

LEWES DISTRICT LOCAL DEVELOPMENT FRAMEWORK

CORE STRATEGY: ISSUES AND EMERGING TOPIC PAPERS

Comments of the Friends of Lewes Society

A. Introductory comments

Since the topic papers were prepared the Government has announced and confirmed that regional spatial strategies have been abolished. As the papers were prepared on the basis that it was extant the possibility that LDC may now propose different policies in its draft core strategy seems likely and the Society therefore reserves the right to comment afresh if this happens. It is assumed that the principles set out in the Conservative Party's "Open Source Planning Green Paper" coupled with the five year land supply requirement set out in PPS 3 now apply and that the Core Strategy will therefore identify sufficient deliverable sites and broad areas to meet housing needs in this period.

A further concern is that it is difficult to comment on some aspects of the topic papers when the following key components of the evidence base are not available. These are the Strategic Housing Land Availability Assessment, the Housing Needs Study and the Employment Land Review. The information they should contain is essential when considering the use of scarce land that is available for development in Lewes such as the North Street area. It will also help inform decisions about change of use of existing sites from industrial or commercial to residential which has been an increasing and possibly undesirable feature in recent years.

Much of the evidence that is available was gathered before the banking crash and, whilst the Society notes that LDC recognise that further evidence will be required, it is particularly important that the sustainability objectives and indicators contained within the Scoping report are revised. In this connection the core principle that development which meets the needs of the present generation must not compromise their ability of future generations to meet their own needs is agreed. However it is questionable whether the LDF eventually adopted will be strong enough to influence the necessary changes that will be required by 2026 to have a sustainable lifestyle by then.

It is noted that the evidence list contains no mention of the relevant evidence presented to the South Downs National Park Public Inquiry, the various Conservation Area Appraisals, the various Historic Character Assessments, the list of Buildings of Architectural or Historic Interest, various Landscape Appraisals, the Integrated Urban Drainage Project or the current South Downs Joint Committee's Management Plan (recognising that the NPA will not have a Management Plan in place for some time and that over 50% of the District is within the National Park.) Each of these documents contain information that should be taken into account in preparing the Core Strategy.

Flood risk management is clearly an important principle that needs to be properly covered in the Core Strategy. It should optimise the balance between reduction in the probability of flooding by water management, including flood defences, and the consequences of flooding by adequate warnings, robust emergency plan and resilient construction. Within Lewes consideration needs to be given to all sources of flooding recognising that river, tidal and surface water flooding, including downland run-off, are all significant threats. Whilst the present version of PPS 25 restricts development of the functional floodplain it is understood that the Environment Agency recognise that there needs to be some flexibility in its application in Lewes.

A final point is that much of what is said in the topic papers is very general. It is hard to disagree with well intentioned statements but difficult to assess their implications in any particular circumstances because of their generality. There is a liberal use of the word "sustainable", but

simply inserting this word into a policy or objective does not automatically make it attainable.

B. Topic Paper 1 – Characteristics of the District

Whilst it is recognised that half the District lies within the NP more emphasis could be given to the effect that this will have in that part of the District once the NPA assumes its full powers as a planning and access authority.

Although the various national designation given to landscape and the historic environment of the District are noted, a comment should be made of the poor state of some of the SSSI's and that many of the ancient monuments are on the English Heritage at risk register.

The statement about flooding of Lewes should be changed to “Lower parts of the town have a history of river flooding. The most recent severe river floods were in 1960 and 2000. The same parts of the town are also vulnerable to extreme sea level rise, an area of considerable uncertainty in climate projections. Money has not been available so far to complete all of the improvements in flood defence recommended in the Environment Agency 2005 flood managements strategy produced in response to the 2000 floods”.

There is no mention of the water quality of the Ouse whilst the statement on air quality is too optimistic. Why does the statement on page 3 not say which parts of the District are covered by the Clean Air Act. Similarly the statement on tranquillity is too optimistic. Large parts of Lewes suffer from noise pollution from the by-pass. Both noise and light pollution also affect the tranquillity of the rural areas around Lewes.

Under social characteristics it would be helpful to have said what proportion of the population growth is due to inward migration. Has such inward migration given rise to the pressure on house prices and put a serious strain on the housing needs of the District?

Whilst it is recognised that access to recreational facilities is good compared to the national average we note that use has not been made of the Natural England measure of access to green space and that allotments or access to the river for recreation are not mentioned.

Although the high level of public sector employment in Lewes has protected it from the job losses suffered elsewhere, public sector cuts required in the next few years plus the possibility that ESCC may move its headquarters out of the town may change that picture. In addition the likely move of the Records Office from the town, which will reduce the number of visitors and may have an effect on the economy, should be noted.

