Guidance, together with best practice guidance in the *Manual for Streets* (Parts 1 & 2), *By Design*, and *Building for Life 12*, also provide advice on the design assessment of development proposals.
- 4.88. Building for Life 12 is endorsed by the government and is the industry standard for the design of new residential development. All development schemes with 10 or more dwellings will therefore be assessed using the Building for Life 12 design assessment tool (or equivalent methodology, as identified by the Council, should this be superseded within the Local Plan period). As a guide, development should seek to achieve a score of no 'reds', design out all 'ambers', and achieve a majority of 'greens'.

Policy DM25: Design

Development which contributes towards local character and distinctiveness through high quality design will be permitted where the following criteria are met:

- (1) Its siting, layout, density, orientation and landscape treatment respond sympathetically to the characteristics of the development site, its**

relationship with its immediate surroundings and, where appropriate, views into, over or out of the site;

- (2) its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines;**
- (3) it incorporates high quality, durable and sustainable materials of an appropriate texture, colour, pattern and appearance that will contribute positively to the character of the area;**
- (4) existing individual trees or tree groups that contribute positively to the area are retained;**
- (5) adequate consideration has been given to the spaces between and around buildings to ensure that they are appropriate to their function, character, capacity and local climatic conditions;**
- (6) any car parking or other servicing areas are appropriate to the context and sensitively located and designed so as not to dominate the public realm;**
- (7) there will be no unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, daylight, sunlight, noise, odour, light intrusion, or activity levels;**
- (8) major developments will promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features;**
- (9) residential developments of 10 or more dwellings should demonstrate how the 'Building for Life 12' criteria have been taken into account and would be delivered by the development.**

Development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions will not be permitted.

- 4.89. The provision of suitable waste management facilities within new developments is fundamental if waste reduction and recycling targets are to be met. Refuse and recycling storage and collection facilities should be designed to be convenient and easily accessible but also be as unobtrusive as possible within the public realm. They should be of a suitable size to accommodate all the refuse containers to meet the needs of residents and the refuse collection service. If sited at the front of the property, such facilities should be screened from public footways or enclosed in a well-ventilated cupboard. If convenient external access to rear gardens is available, bin storage may be accommodated to the rear of the property.

Refuse storage facilities should not result in dark recesses or a cluttered or shabby appearance.

Policy DM26: Refuse and Recycling

Accessible, well-designed and easy to use waste and recycling facilities will be needed in new developments to help the Council meet its recycling targets. Refuse and recycling storage and collection facilities should be considered at the beginning of the design process in new development to ensure that:

- **Adequate refuse and recycling facilities are provided to serve the development.**
- **Storage of wheelie bins, communal waste bins and refuse sacks do not detract from the street-scene, obstruct access or detract from residential amenity.**
- **There is convenient access, both for occupiers of the properties and for the collection vehicles and workers.**

4.90. The importance of trees and green spaces in delivering high quality places is now widely recognised. The Council expects such features to be incorporated in development proposals in order to enhance landscape character and biodiversity and provide other sustainability benefits, such as improved air quality, shelter and shade. Landscape schemes should be an integral part of the design process.

4.91. Trees are an important element of green infrastructure provision, contributing to urban cooling and providing micro-climatic effects that can reduce energy demands in buildings. They therefore represent a key resource in terms of climate change adaptation. Tree planting should be used to help shape the built environment and new development in a way that strengthens the distinctive character and diversity of the district and increase climate change resilience.

4.92. Applicants will be expected to refer to the latest British Standards BS5837 best practice guidance for guidance on assessing the quality and contribution of trees on and adjacent to development sites, their protection during development, and incorporating them into the design of development. It will be necessary to have regard to future problems that can occur due to the proximity of trees and buildings and applicants are encouraged to seek expert advice where appropriate.

4.93. The Council will also seek to ensure that landscaped areas provided as part of new development schemes are properly maintained in the future, in

accordance with the latest British Standards BS4428 best practice guidance. This is particularly important in terms of communal amenity areas for the benefit of occupiers or the wider community. Further tree and landscape advice is available on the Council's website.

Policy DM27: Landscape Design

Where appropriate, development proposals should demonstrate a high quality of landscape design, implementation and management as an integral part of the new development. Landscape schemes will be expected to:

- (1) reflect, conserve or enhance the character and distinctiveness of the local landscape or streetscape and integrate the development into its surroundings, adding visual interest and amenity;**
- (2) encourage adaptation to climate change by, for example, providing areas to assist with flood mitigation or tree planting to assist with carbon capture and urban cooling;**
- (3) retain and incorporate existing healthy mature trees and hedgerows and replace any trees that need to be removed with trees of an appropriate species;**
- (4) where practicable, use material excavated from the site for re-contouring, infilling and top-soiling, ensuring that any land re-modelling respects the local topographic character;**
- (5) where appropriate, take opportunities to connect the development site to the existing green infrastructure network.**

Residential Extensions

4.94. Extensions and alterations to dwellings are often a means of enabling people to better meet their housing needs without moving. Not all such proposals need planning permission (although they generally require approval under the Building Regulations). However, where permission is required they will be considered in terms of:

- relationship with the character and appearance of the principal building
- compatibility with the general character of the locality
- impact on the amenities of neighbouring properties

4.95. In order to demonstrate that a proposal will contribute positively to the character of the site and the surroundings and that due regard is given to how it will relate to both the dwelling and neighbouring development,

planning application drawings (elevations and sections) should show proposals in the context of adjacent buildings.

- 4.96. The retention of sufficient external private space to meet the continuing requirements of the original dwelling is essential in respect of proposals for extensions, including the retention of adequate space for gardens, refuse/recycling facilities and off-street parking. These considerations are covered specifically by Core Policy 11 (*Built & Historic Environment and High Quality Design*) of the Local Plan Part 1 and Policy DM25 (*Design*).
- 4.97. Detailing and materials can be critical to a successful extension or other ancillary building. Every effort should be made to retain and, where appropriate, repeat any distinctive architectural features and materials that contribute positively to the character of the host building, including facing bricks, roof tiles, window frames, doors and rain water pipes.
- 4.98. In relation to side extensions, particular care should be taken to avoid infilling the gaps between detached or semi-detached houses where these are an important characteristic of the locality, as it may result in a cramped, ‘terracing effect’ and detract from the character of the dwelling and the street scene. It is considered good design practice to set side extensions back from the front elevation of the existing dwelling.
- 4.99. Extensions, alterations or new outbuildings can also adversely impact on adjoining properties in terms of:
- having an overbearing presence through their size and position (generally referred to as its “massing”)
 - overlooking or loss of privacy
 - loss of sunlight or daylight through overshadowing of habitable rooms or gardens
- 4.100. In considering these factors, regard will be had as to whether there is a significant change in level between properties, as this may increase the impact of an extension on the amenity of neighbours’ homes.

Policy DM28: Residential Extensions

Extensions and alterations to dwellings will be permitted where the following criteria are met:

- (1) the materials and design, including the pitch, style and span of the roof, complement and enhance the character and appearance of the host building;**

- (2) the design respects and responds positively to the scale, height, site coverage, bulk, massing and character of the adjacent properties and the wider street scene – in streets which have a definite architectural rhythm and similar style of dwelling, front extensions will not normally be acceptable;**
- (3) two storey or second storey extensions at first floor level will normally be required to retain at least a one metre gap to the side boundary to prevent the creation of a ‘terraced’ appearance;**
- (4) extensions would not result in unacceptable overlooking of, or loss of daylight to, the nearest habitable rooms or private amenity space of neighbouring dwellings. They should normally be restricted to within a line drawn from the mid-point of the nearest ground floor window of a habitable room of the neighbouring property. The line should be projected 60° for single storey extensions and 45° degrees for two storey extensions.**

Outside the planning boundaries, as defined on the Policies Map, dwelling extensions will only be permitted where there would be no harmful impact on the surrounding landscape.

Garages and other buildings ancillary to existing dwellings

- 4.101. Ancillary buildings within the curtilages of residential properties can frequently be erected without the need for planning consent. Nevertheless, when permission is required, the siting of garages and other outbuildings needs careful consideration in terms of the relationship with the main dwelling and with the established street-scene. Care should be taken to avoid cramping or cluttering the site, or adversely affecting the amenities of neighbouring properties. In the case of garage proposals, internal floorspace dimensions should comply with approved parking guidance in accordance with Core Policy 13 (*Sustainable Transport*) of the Local Plan Part 1.
- 4.102. Within the countryside, it is important that ancillary buildings are sympathetic to landscape character and quality and do not ‘suburbanise’ their rural surroundings through the use of inappropriate building styles or materials. Converted traditional farm buildings are particularly vulnerable to harm by the addition of poorly designed garages, sheds and other outbuildings that can potentially undermine the intrinsic character of the original building or its rural setting.
- 4.103. Residential annexes have grown in popularity in recent years and are commonly developed to provide additional semi-independent accommodation for members of the same family, particularly older relatives

who may need additional care and support. To qualify as an annexe as opposed to a separate dwelling, it must share the same access, parking and amenity space as the main dwelling house. Annexes should also be smaller or subordinate to the main dwelling and should not be designed to be capable of being sold or let as a separate unit. In principle, annexes are considered acceptable within the settlement planning boundaries but stricter criteria will be applied to proposals outside of the planning boundaries to ensure that the intrinsic beauty and character of the countryside is protected.

Policy DM29: Garages and other buildings ancillary to existing dwellings

Garages and other buildings ancillary to an existing dwelling will be permitted where the following criteria are met:

- (1) the size, scale, siting and design relates satisfactorily to the existing dwelling and its curtilage, the established street scene, and the character of the locality;**
- (2) the use of materials is sympathetic to the character and appearance of the existing dwelling.**

Outside the planning boundaries, as defined on the Policies Map, garages and other ancillary domestic buildings should be subordinate in scale and proportion to, and located in close proximity to, the principal dwelling; the use of ancillary accommodation as a separate dwelling will not be permitted and proposals should not be of a size or design, or be capable of severance, to form an additional dwelling or dwellings.

Backland Development

4.104. The construction of a dwelling or dwellings on parts of large back gardens attached to existing houses is a common form of development within towns and villages and can provide a useful source of new homes. However, such development requires careful planning, particularly in relation to the provision of access and parking, the amenities of neighbouring properties, and the character and quality of the local environment. 'Tandem' development, where a house is constructed immediately behind another house and shares the same access, is rarely satisfactory due to the difficulties of access to the house at the rear and the disturbance and loss of privacy suffered by the house at the front. Nevertheless, the development of small vacant sites within established residential areas may often be appropriate and the criteria set out in Policy DM30 provides the framework for assessing such proposals.

Policy DM30: Backland Development

Within the planning boundaries, as defined on the Policies Map, development in rear domestic gardens and other backland sites will be permitted where the following criteria are met:

- (1) the provision of safe and convenient vehicular access and parking which does not have an unacceptable adverse impact on the amenities of neighbouring properties in terms of noise, light or other disturbance;**
- (2) the mass and scale of development will not have an overbearing impact on, or result in the loss of privacy to, existing homes and gardens;**
- (3) the development does not cause the loss of trees, shrubs or other landscape features which make an important contribution to the character and appearance of the locality or its biodiversity.**

Advertisements

4.105. Well-designed and located advertisements can contribute to the vibrancy and vitality of the street scene and benefit the local economy. However, poorly designed or inappropriately located advertising can create visual discord and clutter, or cause obstruction to pedestrians and other people who may be visually or mobility impaired. Policy DM31 aims to provide a framework that will be used in the determination of planning, advertisement and listed building consent in relation to advertisements, including signage and illumination. Free standing 'A' boards require permission and will only be permitted where they do not impinge upon pedestrian movement or safety. Redundant signs should be removed and opportunities to reduce signage sought where new signage is proposed.

Policy DM31: Advertisements

Advertisements and signs will be permitted where they are sympathetic to the character and appearance of the location and/or the host building, having regard to size, design, colour, materials, construction, siting, level of illumination, and cumulative impact with other advertisements in the vicinity. Advertisements and signs will not be permitted where they would be detrimental to public safety or to the amenities of the area.

Telecommunications Infrastructure

- 4.106. Modern telecommunications have grown rapidly in recent years with mobile phones now forming an essential part of everyday life. Improvements to telecommunications networks can help to promote sustainable communities and lead to economic benefits. However, the siting and design of telecommunications infrastructure is often a concern for local communities and can cause harm to the character and appearance of Conservation Areas or other heritage assets and to the special qualities of the South Downs National Park. The Council therefore seeks to facilitate the growth and improvement of the telecommunications network whilst keeping the environmental impact to a minimum.
- 4.107. Applications will be determined solely on planning grounds. The Council will not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure. However, the use of planning conditions or legal agreements may be considered as appropriate to ensure that any mast, equipment or other apparatus is removed by the operator if they become redundant in the future.

Policy DM32: Telecommunications Infrastructure

The erection of telecommunications apparatus will be permitted where the following criteria are satisfied:

- (1) the apparatus uses an existing mast, building or other structure where practicable, without causing unacceptable harm to the appearance of any building or structure utilised;**
- (2) where an existing mast, building or other structure is not available, the apparatus would be screened as far as practicable by the existing landform and trees, or by landscaping incorporated within the proposal;**
- (3) the apparatus would not have an adverse impact on a designated heritage asset or its setting;**
- (4) the proposal incorporates appropriate materials or treatments for any associated buildings or supporting structures;**
- (5) the potential for physical interference has been minimised in the siting and design of the apparatus.**

All proposals should include a landscape and visual assessment which will,

where appropriate, show the impact of the proposal in the landscape and townscape or upon the setting of heritage assets, either in isolation or cumulatively with other nearby telecommunications related development.

Historic Environment

- 4.108. The NPPF defines heritage asset as ‘A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).’
- 4.109. The District’s heritage assets are well documented and will continue to be conserved or enhanced in accordance with Core Policy 11 (*Built & Historic Environment and High Quality Design*) of the Local Plan Part 1. Sensitive management of the historic environment is a key component in the delivery of sustainable development and adds value to regeneration, business and the growing tourism sector. Great weight will be given to conserving the significance of designated and non-designated heritage assets and their setting.
- 4.110. The need for locally specific planning policies is very limited, given the wealth of national guidance on heritage assets contained within the NPPF and Planning Practice Guidance, together with the relevant legislation applying to individual heritage designations. However, in order to sympathetically manage heritage assets as part of the development process, there must be a clear understanding of the significance of the asset and the contribution of its setting.
- 4.111. It is the applicant’s responsibility to provide sufficient information and assessment of the impacts of their proposal on heritage assets and/ or their settings, and the wider historic environment. Applications affecting the significance of a heritage asset are therefore required to provide sufficient information to demonstrate the impact of the proposed development upon the asset. Early pre-application work by the developer is encouraged to avoid abortive and costly work at a later stage. Relevant advice is also available from Historic England.
- 4.112. There are 15 Conservation Areas within the Plan area, representing a valuable part of the district’s built and cultural heritage. The special character and appearance of these areas can be derived from many different features including the scale, style and materials of the buildings, the historic street pattern, street frontages and building lines, boundary structures, street furniture, trees and open spaces. These features and other significant

characteristics are identified in individual Conservation Area Appraisals which should be used, where appropriate, to inform development proposals.

