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SDNP/18/06103/OUT- Erection of up to 226 dwellings and Public Open Space with associated infrastructure including new access from Monks Way. (Outline with all matters reserved except access and elements of Layout comprising the principal vehicular route through the site, development parcels, street frontages and the size and location of the proposed Open Space). Old Mallings Farm Old Mallings Way Lewes BN7 2DY /

Submitted to SDNPA on 25 February 2021

Cycle Lewes was formed in 1998 and seeks, through the active involvement of its membership, to promote cycling and particularly to improve the availability of safe cycling routes in Lewes and the surrounding area. Members have considered the above planning application and wish to raise strong objections as set out below. –

Government policy

At a national level the governments active travel programme and the publication of ‘Gear change-a bold vision for cycling and walking’ published in July 2020 have reinforced the importance of cycling and walking in the design of new developments and the provision of housing. These policies represent the government’s current overarching policy which is to be applied at the local level.

The UK Cycling and Walking Investment Strategy, published in 2017, sets out the Governments ambition to make walking and cycling the natural choices for shorter journeys or as part of a longer journey. It acknowledges in para 1.2 that realising this ambition will take sustained investment in cycling and walking infrastructure, to transform local areas and tackle congestion, improving physical and mental health, therefore supporting local economies. Paragraph 1.4 of the strategy’s objectives are to increase cycling and walking activity, including the percentage of children aged 5 to 10 that usually walk to school.

The Governments cycle infrastructure design requirements have recently been set out in their Local Transport Note 1/20.

The Royal Town Planning Institutes latest report (January 2021), *Net Zero Transport: The Role of Spatial Planning and Place-based Solutions* states that transport and land use planning must

be integrated to help the UK to meet its net-zero carbon objectives. Accordingly, this should be a neighbourhood where residents are able to meet their daily travel needs by walking and cycling locally. Such local living will reduce people's journeys, thereby making carbon savings, whilst improving public health. Streets should be repurposed for play and social interaction, which would set active travel up as being the natural choice for most short journeys. To aid this, access and parking for most private vehicles should be restricted to ensure that sustainable transport would be the most convenient and affordable option.

Local Policy

The adopted South Downs Local Plan includes a number of planning policies which are directly relevant to such housing proposals and related transport aspects. The main policies appear to be as follows: -

Core Policy SD2: Ecosystem i) Reduce levels of pollution; j) Improve opportunities for peoples' health and wellbeing; and

Core Policy SD3: Major Development. Development proposals should be sustainable as measured against the following factors: – Zero Carbon – Sustainable Transport – Health and Wellbeing

Strategic **Policy SD5:** Design I g) Provide high quality, secure, accessible, and where possible, integrated storage for....transport related equipment;

Strategic **Policy SD19:** Transport and Accessibility 1. Development proposals will be permitted provided that they are located and designed to minimise the need to travel and promote the use of sustainable modes of transport.

Strategic **Policy SD20:** Walking, Cycling and Equestrian Routes 1. Development proposals will be permitted provided they contribute to a network of attractive and functional non-motorised travel routes, with appropriate signage, throughout the National Park.

Development Management **Policy SD22:** Parking Provision 2. Development proposals will be permitted if they provide an appropriate level of private cycle and vehicle parking to serve the needs of that development in accordance with the relevant adopted parking standards for the locality. Wherever feasible, electric vehicle charging facilities must also be provided.

Policy SD76 of the South Downs Plan sets requirements for the development of the Old Malling Farm site including: -

4) The Masterplan should fully set out the GI Strategy, provide a suitable hierarchy of vehicular and pedestrian routes and an appropriate transition across the site in built form, fabric and density.

5c) *Suitably designed access for pedestrians and cyclists should be provided from the site to the disused railway line adjacent to the site.*

6a) Provision of suitable pedestrian and cycle links to the adjacent countryside and to the existing rights of way network.

The following policy references from the **Lewes Neighbourhood Plan** are also relevant but have not been taken into account in the preparation of the Transport Assessment.

Policy AM1 -giving priority to direct and safe walking and cycle routes.

Para 9.2 which sets out the hierarchy of users of road space.