In relation to the comments on the town of Lewes what is particularly notable is that the town has retained a relatively high proportion of independent retailers when compared towns of similar size. Support for this independent retailing sector should be an objective of the LDF.

No mention is made of the problems with parking in Lewes. Whilst the overall concept and need for a parking scheme was sound, the over zealous enforcement currently practised is causing real damage to the reputation of the town.

Mention of the “strong sense of community” and the bonfire celebrations in Lewes is welcome but the former is too general phrase. The many groups that exist in the town can only survive and thrive if they have facilities for meeting rooms or places for sport. The LDF has an important part to play in protecting the existing facilities and planning for them where they do not.

In answer to the question as to whether the topic paper has captured the characteristics of the District the answer is “not quite”.

C. Topic Paper 2 – Key Strategic Issues and Challenges

Whilst the identified list of issues and challenges is unobjectionable it is strange that the establishment of the National Park has not been included as that will inevitably throw up matters of importance. In any event it should be acknowledged that it is very unlikely that all the relevant issues and challenges can be resolved as there will have to be trade-offs and compromises.

Now that the South East Plan has been consigned to the archives it is questionable whether the whole concept of economic growth needs to remain the same. As far as economic growth through tourism is concerned this needs to be undertaken having regard to the Sandford principles and the statutory requirements in S.62 of the National Parks and Access to the Countryside Act. Despite earlier comments this may be a case where the word “sustainable” needs to be included..

On specific points it is suggested that in relation to “Protecting and enhancing the distinctive quality of the environment”, the statement should read “There is a need to put more resources into genuine protection and enhancement...” as few resources have been devoted to this in the past. A further suggestion is to change the second bullet point to “We need to determine the best way of managing change and significantly raising the quality of new development in order to conserve (rather than preserve) and enhance the Districts built heritage, including its many Conservation Areas”.

There is no reference to the natural environment under the heading “Tackling climate change”. The Integrated Urban Drainage Study should be added after the reference to the SFRA. The revised Shoreline Management Plan will also inform decisions on management of the lower Ouse and should be mentioned after SFRA.

Under the heading “Creating healthy, sustainable communities” the word “try” might be inserted in bullet point one so as to make it a more realistic target. Further points are that recreational facilities should be provided for all age groups and not just children and teenagers, whilst partnership working is not the only way in which LDC can support the quality of community life.

Bullet point one in “Improving access to housing” infers that one needs continued inward migration to achieve it, which seems odd.

Under “Promoting sustainable economic growth and regeneration” bullet point 3 should stress the need to have employment skills that are relevant to conservation.

D Topic Paper 3 - A draft vision for Lewes District

It is unrealistic to suggest that the objectives will have been reached by 2026. For example, in relation to climate change, the effects are not known with any precision and projections such as UKCP09 present a range of probabilities in relation to various emission scenarios. There is too much uncertainty to suggest that we will have responded to the challenges of climate change whereas what is needed is a continuous process in which plans are revised regularly in light of new information becoming available. In that connection we are sceptical that the rate of action will speed up significantly when viewed against the few things that have been done following the oil crises of the 1970's.

In relation to alternative travel options we are surprised by the lack of reference to off-road cycleways.

Where District wide flood measures are mentioned they should be qualified by the phrase “to the extent permissible under prevailing policies and local or national funding availability”. In relation to Lewes town the phrase “ Levels of flood defence and resilience will meet national policy and public expectation and will be appropriate to climate” should be added.

Retaining the existing tranquillity is an inadequate policy concept in light of the noise and light pollution that already exists in parts of the District. The objective ought to be improving tranquillity particularly in the rural area and the South Downs National Park, which includes Lewes.

In relation to the town of Lewes the wording again suggests that everything will have been achieved by 2026 when, in reality, there will be new threats and challenges. A significant omission is any reference to maintain and enhance the historic character of the town since the historic character can only be “utilised” if it is properly maintained. The final sentence on page 4 could be re-worded as follows “ The economic and recreational opportunities presented by the *environmental* and historic characteristics of the town, including the Castle, the Priory, *the river and surrounding wetlands*, and the historic battlefield will have been utilised”.

E. Topic Paper 4 – Draft strategic objectives for the Core Strategy

The draft strategic objectives set out in this Topic paper are generally desirable but it is doubtful if any of them can truly be described as SMART. They are all presented in general rather than specific terms and they are not easily measurable. For example how do you measure whether “opportunities for re-using suitable previously developed land in urban areas” have been maximised? It is relatively easy to measure the number of new houses but much more difficult to measure whether it has been “accommodated in the most sustainable way”. If things are not measurable then there are no criteria for determining whether they have been achieved. Reference to SMART objectives should be deleted unless the objectives can be re-written in a way that meets the requirements of SMARTness.

