



# Representation Form

Proposed Submission Development and Site  
Allocations (DaSA) Local Plan

For official use only

Ref:

Date:

Before completing this form, please read the accompanying **Guidance Notes** which are available at:  
[www.rother.gov.uk/dasa/guidance](http://www.rother.gov.uk/dasa/guidance).

The representation period runs from Friday 26 October until Friday 7 December 2018. **Completed representation forms must be received by the Council no later than 4.30pm on Friday 7 December 2018.**

**Please ensure that you fill in a separate form for each representation you wish to make.**

**The easiest way to submit your representation is to use our dedicated online representation system available at: [www.rother.gov.uk/dasa](http://www.rother.gov.uk/dasa).**

## Completing and submitting this Representation Form online

To complete this Representation Form online, you will need to have either **Adobe Acrobat** or the free **Adobe Reader** software installed. **Adobe Reader** can be downloaded at: [get.adobe.com/reader](http://get.adobe.com/reader).

Please complete all necessary fields and ensure that you enter your name and the date on the last page. Your representation cannot be accepted unless these fields have been completed.

You can submit the form to us by email, either by clicking the **Submit Form** button in the top right corner of the screen, or by clicking the blue **Submit** button at the bottom of the last page of this form. Follow the on-screen instructions ensuring that you enter your Email Address and Full Name if prompted to do so.

Please note that this form cannot be submitted from mobile devices, however it can be saved and emailed to: [dasa.reps@rother.gov.uk](mailto:dasa.reps@rother.gov.uk). Alternatively it can be printed and posted to: Service Manager - Strategy & Planning, Proposed Submission DaSA Local Plan, Rother District Council, Town Hall, Bexhill, East Sussex, TN39 3JX.

**Your details** (If an agent is appointed, complete only Title, Name and Organisation below but complete the full contact details of the agent)

**Agent details** (if applicable)

Title:	Mr	
First Name:	John	
Surname:	Shaw	
Organisation:	Sea Change Sussex	
Position:	Chief Executive	
Address 1:	The Innovation Centre	
Address 2:	Highfield Drive	
Address 3:	St. Leonards, East Sussex	
Postcode:	TN38 9UH	
Telephone:	01424 858 287	
Email address:	info@seachangesussex.co.uk	



During its examination the DaSA Local Plan will be tested for:

- **Legal Compliance** - This is likely to apply to representations on the way that Rother District Council has prepared the DaSA Local Plan.
- **Soundness** - This is likely to apply to representations on the actual content of the plan.
- **Duty to Cooperate** - This is likely to apply to representations on the way that Rother District Council has engaged with key bodies on strategic, cross boundary matters.

Please read the accompanying **Guidance Notes**, available at: [www.rother.gov.uk/dasa/guidance](http://www.rother.gov.uk/dasa/guidance), for more information about these tests.

**Q1. To which part of the DaSA Local Plan does your representation relate?**

☒ DaSA Local Plan

Chapter:

Paragraph:

Policy:

Figure/Inset:

☐ Sustainability Appraisal

Volume:

Page:

Paragraph:

Figure/Table:

**Q2. Do you support or object to this part of the DaSA Local Plan?**

☐ Support *(go to question 6)*

☒ Object *(please answer questions 3, 4 and 5)*

**Q3. Do you consider the DaSA Local Plan to be legally compliant?**

☒ Yes

☐ No

**Q4a. Do you consider the DaSA Local Plan to be sound?**

☐ Yes *(go to question 5)*

☒ No *(go to question 4b)*

**Q4b. Do you consider the DaSA Local Plan to be unsound because it is not...**

☐ Positively Prepared

☒ Justified

☒ Effective

☐ Consistent with national policy

**Q5. Do you consider the DaSA Local Plan to be compliant with the duty to cooperate?**

☒ Yes

☐ No



**Q6. Please explain your reason for supporting or objecting to the DaSA Local Plan.**

Please also set out what change(s) you consider necessary to make the DaSA Local Plan legally compliant or sound, with reference to **Q3**, **Q4** and **Q5** above. You will need to say why this change will make the DaSA Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The objector believes that the plan identifying the development boundary tight to the northern side of NBAR is fundamentally unsound as is not consistent with existing saved general development plan policies, in particular criteria (vi) of policy GD1, principle (v) of Policy DS1 from the saved policies of the 2006 Rother District Local Plan, Policy OSS2 of the Rother Local Plan Core Strategy 2014 and the existing planning permissions including outline planning permission (reference RR/2017/2181/P) covering the employment development of the existing BX3 allocation.