Para 9.5 which is about separations of pedestrians and cyclists from cars.

Para 9.7 which is about new developments and in particular developer contributions.

Para 9.13 is about reducing the need for car use.

Page 145 which refers to a new bridge to the north (next to Willey's bridge).

The Hamsey Neighbourhood Plan includes a community vision 'To improve the infrastructure and therein the opportunity for non-motorised travel and increase the frequency of public transport'. A key objective is: 'To create an effective network of footpaths and new cycle paths linking the communities across the Parish with improved public transport provision to encourage increased movement by sustainable means and reduced car dependency'. In the community survey, 56% wanted to see improvements in cycle routes. In response the plan lists under the 'Community Aspirations: Transport and Travel Projects' a number of key objectives. The first is 'to build a dual cycleway/footway the length of the Parish to link north of Bevern Bridge and Offham in the south, to the Parish centre at Cooksbridge and to Lewes'.

East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP).

The East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP) is relevant to the site's development with links to routes L13 and L14. The proposal must also have regard to the East Sussex Cycling and Walking Strategy (June 2018) Lewes LCWIP recommendations in paragraph 307.1.2 Surface improvements to the former railway embankment providing a shared path 3.0 metres wide. 307.1.3 New pedestrian and cycle bridge over the River Ouse, approx. length 70 metres. 307.1.4 Surface improvements to the former railway embankment and cutting providing a shared path 3.0 metres wide. 307.1.5 Widen and resurface existing riverside path to a minimum of 3.0 metres. Provide new link between existing path and the old railway formation 308.1.1 Widen existing paths across the Recreation Ground to a minimum of 3.0 metres for shared use. 308.1.2 Replace existing Willeys Bridge with a wider

structure for shared use. 308.1.3 Widen existing footpath to a minimum of 3.0 metres for shared use. 308.1.4 St John's Terrace is currently one-way south to north but could accommodate two-way cycling. 308.1.5 New Road is closed to traffic at White Hill, but access for cyclists is poor. Improvements to this junction are needed to facilitate north-south movement.

Considerations.

All these policies are directly aimed at changing behaviour away from reliance on the private car to more sustainable methods of movement, recognising that many journeys can be undertaken by cycling, possibly as high as two thirds. This is consistent with the governments' carbon reduction targets, to improve the health and wellbeing of the population, reduce pollution and with the right infrastructure reduce accidents. It is vital to ensure that children and teenagers have the opportunity to make journeys by bicycle if the transfer of journeys from car to other forms is to take place within the timescale the government have indicated to achieve a 68% reduction in greenhouse gases by the end of 2029 on the way to ensure **net-zero** carbon emissions by 2050.

Cycle Lewes are aware that the delay in the consideration of this application has been caused by the requirement of both Policy SP4 of the Lewes/SDNPA Joint Core Strategy 2016 and Policy SD79 of the South Downs Local Plan 2014-2033 that the Design Brief and Site Masterplan for this site are approved prior to the determination of a planning application.

Design Brief

Cycle Lewes commented in detail on the Design Brief and we note that some of our concerns have been incorporated in the Final version published 29th September 2020.

It is noted that paragraph 4 of the Design brief principles includes; 'There will be an attractive and easily accessible network of streets, paths and cycleways, that prioritise the movement of pedestrians and cyclists and provide convenient routes to public transport, the disused railway line and the town centre'.

In terms of implementation the design brief states that: - 'The location of the site provides excellent opportunities for both walking and cycling and consequently the layout and design should promote and encourage non-motorised trips to and from the site, through prioritising pedestrian and cyclist movement over cars wherever practical. Examples include dedicated cycle lanes, prominent cycle parking and traffic calming measures designed to slow vehicle speeds to reinforce pedestrian and cyclist priority.' And that in terms of walking and cycling 'High quality pedestrian and cycle connections will also be provided to existing foot

and cycle paths, as well as to the permissive access path within the Disused Railway Cutting LWS and other public rights of way’.

