



## LEWES PHOENIX RISING

www.lewesphoenixrising.com | team@lewesphoenixrising.com  
Old Foundry Workshops, 32 North Street, Lewes BN7 2PH

### **OBJECTION TO THE SANTON/LEWES DISTRICT COUNCIL PLANNING APPLICATION FOR NORTH STREET, LEWES, REF SDNP/15/01146/FUL**

1. This objection is submitted in response to the amendments to the planning application SDNP/15/01146/FUL submitted by Santon and Lewes District Council (the applicants) in October 2015. It builds on our previous objection submitted on 30 April 2014 and refers to some of the evidence submitted at that time.

#### **Employment**

2. The National Park has a duty to **“foster the economic and social well-being of the community within” the National Park** (Environment Act 1995).
3. As a result of significant concern from local people expressed in response to the planning application, the applicants have recognised that their development will result in the closure of over 50 local businesses, dozens of workshops, social enterprises and youth venues (with the loss of 450 jobs) if these businesses are not provided with suitable alternative accommodation during the development process as well as at the development’s completion.
4. However, their response to this concern remains woefully inadequate. They propose to provide just 1,195 sqm of flexible work space, of which just 518 sqm will be at subsidised rents. This reduces the current amount of low-cost workspace by 95% (currently 10,000 sqm on site) replacing it with over-specified new build that is both unsuitable for the types of industry currently on site and for the start-ups, independent small businesses, manufacturing, creative industries and community enterprises that Lewes will need in the future.
5. With respect to relocation, the statements in the Employment Assessment Addendum concerning “engagement with businesses at North Street” (section 7 of the Addendum) are simply not true.
6. Apart from two large businesses that are expected to relocate to the new Malling Brooks Industrial Estate, the majority have not been offered assistance or relocation. A few businesses have made contact with Locate East Sussex but with no result. Only one business in the Phase 1 development area has been offered suitable relocation space in the Phase 3 area; the remaining space is either too short term, unaffordable, semi-derelict, already occupied or a combination of these. Therefore there has been no progress regarding relocation. Meanwhile, head leases in the Phase 1 development are starting to expire. This will affect 35 businesses (ranging from Compass Buses and Teknika Engineering to small studios/workshops and the indoor Skatehouse) most of whom are now preparing to close down or move away from Lewes.
7. In addition, it is important to note that the statement made by the applicants that most of the businesses are temporary is also false. The businesses and head leases have been established over a 20-year period, with the expected turnover of sub-tenants as businesses grow or move



## LEWES PHOENIX RISING

www.lewesphoenixrising.com | team@lewesphoenixrising.com  
Old Foundry Workshops, 32 North Street, Lewes BN7 2PH

on. Despite the floods of 2001 and gradual deterioration of the fabric of the buildings, tenancies on the site have remained in constant demand, such is the need for this type of basic, affordable workspace in the town.

8. Thus, our objection still stands.
9. By granting a consent to this application, the National Park would in effect be destroying a cluster of interconnected locally grown economic and social activity that provides employment to 450 people and services to many thousands more. **This is inconsistent with the duty of the National Park to foster the economic and social well-being of the community within the National Park. For this reason the application should be refused.**

### Genuinely Affordable Housing

10. HM Treasury's recent paper 'Fixing the foundations: Creating a more prosperous nation' (July 2015) is a material consideration in the determination of planning applications. It is very clear about the link between housing supply and sustainable economic growth, and provides unambiguous direction to local planning authorities to do all they can to "ensure more homes are built that people can afford" (paragraph 9.8).
11. Despite the clear concerns expressed by us and others about the need to ensure that some of the housing provided on the site is available at *social rent levels* (see appendix one, paragraphs 15 – 21 of our April 2015 objections), the applicants have declined to make such a commitment.  
  
*Note that 80% of market rate is not affordable in Lewes, which is now the second most expensive market town in the UK with house prices expected to rise by 21% by 2020 (Savills Nov 2015). LDC's own Housing Need Assessment (2014) puts affordability in Lewes at 43% of market rate.*
12. Indeed, in paragraph 6.8 of the Planning Statement Addendum submitted in October 2015, the applicants note that to make housing more affordable "has an impact on development costs and therefore viability which could compromise its ability to deliver other scheme infrastructure beneficial to the community".
13. We also note that the applicants have entered into a memorandum of understanding with the Lewes Community Land Trust for the provision of 15 self-build affordable units (Planning Statement Addendum paragraph 6.10) again without defining what affordable means in this context. However, the agreement with the YMCA for the provision of homes affordable for single young persons (see paragraph 6.11) is no longer referred to as this agreement has fallen away.

14. Overall, this demonstrates that the applicant is not doing all it can to ensure that "homes are



## LEWES PHOENIX RISING

www.lewesphoenixrising.com | team@lewesphoenixrising.com  
Old Foundry Workshops, 32 North Street, Lewes BN7 2PH

built that people can afford” and so is clearly contrary to the advice in the Treasury’s Fixing the Foundations paper as well as being inconsistent with the applicants’ duty to respond to the objectively assessed need for housing in the town of Lewes.