As mentioned in paragraph A above there is considerable use of the word “sustainable” but attaching it to different activities does not automatically make them desirable. Indeed, although it is defined in the Topic Paper introduction, its use is so random that it becomes virtually meaningless. The word has different implications when applied to tourism or housing growth.

Whilst the housing requirements in Objective 1 are no longer a government requirement consideration needs to be given to how planning criteria can adjust the housing stock to meet the needs of an ageing population whilst at the same time meeting objective 4. However, footnote 2 is noted and we await being able to comment on a reworded objective.

In objective 2 the concept of a good working relationship with the NPA is welcomed but it is not the job of the NPA to ensure that the economic, environmental and social opportunities created by the National Park are realised across the whole of Lewes District. The use of the term “they” in this objective is confusing and unclear, particularly in the last sentence. The same point arises in objective 10.

In light of potential changes to the concept of the Community Infrastructure Levy it is unclear who will fund the infrastructure required to support the new developments envisaged in Objective 3.

Objective 4 refers to new development as conserving and enhancing “the high quality of the District's towns, villages and rural environment”. However maintaining the existing fabric of those areas is equally as important and should be added. In addition new development is not the only way

in which the District's environment can be enhanced and in that connection we are unclear what is meant by “legible” layouts. The list of parties with whom LDC should have regular dialogue over this objective must include the NPA and ESCC as well as amenity bodies such as the Friends of Lewes Society.

Whilst the general thrust of re-developing vacant and derelict sites in Objective 5 is welcome it is not always the best use of such land. These sites can offer opportunities to create public/green space where none has existed before and this possibility must not be excluded. In addition development must positively enhance the character of an area rather than not adversely affecting it.

In objectives 6 to 8 the general thrust is again welcomed but greater definition is needed if they are to be measured. Surface water should be added to the list of sources in Objective 8 and developers, business and community groups to the list of players. The phrase “by improving both flood defences and resilience” needs to be added to the appropriate part of the Objective.

Objective 9 implies that there will be endless economic growth. Whilst it is accepted that economic conditions will change and there is a need for a town like Lewes to be economically viable there will be real tension between the housing pressures on the District and the concept of diversifying the economy whilst at the same time protecting and enhancing the environment. Bearing in mind the Sandford principles it should be made clear which of these objectives has priority in Lewes.

F. Topic Paper 5 – Developing a broad strategy for accommodating and delivering growth

Whilst this paper is clear, it is assumed that in light of the changes recently introduced by the Government it will require a radical rethink. In any event any housing developments proposed for the National Park, including the whole of the town of Lewes, must be in the “national interest” whilst it should be recognised that housing proposed immediately outside the National Park may have a deleterious effect on it. For example if additional housing is provided at Ringmer it will almost inevitably exacerbate the already congested road into or out of Lewes at peak times.

G. Topic Paper 6 – Other key elements of the emerging strategy

This is little more than a listing of information sources in relation to the objectives proposed in Topic paper 4. Some of the documents are current but others are out of date or not yet available. As mentioned in A above the absence of the Strategic Housing Land Availability Assessment, the Housing Needs Study and the Employment Land Review is of concern. The Integrated Urban Drainage study (2008) should be added and the words “after 2012” to the Shoreline Management Plan.

Specific comments are that the very broad brush approach taken in highlighting objectives 3 & 7 as the most applicable does not reflect the different nature of the communities within Lewes District. For the town of Lewes objectives 3 & 5 are the most applicable although Objective 5 should include positive enhancement.

In terms of affordable and appropriate housing the possibility of houseboats has been overlooked and a clear strategy on them should be developed. Similarly no mention has been made of the possibilities of utilising tidal power.

The paragraph on design and the historic environment is welcomed including the need to work closely with other partners. However LDC needs to complete and start to implement its Conservation Area Management Plans to inform this policy area.

Infrastructure audits need to consider the opportunities for off-road cycleways whilst the provision for allotments needs to be borne in mind when considering green space.

H. Topic Paper 7 – Possible strategic development site at North Street, Lewes

This topic paper is welcomed since it attempts to resolve the policy issues that this strategic site has thrown up. The absence of three key components of the evidence – The Strategic Housing Land Availability Assessment, the Housing Needs Study, and the Employment Land Review makes it difficult to comment on the four strategic options presented for the North Street area in this Topic Paper. For example is there a demand for “cheap business accommodation”? How important is this land within the overall availability of land for housing within the District and, if so, does it pass the test now required that it is in the “national interest” to provide housing here.

The suggestion that the Eastgate area should be coupled with North Street and considered as a single development site is one with which the Friends of Lewes Society disagree. Whilst it is important to consider the relationship between these two adjacent sites in the development of either, treating them as a single site simply adds a further layer of complexity to the planning process and thereby delays the development of both.