In terms of delivering sustainable development the design brief indicates on page 48 that – ‘The need to travel and dependence on fossil fuel use will be reduced where possible, and low and zero carbon modes of transport will be encouraged to reduce emissions, and a network of safe, convenient and attractive routes for non-motorised vehicles will be provided. Cycle storage will be made available for all dwellings. Most plots will have cycle storage that is integrated within the garden. Detailed designs will make using and storing a bike easy and convenient without cluttering the street scene. Private electric vehicle charging points will be provided on-plot where possible for semi-detached houses, and shared charging points will be located in all communal car parking courts for flats and terraced housing blocks. Space will be provided for car club spaces, at a level to be agreed with the local authority’.

Many of these requirements have not been addressed in the applicant’s submission.

Highway Authority views

Cycle Lewes note the Highway Authority objections dated 11th January 2019 to this development and specifically that the parking quantum is excessive; that non-motorised route from the site to the town centre using the permissive path needs to be provided with details of upgrading to a joint footway/cycle way and definitive (not potential) connections should be shown with construction details.

In the detailed commentary provided by the Highway Authority it is noted that; - ‘cycling is supported on quieter roads though the permissive path should be exploited to provide a direct and off-road route into the town centre from this site to reduce car journeys. ‘The quantum of parking indicated on the illustrative plan is 451 which exceeds the parking requirement and would not ideally comply with the rationale to minimise car ownership if 18 more spaces than the requisite parking are being provided. It is considered that this could compromise the influential travel behaviour being promoted within the travel plan. For this reason, the parking provision should be kept to 433 and that car club spaces are included within this provision’. That ‘the layout also needs clarifying such as future connections in two places to the permissive footway/railway cutting route. This is considered to be a fundamental element of this proposal and definitive proposals for access and layout should be provided if consent for these planning aspects is sought’. ‘mitigation measures associated with the impact of development at Old Malling Farm will be required at the critical junction of Church Lane/Malling Hill and at the Brooks Road/Phoenix Causeway roundabout, in agreement with the local highway authority. Traffic calming measures are

also required to reduce the amount of existing traffic using the access roads to the site so that they can accommodate the additional traffic movements that will be generated by the development'. 'A travel plan is required 'which exploits all modes of transport aside from the private car. It would be expected to promote a feasible variety of transport initiatives such as a car club (currently operated by Co-Wheels) to reduce car ownership, particularly for 2nd cars by offering discounted membership and dedicate car club bays in the local vicinity; encourage cycling by providing cycle vouchers to spend in local stores and on-site maintenance bi-annually by a Bike Doctor; residents travel information pack to set out the walking and cycling distances to local amenities, employment, shopping and leisure; outlining the health and financial benefits of walking and cycling. Connections from the site to the permissive footpath should be definitive and not 'potential'; a scheme to upgrade the permissive footpath along the railway cutting to accommodate cycles formally is also expected'.

Furthermore, it is noted that: - 'Cycle and pedestrian trips are achievable modes of travel for shorter journeys, particularly to local schools and the town centre and growth of these choices can be further encouraged through a travel plan. As stated in the TA, these modes do not impact on the network in terms of affecting capacity, but it should be made clear that these modes can positively affect the capacity if it means that there is less car use as a result'.

That the travel plan should provide 'incentives to use alternative modes of travel other than the private car through a residents' information pack, car club membership and provision of designated spaces, cycle vouchers, bus taster tickets, and biannual visits from a bike doctor, for example. This can be secured through an appropriate legal agreement and surveys will be expected to be submitted at baseline stage (min occupancy of 25 units not 170) and year 1, 3 and 5. The TP will attract an auditing fee of £6000. This will be securable through a s106 agreement along with securing bus stop provision and off-site highway works and permissive path enhancements to serve the site'.

Many of these requirements have not been addressed in the applicant's submission.