Policy DM33: Heritage Assets

Development affecting a heritage asset will only be permitted where the proposal would make a positive contribution to conserving or enhancing the significance of the heritage asset, taking account of its character, appearance and setting.

All development proposals that affect a heritage asset or its setting will be required to submit supporting information proportionate to the significance of the asset, including:

- (a) an assessment of the archaeological, architectural, historic or other significance of the affected asset, including any contribution made by its setting;**
- (b) an assessment of the impact of the proposed development on the significance of the asset or its setting;**
- (c) a statement of justification for the proposed development, together with details of any measures proposed to avoid, minimise or mitigate any harm to the significance of the asset.**

Where the loss of the whole or part of a heritage asset can be justified, the Council will seek, by a legal agreement and/or condition, to ensure that the new development will proceed within a reasonable timescale after the loss has occurred.

Areas of Established Character

4.113. The district includes a number of well-established residential areas that make a valuable contribution to the distinctive character of the towns or villages in which they are located. These areas do not possess the necessary architectural or historic interest to merit designation as Conservation Areas. However, it is considered that all have a special character and quality that is worthy of retention and therefore warrant particular consideration when planning applications are being determined. These areas are defined on the Policies Map at:

- Cooksbridge
- 38-86 Fort Road, Newhaven
- Cricketfield, Newick
- Harmers Hill, Newick
- High Hurst Close and Allington Road, Newick
- Land between Western Road and West Point, Newick
- North of Village Hall, Newick

- South of Western Road, Newick
- Gote Lane, Ringmer
- Lewes Road, Ringmer
- Firlle Road, Seaford
- St Peters Road, Seaford
- Glebe Drive, Seaford
- Belgrave Road, Westdown Road and Beacon Road, Seaford
- Blatchingdon Road/Richmond Terrace, Seaford
- Chyngton Road and Cuckmere Road, Seaford
- Chyngton Way, Seaford
- Corsica Hall, Seaford
- Sutton Park Road, Seaford
- North of North Common Road, Wivelsfield Green
- South of Wivelsfield Green Road, Wivelsfield Green

Policy DM34: Areas of Established Character

Development within Areas of Established Character, as defined on the Policies Map, will be permitted where it reflects the existing character of the area in terms of the gaps between buildings, building height, building size, site coverage, set-back from the street, boundary treatments, mature trees, hedges and grass verges.

SUSTAINABLE TRAVEL

4.114. The need to encourage people to move around the district in a sustainable manner and to ensure maximum accessibility to new development by walking, cycling and public transport are two of the key issues that the Local Plan seeks to address. The policies in this section supplement Core Policy 13 (*Sustainable Transport*) of the Local Plan Part 1 by seeking to achieve an increase in sustainable travel modes, thereby reducing air pollution and traffic congestion.

Footpath, Cycle and Bridleway Network

4.115. Walking and cycling are the ideal forms of travel for many shorter journeys and provide the most environmentally beneficial and healthiest modes of transport. Both offer significant potential to replace short car trips, particularly daily travel to school or work within the towns and villages. The footpath, cycle and bridleway network also contributes towards the creation of healthy communities by providing safe, attractive and convenient access from towns and villages into the surrounding countryside. The plan area includes a number of long distance paths, e.g. Vanguard Way.

4.116. The Council supports the development of a network of high quality walking and cycling routes throughout the district and all proposals for new development are required to make proper provision for pedestrian and cycle access, as set out in Core Policy 13 of the Local Plan Part 1. However, in order to maintain and further encourage walking and cycling as a means of both transport and recreation, it is important to ensure that the existing, footpath, cycle and bridleway network is adequately protected or enhanced to ensure its convenience, safety and attractiveness for users.

Policy DM35: Footpath, Cycle and Bridleway Network

Development that would have a harmful impact on the convenience, safety or amenity value of the existing or proposed footpath, cycle or bridleway network will only be permitted where this impact can be satisfactorily mitigated or an alternative facility of equivalent or improved quality would be delivered as part of the development.

Station Parking

4.117. Rail travel has an important role in travel demand management by helping to reduce the need for longer distance car journeys. The availability of car parking at railway stations is important to encourage people to travel by train and to reduce the demand for on-street parking in residential streets close to stations. The Council will therefore resist the loss of public car parking spaces to alternative uses and will encourage the provision of increased parking where there is a demonstrable shortage.

Policy DM36: Station Parking

Development that would result in the permanent loss of public car parking spaces on sites adjacent to railway stations will not be permitted.

Former Lewes to Uckfield railway line

4.118. The route of the former Lewes to Uckfield railway line has the potential to provide an additional rail link between Brighton and London. The London and South Coast Rail Corridor Study, published by the Department for Transport in 2017, concluded that a transport case could be made for such a

scheme subject to additional economic growth. East Sussex County Council and Lewes District Council support the reinstatement of the line in order to provide additional rail capacity in the county, in line with the objectives of the Local Transport Plan 2011-2026 and the East Sussex Rail Strategy.

Policy DM37: Former Lewes to Uckfield railway line

Development that would significantly prejudice the reinstatement of the former Lewes to Uckfield railway line, as shown on the Policies Map, will not be permitted.

APPENDICES

APPENDIX 1: GLOSSARY

This glossary is neither a statement of law nor an interpretation of the law and its status; it is only an introductory guide to planning policy terminology and should not be used as a source for statutory definitions. Reference should also be made to the Glossary within the NPPF.

Advertisement

Any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction.

Affordable housing

Housing provided by a council or housing association which is available below the market cost level. This can include homes rented at rent levels at approximately 50% of the local market level (social rented), homes rented at affordable rent levels at approximately 80% of the market rent (affordable rent), homes that are sold as a part buy/ part rent (shared ownership) or homes that are sold as a part equity purchase (shared equity). See also, **Intermediate housing** below.

Agricultural Land Classification (ACL)

Method of assessing the quality of farmland to enable informed decisions to be made about its future use within the planning system. Defra guidelines on the classification are as follows:

- Grade 1 - Excellent
- Grade 2 - Very Good
- Grade 3a - Good
- Grade 3b - Moderate
- Grade 4 - Poor
- Grade 5 - Very Poor

Ambient Noise

Totally encompassing sound in a given situation at a given time composed of sound from all sources near and far.

Amenities

Those qualities of life enjoyed by people that can be influenced by the surrounding environment in which they live or work.

Appropriate Assessment

An assessment that is required to be undertaken under a European Directive in order to assess the impact of a plan, project or proposal on sites designated to

protect flora, fauna and habitats of European-wide interest, such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites.

Archaeological Notification Area (ANA)

An area that indicates the existence, or probable existence, of archaeological heritage assets. The purpose of an ANA is to identify where there is a likelihood of archaeological works being necessary when development of any kind is planned.

Ashdown Forest

The Ashdown Forest is located within Wealden District and forms part of a complex of heathlands that support breeding bird species of European importance, particularly the nightjar and Dartford warbler. It is a designated Special Protection Area, Special Area of Conservation, and Site of Special Scientific Interest.

Authority Monitoring Report (AMR)

Report prepared by a local authority, which assesses the impact of policies and whether targets for these policies are being met. Each Authority Monitoring Report is published at the end of the calendar year and it applies to the previous financial year.

Backland Development

Land located behind a street frontage which is not directly visible from the street and is surrounded by other development, including rear gardens and private yards, as well as larger undeveloped sites.

Biodiversity

The variety of plant and animal species in an environment.

Brownfield Sites/ Previously Developed Land

Land which is or was occupied by a permanent structure. This excludes:

- land that is or has been occupied by agricultural or forestry buildings (including nurseries)
- land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures
- land in built-up areas such as private residential gardens, parks, recreation grounds and allotments
- land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Change of use

Change in the use of a building or other land for another purpose. In considering a change of use it is normally necessary to establish whether the change is “material”

and whether by virtue of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), development requiring planning permission is involved.

Community Facilities

Facilities or services which meet the needs of communities, including open space, sport and recreational facilities, community halls, doctor's surgeries, libraries, public houses, places of worship, local shops and post offices, and cultural buildings.

Community Infrastructure Levy (CIL)

A levy that local planning authorities can choose to charge on new developments in their area, in order that the burden of new infrastructure costs is shared by all development in a proportionate manner. Lewes District Council has implemented a CIL charging schedule with a list (known as the 123 List) of infrastructure projects on which the funds can be spent.

Conservation Area

Area designated under the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 on account of its special architectural or historic interest, the character and appearance of which it is desirable to preserve and enhance.

Designated Children's Play Space

Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play.

Development

The carrying out of building, engineering, mining or other operations in, on, over and under land, or the making of a material change of use of any building or land.

Developer Contributions

Contributions made by a developer to mitigate the impact of development, either by paying money for the works to be carried out or by directly providing facilities or works either on or off-site

Development Plan Document (DPD)

Spatial planning documents that comprise the development plan for Lewes District. They are subject to independent examination and are geographically presented on the Policies Map.

Environment Agency

Government body responsible for wide-ranging matters, including the management of water resources, surface water drainage, flooding and water quality.

Environmental Assessment

A written evaluation of the effect on the environment of a proposed development (also known as an Environmental Impact Statement).

Evidence Base

The information and data gathered by local authorities to justify the "soundness" of the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.

Geodiversity

The variety of different types of geology, landforms, soils and physical processes in a particular region.

Greenfield Site

Land that has not been previously built on.

Gypsies and Travellers

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such." as defined with Annex 1 of Government's Planning policy for traveller sites (August 2015).

Habitats of Principal Importance

Habitats identified as requiring action in the UK Biodiversity Action Plan and listed under Section 41 of the Natural Environment & Rural Communities Act 2006.

Heritage Assets

Designated heritage assets are:

- Scheduled Monuments
- Listed Buildings
- Parks & gardens included on the 'Register of Historic Parks and Gardens of special historic interest in England' (Historic England)
- Conservation Areas designated under the relevant legislation
- Registered Battlefields
- Protected Wrecks

Non-designated heritage assets include, but is not limited to, Archaeological Notification Areas and heritage assets identified on the Historic Environment Record (ESCC)

Historic England

Government advisory body responsible for all aspects of protecting and promoting the historic environment

Housing Density

Number of dwellings per hectare.

Housing Stock

Total residential accommodation in the district comprising all housing types and tenure.

Housing tenure

The condition that land or buildings are held or occupied under; predominate tenures include owner-occupied (i.e. freehold, leasehold), privately-rented, socially-rented and shared ownership (part-owned and part-rented).

Infill Development

The development of a vacant site in a substantially developed frontage or area.

Intermediate Housing

Homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition in the National Planning Policy Framework. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Reference is often made to 'low cost housing' when the term affordable housing is used. It is important to note that such housing does not usually involve any form of public subsidy (unlike the products highlighted in the previous paragraph) and is often housing such as small starter units and homes with low cost specifications. Such housing would not be classed as affordable housing when implementing the policies of this plan. See also, **Affordable housing** above.

Listed Building

Building considered worthy of special protection which are included and described in the statutory List of Buildings of Special Architectural and Historic Interest published by the Department of Culture, Media and Sport. The alteration, demolition or extension of a listed building requires special consent.

Local Development Scheme (LDS)

Document which sets out the programme for the preparation of the Local Development Documents.

Local Plan

Portfolio of documents which plans for the future development of an area. The main purposes are to:

- develop policies and general proposals and relate them to precise areas of land;
- provide a detailed basis for development control;
- provide a detailed basis for co-ordinating the development and other use of land;
- to bring local and detailed planning issues before the public.

Local Wildlife Site

Non-statutory area designated at county or regional level.

Material Planning Consideration

Factor to be taken into account when deciding the outcome of a planning application.

National Planning Policy Framework (NPPF)

The Government's national planning policy document which was first published in March 2012 and sets out the key principles for sustainable development.

Natural England

Government body responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils are protected and improved.

Neighbourhood Plan

Plan prepared by a Parish Council, Neighbourhood Forum, or other locally constituted community group, for a particular neighbourhood. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at a referendum.

Permanent Gypsy and Traveller Pitch

Where caravans can be located all year round, as opposed to transit sites where caravans can be stationed on pitches for up to 3 months, or other specified length of time. Pitches can be provided, and managed, by local authorities or privately owned.

Permitted Development

Certain categories of development, as specified in the General Permitted Development Order, which can be carried out without having to obtain specific planning permission.

Planning Practice Guidance

Web-based resource of national planning guidance covering a range of topics and linked to the National Planning Policy Framework.

Pollution

Anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity. Pollution can arise from a range of emissions, including smoke, fumes, gases, dust, steam, odour, noise, vibration and light.

Policies Map

Statutory part of the Local Plan showing, in map form, where the policies of the Plan apply.

Registered Social Landlords (RSL)

Independent housing organisations registered with the Housing Corporation under the Housing Act 1996. Most are housing associations, but there are also trusts, co-operatives and companies.

Residential Institutions

Uses falling within Class C2 of the Town & Country Planning (Use Classes) Order 1987 (as amended) i.e. residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

Rural Exception Sites

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Shared Housing

Housing in multiple occupation (HMOs), bedsits, hostels, and specialist student accommodation.

Site of Special Scientific Interest (SSSI)

Area designated by Natural England under the Wildlife and Countryside Act 1981.

Special Area of Conservation (SAC)

Special Areas of Conservation are defined in the Habitats Directive (92/43/EEC), also known as the Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. They are defined to protect the 220 habitats and approximately 1,000 species listed in Annex I and II of the Directive.

Special Protection Area (SPA)

Special Protection Areas are strictly protected in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds (listed in Appendix I of the Directive) and for regularly occurring migratory species.

Statement of Community Involvement (SCI)

Document setting the ways in which the Local Planning Authority will involve the community in the planning system. This includes consultation on the preparation of plans and the determination of planning applications.

Strategic Environmental Assessment (SEA)

A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Strategic Housing and Economic Land Availability Assessment (SHELAA)

The purpose of a SHELAA is to identify new housing sites that have a good chance of development. It will include those sites that already have planning permission or are allocated for housing in the Local Plan. In addition, landowners, agents and housebuilders, public and private bodies and members of the public may suggest other sites. Only land in the more sustainable locations will be included in the plan.

Strategic Housing Market Assessment (SHMA)

A study of the way the housing market works in any particular area. It looks into the type of households living in the area, where they work and what sort of housing they live in. It attempts to estimate future housing needs across the area, broken down by tenure and size of housing.

Suburbanise

Suburbanisation occurs when certain elements of property design or ornamentation, which are particularly identified with towns and the urban environment, are imported into the countryside. These imports have little regard for local character and can have a visually harmful effect on the intrinsic quality and local distinctiveness of the surrounding rural landscape.

Supplementary Planning Document (SPD)

Supplementary material which sets out planning requirements or advice at a greater level of detail than the Local Plan, but which does not set out new policy.

Sustainability Appraisal (SA)

The consideration of policies and proposals to assess their impact on economic, social and environmental sustainable development objectives.

Sustainable Development

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Travelling Showpeople

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

Water Framework Directive

An EU Directive which requires member states to meet certain objectives including the protection and improvement of the water environment.

APPENDIX 2: SUPERSEDED 2003 LOCAL PLAN POLICIES

The following policies in the Lewes District Local Plan 2003 are superseded by the policies in the Local Plan Part 2: Site Allocations and Development Management Policies DPD.