In respect of policies GD1 and OSS2 the development boundary does not respect the topography of the sites surrounding the road and would result in the creation of a number of fields that are constrained by the road, topography and natural landscape features that are too small for commercial agricultural uses, failing to respect the objectives of this policies which require development to respect topographies and state that development boundaries will be reviewed in the DaSA following physical features, unless this may suggest a potential for development that is inappropriate.

In respect of policy DS1, principle (v) is that best use is made of existing infrastructure, including transport, community facilities, mains drainage and all other necessary service media given that the proposed development boundary would limit the utilisation NBAR, halving the volume of development that could be enabled by one of the largest public infrastructure projects in the area. It should be noted that NBAR has been constructed as the primary service corridor for the urban extension with strategic mains supplies and ducts designed to serve development on both sides of the road, installed during the construction of the road and that this corridor remains the natural gravity drainage corridor for Southern Water's foul drainage proposals. The proposed development boundary is directly in conflict with this policy by restricting the use of this infrastructure. Given the existing planning permissions, we propose that the development boundary is redrawn to the north of NBAR so as to follow natural landscape features following the significant ancient woodland lined ridge that tops the valley through which the road has been routed as indicated on the plan attached.

The land to the north of NBAR identified on this plan is not subject to any Green Belt or Area of Outstanding Natural Beauty designations and is classified as primarily being within Flood Zone 1 and was predominately allocated as part of the BX3 employment allocation in the North East Bexhill Supplementary Planning Document 2009. It should however be noted that this plan also utilised the road as a development boundary on an alignment which was routed through the established ancient woodland on the ridge to the north of the of the present alignment.

To accord with national planning policy and avoid the ancient woodlands the developer amended the routing of NBAR to the south. Reducing the volume of land contained within the area between the road and the existing settlement considerably.

Given that parts of this land had previously been identified for development and there are no apparent development constraints, this land should be identified for development for a mixture of employment, leisure and sports facilities. Potential uses include the development of a mixed-use facility to accommodate several units suitable for small businesses to compliment larger employment uses on the BEX1 allocation and recreational facilities. This could potentially include a facility for Sidley CC in a location that could be accessed by the new transport infrastructure and serviced taking full advantage of utilities infrastructure corridor delivered as part of +

**Please note** your representation should succinctly cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a further opportunity to make additional representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues identified for examination.**

**Text : Chapter 9 Policy BEX 1 Para 9.15, 9.17**

**Q.6. Please explain your reason for supporting or objecting to the DaSA Local Plan.**

The objector believes that the plan identifying the development boundary tight to the northern side of NBAR is fundamentally unsound as is not consistent with existing saved general development plan policies, in particular criteria (vi) of policy GD1, principle (v) of Policy DS1 from the saved policies of the 2006 Rother District Local Plan, Policy OSS2 of the Rother Local Plan Core Strategy 2014 and the existing planning permissions including outline planning permission (reference RR/2017/2181/P) covering the employment development of the existing BX3 allocation.

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Given the existing planning permissions, we propose that the development boundary is redrawn to the north of NBAR so as to follow natural landscape features following the significant ancient woodland lined ridge that tops the valley through which the road has been routed as indicated on the plan attached.

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To accord with national planning policy and avoid the ancient woodlands the developer amended the routing of NBAR to the south. Reducing the volume of land contained within the area between the road and the existing settlement considerably.

Given that parts of this land had previously been identified for development and there are no apparent development constraints, this land should be identified for development for a mixture of employment, leisure and sports facilities. Potential uses include the development of a mixed-use facility to accommodate several units suitable for small businesses to compliment larger employment uses on the BEX1 allocation and recreational facilities. This could potentially include a facility for Sidley CC in a location that could be accessed by the new transport infrastructure and



served taking full advantage of utilities infrastructure corridor delivered as part of the NBAR project maximising return on public sector investment in this scheme in accordance with the principles established by policy DS1.

