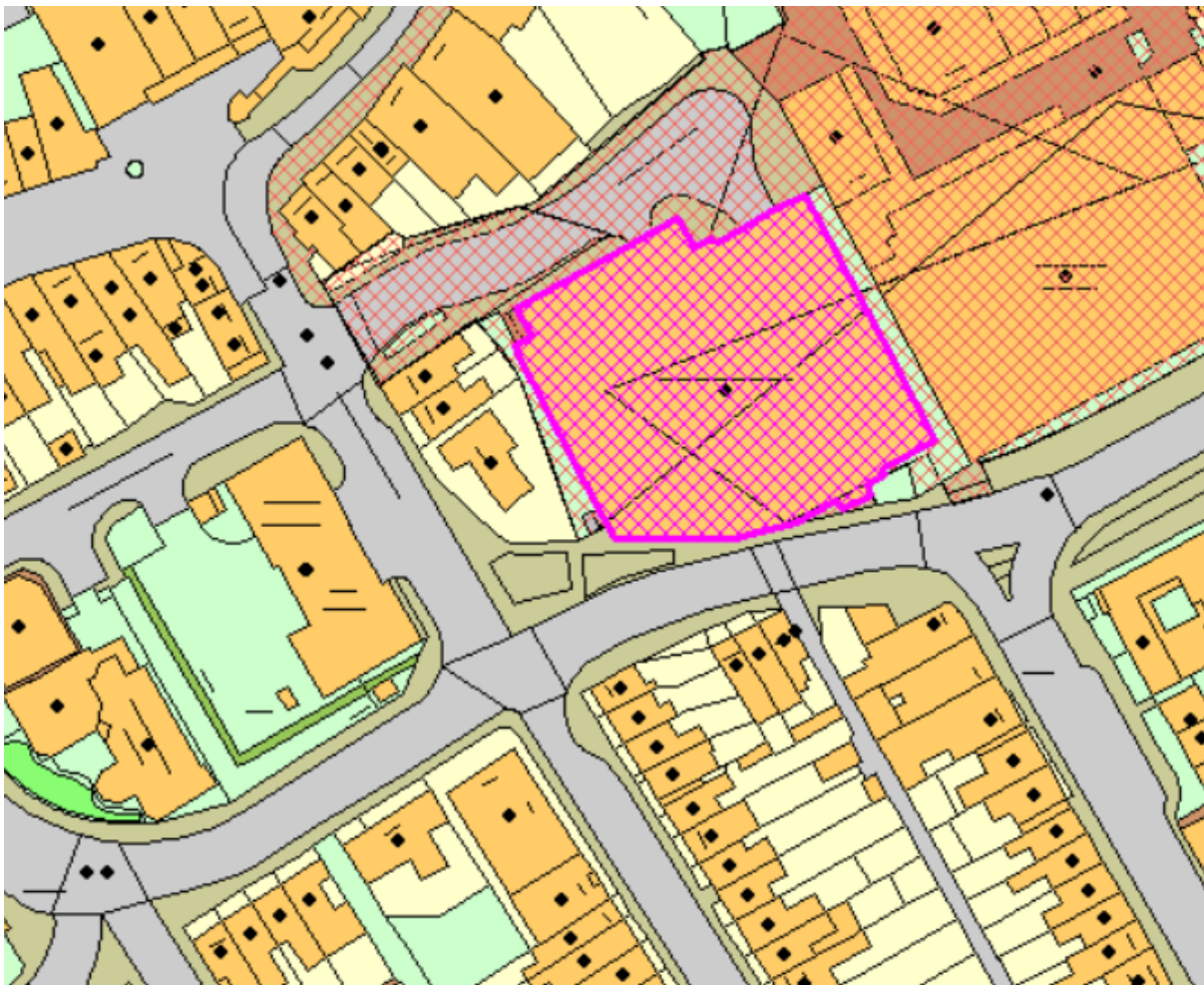


**Report to:** Planning Applications Committee  
**Date:** 12 June 2024  
**Application No:** LW/24/0282  
**Location:** Multi Storey Car Park, Dacre Road, Newhaven, BN9 9QX  
**Proposal:** 10 single head lampposts, 4 twin head lampposts and 4 bulkhead fittings to be added to top storey of open aired car park with the addition of 2 new car parking sign on north-west elevation and greenery walls along the north-east and north-west elevations.