Policy Ref.	Policy Subject
ST3	Design, Form and Setting of Development
ST4	Backland and Tandem Development
ST5	Access for People with Limited Mobility
ST6	Access for People with Limited Mobility
ST11	Landscaping of Development
ST14	Water Supply
ST20	Recycling and Re-use of Materials
ST21	Recycling and Re-use of Materials
ST25	Pylons and Overhead Lines
ST29	Advertisements
ST30	Protection of Air and Land Quality
RES6	Residential Development in the Countryside
RES7	Residential Conversions in the Countryside
RES8	Replacement Dwellings in the Countryside
RES10	Affordable Homes Exception Sites
RES13	Extensions
RES14	Extensions in the Countryside
RES18	Garages and other Buildings Ancillary to Existing Dwellings
RES19	Provision of Outdoor Playing Space
E14	Bunk House Accommodation
E15	Existing Camping/Touring Caravan Sites
E17	New Camping/Touring Caravan Sites
E19	Static Holiday Caravan Sites
CT1	Planning Boundary and Key Countryside Policy
CT5	Institutional Sites
H2	Listed Buildings
H3	Buildings of Local, Visual or Historic Interest
H4	Conservation Areas
H5	Development within or affecting Conservation Areas
H7	Traffic in Conservation Areas
H12	Areas of Established Character
H13	Parks and Gardens of Special Historic Interest
H14	Parks and Gardens of Local Historic Interest
RE1	Provision of Sport, Recreation and Play
RE6	Lewes/Sheffield Park Railway Line

RE7	Recreation and the Rivers
RE8	Equestrian and Related Activities
T3	Station Parking
T4	The Lewes/Uckfield Railway
T16	Telecommunications
NH20	Upgrading and expansion of the Port
NH21	Railway Quay
NH22	Rail Transport Links to the Port
NH23	East Quay
NH24	North Quay
PT5	Business Development
BA1	Recreational Facilities
BG1	Balcombe Pit
CH1	Chailey Brickworks
FL1	University of Sussex
HY1	Hamsey Brickworks
NW1	Extension to the Playing Field
NW2	Woodgate Dairy
RG1	Caburn Field
RG3	Land adjacent to Ringmer Community College
RG4	Community/Recreation Area, The Broyle

APPENDIX 3: SAVED 2003 LOCAL PLAN POLICIES

The following policies in the Lewes District Local Plan 2003 will continue to be 'saved' until the Neighbourhood Plans for Newhaven, Peacehaven & Telscombe, and Seaford are approved.

Policy Ref.	Policy Subject
NH2	Downland Park
NH7	Land north east of Kings Avenue
NH10	Eastside Business Area
NH12	Lorry Facilities/Park
NH13	Pedestrian Precinct
NH14	Castle Hill, The Promenade, West Beach
NH15	Castle Hill
NH16	The Fort
NH17	Avis Road Outdoor Sports Facilities
NH18	Lewes Road Recreation and Camping Area
NH19	Primary School Site
PT6	Meridian and Bolney Avenue Industrial Estates Link
PT9	Meridian Centre
PT10	Access and Permeability at the Meridian Centre
PT11	Joff Youth Club
PT12	Cliff Top and Foreshore
PT13	Cliff Top
PT18	Allotments
PT19	Valley Road
PT20	Valley Road
SF5	Land at Blatchington Road
SF8	Cradle Hill Industrial Estate
SF9	Footpath to Church Lane
SF14	The Seafront
SF15	The Seafront
SF16	The Seafront

APPENDIX 4: MONITORING FRAMEWORK

The targets and indicators identified below supplement the Monitoring Framework set out in Local Plan Part 1. Together these will be used to assess the impact and delivery of the policies. Progress against the below indicators will be reported within the Council's Authority Monitoring Report (AMR) which is updated and published on an annual basis.

Housing growth through emerging Neighbourhood Plans		
Target	Indicators	Current Position
To ensure that sufficient progress is being made on the emerging neighbourhood plans which identify housing growth to meet the requirements of Spatial Policy 2 of Local Plan Part 1.	Progress against timetable of key milestones of neighbourhood plan preparation.	2017: See below timetables indicating what stage has been reached.
<i>Peacehaven and Telscombe Neighbourhood Development Plan Timescale</i>		
STAGE		PROGRESSION – DATE ACHIEVED
Designation of Neighbourhood Area		✓ 17 June 2013
Pre-Submission Consultation (Regulation 14)		September 2019
Submission to LDC (Regulation 15)		January 2020
Submission to Independent Examination (Regulation 17)		March 2020
Referendum		June 2020
Formal Adoption		July 2020
<i>Seaford Neighbourhood Development Plan Timescale</i>		
STAGE		PROGRESSION – DATE ACHIEVED
Designation of Neighbourhood Area		✓ 13 January 2016
Pre-Submission Consultation (Regulation 14)		✓ 7 November 2017
Submission to LDC (Regulation 15)		April 2019
Submission to Independent Examination (Regulation 17)		June 2019
Referendum		October 2019
Formal Adoption		November 2019
<i>Newhaven Neighbourhood Development Plan Timescale</i>		
STAGE		PROGRESSION – DATE ACHIEVED
Designation of Neighbourhood Area		✓ 8 July 2013
Pre-Submission Consultation (Regulation 14)		✓ July 2017
Submission to LDC (Regulation 15)		November 2018
Submission to Independent Examination (Regulation 17)		January 2019
Referendum		April 2019

Formal Adoption	May 2019	
Plumpton Neighbourhood Development Plan Timescale		
	STAGE	PROGRESSION – DATE ACHIEVED
	Designation of Neighbourhood Area	✓ 28 April 2014
	Pre-Submission Consultation (Regulation 14)	✓ June 2016/July 2017
	Submission to LDC (Regulation 15)	✓ September 2017
	Submission to Independent Examination (Regulation 17)	✓ December 2017
	Referendum	✓ March 2018
	Formal Adoption	✓ May 2018
Suitable Alternative Natural Greenspace (SANG)		
<ul style="list-style-type: none"> DM24: Protection of biodiversity and geodiversity 		
Target	Indicators	Current Position
To manage and monitor the Reedens Meadow SANG at Newick.	<p>Net number of dwellings mitigated.</p> <p>Cumulative monies collected from new development via section 106 contributing towards the maintenance of Reedens Meadow SANG.</p> <p>Use of the SANG through visitor survey and local monitoring reports.</p>	2018: Reedens Meadow SANG is implemented and open to the public.

This page is intentionally left blank

Report to:	Cabinet
Date:	17th September 2018
Title:	Electric Vehicle Charging Points Technical Guidance Note
Report of:	Ian Fitzpatrick – Director of Regeneration and Planning
Cabinet member:	Cllr Tom Jones – Cabinet Member for Planning
Ward(s):	All areas of the District not lying within the South Downs National Park boundary
Purpose of report:	To seek Cabinet approval for the ‘Electric Vehicle Charging Points Technical Guidance Note’ to be published on the website and made a public document
Decision type:	Non Key
Officer recommendation(s):	(1) To agree the publication of the ‘Electric Vehicle Charging Points Technical Guidance Note’ contained in Appendix 1
Reasons for recommendations:	(1) To respond to a motion passed by Council for all new development to include electric vehicle charging points. (2) To publicise the Councils expectations for the provision of electric vehicle charging points infrastructure
Contact Officer(s):	Name: Tondra Thom Post title: Planning Policy Lead E-mail: tondrathom@lewes-eastbourne.gov.uk Telephone number: 01323 415677

1 Introduction

- 1.1 The vast majority of vehicles in use on the roads of Lewes District today currently run on petrol or diesel. However, these fuels produce emissions which are known to impact on human health and the environment. For these reasons the UK government are driving a transition to more efficient, lower polluting technologies such as Electric Vehicles (EVs).

1.2 On 7th October 2017, a motion to Full Council *that from 1 January 2018 all new housing applications, applications for new or replacement domestic garages, and business/commercial planning applications to Lewes District Council include the provision of an 'electric vehicle charging scheme'; and that any such scheme would not become binding on the applicant unless included by the local planning authority as a condition of any planning permission granted* was resolved.

1.3 As a result of that motion, a technical guidance note has been prepared to provide developers and the public with guidance in relation to how Electric Vehicle Charging Point infrastructure should be provided in developments within the District. Furthermore the technical note provides the set expectations, delivers a summary of existing technologies and the current situation in the UK, using case studies and examples of best practice.

2 Background

2.1 In 2017, the Government announced a plan to ban the sale of all petrol and diesel cars by 2040. Therefore replacement technology and the infrastructure requirements resulting from this will need to be implemented in the time leading up to this ban.

2.2 Electric vehicles (EVs) will play a vital role in the UK's future transition away from fossil fuels, and are likely to become more and more popular as the ban on the sale of petrol and diesel cars get nearer.

2.3 The primary benefit of EVs is their ability to significantly reduce emissions of greenhouse gases and other air pollutants locally and so improve air quality. The UK in general struggles to meet legal requirements associated with air pollutants. The Lewes District would benefit from an increase in EV usage, particularly in relation to air quality issues within the designated Air Quality Management Area in Newhaven as well as localised congestion issues in the coastal belt, which at times cause air quality to be affected.

2.4 As of April 2018, there were a total of 213 ULEVs registered in Lewes District. This represents 0.41% of the total cars registered in the District, which is the highest proportion of any local authority in East Sussex. However, this is slightly lower than the average across the whole of England, which is 0.53%. The highest proportion in England is in the Isles of Scilly (10.17%), whilst the City of London is the next highest with 6.28%. However, Lewes District has a higher proportion of ULEVs compared to total cars than the median average of England.

2.5 The increased usage of Ultra Low Emission Vehicles (ULEVs) will help to reduce fuel consumption in the District, as well as reduce CO₂ emissions and improve air quality. An increase in the number of new electric vehicles can only be

supported if the necessary infrastructure is in place. In order to facilitate the transition of the UK vehicle market from one reliant on petrol and diesel to one based on Ultra Low Emission Vehicles (ULEVs), new Electric Vehicle Charging Points need to be provided. Accordingly, planning permission for residential and business development should include for the provision of electric charging points.

3 Lewes District Council's EVCP Concept

3.1 It is desired that the District will have a higher proportion of EVs on the roads, with infrastructure in place to support them. The Council expects that the majority of vehicle charging will occur overnight in a residential setting, however, it is appreciated that this will likely need to be supported by 'top up' charges during the day. Consequently to support this EV charging concept, it is desirable that planning applications should include an 'electric vehicle charging scheme' for housing and business/commercial developments such that it can be determined from the planning application how the development supports the provision of infrastructure necessary to fulfil not only the council's vision, but the governments drive to shift to lower polluting technologies.

3.2 A Technical Guidance Note has been produced (Appendix 1) to represent the starting point of the council's journey to formulating policy surrounding EVCP infrastructure, until more detailed evidence can be gathered regarding the technology and Electric Vehicle Charging Points (EVCPs) infrastructure which will lead to the implementation of a prescriptive policy position to reflect the council motion.. A review of the Local Plan, which will begin following the adoption of Local Plan Part 2, will include assessment of a comprehensive EVCP policy.

4. Policy Context

4.1 The National Planning Policy Framework [NPPF] (revised 2018) encourages the provision of EVCPs in development. Paragraph 110 states that '*applications for development should (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations*'. It is also stated in paragraph 179 of the Framework that '*Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas*'.

4.2 Delivering an accessible network of EVCPs will play a critical role in facilitating the purchase of electric vehicles. Increasing EVCP provision should ensure residents and businesses have increasing confidence in utilising and purchasing

EV's as their preferred and most convenient choice of vehicle in the Lewes District.

- 4.3 East Sussex County Council's Guidance for Parking at New Residential Development (2017) outlines the amount and type of parking that should be provided within new residential development. It encourages developers to include EVCPs at all properties with off-street parking. It also encourages consideration for EVCPs for other parking areas.
- 4.4 Additionally, the provision of EVCPs in development will comply with many policies set in the Joint Core Strategy (May 2016), specifically Core Policy 9: Air Quality and Core Policy 13: Sustainable Travel. These expectations would ensure that the district reduces locally contributing causes of climate change and shows the authority is being pro-active regarding climate change initiatives. It will also promote a sustainable system of transport and encourage developers to provide the new and upgraded infrastructure that is required to create and support sustainable communities.
- 4.5 Finally, this technical note is introduced in compliance with the recent Automated and Electric Vehicles Bill as brought from the House of Commons on 30 January 2018 (HL Bill 82).

5 Expectations for EV Charging Points in New Development

- 5.1 In order to encourage the use of EVs, the Technical Guidance Note sets out that any new development application submitted within the area for which LDC is the planning authority, is expected to meet the criteria set out below:

Provision of accessible EV charging points for ULEV in New Development	
Flats (developments of 11 or more)	Where flatted development has integrated parking bays (undercroft or parking court) at least one dedicated bay with Fast EV Charging Unit to service the development.
Houses	Where houses are provided with a garage or driveway, one standard EV Charging Unit* per dwelling.
Garages	Where domestic garages are provided, new or replacement, one standard EV Charging Unit** per garage.
Commercial	Where commercial development is proposed with 100 car parking bays or more at least 2% of those bays are to be provided with a Fast EV Charging Unit**.

** Minimum requirement: 16 Amp socket located either in a garage or in close proximity to a dedicated car parking place. In the absence of a garage, a wall mounted external socket would be expected.*

*** Minimum requirement: 16 Amp socket located inside the unit.*

**** Minimum requirement: 32 Amp socket. Commercial standalone charging units provide 2 chargers, meaning 100 spaces requires 1 standalone unit.*

5.2 These expectations are derived from and consistent with the approach taken by a number of other local authorities, which is evidenced in the guidance note.

6 Use of the Technical Guidance Note

6.1 Once the Technical Guidance Note has been approved, it will be published on the Council's website and made publicly available to developers and local residents.

6.2 The Guidance Note will be used to inform applicants of the Council's expectations at pre-application stage so that the necessary infrastructure can be designed into the development.

7 Financial appraisal

7.1 The proposed document is to be used as a 'Technical Guidance Note' with set expectations; therefore there are no financial implications of this report.

8 Legal implications

8.1 This proposed 'Technical Guidance Note' is for guidance purposes only. It does not have the same status as an adopted planning policy, and it cannot therefore be used as a reason for refusal for a planning application submitted within the area for which LDC is the planning authority.

Legal Implications provided 16.07.18 IKEN 7539LDC-JCS

9 Risk management implications

9.1 The following risk will arise if the recommendations are not implemented and the following mitigation is proposed:

Risk: if not implemented, the guidance set out in the Technical Guidance Note will not be available to the public, nor officers to give effect to the issues

addressed in the motion passed by Full Council on 7th October

Mitigation: That the recommendations of this report are approved, allowing the publication of the document to present the Councils expectations for Electric Vehicle Charging Points infrastructure.