Site masterplan

It is noted that the applicants Site Masterplan has not been revisited in light of the updated Design Brief, and is still inward looking and isolated in terms of its connectivity to the town and other locations. The requirements in the SDNPA's letter to the applicant dated 27th March 2019 where it was indicated that 'the overall scheme should demonstrate that the internal layout is being designed to be fully permeable for pedestrians and cyclists, as

required by the Transport Assessment. This still needs to be demonstrated through the Masterplan and then the planning application'. This has not been addressed. There was also reference to the submitted Environmental Statement and the use of the railway cutting as a permissive path, providing access to Lewes Town Centre, and the importance of this to the success of the development. The SDNPA considered that providing a suitable access to the cutting is necessary to make the proposed development acceptable and directly related to the development. The application boundary must be amended to provide for the physical construction of a safe graded cycleway access to the site from the base of the railway cutting, and supported by detailed drawings. Off-site works must be secured via a financial contribution through a Section 106 legal agreement.

The Environmental Statement and non-technical summary addendum in section 9 at para 5.2 draws the conclusion that 'the site remains in a highly sustainable location with excellent existing transport links and that the resubmitted development proposals continue to be relevant and will not have a material impact on those facilities or the local highway network. In terms of traffic and transport the development proposals are still appropriate in this location.' The development fails to build in sustainable transport and must be amended to show that this is the case.

Transport Assessment

Having examined the supporting Transport Assessment, it appears to have been written in a different era and does little to meet the current national and local planning guidance and policy. Accordingly, the Transport Assessment and the proposed layout of the site is unacceptable and fails to provide the appropriate guidance for the development, leading to the overprovision of car parking spaces and inadequate connectivity for non car modes to the surrounding area and the town. The proposals fail to promote sustainable modes of travel given the proximity of the site to local services and community facilities and the relative ease and directness of walking and cycling routes. The Transport Assessment must be rewritten, to enable 'movement change' to readily take place, rather than be frustrated in this residential development. It also needs to take full account of the wide number of movement modes involving e-bikes, electric scooters and the need for charging points to achieve the stated targets of carbon reduction and sustainability.

The Transport Assessment must have regard to the East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP) and particularly cycle routes L13 and L14.

It was a major flaw in the draft design brief that it did not show how the development was to link with its surroundings and be the most effective and efficient arrangement. Whilst some elements of the existing network are referred to, there is no indication of how these are linked to the site with safe and useable routes that respect natural desire lines.

The application highlights the opportunity within the development by *'The creation of a new neighbourhood which reinforces and promotes sustainable modes of travel in walking and cycling distance of local services and community facilities...'* and goes on to state *'All dwellings will have a clear and legible walking and cycling route to the bus stop and into the town centre, reflecting desire lines....Pedestrian and cycle connections should be provided to existing foot and cycle paths, as well as providing a link to a future permissive access path within the Disused Railway Cutting'*

However, when it comes to translating this in a systematic way to access this part of town it is sadly lacking in ideas and conviction.

It is acknowledged that the primary vehicular access point is to be from Monks Way at a point opposite Mantell Close. This is sensible, making it less convenient for vehicular traffic and directing residents to other modes which are the most convenient and sustainable. However, this road link across the former railway line will need to be designed so that pedestrian and cycle links to the former railway line are retained at the existing grade, with the section of roadway being above the track level of the former railway line, on a bridge, preserving the future links northwards to the River Ouse and Hamsey for both pedestrians and cyclists.

The disused railway line is owned by Lewes District Council and currently forms a permissive path along the former railway track bed parallel with Old Malling Way, connecting to other footpaths and the river side cycleway on Malling playing field. The permissive path is currently unsurfaced and without drainage so it is unusable for cyclists during wetter periods of the year and not easily useable by walkers because of the muddy conditions.

The application indicates that *'Provision will be made for a future pedestrian access into the site from the disused railway cutting to the south-east corner of the site'*. It is logical that the former railway line should provide the main pedestrian access but this must also extend to the inclusion of a segregated cycleway providing a direct link to the town, accommodating the principal desire line from the site to the town centre at Cliffe Bridge. To ensure that this is achieved there will need to be a graded access, no steeper than 1 in 12, from the level of the former railway to the southern end of the site which can be used by both pedestrians and cyclists. This would need to be engineered within the western face of the cutting with

links through to the existing Malling estate via the proposed 'emergency access bridge' to Old Malling Way.