**Applicant:** Mr M Stephens / Lewes District Council  
**Ward:** Newhaven  
**Recommendation:** Grant planning permission subject to conditions.  
**Contact Officer:** **Name:** James Emery  
**E-mail:** [james.emery@lewes-eastbourne.gov.uk](mailto:james.emery@lewes-eastbourne.gov.uk)

**IMPORTANT NOTE: This scheme is not CIL Liable.**  
**Site Location Plan: (Below)**



<b>1.</b>	<b>Executive Summary</b>
1.1	This application has been submitted on behalf of Lewes and Eastbourne Councils and, in the interest of transparency, is presented to the Planning Committee for consideration.
1.2	The application site is multistorey carpark located on Dacre Road in Newhaven Town Centre. It is located within the planning boundary. It is not listed, nor is it within a Conservation Area.
1.3	The proposed development would see the replacement of existing lighting with x10 single head lampposts, 4 twin head lampposts and 4 bulkhead fittings to be added to the open top storey the car park with the addition of 2 new car parking sign on north-west elevation and greenery walls along the north-east and north-west elevations.
1.4	This proposed improvements to lighting at the site will facilitate bringing the car park back into use and to achieve a safe standard for public access.
1.5	The improved lighting scheme will reduce the impact of the previous lighting scheme on neighbouring occupants and the proposed green wall will improve the appearance of the structure from the surrounding area and the biodiversity of the site.
1.6	The application is recommended for approval subject to conditions.

<b>2.</b>	<b>Relevant Planning Policies</b>
2.1	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision-making</p> <p>5. Delivering housing</p> <p>8. Promoting healthy and safe communities</p> <p>11. Making effective use of land</p> <p>12. Achieving well-designed places</p> <p>14. Meeting the challenge of climate change, flooding and coastal change</p> <p>15. Conserving and enhancing the natural environment</p>
2.2	<p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <p>CP8 – Green Infrastructure</p>

	<p>CP10 – Natural Environment and Landscape</p> <p>CP11 – Built and Historic Environment &amp; Design</p> <p>CP12 – Flood Risk, Coastal Erosion &amp; Drainage</p> <p>CP13 – Sustainable Travel</p> <p>CP14 – Renewable and Low Carbon Energy</p>
2.3	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM20 – Pollution Management</p> <p>DM22 – Water Resources and Water Quality</p> <p>DM23 – Noise</p> <p>DM25 – Design</p> <p>DM24 – Protection of Biodiversity and Geodiversity</p> <p>DM26 – Refuse and Recycling</p>
2.4	<p><u>Emerging Peacehaven and Telscombe Neighbourhood Plan (PTNP):</u></p> <p>PT1 - High Quality Design</p> <p>PT2 - Innovation and Good Management</p> <p>PT3 - Landscaping</p> <p>PT5 - Sustainable Design</p> <p>PT11 - Promoting All-Inclusive Travel</p> <p>PT18 - Biodiversity Net Gain</p> <p>PT19 - Urban Greening</p> <p>PT20 - Drainage Management</p> <p>PT21 - Renewables</p> <p>PT22 - Net Zero</p> <p>PT23 - Air Quality</p> <p>PT36 - Design and placemaking principles</p>

<b>3.</b>	<b>Site Description</b>
3.1	The application site is a multistorey carpark located on Dacre Road in Newhaven Town Centre. It is located within the planning boundary.
3.2	It is not listed, nor is it within a Conservation Area or subject to any other designation.

<b>4.</b>	<b>Proposed Development</b>
4.1	The application seeks permission for two main elements:

	<p>a) Upgrading of the lighting system</p> <p>b) Installation of a green wall to the NE and NW elevations.</p>
4.2	<p>The development would see the upgrading of lighting to the external top decks of the existing car park. The x6 existing poles would be removed and replaced with 10 single head lampposts, 4 twin head lampposts and 4 bulkhead fittings.</p> <p>The applicant offers that the new lighting will meet the requirements as set out in the CIBSE Lighting Guide for Exterior Lighting. The proposed lighting level would achieve a glare rating of &lt;25 with 20lux, which is equivalent to the level of lighting for a public area with dark surroundings at night.</p>
4.3	<p>The proposed green wall would wrap the NE / NW elevations and would be fixed to the existing structure with space in-between for an irrigation system.</p> <p>The Design and Access statement outlines that all required pumps and machinery required to service the green wall would be stored in either the redundant ticked office, or the dis-used lift shaft. Ongoing maintenance would be via Lewes District Council and the installers who would; carry out regular inspections, tend to plants - including any replacements, ensure a minimum of 95% wall coverage has live plants at all times, remotely monitor the irrigation system and maintain the irrigation system and top up the nutrients tank.</p>

<b>5.</b>	<b>Relevant Planning History:</b>
5.1	<u>LW/14/0859</u> Installation of a banner sign – Approved 02/02/2015.
5.2	<u>LW/03/1595</u> Partial demolition of the eastern part of multi-storey car park, provision for disabled parking and landscaping, conversion of western part of Somerfield to provide two restaurants (A3 use class) and new pedestrian ramp – Approved 30/09/2004.
5.3	<u>LW/79/0924</u> Revisions to approved design of car park to include passenger lift. – Approved 20/06/1979.
5.4	<u>LW/77/1802</u> Continued use of land for car park (LW/75/1688). Deemed Permission. Approved 26/01/1978.