10 Equality analysis

10.1 A full Equalities and Fairness assessment has been undertaken and is included as a background paper to this report.

11 Background papers

11.1 The background papers used in compiling this report were as follows:

- Automated and Electric Vehicles Bill 2017-19 - House of Commons Library <http://researchbriefings.files.parliament.uk/documents/CBP-8118/CBP-8118.pdf>
- Automated and Electric Vehicles Bill 2017-19 – Explanatory Notes <https://publications.parliament.uk/pa/bills/cbill/2017-2019/0112/en/18112en.pdf>
- Charging Points Statistics, 2018 <https://www.zap-map.com/statistics/>
- Finding Value in the Electric Vehicle Charging System [http://www.ey.com/Publication/vwLUAssets/Finding_value_in_the_electric_vehicle_charging_ecosystem_pdf/\\$File/Beyond%20the%20plug%20-%20Finding%20value%20in%20the%20electric%20vehicle%20charging%20ecosystem.pdf](http://www.ey.com/Publication/vwLUAssets/Finding_value_in_the_electric_vehicle_charging_ecosystem_pdf/$File/Beyond%20the%20plug%20-%20Finding%20value%20in%20the%20electric%20vehicle%20charging%20ecosystem.pdf)
- Full list of Electric Vehicle Home charge Scheme approved charge point model list, 2017 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/655120/evhs-approved-chargepoint-model-list.csv.csv/preview
- Land for Industry and Transport – SPG 2012. Annex 6: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/land-industry-and>
- Learn about plug-less charging <https://www.pluglesspower.com/learn-about-plugless/>
- Lewes District Local Plan, Joint Core Strategy, 2016 <http://www.lewes-eastbourne.gov.uk/planning-policy/lewes-core-strategy-local-plan-part-1/>
- National Planning Policy Framework (NPPF), 2012 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- East Sussex County Council, Guidance for Parking at new residential development, <https://www.eastsussex.gov.uk/media/9311/escs-guidance-for-parking-at-residential-developments.pdf>

Electric Vehicle Charging Points

Technical Guidance Note

Introduction

1. The vast majority of vehicles in use on the roads of Lewes District today currently run on petrol or diesel. However, these fuels produce emissions which are known to impact on human health and the environment. For these reasons the UK government are driving a transition to more efficient, lower polluting technologies such as Electric Vehicles (EVs).
2. This technical note aims to provide developers and the public with guidance in relation to how Electric Vehicle Charging Point (EVCP) infrastructure should be provided within development in the District (outside of the South Downs National Park). The Technical Guidance Note also provides a summary of existing technologies and the current situation in the UK, using case studies and examples of best practice.

Expectation for EV Charging Points in New Development

3. In order to encourage the use of EVs, this Technical Guidance Note sets out that any new development application submitted within the area for which Lewes District Council (LDC) is the planning authority¹ is expected to meet the criteria set out below:

Provision of accessible EV charging points for ULEV in New Development	
Flats (developments of 11 or more)	Where flatted development has integrated parking bays (undercroft or parking court) at least one dedicated bay with Fast EV Charging Unit to service the development.
Houses	Where houses are provided with a garage or driveway, one standard EV Charging Unit* per dwelling.

¹ i.e. Lewes District outside the South Downs National Park

Garages	Where domestic garages are provided, new or replacement, one standard EV Charging Unit** per garage.
Commercial	Where commercial development is proposed with 100 car parking bays or more at least 2% of those bays are to be provided with a Fast EV Charging Unit***.

** Minimum requirement: 16 Amp socket located either in a garage or in close proximity to a dedicated car parking place. In the absence of a garage, a wall mounted external socket would be expected.*

*** Minimum requirement: 16 Amp socket located inside the unit.*

**** Minimum requirement; 32 Amp socket. Commercial standalone charging units provide 2 chargers, meaning 100 spaces requires 1 standalone unit.*

4. These expectations are derived from and consistent with the approach taken by a number of other local authorities, some of which are evidenced later in this guidance.

Background

5. In 2017, as a way of significantly reducing emissions and improving air quality, the UK government announced their intention to end the sale of conventional petrol and diesel cars and vans by 2040. The aim by 2050 is for almost every vehicle on the road to be a zero emission vehicle. These targets are driving a revolution in Ultra Low Emission Vehicle (ULEV) technologies, however there are challenges associated with bringing to market technologies that are accepted by the consumer and affordable.
6. The primary benefit of EVs is their ability to significantly reduce emissions of greenhouse gases and other air pollutants locally and so improve air quality. The UK in general struggles to meet legal requirements associated with air pollutants. The Lewes District would benefit from an increase in EV usage particularly in relation to air quality issues within the designated Air Quality Management Area in Newhaven as well as localised congestion issues in the coastal belt, which at times cause air quality to be affected.

7. Evidence collated by Defra, Public Health England and the Local Government Association², published in March 2017, indicates that even short-term exposure to high levels of air pollution can induce a range of adverse health effects. The health implications include the exacerbation of pre-existing conditions such as asthma. Furthermore, the World Health Organisation (WHO) state that long-term exposure to air pollution can reduce life expectancy due to its negative impact on lung, heart and respiratory conditions. Additionally, the Royal College of Physicians has found emerging links between high levels of air pollution and a range of adverse health effects including dementia, diabetes and effects on the unborn child³. In addition to negatively affecting human health, air quality also impacts the environment and climate.

Lewes District Facts and Figures

8. There were a total of 62,417 vehicles registered in the Lewes District in 2017, including 51,498 cars, 2,716 motorcycles, 7,246 goods vehicles and 322 buses and coaches. The number of cars registered in Lewes District increased by 3,188 between 2012 and 2017.
9. A total of 56,148,000 tonnes of fuel was consumed by road transport in the Lewes District in 2015⁴. This is the second highest consumption in East Sussex after Wealden; however when measured against the size of the District and Boroughs, it is the third highest consumption, although still above the average for the County as a whole.
10. Petrol cars made up 37.2% of the total fuel consumption in 2015, with diesel cars making up 30.3% of total consumption. 28.9% of fuel consumption came from all types of Freight Transport, which includes HGVs and LGVs.
11. The total amount of annual fuel consumption in Lewes District has remained relatively consistent in the 10 years between 2005 and 2015; however the amount of consumption by diesel cars has increased whilst consumption by Petrol Cars has decreased. This is a result of diesel-engine cars being promoted by successive UK governments through lower levels of taxation compared to petrol-engine cars.

² https://www.local.gov.uk/sites/default/files/documents/6.3091_DEFRA_AirQualityGuide_9web_0.pdf

³ Royal College of Physicians 'Every breath we take the lifelong impact of air pollution' (2016)

⁴ Road transport energy consumption 2005-2015 - Department of Energy & Climate Change (DECC) via East Sussex in Figures

12. The Carbon Dioxide (CO₂) emissions in Lewes District in 2015 were 459,000 tonnes, which equates to 4.6 tonnes per capita⁵. This is the third highest of the Districts and Boroughs in East Sussex, but higher than the average per capita for the County as a whole. However, CO₂ emissions in the Lewes District did show a decreasing trend in the ten year period between 2005 and 2015.
13. Approximately 40% of the CO₂ emissions in 2015 came from Road Transport, whilst 36% came from Domestic fuel use.
14. The 'Lewes District Council 2017 Air Quality Annual Status Report' identifies that nitrogen dioxide (NO₂) monitoring takes place at over 40 locations throughout the Lewes District (including the area within the South Downs National Park). Of these, seven locations exceed the NO₂ annual mean objective of 40µg/m³. All of these locations are within Air Quality Management Areas, where action is being taken to manage the reduction in air pollution.
15. Over the period 2012 to 2016, over half of the monitoring sites have seen a decrease in NO₂ pollutants. However, between 2015 and 2016 38 out of 40 monitoring locations saw an increase in NO₂.
16. The increased usage of Ultra Low Emission Vehicles (ULEVs) will help to reduce fuel consumption in the District, as well as reduce CO₂ emissions and improve air quality. However, the increased provision of infrastructure will be required in order to encourage more people to make the switch to ULEVs.
17. As of April 2018, there were a total of 213 ULEVs registered in Lewes District. This represents 0.41% of the total cars registered in the District, which is the highest proportion of any local authority in East Sussex. However, this is slightly lower than the average across the whole of England, which is 0.53%. The highest proportion in England is in the Isles of Scilly (10.17%), whilst the City of London is the next highest with 6.28%. However, Lewes District has a higher proportion of ULEVs compared to total cars than the median average of England.

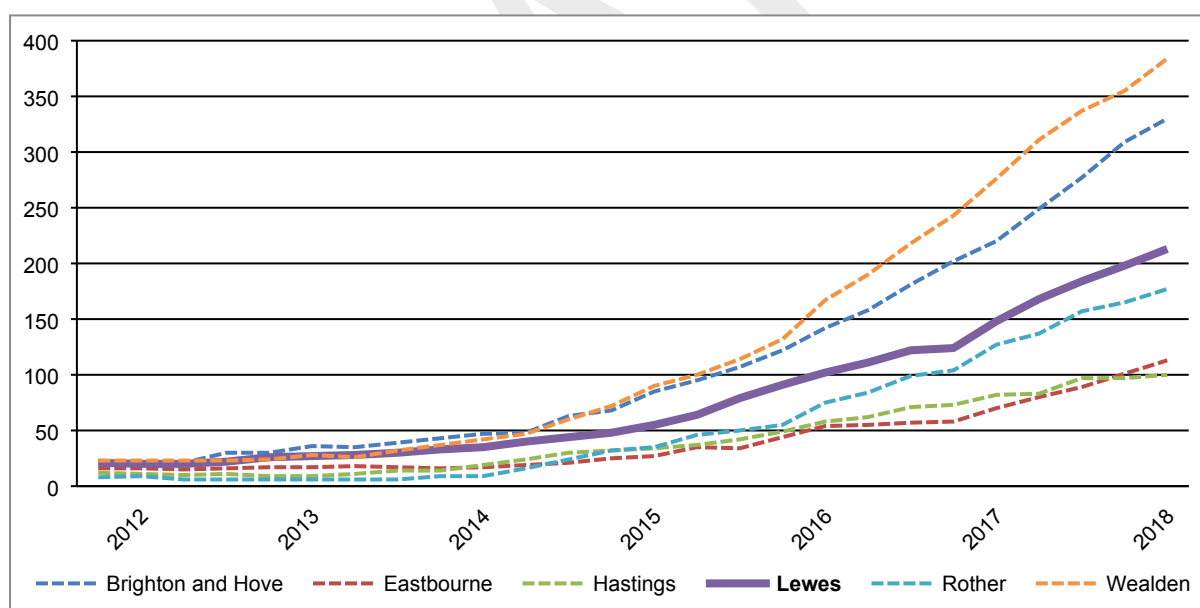
⁵ Carbon dioxide emissions by sector 2005-2015 – Department for Business, Energy & Industrial Strategy, via East Sussex in Figures

Table 1 - Total Register Cars compared to Number of Registered ULEVs

Local Authority	Total of Registered Cars (31 st March 2018) ⁶	Number of Registered ULEVs (31 st March 2018) ⁷	% ULEVs
Lewes	51,498	213	0.41%
Brighton & Hove	93,316	330	0.35%
Eastbourne	46,304	113	0.24%
Hastings	39,145	100	0.26%
Rother	52,776	177	0.34%
Wealden	95,795	384	0.40%

18. The rate of take-up of ULEVs in Lewes District is increasing. There were 65 new registrations of ULEVs in 2017/18, which is the highest of any year, and over the three year period between 2015 and 2018, growth in ULEVs nearly doubled on an annual basis.

Figure 1 - Change in the number of Registered ULEVs by local authority



19. EVs will play a vital role in the UK's transportation future, the transition away from fossil fuel to plug-in electric and low-carbon fuel and electricity could reduce greenhouse gas emissions.

⁶ Department for Transport: Vehicle Licensing Statistics, Table VEH0105 - Licensed vehicles by body type and local authority: United Kingdom

⁷ Department for Transport: Vehicle Licensing Statistics, Table VEH0131 - Licensed plug-in cars, LGVs and quadricycles by local authority: United Kingdom

20. In order to facilitate the transition of the UK vehicle market from one reliant on petrol and diesel to one based on ULEVs, the supporting infrastructure needs to be provided.

Lewes District Council's EVCP Concept

21. It is desired that the District will have a higher proportion of EVs on the roads, with infrastructure in place to support them. The Council expects that the majority of vehicle charging will occur overnight in a residential setting, however, it is appreciated that this will likely need to be supported by 'top up' charges during the day. Consequently to support this EV charging concept, it is desirable that planning applications should include an 'electric vehicle charging scheme' for housing and business/commercial developments such that it can be determined from the planning application how the development supports the provision of infrastructure necessary to fulfil not only the council's vision, but the governments drive to shift to lower polluting technologies.
22. This Technical Guidance Note has been produced to represent the starting point of the council's journey to formulating policy surrounding EVCP infrastructure, until more detailed evidence can be gathered regarding the technology and Electric Vehicle Charging Points (EVCPs) infrastructure which will lead to the implementation of a prescriptive policy position to reflect the council motion. A review of the Local Plan, which will begin following the adoption of Local Plan Part 2, will include assessment of a comprehensive EVCP policy.

Policy Context

23. The National Planning Policy Framework [NPPF] (revised 2018) encourages the provision of EVCPs in development. Paragraph 110 states that 'applications for development should *(e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations*'. It is also stated in paragraph 179 of the Framework that '*Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas*'.
24. East Sussex County Council's Guidance for Parking at New Residential Development (2017) outlines the amount and type of parking that should be

provided within new residential development. It encourages developers to include EVCPs at all properties with off-street parking. It also encourages consideration for EVCPs for other parking areas.

25. Additionally, the provision of EVCPs in development will comply with many policies set in the Joint Core Strategy (May 2016), specifically Core Policy 9: Air Quality and Core Policy 13: Sustainable Travel. These expectations would ensure that the District reduces locally contributing causes of climate change and shows the authority is being pro-active regarding climate change initiatives. It will also promote a sustainable system of transport and encourage developers to provide the new and upgraded infrastructure that is required to create and support sustainable communities.
26. Finally, this technical note is introduced in compliance with the recent Automated and Electric Vehicles Bill as brought from the House of Commons on 30 January 2018 (HL Bill 82).