### **15. For this reason the application should be refused.**

#### **Heritage**

16. We understand the Phoenix Ironworks to be the last remaining ironworks buildings in the south east of England. The National Park’s Heritage Officer has provided us with the opinion that the existing buildings: “possess local heritage interest, certainly constitute undesignated heritage assets and their retention is desirable” (Conservation comments on the Lewes Phoenix Rising pre-application submission, November 2015).
17. In addition, the National Park has a duty to “conserve and enhance...cultural heritage” as required by the National Parks Act 1949.
18. The applicants’ response is laughable. Incorporating “salvaged roof trusses” into the new Health Centre (Planning Statement Addendum paragraph 6.48) is totally inadequate and inappropriate and is a complete failure to respond to the duty of the National Park in this regard.
19. We therefore come to the conclusion that the importance of these buildings to the cultural heritage of Lewes, both in terms of their provision of affordable and appropriate space for light industry and manufacturing as well as their importance as heritage assets, continues to be dismissed by the applicant (see paragraphs 6.40 to 6.49 of the Planning Statement Addendum). That they should be demolished to make way for an underground car-park is a grotesque failure of the applicants to respond to the local importance of these buildings and their function.
20. **Given the failure of the application to conserve and enhance the cultural heritage of the National Park, this application should be refused.**

#### **Design**

21. The overall quality of the design remains poor. Of the design review panel reports in the public domain, it seems that little has been done to address the concerns of the panel during the evolution of the design.
22. In particular, we remain very concerned that the masterplan is dominated by the development of an underground car park, which requires the demolition of heritage assets, and which can have no alternative use should car park requirements reduce with the future development of alternative modes of travel.
23. We at Lewes Phoenix Rising have developed a design for a multi-storey car park to be sited



## LEWES PHOENIX RISING

www.lewesphoenixrising.com | team@lewesphoenixrising.com  
Old Foundry Workshops, 32 North Street, Lewes BN7 2PH

on the Phoenix Causeway. This will both match the current level of public car parking and provide a site for parking buses, thereby allowing Compass Travel to maintain its vital bus services to the rural communities of East Sussex.

24. This car park has been designed to be convertible to other uses, including residential, should single occupancy car journeys diminish over time.
25. We therefore argue that the design of the development remains defective in a key area when a better alternative is available and for this reason **the application should be refused.**

### Public Consultation

26. The National Planning Policy Framework states that applicants should “work closely with those directly affected by their proposals to evolve designs that take account of the views of the community (National Planning Policy Framework, paragraph 66).
27. In spite of the assertions in the Planning Statement Addendum that “there was widespread consultation on the proposed scheme prior to submission of the application” (paragraph 6.1), the evidence cited in the Statement of Community Involvement does not back this up.
28. Three workshops, the last of which was held in **March 2014**, do not constitute widespread consultation in our opinion. There has been no direct consultation with the 50 businesses on the site to gain their views on how the designs should respond to their needs. As stated above (paragraphs 2 – 8), this has resulted in a development that does not meet their needs at all.
29. Lewes Phoenix Rising on the other hand has been consulting widely and deeply with the local population and the businesses on the site for 18 months. We now have over 1,600 registered supporters and a petition signed by over 3,000 local people expressing opposition to the applicants’ proposals and asking that the applicants work with Lewes Phoenix Rising and other local groups to improve their proposals.
30. Throughout our work we have sought to engage constructively with the applicants, producing work at their request to support our proposals, including developing a Masterplan for the site which would fit with Policy SP3 in addition to retaining the Ironworks buildings and providing additional social housing. However, since the autumn of 2014 the applicants have steadfastly refused to engage with us, citing their Joint Venture as the reason that they cannot engage with other parties.
31. **The applicants have certainly not worked closely with those directly affected by its proposals and for this reason the application should be refused.**



## **LEWES PHOENIX RISING**

www.lewesphoenixrising.com | team@lewesphoenixrising.com  
Old Foundry Workshops, 32 North Street, Lewes BN7 2PH

### **Viability**

32. Whilst not strictly a planning matter, we have done work on the viability of the applicants' proposals.
33. This shows that the development has a gross development value of c£130 million, created at a cost of c £130 million. This appraisal does not allow for profit, section 106 contributions, affordable housing provision or any value for the land included in the scheme by Lewes District Council.
34. This means that the scheme is not viable without the injection of cash from other sources, presumably the Council and other public bodies.
35. In the current economic climate, this is not a sustainable position.
36. We have sought information from Lewes District Council about the Joint Venture that they have established with Santon in order to gain a better understanding of the financial structure of the development. However, neither of the Freedom of Information inquiries that we have been forced to make has received a satisfactory response. Both requests have been referred to the Information Commissioner who has now assumed the task.
37. For this reason, we believe that there is no evidence that the scheme as proposed is deliverable. We also believe that the National Park would be justified in asking for further information to demonstrate viability.

### **Conclusion**

38. The applicants have submitted a scheme that falls well below the standard that would be expected for such an important site in a National Park.
39. It seeks to respond to planning policy but without taking into account the needs of the town of Lewes.
40. From a wider, strategic perspective, and taking into account the duties of the National Park, the applicants' proposals would in fact result in significant damage to the economic and social well-being of those who live in Lewes and to the cultural heritage of the National Park.
41. These are more important considerations than narrow compliance with planning policy that, in any event, is currently subject to examination and revision.
42. For these reasons, we wish to object to the application and submit that the National Park Planning Committee should refuse to grant planning permission.