A segregated cycleway and pedestrian route on the former railway line will need to be hard surfaced to a 4m width with drainage and smart lighting to ensure that it is an attractive and useable route all year round. The route to the south must have a graded and new link to the river side cycle way, where a formal pedestrian and cycle route exists. At the point where the former railway line enters Malling playing fields it is essential that the current footway eastwards towards the playgrounds, Malling Community Centre and South Malling Primary school is upgraded with a paved width of at least 3metres, linking through Church Lane to the A.26 and the toucan crossing for the cycleway to Ringmer.

Whilst Policy SD76 indicates development on the site is contingent on '*appropriate off-site highway improvement works, to be provided in agreement with the Local Highway Authority, at the Earwig corner junction of the A26 with the B2192, the junction of Church Lane / Malling Hill and at the Brooks Road / Phoenix Causeway roundabout and suitable traffic calming in local roads services*' it is considered that the funding of any of these works associated directly with tertiary transport movements should only be considered once the primary and the secondary public transport needs, identified above, are fully met. Investment in these highway works will frustrate the Healthy Streets initiative, are of limited long-term value and conflict with climate change legislation and limits. In this context, Cycle Lewes considers that necessary improvements to Willey's Bridge and the shared route to the Pells, and central areas of the town, must be prioritised, including the increase in the engineered height of the footway and segregated cycleway so that it is safe and useable in times of flood.

The development proposals conflict with Policy SD76 in the absence of a good access to the surrounding countryside. The public have enjoyed walking rights over the former railway line for some time, but it does not provide links to the north as the bridge to Hamsey was taken down soon after the railway line was closed by the County Council to facilitate the building of the Phoenix Causeway. The nearest right of way to the countryside is on the west bank of the river and is currently accessed via Willey's Bridge. It must be pointed out that this route is impassable during winter through thick mud along the river bank. This is not considered to meet the recreational need of this large new community and should be looked at in conjunction with The Hamsey Neighbourhood Plan.

The re-establishment of a bridge on the alignment of the former railway line between Lewes and Uckfield over the River Ouse, at the north end of the site, would secure this link to Hamsey, where a cycle route to Ivors Lane would provide access to much of the Parish via

country lanes and an effective extension of the Egrets Way into the upper reaches of the River Ouse. Not only would the cycle route be a highly beneficial recreation route. It would also be a direct link, from Cooksbridge and Hamsey to the centre of Lewes, suitable for commuters and teenagers attending the schools and educational establishments on the south side of the town.

Whilst there is emphasis on Walking & Cycling including the intension to provide '*High quality pedestrian and cycle connections... as well as to the permissive access path within the Disused Railway Cutting LWS and other public rights of way*' this is not achieved in the proposals. Whilst the design brief seeks '*high quality cycle connections*' there is no indication that these will be provided extending to the routes and junctions that prioritise cycling access, convenience and safety. The overall concept plan (p28) doesn't mention cycle lanes, or any prioritisation of cycling. The 'Street hierarchy' (page 31) is completely blind to cycling in either the form of cycle paths or cycle street furniture. There is no mention of dedicated cycle lanes, cycle hangars, cycle racks (for visitors etc) or even formal designations of shared space whatsoever. This does not distinguish between walking and cycling infrastructure or explicitly state whether the intent is that these areas will be formally shared spaces.

The play and recreation spaces do not indicate any provision for cycling. This an opportunity missed to build in recreational cycling for children. Cycle Lewes considers that the development should explicitly build on the idea of a circular safe loop and add a 'blue loop' for children cyclists that is segregated from the road wherever possible, integra with other cycling provision. It is vital that children develop an interest in pedaling in a safe environment.

With the changes in transport set out above there must be clear provision for cycle storage in all dwellings and particularly the flat dwellings, extending to arrangements to charge e-bikes. Whilst there is reference to cycle facilities within gardens this is inadequate as secure indoor 'parking' for all personal vehicles within all dwellings is necessary, so that a safe, secure and ready facility for cycles are available with each property.

Cycle Lewes consider that this development is well situated to maximise the potential of pedestrian and cycle journeys and has the benefit of safe direct pedestrian and cycle links to the town centre and schools beyond, avoiding the busy 'A' road and industrial estate roads. The layout of the development must be revised so that pedestrian and cycle access is available in a convenient location at its south eastern end closest to the town, avoiding a

long and unnecessary detour for pedestrians and cyclists. The scheme should fund significant off site works to provide the cycle and pedestrian facilities that have been identified.