Current situation in the UK

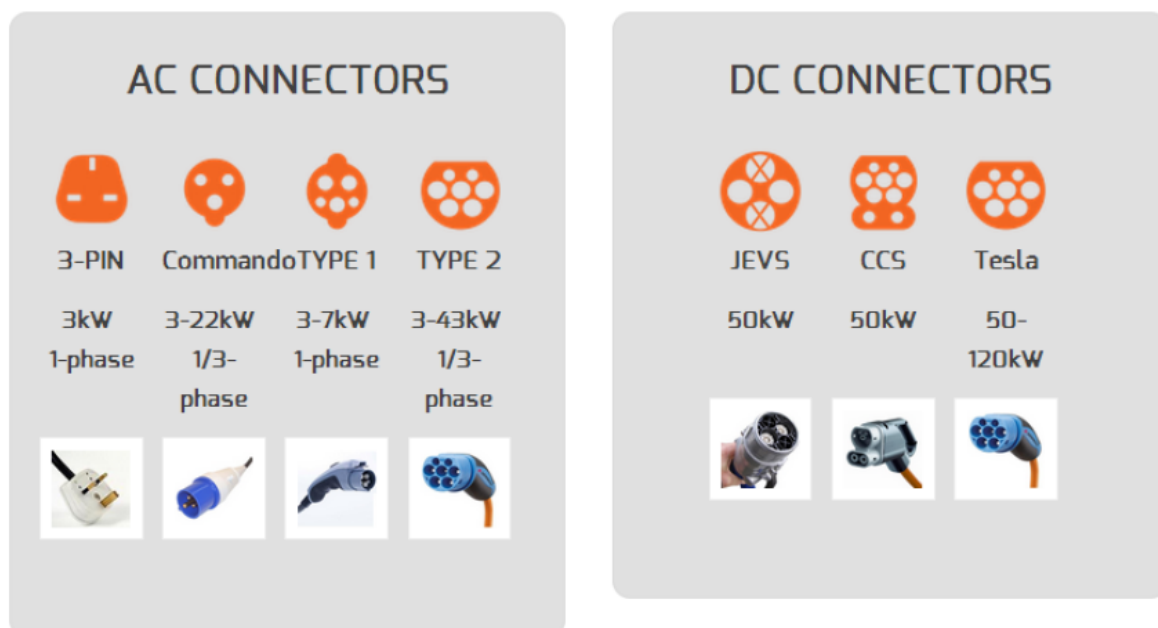
Available Technology

27. Electric vehicles are a relatively new development and technologies are constantly developing and improving due to high levels of investment from the automotive and other industries. As a result of this investment the capability of chargers and batteries are expected to significantly improve over the coming years.
28. There are currently three main electrical vehicle charging types⁸:
- **Standard** (up to 3kW) - Best suited for 6-8 hours overnight, these charges are most commonly used for home or workplace overnight charging cycles. Most EVs can be slow charged; in most cases a standard single-phase 13A supply is used to draw up 3kW of power, the EV usually takes approximately 6 to 8 hours. In most cases a standard 3-pin plug (BS 1363) at the charging point outlet is used, along with a gun shaped Type 1 (J1772) or 7-pin Type 2 (Mennekes) connector for coupling with the vehicle inlet. Although slow charging was initially the most common form of EV chargers they are now being replaced by fast and rapid charging units. These units cost circa £800 to install to an existing property.

⁸ Innovative on-street EV charging solutions (Ecolane 2015) <http://www.ecolane.co.uk/wp-content/uploads/2015/01/Ecolane-Innovative-on-street-EV-charging-solutions.pdf>

- **Fast (7-22kW)** - Fast charging more than doubles the available current of standard chargers to 32A (7kW), giving these units the ability to fully charge some EV models in 3-4 hours. The practicality of a shorter charging time means that many commercial and public on-street charges already utilise this technology. Although not all EVs are capable of accepting a phase-1 fast charge at 7kW, the majority can be connected to them and will draw 3 or 7kW, capability dependent. These units cost between £800 and £1700 to install.
- **Rapid (43-50kW)** - provide a high power alternating current (Ac) or direct current (DC), this provided a power supply of at least 4kW (AC) or 50kW (DC). This level of power enables an EV to reach 80% charge in 30 minutes. The most common type of rapid chargers is DC chargers. These chargers are equipped with a non-removable JEVS (CHAdEMO) or a 9-pin CCS (Combo) connector which is coupled with the appropriate inlet socket which is fitted to some EV models. Rapid AC charges are relatively new to the market and are currently only available on a small number of EV models in the UK.

Figure 2 – Common AC and DC connector used for EV charging in the UK⁹

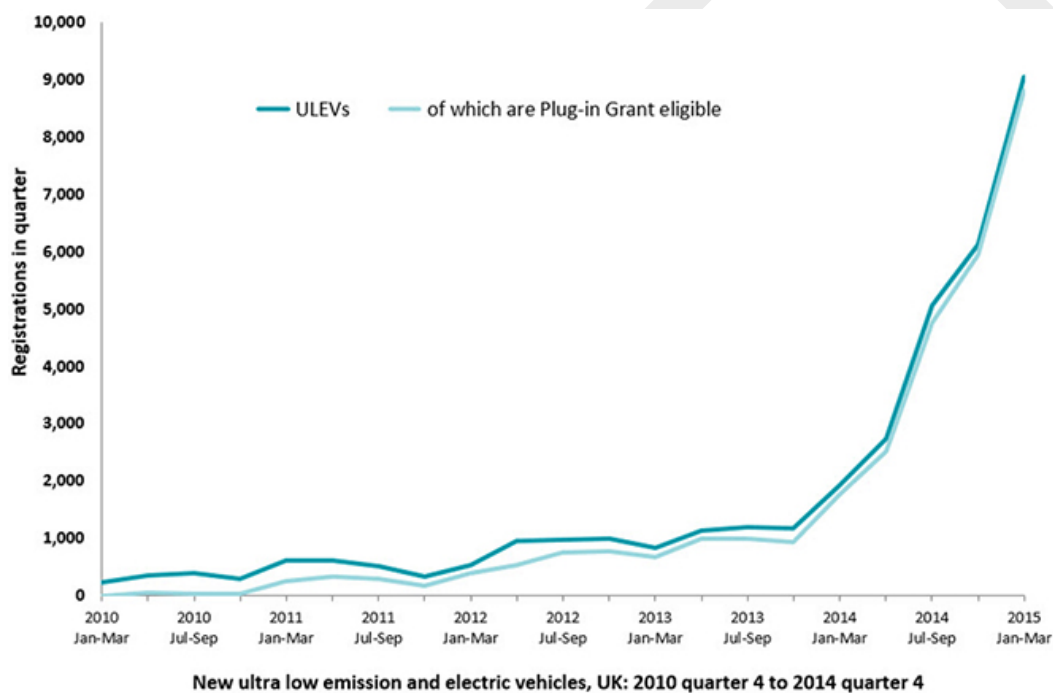


Examples of what other Local Planning Authorities are doing

⁹ <https://www.zap-map.com/charge-points/basics/>

29. Currently the number of people using electrical vehicles is far outweighed by the number using petrol or diesel vehicles, however, the UK are already a leader in Europe in terms of electric vehicle manufacture and uptake. In their 2017 Air Quality Plan¹⁰ Defra states that the UK had the highest sales of battery electric and plug-in hybrid vehicles in the European Union. The uptake of electric vehicles is likely to increase in the coming years due to improvements in technology and increased affordability. This is supported by the £2.7 billion the UK government has committed to investing in air quality and cleaner transport. Included in this is nearly £100 million which will be invested in the UK's charging infrastructure and funding the Plug-In Car and Plug-In Van Grant Schemes. Figure 3 below highlights the increase in growth and popularity seen in the use of electric vehicles across the UK.

Figure 3 - UK plug in vehicle uptake, by quarter¹¹



30. The Government wants to see the majority of charging occur at home, overnight, to avoid occurring during peak electricity demand. Whilst home recharging can be supported by workplace recharging, electric vehicles are expected to predominantly be charged residentially. Consequently, this technical paper focuses on the technologies available for home recharging.

¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633269/air-quality-plan-overview.pdf

¹¹ <https://chargedevs.com/newswire/uk-plug-in-sales-start-to-accelerate/>

London

31. The OLEV 'Go Ultra Low City Scheme' (GULCS) scheme has resulted in funding for four exemplar cities to develop innovative EV policies and schemes. London is one of these cities and is also one of the leading European cities for EVs.
32. The London Plan states in policy 6.13 that residential, retail and employment developments should provide electric vehicle charging points (EVCPs). The policy requires developers to provide active spaces as well as passive provision. Active spaces must have fully wired and connected charging points and be ready to use on completion of the development. Passive provision requires the necessary underlying infrastructure for example capacity in the connection to the local electricity distribution network and electricity distribution board, as well as cabling to parking spaces to be in place. This enables simple installation and activation of a charge point at a future date, thus future proofing developments.
33. The Land for Industry and Transport SPG (written by Greater London Authority) specifically Annex 6, sets out the 'Typical Charge Points Technical Standards'¹².

Table 3 – Typical Charge Points Technical Standards

	Voltage (V)	Current (Amps)	Nominal charge power (kW)	Typical Application
Standard	230 AC	13-16, single phase	3	Residents Parking Employees Parking
Fast	230 AC	32, single phase	7	Retail/leisure parking Residential & employment visitor parking
Rapid	400 AC and 500 – 600 DC	32-63A three phase and up to 125 DC	20-50	Specialist applications

¹² Greater London Authority - Land for Industry and Transport – SPG 2012 Annex 6: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/land-industry-and>

Scarborough Borough Council

34. In July 2017, Scarborough Borough Council (SBC) adopted their Local Plan, which contained a new policy on EVCPs:

Policy DEC 2- Electric Vehicle Charging Points

‘There will be a requirement that every new residential garage and dedicated marked out residential car parking space within the curtilage of the property should include an electrical socket suitable for charging electric vehicles. For non-residential developments providing 100 car parking bays or more, it is required that at least 2% of those bays should provide well managed rapid charging points for electric vehicles, where the local electricity network is technically able to support this. An exemption would be made for residential apartments with communal parking areas’.

35. SBC state that although a single phase 13 amp three-pin domestic socket is adequate for home charging, a dedicated EV unit should be installed. SBC recognise that it is much easier to set up a dedicated charging unit during construction of a property. The cost of installing an EVCP to an existing dwelling is circa £800, this cost is decreased if the unit is installed as part of the construction process. In their assessment, SBC found that installation of an EVCP is very unlikely to impact the viability of a development scheme.

LDC Expectations

36. Delivering an accessible network of EVCPs will play a critical role in facilitating the purchase of electric vehicles. Increasing EVCP provision should ensure residents and businesses have increasing confidence in utilising and purchasing EV's as their preferred and most convenient choice of vehicle in the Lewes District.

37. Any new development application submitted within the area for which LDC is the planning authority is expected to meet the criteria set out below:

Provision of accessible ¹³ EV charging points for ULEV in New Development	
Flats (developments of 11 or more)	Where flatted development has integrated parking bays (undercroft or parking court) at least one dedicated bay with Fast EV Charging Unit to service the development.
Houses	Where houses are provided with a garage or driveway, one standard EV Charging Unit* per dwelling.
Garages	Where domestic garages are provided, new or replacement, one standard EV Charging Unit** per garage.
Commercial	Where commercial development is proposed with 100 car parking bays or more at least 2% of those bays are to be provided with a Fast EV Charging Unit***.

* *Minimum requirement: 16 Amp socket located either in a garage or in close proximity to a dedicated car parking place. In the absence of a garage, a wall mounted external socket would be expected.*

** *Minimum requirement: 16 Amp socket located inside the unit.*

*** *Minimum requirement; 32 Amp socket. Commercial standalone charging units provide 2 chargers, meaning 100 spaces requires 1 standalone unit.*

38. These expectations are derived from and consistent with the approach taken by a number of other local authorities. As mentioned throughout this document, this guidance note has been created to encourage EV infrastructure in new development.

¹³ Ensuring that the infrastructure provided is accessible to all people.

Background Papers

39. The background papers used in compiling this report were as follows:

- Automated and Electric Vehicles Bill 2017-19 - House of Commons Library <http://researchbriefings.files.parliament.uk/documents/CBP-8118/CBP-8118.pdf>
- Automated and Electric Vehicles Bill 2017-19 – Explanatory Notes <https://publications.parliament.uk/pa/bills/cbill/2017-2019/0112/en/18112en.pdf>
- Charging Points Statistics, 2018 <https://www.zap-map.com/statistics/>
- Finding Value in the Electric Vehicle Charging System [http://www.ey.com/Publication/vwLUAssets/Finding_value_in_the_electric_vehicle_charging_ecosystem_pdf/\\$File/Beyond%20the%20plug%20-%20Finding%20value%20in%20the%20electric%20vehicle%20charging%20ecosystem.pdf](http://www.ey.com/Publication/vwLUAssets/Finding_value_in_the_electric_vehicle_charging_ecosystem_pdf/$File/Beyond%20the%20plug%20-%20Finding%20value%20in%20the%20electric%20vehicle%20charging%20ecosystem.pdf)
- Full list of Electric Vehicle Home charge Scheme approved charge point model list, 2017 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/655120/evhs-approved-chargepoint-model-list.csv.csv/preview
- Land for Industry and Transport – SPG 2012. Annex 6: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/land-industry-and>
- Learn about plug-less charging <https://www.pluglesspower.com/learn-about-plugless/>
- Lewes District Local Plan, Joint Core Strategy, 2016 <http://www.lewes-eastbourne.gov.uk/planning-policy/lewes-core-strategy-local-plan-part-1/>
- National Planning Policy Framework (NPPF), 2012 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- East Sussex County Council, Guidance for Parking at new residential development, <https://www.eastsussex.gov.uk/media/9311/escs-guidance-for-parking-at-residential-developments.pdf>

This page is intentionally left blank

Report to:	Cabinet
Date:	17 September 2018
Title:	Telscombe Tye Public Spaces Protection Order
Report of:	Director of Service Delivery
Cabinet member:	Councillor Isabelle Linington (Cabinet Member for Environmental Impact)
Ward(s):	East Saltdean and Telscombe Cliffs
Purpose of report:	<p>To enable Cabinet to consider the proposal to introduce a Public Spaces Protection Order to support Telscombe Town Council in reducing the number of dog on sheep attacks on Telscombe Tye by requiring dog walkers to keep their dogs under proper control.</p> <p>To approve the draft Public Spaces Protection Order for consultation and authorise the Director of Service Delivery to undertake the consultation, amend as necessary and subsequently make the order on behalf of the Council.</p>
Decision type:	Key
Officer recommendation(s):	<ol style="list-style-type: none">1. To approve the Public Spaces Protection Order in draft form (set out in Appendix 1) for consultation.2. To grant authority to Director of Service Delivery:<ol style="list-style-type: none">i. to carry out statutory consultation on the draft Public Spaces Protection Order in conjunction with Telscombe Town Council;ii. if necessary, and in consultation with the Lead Member, to amend the content of the Order in light of consultation responsesiii. to make and publicise the Order in accordance with relevant legislationiv. to put in place arrangements to enforce the Order with Telscombe Town Councilv. to keep the Order under review; and, in consultation with the Lead Member, cease, renew or amend it at the end of its term, as appropriate.

Reasons for recommendations: To provide an effective response to sheep attacks on Telscombe Tye which meets the needs of local residents and partners.

Contact Officer(s): Name: Harry Williams
Post title: Policy and Engagement Coordinator
E-mail: harry.williams@lewes-eastbourne.gov.uk
Telephone number: 01323 415432

1 Introduction

- 1.1 Telscombe Tye is an area of downland which is registered Common Land and owned by Telscombe Town Council.
- 1.2 The Tye has grazing rights for a number of sheep and the Town Council own and manage a community flock of 100 ewes on the Tye. This is to help maintain the land and it also provides an income for the town council, which in turn is for public benefit.
- 1.3 Whilst the Town Council encourage the public use of the Tye, including dog walking, over the years there have been a number of sheep killed on the Tye as a result of dog attacks. Between January 2017 and November 2017 31 ewes were killed. In this period 50 lambs were also lost, either from a direct attack or through abortion due to the stress of an attack on a ewe.
- 1.4 Despite local measures to try and prevent dog attacks, incidents continue and a Public Spaces Protection Order is now being proposed to help tackle the issue.

2 Public Spaces Protection Orders

- 2.1 Public Spaces Protection Orders (PSPOs) were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') to provide community protection. They can be made by district councils to deal with issues that have a detrimental and persistent effect on the quality of life of residents in the area.
- 2.2 PSPOs place conditions or restrictions on what people can do within a specific area. Breaching a PSPO without reasonable excuse is a criminal offence punishable by a fixed penalty notice or prosecution. A PSPO can last for a maximum of three years but may be renewed after this period if justified.
- 2.3 We have a number of PSPOs already in place in Lewes district, addressing issues related to dog fouling and the public consumption of alcohol.