The adoption of this alternative development boundary would offer several advantages in policy terms over the current proposals;

1. The adoption of the alternative development boundary would deliver a more effective development boundary policy using natural features as advocated by policies GD1 and OSS2. In the same way as the previous consent (REF) which moved the boundary for the BX2 use which is now located on both sides of the road development would be visually contained by natural landscape features and the ridgelines. Such a boundary would not be compromised by development outside of the boundary permitted by existing planning permissions.
2. The limitation of development by use of natural landscape features with protected status such as ancient woodland, would significantly reduce the potential for these boundaries to be challenged in future by developers. The objector which is the economic regeneration company for East Sussex already owns the ancient woodland along much of the ridgeline and would retain this woodland to maintain the visual containment of development along the route of NBAR.
3. In line with the development principles set out in the saved policies of Rother District Local Plan 2006 and Rother Local Plan Core Strategy 2014. The proposed amendments would:
  - a. Make full use of existing infrastructure by utilising the full capacity of the NBAR project to function as an access road and services corridor to unlock development in the area in accordance with principle (v) of Rother District Local Plan 2006 Policy DS1 and to secure best value returns on this £18.6 million pound infrastructure project and the significant additional investments made by various parties to install service media in this area at a time where limited funds available for investment in public infrastructure of this nature.
  - b. Avoid a reduction in the scale of land allocated for employment uses and release additional employment land to support the local employment of the residents of the proposed 1,381 additional dwellings contained within proposed residential allocations and the wider community in Sidley. Ensuring a sufficient continuing supply of employment sites and premises to foster economic regeneration in line with principle (iii) of policy DS1 and help to deliver an effective and balanced urban extension helping to allow further investment in one of the most socio-economically deprived wards in the South East of England.
  - c. Comply with Rother Local Plan Core Strategy 2014 policy OSS2: Use of development boundaries by following physical features
  - d. Respect the natural topography of the landscape in line with criteria (vi) of Rother District Local Plan 2006 Policy GD1

The proposed revised development boundary would be fully compliant with the NPPF's presumption in favour of sustainable development, the policies of the Rother Local Plan core strategy 2014 and the saved policies of the 2006 Rother District Local Plan General development criteria set out in policy GD1 as development on the proposed additional areas would be visually contained by natural

landscape features preventing impact on existing residential areas, meeting criteria ii, iv, v, vi and viii of the policy. It would also be located on what is currently low quality agricultural grazing land free of ecological and flooding constraints with good access to the infrastructure provided by the NBAR Project, meeting criteria iii, vi, ix, x, xiv and xv of this policy with other criteria being more appropriately addressed at a planning application stage.

Considering this it is hard to understand the justification for artificially restricting development to the south of NBAR, when it does not appear that this is a policy that can be effectively implemented and the land to the north of the road has no overriding natural development constraints that would prevent sustainable development from being brought forward.

Q7. If seeking a change, do you consider it necessary to participate at the oral part of the examination?

☒ Yes (explain why you consider it necessary to participate in the oral examination below) ☐ No (go to question 7)

We believe that it would be appropriate for us to provide input to the examination as the Economic development company for East Sussex and as the owner of the largest single employment land supply in the county. The majority of which has been assembled in North East Bexhill for the purposes of delivering local plan policy.

Please remember it is the **Inspector** who decides who is heard at examination - as in guidance notes.

Q8. Do you wish to be notified of any of the following?

Please select all that apply. We will contact you using the details you have given us on page 1.

- ☒ When the DaSA Local Plan has been submitted for independent examination
- ☒ When the Inspector's Report is published
- ☒ When Rother District Council adopts the DaSA Local Plan

#### General Data Protection Regulation 2016 and Data Protection Act 2018

Representations cannot be treated in confidence. Regulation 22 and 35 of the Town and Country Planning (Local Development) (England) Regulations 2012, as amended, require copies of all representations to be made publically available. The Council will also provide names and associated representations on its website but will not publish personal information such as telephone numbers, emails or private addresses. By submitting a representation you confirm that you agree to this and accept responsibility for your comments.

Name/Signature

Date

John Shaw

7/12/2018