Such off-site works must look beyond vehicular traffic capacity issues to avoid simply encouraging more traffic into the already congested and polluted town centre streets. An upgrade of the cycleway adjacent to the River Ouse between Tesco and Cliffe High Street is required because cycle and pedestrian movements are congested on an undersized pathway with consequent safety issues. This route is expected to also accommodate the many additional cyclists from Ringmer that new development is providing. In consequence, cyclists are rerouting through the Brooks Road industrial area, involving the navigation of three roundabouts to Phoenix Causeway. This underlines the unsatisfactory nature of the situation and the need for all off site works to take account and accommodate the cyclists on Brooks Road and Phoenix Causeway.

There must also be a reduction in the number of car parking spaces with emphasis on car club and shared use to ensure it is a sustainable development delivering net carbon reduction. The development must provide more cycle storage capacity recognising that even in the smallest properties there could easily be a need for two or three spaces so that children can be encouraged to take up cycling at an early age. A higher number of secure cycle storage facilities all with electricity supply for charging are also necessary so that this will deliver the policy requirements.

The above shows that Cycle Lewes have given detailed consideration to the development against the relevant planning and highway considerations and consider that there are strong grounds for its refusal:-

- The development in the proposed form is contrary to the governments active travel programme and bold vision for cycling and walking which must be taken into account in the design of new housing developments.
- The development fails to deliver a sustainable form of development that prioritises zero carbon modes of transport.
- The development fails to provide convenient, safe, attractive and easily accessible network of paths and cycleways, that prioritise the movement of pedestrians and cyclists and provide convenient routes to the disused railway line and the town centre.
- The site must be extended to include a safe gently graded cycleway and footpath access at its southern end, nearest to Malling playing fields, so that cycling and walking are the preference of choice and offer the most convenient access to and from the site, linking up with the riverside pathway, thereby avoiding conflict with vehicular traffic.

- The proposed pedestrians and cycle access routes onto Monks Way and Old Malling Way lack connectivity given the absence of a footway on the west side adjacent to the railway cutting and no cycleways and is in conflict with South Down Local Plan Policy SD76, Lewes Neighbourhood Plan policy AM1 and The Hamsey Neighbourhood Plan.
- The vehicular access from Monks Way must provide for the existing walking and cycling route along the railway cutting to be maintained without interruption or compromises to its safe use and therefore there must be a bridged vehicular access over the pedestrian and cycle route to avoid compromising the link onwards to the surrounding countryside across the River Ouse to Hamsey, thereby complying with South Down Local Plan Policy SD76.
- The development fails to provide the off-site cycle infrastructure requirement set out in The East Sussex Local Cycling & Walking Infrastructure Plan, including surface improvements to the railway cutting and the replacement of Willeys bridge with a wider structure.
- The development should fund significant off site works to provide the cycle and pedestrian facilities into the town centre including of the riverside path from Tesco and Cliff High Street together with cycle lanes and junction improvements at Phoenix Causeway to accommodate the additional pedestrian and cycle journeys.
- There is an over emphasis on car parking which is excessive with 451 spaces, which encourages the use of cars in conflict with planning policies to protect the environment.
- The development does not provide adequate high quality, safe, secure and accessible bicycle storage facilities to each dwelling, including charging facilities, contrary to South Down Local Plan Policy SD5 and SD22.
- Without these access and infrastructure requirements the development generates avoidable and significant vehicular traffic contrary to sustainable planning policy SD2 and SD3 to reduce pollution, meet zero levels of carbon and improve wellbeing.

Cycle Lewes raise strong objections to the development as being in conflict with central government policy, South Downs Local Plan core Policy SD2, core Policy SD3, Strategic Policies SD5, SD19, SD20, SD22, and SD76; Lewes Neighbourhood Policy AM1; Hamsey Neighbourhood Plan vision for non-motorised travel and the creation of an effective network of footpaths and new cycle paths linking the communities across the Parish; the East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP) and the principles of the design brief for the site.