3 Proposal

- 3.1 It is recommended that the Council makes a single PSPO, following consultation on three options as specified in Appendix 1.
- 3.2 A summary of the options can be found below and further information can be found under Appendix 2.

3.3 Option 1 – Controls applicable all year round but only in the vicinity of sheep:

A person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead and which is in the vicinity of sheep.

For the purposes of this Order, “short lead” means a lead of fixed length and of not more than two metres.

3.4 There is no set definition of ‘in the vicinity of’ but is a term used in other legislation including the Countryside and Rights of Way Act 2000.

3.5 Option 2 – Controls applicable all year round:

Subject to the below paragraph, a person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog and fails to keep the dog on a short lead.

A person is not guilty of the offence so long as he or she keeps the dog in sight at all times AND prevents it from approaching sheep, except where an authorised officer reasonably requests the person to place the dog on a lead.

For the purpose of this Order –

- i. “short lead” means a lead of fixed length and of not more than two metres;
- ii. “authorised officer” means an officer authorised by Lewes District Council

3.6 Option 3 – More lenient dog control:

As per Option 1 or Option 2 but replacing “on a short lead” with “on a lead or otherwise under close control”.

3.7 Careful consideration was given to the proposals to ensure that they satisfied the legal requirements of a PSPO (see further at paragraph 10 below) and strike a balance between effectively addressing the problem and ensuring that responsible dog owners are not penalised.

3.8 Telscombe Town Council resolved at its full council meeting on 15 August 2018 to refer the three options (as expressed above) to the Cabinet of Lewes District Council for consideration.

4.0 Management and Enforcement of the Proposed Order

4.1 As per the Town and Parish Council Public Spaces Protection Order Agreement (see Appendix 3), Telscombe Town Council is responsible for the enforcement and on-going management of the Order (e.g. installing and maintaining

appropriate signage).

- 4.2 However Telscombe Town Council does not have the necessary staff to enforce the Order at this time. Therefore discussions with the Town Council are underway to explore what role Neighbourhood First could take in enforcing the Order. Any activity undertaken by Neighbourhood First would be at a charge to the Town Council, once agreed.

5 Outcome expected and performance management

- 5.1 The PSPO aims to reduce the number of sheep killed, injured or traumatised as a result of a dog attack on Telscombe Tye.
- 5.2 A PSPO may be amended or removed at any time during the three year period. This allows for changes to be made to the Order, subject to consultation, to ensure that the PSPO remains fit for purpose.
- 5.3 Lewes District and Eastbourne Borough Councils PSPO Review Group will oversee the PSPO during its lifetime.

6 Consultation

6.1 Pre-consultation

- 6.2 In July 2018 the PSPO Project Group carried out pre-consultation with key stakeholders to find out initial views on five proposed options, whether there were viable alternative options not previously considered, and whether there were any stakeholder groups to be engaged as part of the full consultation.
- 6.3 Responses were received from The Kennel Club, Telscombe Residents Association and Natural England. Moreover, Option 2 was developed in consultation with The Kennel Club, following a joint site visit to the Tye with Lewes District Council and Telscombe Town Council staff.
- 6.4 The feedback provided by these groups helped reduce the proposals down to the three options outlined in paragraphs 3.3 to 3.6. A copy of the pre-consultation report, including the original options, can be found under Appendix 2.

6.5 Full consultation

- 6.6 Following Cabinet agreement, a formal consultation will take place in accordance with the Act.
- 6.7 The Act requires councils to consult with the following bodies over the proposals:
- Chief Officer of Police for the local area
 - Police and Crime Commissioner
 - Land owners of the affected areas

- Any community representatives the local authority considers appropriate

6.8 Consultation letters will be sent to all of the above and a survey will be hosted online to enable any other interested parties to make their views known. Copies of the survey will also be made available at Telscombe Town Hall.

6.9 Once the consultation ends, Director of Service Delivery would have regard to all consultation responses in deciding, in discussion with the Lead Member, whether any amendments to the draft Order are required. The Director would then prepare the definitive PSPO and bring it into force in accordance with the Act.

7 Corporate plan and council policies

7.1 The proposed PSPO is in line with the council's aim to maintain the quality of public parks and community spaces.

8 Business case and alternative option(s) considered

8.1 Telscombe Town Council's flock provides an income for the town council which is used for the benefit of residents. When a sheep is killed there is a loss of income for the town council and a cost in replacing the ewe. On average, it can cost £220 per ewe and the proposed PSPO will take steps to reduce the amount of public funding lost.

8.2 Over the years the Town Council and other agencies (such as Sussex Police and South Downs National Park Authority) have carried out a range of measures to try and prevent dog attacks on the Tye and elsewhere across the South Downs National Park. This includes articles in local media, prosecutions for sheep worrying, signage, campaigns and on-going education. However the problem remains.

8.3 The use of Community Protection Notices (a power available to councils to tackle perpetrators of anti-social behaviour) was considered as an alternative to a PSPO. However this approach would rely heavily on enforcement, which is resource intensive, and not encourage the necessary behaviour change to help prevent sheep attacks.

8.4 A range of alternative PSPO options were considered as part of the pre-consultation. However these were rejected on the basis of equalities and enforcement implications.

9 Financial appraisal

9.1 Finance have made the following comments:

9.2 The cost of making the order will be met from within existing budgets, the consultation and ongoing operational costs are to be funded by the Town Council, from income collected.

10 Legal implications

10.1 Legal Services have made the following comments:

10.2 The Part 4 community protection provisions of the Anti-social Behaviour, Crime and Policing Act 2014 permit a district council (but not a town council) to make a Public Spaces Protection Order if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out in a public space—

- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed

10.3 These legal tests focus on the impact that anti-social behaviour is having on victims and communities. As shown at paragraph 11.1 below, failure to keep dogs under proper control on the Tye can have serious consequences not just for the sheep under attack but elements of the local community, in terms of distress to those who witness the incident or its aftermath, and the financial impact ultimately borne by Telscombe council tax payers due to the cost of replacing ewes lost from the community flock.

10.4 All three options put forward for consideration and consultation are capable of meeting the legal tests. Responses to the pre- and full consultation should assist the Council in deciding which option most effectively deals with the anti-social behaviour (failure to control dogs around sheep) in a manner proportionate to the seriousness of the problem.

10.5 *Lawyer consulted 16.08.18. Legal ref: 006654-LDC-OD*

11 Risk management implications

11.1 If a PSPO is not introduced it is likely that incidents will continue. Not only does this have a financial implication for the town council, but attacks can also have an emotional impact on those involved, including the farmer, dog owner and any witnesses.

11.2 Whilst the PSPO would be positive in addressing the problem it is possible that incidents may continue. An effective communications and enforcement strategy will need to be adopted by Telscombe Town Council to help manage expectations and educate local residents in responsible dog ownership.

11.3 There is a risk that the district and town council could receive negative feedback on the proposals from residents, and especially the dog walking community.

11.4 The use of PSPOs have recently been scrutinised by lobbying and special interest groups. There have been a number of high-profile cases in national and local media recently. PSPOs are occasionally challenged as being disproportionate. This proposal has been mindful of the need to be proportionate

(see para 3.7).

- 11.5 The PSPO Project Group have taken steps to mitigate this risk by carrying out pre-consultation engagement with stakeholders and working closely with The Kennel Club.

12 Equality analysis

- 12.1 By their nature PSPOs can have an impact on anyone within their designated area. However, the Equality Analysis carried out on the proposed options (as highlighted in para 3.3 to 3.6) identified that they would have a greater impact on the protected groups: Disability, Age and Sex.

- 12.2 Exemptions for relevant disability groups have therefore been included in the proposed orders. If introduced, the enforcement of the PSPO would be monitored by Lewes District and Eastbourne Borough Council's PSPO Review Group to ensure that it would not disproportionately target Age and Sex protected groups.

13 Appendices

- Appendix 1 – Draft Public Spaces Protection Order
- Appendix 2 – Telscombe Tye PSPO pre-consultation report
- Appendix 3 –Town and Parish Council Public Spaces Protection Order Agreement

14 Background papers

The background papers used in compiling this report were as follows:

- Anti-Social Behaviour, Crime and Policing Act 2014. Available at: <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>.
- Anti-social Behaviour, Crime and Policing Act 2014: anti-social behaviour powers – statutory guidance for frontline professionals (Home Office, 2014, updated December 2017)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf
- Dealing with irresponsible dog ownership – Practitioner's Manual (DEFRA, Oct 2014)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownership-practitioners-manual-201411.pdf
- Telscombe Tye Public Spaces Protection Order Equality and Fairness Analysis

Lewes District Council

**Anti-social Behaviour, Crime and Policing Act 2014
Part 4: Community Protection**

**Lewes District Public Spaces Protection Order
(Dog Control on Telscombe Tye) 2018**

Lewes District Council (“the Council”), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in sections 59(2) and 59(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Lewes District Public Spaces Protection Order (Dog Control on Telscombe Tye) 2018.
2. The Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. This Order applies to the whole of Telscombe Tye as shown edged in black on the plan in the Schedule to this Order.

BY THIS ORDER:

Option 1

- 4.1 A person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead and which is in the vicinity of sheep.
- 4.2 For the purposes of this Order, “short lead” means a lead of fixed length and of not more than two metres.

Option 2

- 4.1 Subject to paragraph 4.2, a person is guilty of an offence if at any time and without lawful excuse he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog and fails to keep the dog on a short lead.
- 4.2 A person is not guilty of the offence in paragraph 4.1 so long as he or she keeps the dog in sight at all times AND prevents it from approaching sheep.
- 4.3 The defence provided by paragraph 4.2 does not apply where an authorised officer reasonably requests the person to place the dog on a lead.

- 4.4 For the purpose of this Order –
- i. “short lead” means a lead of fixed length and of not more than two metres;
 - ii. “authorised officer” means an officer authorised by Lewes District Council

Option 3

- 4.1 *As per Option 1 or Option 2 but replacing “on a short lead” with “on a lead or otherwise under close control”.*

5. This Order shall not apply to a person who:-
- a) is registered as a blind person in a register compiled under section 29 of National Assistance Act 1948; or
 - b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance or;
 - c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

6. For the purpose of this Order–
- each of the following is a “prescribed charity”:
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)

7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8. If any person who lives near or regularly works near or visits Telscombe Tye wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of LEWES DISTRICT COUNCIL

this day of 2018.

THE COMMON SEAL OF
LEWES DISTRICT COUNCIL
was hereunto affixed in the presence
of:-

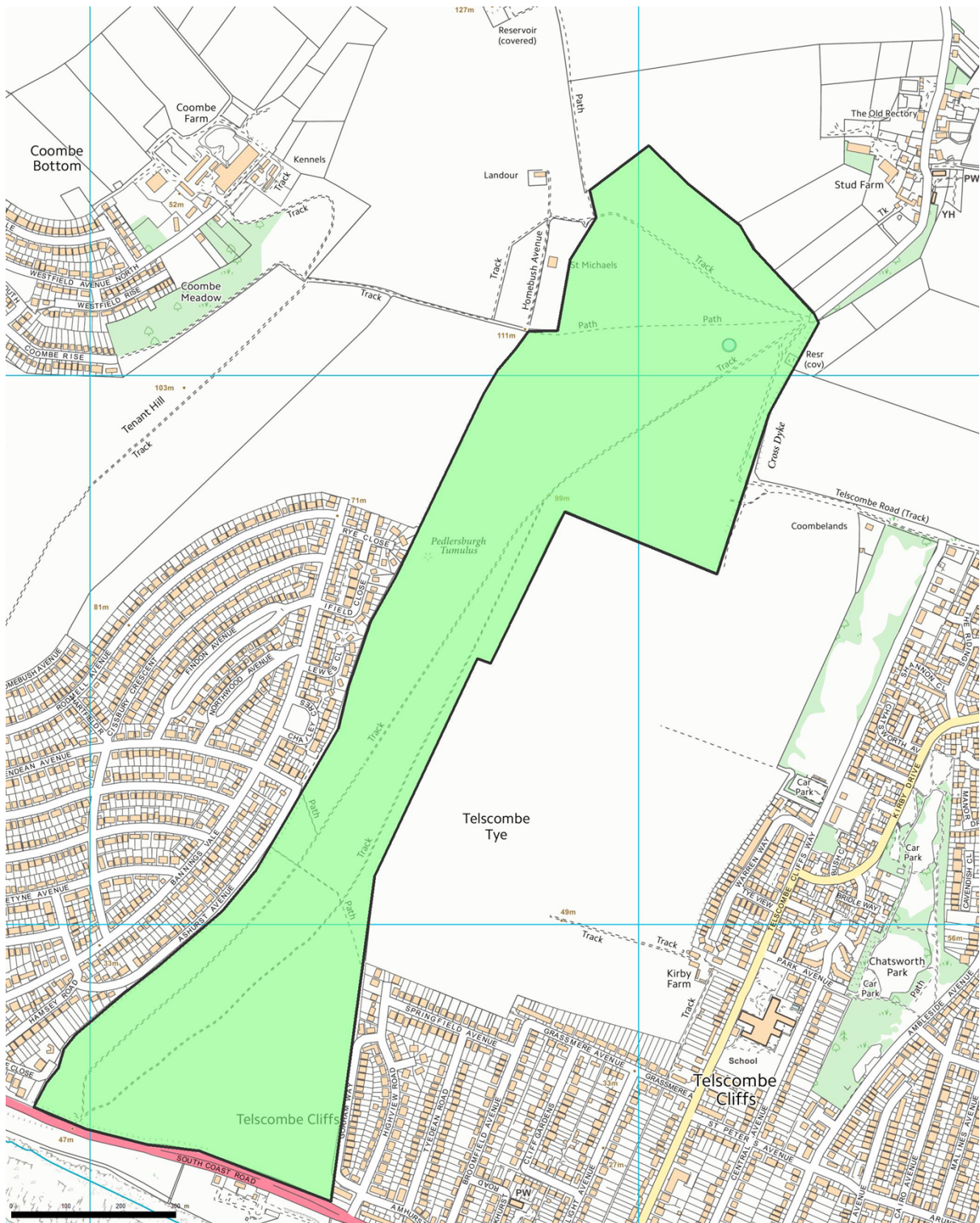
Authorised signatory.....

Print Name.....

Job
Title.....

DRAFT

Schedule



Telscombe Tye proposed Public Spaces Protection Order

Pre-consultation report

August 2018

Contents

Introduction	2
Respondents to the pre-consultation activity	2
Why is a PSPO needed?	2
PSPO options proposed during the pre-consultation stage	3
Option 1	3
Option 2	3
Option 3	4
Option 4	4
Option 5	4
Comments received during the pre-consultation stage	5
Comments received from The Kennel Club	5
Comments received from Telscombe Residents Association	5
Comments received from Natural England	6
PSPO options proposed to be put forward for full public consultation	7
Option 1 - Year round but only in the vicinity of sheep	7
Option 2 - Year round	7
Option 3 – More lenient dog control	7
Proposal being put to Telscombe Town Council	7

Introduction

Public Spaces Protection Orders (PSPOs) can be made by district councils to deal with issues that have a detrimental and persistent effect on the quality of life of residents in the area.

PSPOs place conditions or restrictions on what people can do within a specific area. Breaching a PSPO without reasonable excuse is a criminal offence punishable by a fixed penalty notice or prosecution. A PSPO can last for a maximum of three years but may be extended if justified.