As a site within the functional flood plain a reference to the latest Environment Agency guidance on how it severely restricts development should be added to the preamble. Similarly a reference to the additional constraints attached to the site being in the National Park would be helpful.

The pros and cons of each of the four options listed are adequately expressed other than the absence of any recognition of the planning permission granted to Angel for industrial premises at Malling Brooks, which thus became economically linked with the North Street site. A further omission is any reference to the possibility of land raise with inert waste as that may be a sensible economic option. One key aspect that could be given more weight is that the flood defences are private and there is unlikely to be any public money in the foreseeable future to improve them.

Issues common to any redevelopment are that the historic buildings on the site should be retained and greater use made of the river for leisure purposes as well as transporting construction and waste materials to or from the site. Similarly enhancement of the river frontage including the provision of a riverside walkway should be a common objective.

Subject to the comments on each below our preference is for Option B.

Option A – As sufficient profit will not be generated from the present business accommodation to pay for any upgrading it is unlikely that this will occur. Thus the buildings will continue to deteriorate and, when no longer usable, be abandoned. Option A could only, therefore, provide a short term future for this area.

Option B – Comprehensive redevelopment to create a new neighbourhood for the town was the objective of the Angel proposal, although there are many different combinations of housing, employment and other uses that could be selected. It would lead to the loss of cheap business accommodation though Angel obtained planning permission for it to be relocated to Malling Brooks. The balance of housing and employment uses and the intensity of development will dictate the extent to which development can support community facilities and the new infrastructure such as flood defences, roads and the footbridge across the River Ouse proposed by Angel.

One of the principal concerns expressed by others over comprehensive redevelopment is that the raising of flood defences here would increase peak water levels upstream. Whether there is

evidence to prove this or not, it would be possible to set the raised flood defence level back from the current line in order to provide some flood storage. The land that became part of the flood plain could then be used for car parking and to create a landscaped riverside walkway to the open land to the north. This would provide a soft edge to the development.

Option C – Whilst this option might be environmentally attractive clearance of the existing buildings and returning the land to the functional flood plain is hardly a realistic proposition. The cost of demolition and landscaping the area would be substantial, in addition to the cost of acquisition. The use of the land would generate little or no value to pay for this. In addition it would be difficult to justify excluding this brownfield land from future development if there is a national need for housing and employment land to be provided here.

Option D – This option has similar problems to option C although to a smaller extent. There is a comment that such a novel approach may not be supported by the Environment Agency but, probably more serious, is the possible unwillingness of potential developers to invest in an area that is planned to be at risk from flooding. The additional costs of constructing flood resistant buildings might be as high, in aggregate, as providing flood defences. Land which is returned to the functional flood plain will generate little or no value to contribute to the cost of its acquisition and landscaping.

I. Topic Paper 8 – *Possible strategic development site at Eastside, Newhaven*

No comments are offered as this site is outside the geographical area of the Friends of Lewes.

J. Topic Paper 9 – *Sustainability Appraisal objectives and indicators*

The key sustainability issues section fails to highlight:-

- a) the importance of cultural heritage features alongside historic buildings;
- b) the need for an insulation requirement in buildings;
- c) that the impacts on the ageing population of the District are not limited to health and social care issues. They also include the need for street pavements to be managed to assist those who are infirm, of poor sight or confined to a wheelchair. Such a point should be linked with the need to enhance the built environment of Lewes.
- d) the possibility that the tidal river could be harnessed to provide an energy source.

Objective 2 – Probability figures need adding for sea, river and surface water flooding to the properties at risk indicator and they should be subdivided to indicate the relative importance in improvements in defence and resilience and whether climate change has been allowed for.

Objective 6 - This is a confused mixture of transport, air quality and climate change. Transport is not the only source of air pollution and the concentration of some air pollutants, such as ozone, are strongly influenced by the European mainland. It is generally considered that ozone will become a serious problem as a result of climate change. Air quality should be treated as a separate objective and reference made to the Clean Air Act. The carbon dioxide emissions indicator should be moved to Objective 12.

Objective 9 – This gives “Number of planning applications within the SDNP and Conservation areas” as an indicator. This is, presumably, a negative indicator on the basis that the approval of any major applications in these areas is undesirable. However there are many major applications, for example for the undergrounding of overhead power lines, which would be exceedingly desirable.

Objective 10 – The amount of street litter should be included as an indicator here.

Objectives 12 & 13 – These are a confused mixture of climate change adaptation and mitigation. It is suggested that objectives 12 & 13 are revised so that one covers climate change adaptation and the other climate change mitigation.

Objective 16 - The percentage of adults with degree level or equivalent qualifications should also be included to allow comparison with adjacent areas.

Friends of Lewes Society
July 2010