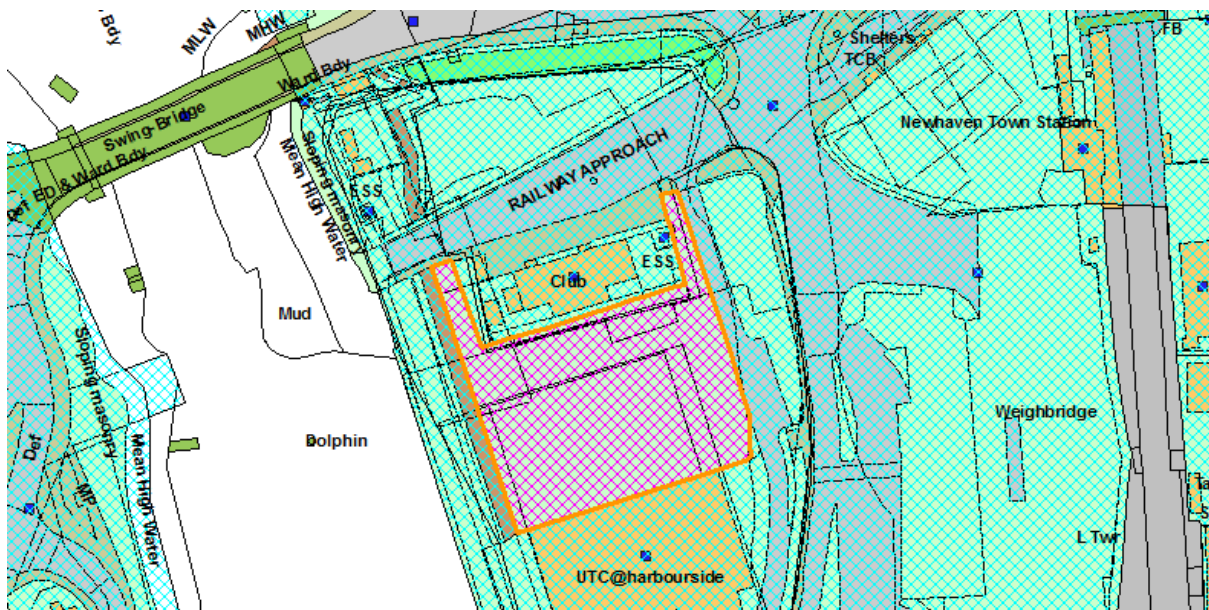


Report to: Planning Applications Committee
Date: 16th December 2020
Application No: LW/20/0702
Location: Land at Railway Quay, Newhaven, East Sussex
Proposal: Creation of Community hub with 10 converted shipping containers with pv panels for use as cafe with decked seating area, information hub, travel hubs, workshop hubs and three geodomes to support tourism, community uses and sustainable transport.

Ward: Newhaven
Applicant: Lewes District Council
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** Andrew Hill
E-mail: andrew.hill@lewes-eastbourne.gov.uk

Map Location:



1. **Executive Summary**
 - 1.1 The proposed development is acceptable in principle.
 - 1.2 Accordingly approval is recommended, subject to conditions.
2. **Relevant Planning Policies**
 - 2.1 National Planning Policy Framework 2019
 - 2.2 Lewes District Local Plan
LDLP: – CP4 – Economic Development and Regeneration

LDLP: – CP8 –Green Infrastructure
LDLP: – CP10 – Natural Environment and Landscape
LDLP: – CP11 – Built and Historic Environment & Design
LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
LDLP: – CP13 – Sustainable Travel
LDLP: – CP14 – Renewable and Low Carbon Energy
LDLP: – DM1 – Planning Boundary
LDLP: – DM25 – Design
LDLP: – DM27 – Landscape Design
LDLP: – DM33 – Heritage Assets
LDLP: – DM35 – Footpath, Cycle and Bridleway Network

2.3 Newhaven Neighbourhood Plan 2017-2030

Policy ES1: Regeneration of East Side

Policy D1: – Promoting good design

Policy D2: – Design and Climate Change

Policy E3: – Visitor economy

3. **Site Description**

3.1 The application site is located to the south of Railway Approach, and to the south of the social club and to the north of the UTC building. It covers an area of approximately 0.22 hectares of a previous railway goods yard, now vacant.

3.2 The site is bounded by the river along its western side and the access road serving the port/ferry terminal along the eastern boundary. The Newhaven Town railway station is approximately 50m to the east.

4. **Proposed Development**

4.1 The proposal is to create a 'hub' within the port area of Newhaven to serve local residents and tourists to the area. This hub will provide a location for tourist information, active travel and refreshments. It is intended that the proposed Hub and associated structures will be in place for 5 years.

4.2 The development will consist of installing shipping containers (up to 10) clad in reclaimed timber and set upon the vacant site behind the Railway Club and in front of the UTC building.

4.3 The site will provide space for five containers initially. Two will be bolted together to form a Refreshment Hub, there will be two separate containers for the Active Transport Hubs and a single container for the Information Hub. Three geodomes will also be erected to encourage a range of community activities.

- 4.4 Parts of the site will be raised as decked areas to allow access to the top of the sea defences and to allow views down and across the River Ouse.
- 4.5 Toilets will be provided as part of the refreshment hub to serve the whole site. It least 20 secure cycle parking spaces will also be provided.
- 4.6 This scheme will form part of the regeneration of Newhaven and was approved by the Newhaven Town Funds Board, which also enabled a £500k capital grant to be obtained to support the site's development. The Newhaven Town Funds Board included representatives from Newhaven Town Council, Lewes District Council, East Sussex County Council, and a number of key community organisations such as the Newhaven Port Authority.
- 4.7 This proposal is coming before the Committee as the applicant is Lewes District Council.

5. **Relevant Planning History**

- 5.1 No recent, relevant planning history.

6. **Consultations**

6.1 Town Council - No objection

- An exciting development but effectively rushed due to the financial constraints set over the allocated funding
- What consideration has been given to ongoing patronage by walkers and cyclists during winter, and periods of inclement weather?
- Will hopefully develop the site into something more visually appealing.
- Requires subsequent phases of further development. The Information Hub is crucial in order to retain visitors in the Town arriving on the Ferry and Trains.

6.2 Newhaven Port Authority – No objection

- Support in principle but request that clear signposting is installed to and from the hub, pedestrian crossing from Newhaven Town Railway Station and bus interchange, and provision of no waiting at any time marking and signage along the UTC/Port access road.

6.3 Design and Conservation Officer

- The application site is adjacent to the Grade II listed Marine Workshops, known as the UTC building, which is currently unused. The proposed development, while not being within the curtilage, is a prominent site within the setting of the listed building. The principle of the proposed use for the site is not considered to be detrimental to the setting of the listed building. The site is currently underused and does not actively contribute to the setting of the listed building. The proposed scheme will bring the site into use again, allowing for greater traffic of people to the area and helping to stimulate a viable use for the listed building.

- The use of reclaimed shipping containers draws on the existing industrial surrounding of the site but also its industrial history. The shipping containers are proposed to be clad in timber. While the use of timber is not objected to it is felt to cover the industrial aesthetic the shipping containers provide. Timber cladding will have a higher installation cost and higher demands on maintenance over some alternatives which may be more appropriate to the industrial setting. Without the use of timber cladding, the window and door frames could be constructed from aluminium which would be another reduction in installation and maintenance cost. The proximity of the site to the sea will also result in the timber cladding and timber windows and doors deteriorating quicker than in a more inland position. As stated above, the use of timber cladding is not objected to but it is queried whether an alternative finish to the shipping containers would be more visually appropriate to the industrial setting with less short and long term financial implications.
- Through discussions with the agents it is understood there will be a high demand for cycle parking at certain peak times of the year. The application plan currently shows 28 bike parking spaces. To dramatically increase the volume of this may negatively impact the site and it could be seen to be 'over run' with bike storage, particularly at non-peak times of the year. An increase to the 28 bike spaces shown on the plans is not objected to but this must be carefully considered to not become the dominant feature within the site. Either temporary bike racks could be considered for peak times or storing the bikes within the proposed shipping containers. The appearance of any bike storage and its location within the site should be provided.
- Details of any covering over the external seating for the café use should be provided. The details should include whether the covering will be temporary or permanent.
- PV panels are proposed to be installed on top of two of the shipping containers. As these will be visible from the windows on the UTC rear elevation overlooking the site, details of the panels should be provided. They should have a matte finish to not reflect light and be installed at the minimum angle required for their functionality to reduce their visibility from the ground.
- Dome structures are proposed to be used within the site. It is understood the details of these have not been confirmed. Details of their size, position and whether they are permanent or moveable structures within the site should be provided.
- An area of the rear elevation of the UTC building is currently painted white. This has deteriorated and re-painting of this area with an appropriate masonry paint and in like-for-like colour will not require listed building consent. Any further painting of this elevation would require listed building consent and would be discouraged as it would be changing the appearance of the building.
- The shipping container located closest to the UTC building will create an un-overlooked area that may encourage graffiti to the UTC building