We have a number of PSPOs already in place in Lewes District, addressing issues related to dog fouling and the public consumption of alcohol.

We are now exploring the possibility of introducing a PSPO on Telscombe Tye to protect the lambs and ewes that graze on the Tye for various periods during the year, from being scared, injured or killed by dogs.

In the autumn of 2018 we will carry out a public consultation over the proposed options for the PSPO.

Ahead of the public consultation we asked for the views of key stakeholders as part of our pre-consultation activity to find out initial views on the proposed options, whether there are viable alternative options that we have not considered, and whether there are any stakeholder groups that we should be engaging as part of the consultation.

Respondents to the pre-consultation activity

The pre-consultation information was shared with a number of groups and organisations. Responses were received from:

- The Kennel Club
- Telscombe Residents Association
- Natural England

Why is a PSPO needed?

Despite local measures to reduce the frequency of dog attacks, incidents continue.

Worrying of sheep by dogs (attacking, chasing or being off the lead in a field in which there are sheep) can result in the dog owner/walker being prosecuted under the Dogs (Protection of Livestock) Act 1953. However, this legislation cannot be enforced by the local authority and makes no provision for fixed penalty notices; nor does it take account of the impact that dog attacks on the community flock can have on local people.

Loss of ewes and lambs can have a major financial and emotional effect on all concerned. The cost of replacing livestock is borne by the Town Council but ultimately

from public funds. The sight of a dog attack, at the time of the incident and its aftermath, can be very distressing for the farmer and anyone using the Tye. Pupils from Telscombe Cliffs Primary School take a keen interest in the flock, with regular visits to the farm.

The underlying cause of sheep worrying is the failure to keep dogs on leads in areas where sheep are present. It is a persistent problem on the Tye and is having a detrimental effect on the quality of life of those in the locality.

PSPO options proposed during the pre-consultation stage

The following is a long list of options for a PSPO to address sheep worrying on the Tye. We would like to know your views on these proposals.

Option 1

Applicable all year round but only in the vicinity of sheep:

A person is guilty of an offence if at any time, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead and which is in the vicinity of sheep.

For the purposes of this Order, "short lead" means a lead of fixed length and of not more than two metres.

This option would mean that a dog owner can lawfully walk their dog off a lead whilst on the Tye but they would need to place their dog on a lead when near any sheep.

This option could help prevent sheep attacks and worrying but it would not provide the same protection as Option 2. This is because the Tye is undulating in places and that sheep are often hidden in long grass, bushes or shrubs - meaning it can be difficult to spot sheep.

Option 2

Applicable all year round and whether in the vicinity of sheep or not:

A person is guilty of an offence if at any time, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead.

For the purposes of this Order, "short lead" means a lead of fixed length and of not more than two metres.

This option would mean that a dog must be kept on a lead at all times whilst on the Tye.

This could provide the fullest protection to sheep but represents a higher level of restriction for dog walkers and if they wanted to exercise their dog off a lead, they

would have to do so elsewhere. Options nearby include the cliff-top walk or promenade along the base of the cliffs.

Option 3

Applicable only at specified times of the year:

A person is guilty of an offence if during the times specified in the Schedule to this Order, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead [and which is in the vicinity of sheep].

For the purposes of this Order, "short lead" means a lead of fixed length and of not more than two metres.

This option could mean that dogs must either be kept on a lead at all times **or** when near a sheep during a specified time of the year. For example during lambing between March and May.

This option could allow the Tye to be used freely by dog walkers when sheep and lambs are not using the land.

However the timings can vary from year to year and are very weather dependent. This means that it is difficult to specify set times of the year when sheep are definitely off the Tye, and an Order made in these terms would not give the farmer the flexibility to manage the flock and the Tye pasture in the best way.

Option 4

Limited to designated areas on the Tye:

Any of the options above but applicable only to designated parts of the Tye.

This option is a variation of options 1, 2 or 3 but would only apply in certain areas of the Tye.

This option means that owners would have to walk their dogs either on a lead at all times whilst on the Tye **or** only when near a sheep, at either all times of the year **or** during a specified time **when** in a certain area.

This option would allow dog walkers to use the Tye whilst providing a safe place for sheep and lambs. However, sheep and land tend to graze across Telscombe Tye and can be found in any part at any time.

Sheep and lambs are also used to help maintain the Tye as they can help prevent shrubs growing, which allows for greater diversity of plant species.

Option 5

More lenient dog control:

Any of the options above but replacing “on a short lead” with “on a lead or otherwise under close control”

This option could be applied to any of the above options, requiring dog walkers to use an extendable lead, or no lead so long as the dog was under “close control”.

This option would provide more flexibility for dog walkers but it would mean that sheep and lambs are not as well protected as owners don't have the same level of control over their dogs.

Comments received during the pre-consultation stage

Comments received from The Kennel Club

The Kennel Club carried out an assessment of the Tye in relation to the proposed options on Friday 22 July 2018. The Kennel Club will be providing a full report outlining their findings and recommendations for a meeting at Telscombe Town Council on Tuesday 15 August 2018. The Kennel Club were supportive of the proposal to introduce an order to the Tye and were against consulting over a ‘full control’ option. They proposed a new option of ‘Year round control’ which appears in the ‘PSPO options proposed to be put forward for full public consultation ‘ below (Option 2).

Comments received from Telscombe Residents Association

The following gives the association's comments in full:

- Option 2**, in our view, is the only real answer, to the issue of sheep worrying on The Tye. We have too often witnessed people walking The Tye with their dogs completely free of any sort of control, despite notices abounding on The Tye and in the press/social media that there are sheep in the vicinity and pleading with dog owners to keep their pets on a lead. Many people believe that The Tye is there for the express purpose of exercising their dogs as it is “owned by the people”. This belief refers to the time in 1989 when Telscombe Town Council, in order to protect this area from development, bought the land with some funds raised by an increase in Council Tax. They do not understand that the sheep farmers have historic grazing rights on The Tye, nor that there is no statutory access rights (although Telscombe Town Council does encourage the use for quiet enjoyment and relaxation).
- **Option 5** does appear to offer a compromise, but we do not believe that this offers a very high degree of control over owners' dogs, and can put the sheep at greater risk of dog attacks.
 - **Option 1** may appear to the dog owner to be perhaps the best, but with our knowledge of the geography of The Tye, it is impossible to always see that

there are sheep on The Tye, or where on The Tye they are – however, a loose dog would be able to smell sheep before they are even visible. We therefore would reject this option.

- **Option 3** would, in our view, be unworkable. It is very difficult sometimes to be exact about when and where sheep will be on The Tye due to weather, farming timetables etc, and the farmers do have the right to manage their flocks (and the community flock) in the most appropriate way.
- **Option 4** seems at first glance to be acceptable, but does not take into account the fact that sheep have no boundaries, and will seek the best pieces of pasture, and the sweetest grass, irrespective of any artificial boundaries.

In summary therefore, we firmly believe that whilst Options 5 and 1 appear at first glance to be attractive without alienating dog walkers, the fact is that not only is sheep worrying and actual sheep deaths from dogs on the increase nationally, but that the attitude of some irresponsible dog owners is just as worrying, if not more so, that the natural behaviour of dogs near sheep.

We therefore conclude that **Option 2** would be our express choice in this matter.

Comments received from Natural England

Natural England proposed an additional option:

A person is guilty of an offence if at any time, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead when sheep are also present.

For the purposes of this Order, “short lead” means a lead of fixed length and of not more than two metres.

Sheep are deemed to be on the Tye when notices at the entrance indicate their presence and this can be confirmed by information on the (council) website.

The option of a lead was preferable to the close control option due to the risk of the latter being open to interpretation. It was also believed that the former fits better with the advice that is being issued by the Country Land and Business Association and the National Farmers Union; this makes us aware that any dog can be attracted to chasing sheep even when they are a long distance away. And even a well behaved dog in this situation can go from close control to no control very quickly.

Natural England opted for the “only when the sheep are present” option. This was seen as the least restrictive option and some suggestions for how the sheep being present could be communicated to dog walkers (the PAWs traffic light system).

Natural England questioned how the order would be enforced. A response was issued to Natural England confirming that the Lewes District Council team, Neighbourhood First would enforce the order.

PSPO options proposed to be put forward for full public consultation

Option 1 - Year round but only in the vicinity of sheep

A person is guilty of an offence if at any time, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog which is not on a short lead **and which is in the vicinity of sheep**.

For the purposes of this Order, “short lead” means a lead of fixed length and of not more than two metres.

Option 2 - Year round

Subject to clause 2, a person is guilty of an offence if at any time, and without lawful excuse, he or she takes onto, or allows to enter or remain on, Telscombe Tye any dog and fails to keep the dog on a short lead.

A person is not guilty of the offence in clause 1 so long as he or she keeps the dog in sight at all times AND prevents it from approaching sheep.

A person may not rely on the exception permitted under clause 2 where an authorised officer reasonably requests the person to place the dog on a lead.

For the purpose of this Order, “short lead” means a lead of fixed length and of not more than two metres.

Option 3 – More lenient dog control

Any of the options above but replacing “on a short lead” with “on a lead or otherwise under close control” – to mirror the wording of the Dogs (Protection of Livestock) Act 1953. This would permit dog walkers to use an extendable lead, or no lead so long as the dog was under “close control”.

Rationale for this shortlist of options:

- To provide set of options that would each be effective in tackling the issue of sheep worrying at the tie.
- To avoid equality issues that a full control order could present.
- To achieve for consistency with the Kennel Club recommendations.
- To provide a clear and distinct set of options so residents are clear what is being consulted over.

Proposal being put to Telscombe Town Council

The consultation project team is seeking endorsement from Telscombe Town Council to carry out a full public consultation over the three options set out above.

A report seeking final approval to carry out this consultation is scheduled to go to Lewes District Council Cabinet on 17 September 2018.

This page is intentionally left blank



Public Spaces Protection Orders (PSPOs) Town and Parish Councils

This document sets out the respective responsibilities of Lewes District Council (LDC) and town and parish councils (TPC) when making a PSPO.

In addition to these high level matters, for each PSPO proposed by a town or parish council, an individual Memorandum of Understanding would be drawn up between LDC and the town / parish council concerned, governing the operational arrangements specific to that order.

Legal

LDC will carry out the legal processes to introduce a PSPO, including the 'Legal Test' and the drafting and enacting of the order.

TPC will need to provide LDC with proposed options for the order. TPC will also need to provide supporting evidence (e.g. reports and statements).

LDC will manage any appeals made against the order. However, TPC may be required to support LDC (e.g. financially) depending on the appeal.

Cabinet

LDC will draft the report which will seek the required approval from Cabinet. TPC may be required to support LDC in the drafting of the report.

Equality and Fairness Analysis

LDC will carry out the Equality and Fairness Analysis of the order. TPC may be required to resource or deliver actions arising from the analysis.

TPC would be responsible for ensuring 'suitable alternatives' where the analysis shows alternatives are necessary.

Consultation

Consultation on a proposed order will require close management. In the majority of cases, TPC will be responsible for carrying out the consultation. TPC must provide LDC with a consultation plan, including a list of who will be consulted and how.

TPC will also need to:

- develop the consultation pack
- resource and cover the costs of the consultation (e.g. leaflets and analysis of responses)
- respond to any queries or questions arising from the consultation

LDC will provide advice to TPC on running a consultation. LDC will also develop the consultation report and seek final approval from Cabinet.

LDC may carry out the consultation in full if deemed necessary (but may seek assistance with costs from TPC). However, TPC will be required to support LDC in this case (e.g. by identifying local interest groups).

Enforcement

TPC is responsible for the enforcement of the PSPO on behalf of LDC. However, LDC must be consulted on any enforcement carried out by TPC in relation to the PSPO.

LDC will delegate TPC authority to enforce the PSPO. However, a Memorandum of Understanding (unique to the PSPO) between LDC and TPC must first be agreed. It will include:

- Policy and procedure
- Staff training
- Fixed Penalty Notices (FPNs) and Warrant Cards
- Managing defences and appeals to FPNs
- FPN receipts and costs incurred through enforcement
- Evidential requirements
- Information sharing
- Partnership working

LDC will also provide advice on enforcement.

LDC may carry out the enforcement of a PSPO. However, TPC will be required to cover the costs of the enforcement.

Signage and Mapping

TPC is responsible for installing, managing and replacing relevant signage. TPC will also be required to cover the costs of the signage.

LDC will advise on the wording of the signage. LDC will also carry out the mapping of the PSPO boundary.

Project Management

LDC will project manage the introduction of the order. A representative of TPC must form part of the project management group.

Ownership and Review

Once introduced, LDC will maintain overall ownership of the PSPO whilst TPC will be responsible for enforcing and managing the order.

Lewes and Eastbourne Councils' PSPO review group will oversee the order – as per the review group's Terms of Reference – once in place. A representative of TPC must form part of the review group.

The review group will initiate the renewal of the order if required. The responsibilities of the renewal process will be as per this agreement.

This page is intentionally left blank

Report to:	Cabinet
Date:	17 September 2018
Title:	Regeneration and Development: Sutton Road, Seaford
Report of:	Ian Fitzpatrick, Director of Regeneration and Planning
Cabinet member:	Councillor Andy Smith, Regeneration and Business Councillor Bill Giles, Finance
Ward(s):	Seaford South
Purpose of report:	This report sets out development proposals at the combined site on Sutton Road, Seaford known as Downs Leisure Centre. The report also includes a summary of the programme and concludes with a breakdown of the project costs and a financial summary, together with an outline of the status of potential new lettings and negotiations with the existing tenants.
Decision type:	Key decision
Officer recommendation(s):	(1) To approve the business case outlining the investment potential and development opportunities at Downs Leisure Centre, Sutton Road, Seaford. (2) To approve the capital investment of £17,200,000 (including professional fees) to fund the project up to and including construction, subject to sign off of the proposed leases on terms no less favourable than set out in Appendix D. (3) To delegate authority to the Director of Regeneration and Planning in consultation with the Lead Member for Finance, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide if the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project. (4) Delegate authority to enter into a lease (or leases) of the properties to the Director of Regeneration and Planning, in consultation with the Strategic Property Board; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

(5) Delegate authority to the Director of Regeneration and Planning to exercise the break clause, or enter into a surrender of the lease in respect of Age Concern.

Reasons for recommendations: A strategic opportunity has arisen to provide a ground-breaking mixed-use development of the Council's landholdings within the Sutton Road site in Seaford known as Downs Leisure Centre. The proposed scheme will create new health space, employment opportunities, and a holistic approach to health and wellbeing for residents.