<b>6.</b>	<b>Consultations:</b>
6.1	<u>Newhaven Town Council</u> Comments Awaited
6.2	<u>The Environment Agency</u> Offered no comment.
6.3	<u>The Health and Safety Executive</u> Offered no comment.
6.4	<u>East Sussex Fire and Rescue Service</u> Offered no comment.
6.5	<u>LDC - Design and Conservation</u> Offered no comment.
6.6	<u>LDC - Tree and Landscape Officer</u> Offered no comment.
6.7	<u>ESCC - County Archaeology</u> Offered no comment.
6.8	<u>ESCC - Highways</u> Did not consider it necessary to provide a formal Highways Authority response and recommended that officers consulted the minor planning application guidance (2017).

<b>7.</b>	<b>Other Representations:</b>
7.1	<p>96 neighbouring properties were consulted.</p> <p>In response to these consultations one objection was received, on the basis of disturbance from light overspill from the proposed replacement lighting.</p> <p>The objector requested incorporation of 'shades' to minimise light pollution and the negative impact on residents.</p> <p>OFFICER RESPONSE</p>

	<p>The proposed scheme to improve and replace the security lighting has been designed with the primary objective of enhancing safety and security. The existing lights, which are outdated and inefficient, will be replaced by a modern lighting system that provides adequate illumination and energy efficiency.</p> <p>A key concern raised is the potential for light spill into surrounding areas. To mitigate this, the proposed development could be conditioned to incorporate the installation of light hoods on all lamp posts. These hoods will direct light downwards, reducing any spillover and minimizing the impact on nearby properties.</p> <p>Subject to a condition requiring attachment of light hoods to the lamp posts, the proposed lighting improvements are considered acceptable. This approach balances the need for improved security and safety within the car park with the necessity of minimizing any negative impact on the surrounding area.</p>
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<b>8.</b>	<b>Appraisal:</b>
8.1	<p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The NPPF also advises that there is a presumption in favour of sustainable development.</p> <p>The main considerations relate to:</p> <ul style="list-style-type: none"> <li>• principle.</li> <li>• Design and character,</li> <li>• Impact upon neighbour amenity,</li> <li>• sustainability and drainage</li> <li>• highway safety impacts.</li> </ul>
8.2	<p><u>Principle of Development</u></p> <p>Paragraph 11 of the NPPF underlines that there is a presumption in favour of sustainable development, for planners this means that applications which are in accordance with development plans should be approved without delay.</p> <p>Core Policy 4 (Encouraging Economic Development and Regeneration) of the Lewes District Joint Core Strategy (LDJCS) outlines the key strategic objective of the authority to maintain and enhance the vitality and viability of the district's town centres, retail centres and local centres as hubs for shopping, business, entertainment, cultural and community life.</p>

	<p>Core Policy 5 (The Visitor Economy) of the LDJCS builds upon this, by outlining that the Council will support the upgrading / enhancement of existing visitor facilities.</p> <p>The proposed development would see the upgrading and enhancement of an existing town centre carpark facility and would appropriately contribute to revitalising and enhancing the parking provision within Newhaven Town Centre, in accordance with the above policies.</p> <p>Para. 101 of the NPPF requires that Planning policies and decisions should promote public safety and consider wider security and defence requirements by including appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security”.</p> <p>In view of the above it is considered that the principle of the proposed development can be supported, subject to an assessment of its design, amenity, and highways impacts.</p>
8.3	<p><u>Design and Impact Upon Character of the Surrounding Area</u></p> <p>Core Policy 11 of the LDJCS and Policy DM 25 of the Lewes District Local Plan Part 2 (LDLP Part 2) cover design. They stipulate that development will be supported where 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. Policy DM25 continues that development should “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”.</p> <p>At present the car park features x 6no lamp posts, and the upgraded scheme would see these posts removed and replaced with 10 single head lampposts, 4 twin head lampposts and 4 bulkhead fittings (to the ramps). The replacement lamp posts would have a similar appearance to the existing and so, there is no objection to the design of the proposed replacement lamp posts in terms of design.</p> <p>The proposed green wall would significantly improve the appearance of the carpark, and therefore would not attract an objection in terms of design.</p>
8.4	<p><u>Impact Upon Amenities of Neighbouring Residents</u></p> <p>The proposed replacement lighting would replace existing lighting to the top level of the car park and has been designed to comply with the guidance produced by the Chartered Institute of Building Services Engineers.</p> <p>The lighting would be so angled so as not to overspill the site. It is noted that the lighting would replace existing lighting and so it is not considered that the replacement lighting columns, which are no higher than the</p>

	<p>existing units would introduce unacceptable impacts upon neighbour amenity, in accordance with Policy DM25 of the LDLP Part 2.</p> <p>The proposed green wall is considered to considerably improve the appearance of the building, and consequently would have a positive impact upon the amenity of adjacent neighbours.</p> <p>In response to the objection comment, it is considered appropriate to apply a condition requiring that details of light hoods to minimise light-spill off site should be submitted to and approved in writing by the Local Planning Authority, in the interests of protecting the amenity of neighbours and to accord with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 of the LLP2.</p>
8.5	<p><u>Sustainability and Drainage</u></p> <p>Policy DM20 (Pollution Management) of the LDLP Part 2 requires that development that may potentially contribute to, or be adversely affected by, unacceptable levels of light pollution will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>(1) its location is appropriate in terms of land use in relation to the uses in the surrounding area.</li> <li>(2) the development will not have an unacceptable impact on health, the natural environment or general amenity.</li> <li>(3) the development will not have an adverse impact on the use of other land.</li> <li>(4) where relevant, the appropriate after-use of land can be secured</li> </ol> <p>In this instance, the lighting would replace existing light columns at this established car park in the centre of Newhaven.</p> <p>The replacement lighting would see the old inefficient lighting removed and replaces with a more efficient scheme, which complies with modern standards for car park lighting set out by CIBSE. The removal of the old lighting and replacement with a less energy intensive LED scheme is considered to increase the sustainability of the development.</p> <p>The proposed green wall would utilise water tanks within the car park itself and feature an integrated irrigation system which will not drain outside of the site.</p> <p>The green wall itself has the potential increase green infrastructure in this town-centre location, in accordance with Policy DM14 (Multi-functional Green Infrastructure) of the LDLP Part 2.</p>
8.6	<p><u>Access, Transport and Parking</u></p> <p>Para 115 of the NPPF outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact</p>



	<p>on highway safety, or the residual cumulative impacts on the road network would be severe.</p> <p>The ESCC Minor Planning Guidance outlines that any development shall ensure that any external lighting systems do not interfere with the use of highway, i.e. by causing too much glare. Subject to conditions requiring light hoods and an assessment regarding light spillage, it is considered that the proposed development will not introduce unacceptable impacts to the highway.</p> <p>The proposal would see the existing car park upgraded by the addition of green walls and an improved lighting scheme. It is not considered that the proposed development will introduce an unacceptably impact upon the highways network and so, no objection is offered in terms of highways grounds.</p>
8.7	<p><b><u>Human Rights Implications:</u></b></p> <p>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>
8.8	<p><b><u>Conclusion.</u></b></p> <p>It is considered that the proposed development would integrate well with the existing built environment, strengthening the definition of the urban edge whilst not compromising the character and setting of the adjacent downland. It is considered that the amenities of neighbouring residents would be protected, that good quality living accommodation would be provided and that, overall, the scheme represents a sustainable form of development.</p>

<b>9.</b>	<b>Recommendations</b>
9.1	Approve subject to the conditions listed below.

<b>10.</b>	<b>Conditions:</b>
10.1	<p><b><u>Time Limit</u></b></p> <p>The development hereby permitted shall be begun within three years from the date of this permission.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>

10.2	<p><u>Approved plans</u></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>P001 - Location Plan and Block Plan</p> <p>P002 - Existing Floor Plan</p> <p>P003 - Existing Elevations</p> <p>P004 - Proposed Floor Plans</p> <p>P005 - Proposed Elevations</p> <p>Design &amp; Access Statement</p> <p>ALD Lighting Solutions Assessment</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
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<b>11.</b>	<b>Plans:</b>
11.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	Location and Block Plan	11.04.2024	P001
	Existing Floor Plan	11.04.2024	P002
	Existing Elevations	11.04.2024	P003
	Proposed Floor Plans	11.04.2024	P004
	Proposed Elevations	11.04.2024	P005
	Design and Access Statement	11.04.2024	

<b>12.</b>	<b>Appendices</b>
12.1	None.

<b>13.</b>	<b>Background Papers</b>
13.1	None.