and shipping container. The cycle of graffiti paint, cleaning and repainting of the masonry can be highly damaging to historic fabric over time. It is considered essential measures are put in place to discourage graffiti to the UTC building. This may involve lighting the area between the shipping container and UTC building or up lighting the listed building. If successful deterrents are not considered achievable then the siting of the nearest shipping container should be reconsidered to not create an un-overlooked area to the rear of the UTC building.

- It is understood the fence on the site boundary may be considered to be altered or replaced. Details of any replacement fence should be provided to ensure it would not be detrimental to the setting of the listed building. If the fence is to be replaced it is considered achievable to find an alternative fence design that would be appropriate to the setting.
- Overall, the scheme is considered to be a positive change within the setting of the listed building. No objection is raised subject to the details above being provided.

7. Neighbour Representations

7.1 No neighbour representations were received at the time of writing the report.

8. Appraisal

8.1 Key Considerations

8.1.1 The main considerations relate to the principle of the use; the character and appearance of the area; and highway safety and impact.

8.2 Principle of the proposed use

8.2.1 The site is located outside of the defined town centre but is within the planning boundary and therefore there is a presumption in favour of sustainable development. The site is currently vacant and does nothing to enhance the setting of the listed UTC building or the wider surrounding, which when considering the highly visible nature of the site when viewed from the west bank of the river and the swing bridge, is regrettable.

8.2.2 Therefore the principle of use is considered acceptable.

8.3 Impact on the character and appearance of the area

8.3.1 It is proposed to create a public Hub that will be on the site for at least 5 years. The intention is that all materials will be, wherever possible, reclaimed or sustainable. The containers are re-purposed, the cladding will be reclaimed timber, the decking will be formed from recycled plastics, and photovoltaic panels will be placed on the container roofs to provide them with power.

8.3.2 A section of the existing railway tracks on site will be preserved and covered with a clear covering and information boards to explain the history and legacy of the site. This will form a central feature and will be an area around which people can gather for events.

- 8.3.3 The northern wall of the former UTC building that abuts Railway Quay has been painted white and is tired looking. The intention is to repaint this to allow temporary visuals to be projected onto it. Lighting will also be installed on site to ensure it remains safe and secure and to illuminate the former UTC building to promote its heritage.
- 8.3.4 The adjacent UTC is a Grade II listed building and it is important to ensure that this project does not have a detrimental impact on its setting and therefore it is proposed to add conditions to the permission to secure details of the materials (cladding), surfacing and lighting.
- 8.3.5 Overall and despite the temporary nature of the project and the buildings, it is considered that the development will enhance the immediate area and raise the quality of the public realm on this prominent and publically visible site.

8.4 Highway issues and safety

- 8.4.1 The site has been conceived as a car free development encouraging sustainable forms of transport. Visitors will be encouraged to use cycles or walk to the site as it has easy access from beside the Railway Club and is easily accessed from the stations and port. Two new entrances will be created either side of the Railway Club to facilitate this. The current gate access will remain but it is intended that this will only be used for service vehicles.
- 8.4.2 The Port Authority has raised some points with regards to vehicular traffic request that clear signposting is installed to and from the hub, pedestrian crossing from Newhaven Town Railway Station and bus interchange is provided, and that provision of no waiting at any time marking and signage along the UTC/Port access road.
- 8.4.3 With regard to the signposting, this is considered necessary for approaches to the site and can be made the subject of a condition as this can aid pedestrians and cyclist safety. It is not considered that a defined crossing from the railway station would be justified for what amounts to a temporary use, however it can be considered should the use be made permanent in the future. Clear signage would serve to direct visitors in the most direct and safe way to access the site. It is not intended that the development would encourage car traffic and therefore it is not considered that 'no waiting restriction' signage is necessary. (This road also is outside of the applicant's control).

8.5 Other matters

- 8.5.1 The Environment Agency has recently completed a flood defence scheme which will provide a 1 in 200 year standard of protection, taking into account the effects of climate change. This included raising the levels of the riverside walls for the area and for Railway Quay there is an additional bank and fence. It is not considered that this use of the site would compromise flood defences or water levels.

8.5.2 Due to the form, nature and location of the development it is not considered that the proposal would have a detrimental impact on the setting of the adjacent grade II listed UTC building.

9. **Human Rights Implications**

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

10.1 It is recommended that permission is granted subject to the conditions listed below.

10.2 Conditions

1. Details of any artificial lighting to be used on the site shall be submitted to and approved in writing by the Local Planning Authority prior to use and shall accord with the approved details thereafter.

Reason: To prevent unnecessary light pollution in the interests of protecting the amenity of the locality whilst facilitating measures to enhance the security of the site in accordance with CP11 and DM25 of the Lewes Local Plan and the NPPF 2019.

2. Prior to their installation on site, details and samples of all external facing materials for the buildings, materials for the geodomes, seating and all surfacing materials, including measures to deter graffiti shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy DM25 of the Lewes District Local Plan.

3. Prior to the first use of the site hereby permitted, details of secure and sheltered cycle parking storage, and any EV charging points shall be submitted to and approved in writing by the Local Planning Authority and provided and retained in accordance with the approved details thereafter.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 and CP14 of Lewes District Local Plan and the NPPF 2019.

4. Prior to the first use of the site hereby permitted, details of signage to clearly direct users of the most safe and direct routes to and from the site shall be submitted to and approved in writing by the Local Planning Authority and provided and retained in accordance with the approved details thereafter.

Reason: To facilitate safe routes to and from the site having regard to Policy DM25 of Lewes District Local Plan and the NPPF 2019..

5. The use and development hereby approved shall be removed and the land restored to its former condition on or before 31 December 2025 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority

Reason: Due to the temporary nature of the development and to enable the Local Planning Authority to review the situation in the light of the circumstances then pertaining having regard to Policy DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. Prior to the first use of the site hereby permitted, details of signage to clearly direct users of the most safe and direct routes to and from the site shall be submitted to and approved in writing by the Local Planning Authority and provided and retained in accordance with the approved details thereafter.

Reason: To facilitate safe routes to and from the site having regard to Policy DM25 of Lewes District Local Plan and the NPPF 2019.

7. Prior to their installation on site, details of the proposed PV panels (number, colour, appearance, location) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy DM25 of the Lewes District Local Plan.

10.3 Informatives

1. All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, removed from the site and disposed of in an appropriate manner. It is offence to burn trade waste. There should be no bonfires onsite.
2. The Local Planning Authority has acted positively and proactively in determining this application by engaging with stakeholders, visiting an existing business site to get a better understanding of the operation, identifying matters of concern and negotiating acceptable amendments. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Other plans	27 October 2020	2789-02C
Elevations	27 October 2020	2789-05B
Elevations	27 October 2020	2789-06B
Block and location plan	23 October 2020	2789-04A
Existing plans	13 October 2020	2789-03A
Proposed layout plan	13 October 2020	2789-01D
Planning Statement	27 October 2020	

Reason: For the avoidance of doubt and in the interests of proper planning.

11. **Background Papers**

11.1 None.