Contact Officer(s): Name: Bee Lewis
Post title: Head of Capital Development (Interim)
E-mail: bee.lewis@lewes-eastbourne.gov.uk
Telephone number: 01323 415521

1 Information

- 1.1 LDC owns the freehold of the site at Sutton Road, Seaford known as Downs Leisure Centre. A plan of the site is attached at Appendix A.
- 1.2 The site is subject to several leasehold interests, including:
 - (a) Downs Leisure Centre, including car parking, leased to Wave Leisure
 - (b) Downs 60+ Club, leased to Age Concern. The lease contains a landlord's break clause on providing 6 months' notice.
- 1.3 Seaford is the largest town in the district with a population of 24,000. The Town Council is currently developing the Neighbourhood Plan which sets out key objectives for the parish. Seaford has a higher than average instance of over 65s (30% compared to 18% nationally) and a high proportion of jobs in the town are in the health and education sectors.
- 1.4 It is clear from comments within the local community that the provision of health services is an ongoing concern, with both GP surgeries struggling to meet the current demand. Much of the capacity issue relates to the space the two surgeries have available to work in. As new houses are built, the demand for services will increase.
- 1.5 Rather than follow the traditional model of healthcare provision, there is an opportunity to review the existing services and complementary options for improving health and wellbeing for Seaford residents. Wave Leisure Ltd, also located on the Sutton Road site, have a proven track record in delivering health outcomes across the district and have been commissioned to work with a number of surgeries for exercise referral.
- 1.6 There is scope to create new healthcare space, adjacent to the leisure centre with the aim of providing a ground-breaking and more holistic approach to

healthcare. This development proposal offers the opportunity to significantly enhance the existing facilities enjoyed by residents.

1.7 Also, with the capacity issues in mind, officers have worked with consultants to develop a proposal which would provide the following on the site, in addition to the current leisure facilities and residential dwellings:

- (a) New Health Hub – circa 30,000sqft
- (b) New Convenience Food Store – 4,500sqft
- (c) New residential apartments above the food store – 8 No. two bedroom apartments
- (d) Reconfiguration of the leisure centre with a new entrance and offices.
- (e) Provision of a grass mini-pitch
- (f) Re-provision of the 60+ Club within the Leisure Centre
- (g) Extension of the car parking areas to provide a minimum of 270 no. spaces compared to approximately 106 currently. These spaces will be shared by all the uses on the site, leisure, health, retail and the peak demand for parking will vary throughout the day and evening for each type of use.
- (h) Relocation of the vehicle access point along Sutton Road (southern boundary) and an additional vehicular access point to Sutton Drove (northern boundary). The existing primary entry and exit points on Sutton Road and Alfriston Rd would be retained in their current location.

2 New Health Facilities

- 2.1 The Health Hub will provide a combined facility for a number of existing health care facilities that are currently located in challenging premises within Seaford. Negotiations with the potential occupiers of the health hub are at an advanced stage, who are very supportive of the proposals.
- 2.2 The new building will include facilities for 21 GPs with support nursing and admin teams and additional facilities such as operating suites for minor surgery. East Sussex Healthcare Trust (ESCHT) would look to provide their community health and out of hospital teams within the Hub.
- 2.3 The exact structure of the letting is being considered. The structure will be informed by the new corporate models that are emerging as part of the new health system within the NHS. Both the CCG and NHS England have given approval to the proposals.
- 2.4 In general terms the letting will be based on:

- (a) Term – 25 years
- (b) Rent – Open market rent to be determined by the District Valuer
- (c) Reviews - subject to 5 yearly RPI linked on a minimum/maximum basis.

3 Additional new facilities

3.1 The key driver for the development of the site is the Health Hub, but there is also the opportunity to provide new retail space, 8 residential units, and a new mini pitch. The indicative layout is shown at Appendix B. The new facilities are a key part of the project as the rental income will improve the financial viability of the development and reduce risk for the Council.

3.2 It is proposed to sell the housing element to Aspiration Homes (or another Registered Provider) at market terms for the capital value. An appraisal is being carried out on the proposed mix and tenure.

3.3 Head of terms have been agreed with a national operator for a lease of the convenience store on the following basis:

- (a) 15-Year fully repairing and insuring lease
- (b) 6 month Rent free period
- (c) Rent at £15.55/sqft
- (d) Reviews - subject to 5 yearly RPI linked on a minimum (1%) and maximum (4%) basis.
- (e) 12 allocated parking spaces – not within the demise of the lease.

3.4 Additionally, there is an option to provide residential accommodation above the new food store. This is currently designed as 8 No. 2-bedroom apartments. These apartments will be retained by the Council. The form of tenure is currently under consideration – for the purposes of the financial summary of this report, it has been assumed they will be open market rentals.

3.5 The existing all weather pitch is very popular, but there is a lack of junior pitches in the area, and in the District. Provision of a junior pitch would go some way to addressing this deficit and would allow for more efficient bookings of the facilities, as well as promoting opportunities for young people to participate in activity.

3.6 However, the final proposals for the pitch will be determined based on the findings of the Playing Pitch Strategy due in 2019.

4 Existing tenants

4.1 A series of meetings have been held with Wave Leisure. Wave have confirmed their strong support for the proposals and are currently reviewing how they can

adapt their existing layouts to operate in a combined approach with the new Health Hub.

- 4.2 There have been historic discussions between Wave and the GPs on a joint approach in a combined facility, and they work together on a regular basis providing a holistic approach to health and well-being. Both parties appear keen to take this association into an integrated approach with the buildings to provide a seamless approach to the health and leisure facilities - with some shared services such as a communal café facility and seating area.
- 4.3 The approach is to have a faultless transition between the health and leisure facilities, albeit the buildings will be configured so they can be leased as separate entities.
- 4.4 The Downs 60+ Club benefits from a long occupational lease to Age Concern, but this can be terminated on 6 months' notice. Provisional terms have been agreed to relocate the Club inside the Leisure Centre. Wave Leisure would help manage and integrate the Club into the overall structure of running the leisure facility.
- 4.5 The existing residential tenants have not yet been approached. This exercise will be undertaken as part of the pre-planning consultations.
- 4.6 The dedicated residential car parking has been designed as a standalone area outside of the main circulation routes of the new car parking arrangements.

5 Programme schedule

- 5.1 The works will be phased to facilitate continuity of trading for both the leisure centre and the 60+ Club as follows:
- (a) Phase 1 – new car park to the northern area and reconfigure leisure centre to open to the western façade
 - (b) Phase 2 – construct new leisure layout and 60+ club accommodation.
 - (c) Phase 3 – Construct new health hub and retail/residential.

7 Financial appraisal

- 7.1 The projected income and expenditure is illustrated Appendix D (exempt). The figures are indicative as negotiations are still under way with Wave Leisure, the Downs 60+ Club, ESCHT, and the retailer, but give a strong indication of the anticipated results. Using the indicative figures, the blended return on investment would be circa 4.02%
- 7.2 The blended yield meets the criteria set out in the Property Acquisition and Investment Strategy, but reflects that while the scheme contains a commercial element, there are considerable regeneration and community benefits of

providing new health care space alongside improved facilities. Proposed rents have been set to reflect the partnership working between the Council and the CCG to deliver the facilities that Seaford needs, and so that the scheme remains affordable for the CCG.

- 7.3 The appraisal excludes any potential revenue return from a lease to Wave Leisure. There is also scope for a lease to reduce the Council's running cost liabilities (insurance, repairs, etc), which would then deliver additional savings for the Council. Additionally, the proposed lease terms to Wave will reflect the considerable community value and benefit that they provide.
- 7.4 Cabinet has previously set aside £1,500,000 to develop the scheme to the planning stage. Cabinet is now requested to approve an additional sum of £17,200,000 to be funded from borrowing, making a total of £18,700,000. For illustrative purposes, borrowing rates across a 40 year period are currently below 3%.

8 Legal implications

- 8.1 The Council cannot dispose of land held in the general fund for a consideration less than the best that can be reasonably obtained in the market, except with the express consent of the Secretary of State. Disposal includes leasehold sales where the lease term exceeds seven years. The leases mentioned in this report will be let at open market rents advised by expert valuation. This satisfies the requirement to obtain best consideration.
- 8.2 In disposing of any land or interest in land the Council must ensure that it does so in accordance with State aid rules. The European Commission's Communication on the Sale of Land (the "Land Communication") sets out an automatic assumption that no State aid is present in a sale of land and buildings provided its terms are followed. The Land Communication requires the sale of land for "market value" through (i) an open and unconditional bidding process or (ii) an expert valuation. The leases mentioned in paragraphs 2.11 and 2.13 will be let at market value rents advised by expert valuation. This satisfies the requirement to dispose of land in accordance with State aid rules.
- 8.3 The Age Concern lease expires on 31st December 2041 and is a secure business tenancy under the Landlord and Tenant Act 1954. The lease contains a break clause for redevelopment. If the break clause is exercised the current lease will come to an end, but the protected tenancy will remain in force as a statutory continuation lease until brought to an end. This could be done by the service of a section 25 notice bringing the tenancy to an end if there is an appropriate statutory ground. Ground (f) appears to provide grounds for termination, namely that "the landlord intends to demolish or reconstruct the premises comprised in the holding ... and that he could not reasonably do so without obtaining possession of the holding". A key element of ground (f) is that "the landlord intends" to carry out the works. The current proposal is that the Council will develop to "shell" and the incoming tenant will fit out. This should satisfy the landlord intention element of ground (f). It is also possible for the parties to bring the current lease to an end by mutual agreement though a deed of surrender.

- 8.4 Contracts for the supply of works, goods and services should be procured in accordance with the Council's Contract Procedure Rules (CPRs) and all legal requirements.
- (a) It is proposed that the construction element of the project will be progressed through the Energy & Sustainability Joint Venture (JV) if this is considered appropriate. Compliance with CPRs etc. will be achieved if procurement is carried out in accordance with the terms of the JV.
 - (b) Recommendation 4 seeks authority to enter into a lease (or leases) without going to auction or inviting tenders or expressions of interest following appropriate public advertisement. Cabinet has power to authorise leases without going to auction or advertisement (CPR 18.1).

9 Risk management implications

- 9.1 The risk management implications are set out in the body of the report. As the project progresses, there will be a separate risk register.

10 Equality analysis

- 10.1 A relevance assessment has been completed and concluded that because of the nature of the proposal, a more detailed equality analysis is required. This analysis will be carried out in advance of any planning application and as part of the consultation with local people.
- 10.2 The Equality and Fairness Assessment will be a key document to benchmark the expected outcomes of the project and will be reviewed regularly through the lifetime of the project.

11 Appendices

- Appendix A: Plan of proposed development site.
- Appendix B: Indicative layout
- Appendix C: Detailed Cost Plan (exempt)
- Appendix D: Summary of Projected Income and Expenditure (exempt)

12 Background papers

- None

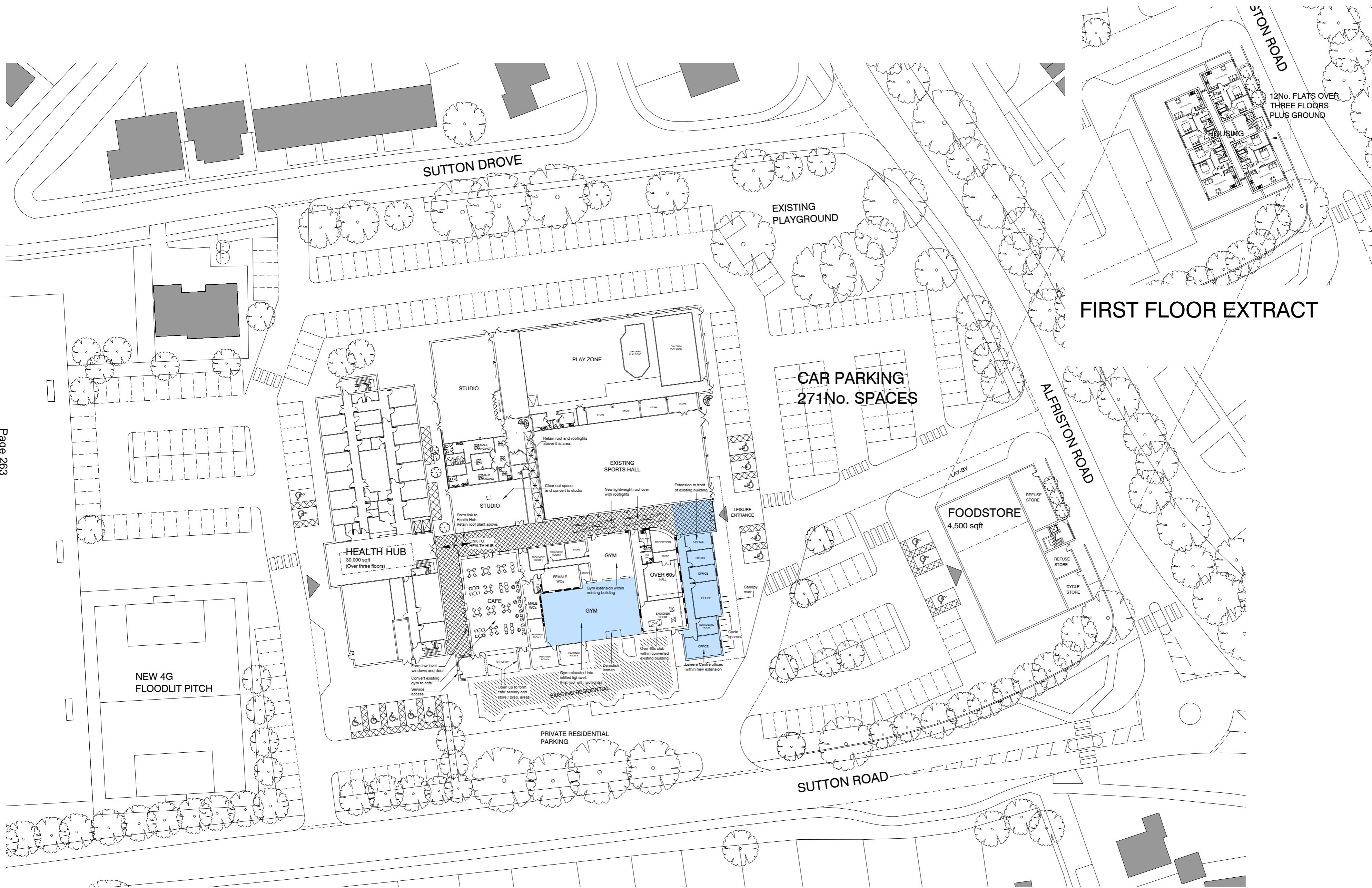
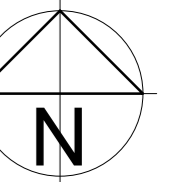
This page is intentionally left blank

Appendix A: Plan of Proposed Development Site



This page is intentionally left blank

NOTES
 Copyright and not to be reproduced without the consent of Holmes Miller.
 Holmes Miller accepts responsibility for this document only to the commissioning party and not to any other. Holmes Miller does not accept liability for accuracy or veracity of survey information provided by others and used in the preparation of this drawing. All vertical and horizontal dimensions and levels provided by Holmes Miller and based on the survey information provided by others must be checked and verified on site.



FIRST FLOOR EXTRACT

CAR PARKING
271 No. SPACES

FOODSTORE
4,500 sqft

HEALTH HUB
30,000 sqft
(Over three floors)

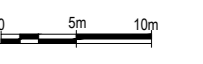
NEW BUILT

Page 263

#	REV	FIRST ISSUE	DESCRIPTION	MIN	DATE



Architects
 Holmes Miller
 CS.312
 27-31 Clerkenwell Close
 London EC1R 0AT
 T: 020 3176 8109
 london@holmesmiller.com



PROJECT	SUTTON ROAD SEAFORD
DRAWING	GROUND AND FIRST PROPOSED PLANS OPTION 21
SCALE	1:500 @ A2
CHECKED	
NUMBER	4155-A133

PROPOSED GROUND FLOOR - OPTION 21

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank