

Rye Neighbourhood Plan

Site Assessments

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Introduction

1.1 This paper summarises the site assessment process for the Rye Neighbourhood Plan (RNP). It explains the process used to identify and consider those sites that are considered to have potential for housing development in Rye Parish. The report is published alongside the RNP as part of its evidence base.

1.2 The assessment¹ applies the methodology used for strategic housing land availability assessment used by Rother DC for the construction of its 2013 Strategic Housing Land Availability Assessment (SHLAA)².

1.3 In the early stages of the RNP process (during 2014) the Steering Board considered a series of sites in Rye Parish with a view to identifying land owners' intentions to develop land. There followed a series of conversations and a workshop to establish intentions, which are all recorded in the routine updates to the Rye Town Council Planning and Townscape meeting and minutes of the Steering Board³.

Purpose

1.4 The purpose of this report is to summarise the sites assessed for potential allocation for housing development in policy of the Rye Neighbourhood Plan (Rye NP). This report comprises an assessment of both those sites considered suitable for development and those considered unsuitable.

1.5 It seeks to build on the work of the SHLAA 2013 but applies an additional assessment required of all Neighbourhood Plans, to make proposals that reflect community views.

Approach

1.6 Throughout the site selection process there has been a consideration of the three dimensions of sustainable development:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by

¹ <https://mycommunity.org.uk/wp-content/uploads/2016/09/NP-Site-Assessment-Toolkit-Final-version.pdf>

² <http://www.rother.gov.uk/SHLAA>

³ <http://www.ryeneighbourhoodplan.org.uk/rye-neighbourhood-plan-steering-group-meetings/>

providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, mitigate flood risks and adapt to climate change including moving to a low carbon economy.

1.7 The site assessment criteria have been based on these fundamental concepts, but, there has been careful consideration of flood risk given that Rye is listed by ESCC⁴ as one of the 6 high risk areas in East Sussex and the Environment Agency lists over 1200 dwellings and businesses in Flood Zones 2 and 3.

Methodology

2.1 For the identification and categorisation of sites, the Planning Aid consultant URS has advised the RNP to use its suggested methodology⁵ for site assessment. The methodology involves a detailed consideration of the SHLAA, followed by the identification of those sites with potential and then to consider any impact for the (2006) settlement boundary.

2.2 The assessment draws conclusions about availability and achievability for development. This is expanded below.

- **Availability:** URS suggests that the suitability of a site is dependent on whether there are any significant constraints to development, such as planning policy implications, access and local services. It is essential that the availability of the site is investigated. This information may not always be available from the outset, but it is important to establish whether the site is likely to become available for development and the likely time frame as this will inform whether it is appropriate to include within the plan. Information has been drawn from the Rother DC Strategic Housing Land Availability Assessment (SHLAA).
- **Achievability:** This relates to the economic viability of a site, or whether development of the site works financially for a developer. For the purposes of this exercise, URS advises neighbourhood groups to:
 - Involve business, developers and landowners at early stages of evidence gathering to advise the neighbourhood group on viability of sites.

⁴ <https://www.eastsussex.gov.uk/environment/flooding/localfloodriskmanagementstrategy>

⁵ [http://www.doncaster.gov.uk/Images/Appendix%205b\(i\)%20URS%20Site%20Assessment%20Pro-Forma37-110734.pdf](http://www.doncaster.gov.uk/Images/Appendix%205b(i)%20URS%20Site%20Assessment%20Pro-Forma37-110734.pdf)

- Carry out the viability appraisal drawing on advice from local estate agents and developers, after the site assessment process is complete and the shortlist of suitable and available sites has been established. Is the landowner willing to bring the site forward for development?
- Would development lead to a requirement for additional infrastructure? Would development of the site be financially viable? Is the site free of significant constraints?
- Check with the local planning authority that the proposals for development are appropriate and in conformity with the local plan / core strategy.

2.3 Given the unique nature of Rye, there are significant constraints on the use of land. The sites considered by the Plan have been identified using an assessment for housing, employment and retail use. An important part of this process has been the public consultations and conversations to seek consensus for the most sustainable sites.

2.4 Several of the allocations in this Plan are for brownfield sites. This has regard for national policy and ensures best use of land in a constrained Parish.

2.5 In late 2016, Rother DC issued its draft Development and Site Assessment (DaSA)⁶This document forms Part 2 of the Council's new Local Plan and will develop the spatial strategies and core policies set out in the '[Core Strategy](#)', which represents Part 1 of the Local Plan. The Core Strategy recognised that it needed a DaSA up to 2028 to identify the sites required to meet its provisions and to elaborate certain policies. It would tackle two specific issues affecting dwellings: to consider adjusting existing development boundaries to reduce the constraints on meeting targets; to address the shortfall of deliverable sites against the 5-year target. Emerging Neighbourhood Plans were considered in the drafting of the DaSA and therefore the sites identified by this Neighbourhood Plan form part of the spatial strategy of the DaSA.

2.6 The Neighbourhood Plan Steering Group has discussed the assessments before and after surveys to ensure that all members are content with the process. A ten stage process has been used for each assessment to: locate and name; describe; state the characteristics (topography; natural landscape; boundaries; road frontage); make a green space assessment and assess urban sprawl; ensure compliance with higher level strategies; assess how appropriate for specific uses and consider options; identify boundaries; assess whether development is dependent on any proposals for adjacent sites; make overall conclusions. Site assessments form part of the evidence.

Development Options

3.1 Three broad options were considered by the Steering Group.

⁶ <http://www.rother.gov.uk/article/4033/Development-and-Site-Allocations-Plan-DaSA>

- a. **Option A: Do Nothing:** In the early stages of the planning verbal advice from Planning Aid included the need for a “do nothing” (business as usual) options to be considered. On the basis that the Community wished to influence future development by way of conserving the character of Rye, the do nothing options were rejected. After consideration of all the planning options, the overriding factor was the requirement of the community to influence future decisions of development in Rye Parish. In early 2013, *Full Council decided to proceed with a Neighbourhood Plan and a Steering Group was formed from Councillors and Citizens with relevant experience to handle the work.*
- b. **Option B: Development concentrated in one location:** In this scenario, the RNP would allocate all residential development to one site. All sites around Rye have been considered and for one to accommodate the 110 (net) target for dwellings within the Parish, would require the identification of a significant green field site probably using agricultural land adjacent to one of the “gateways” into Rye. In looking for a suitable site, the Steering Group re-visited the generally unpopular (to the Community) decision taken by Rother DC in 2010 to approve the Valley Park development on a green site to the North of Udimore Road. The main objection to this allocation was based on community aversion to a large scale development in “one lump” on agricultural land, which was seen not to add value to the environment on land previously farmed for centuries. However, it was seen by the Local Planning Authority as land adjacent to the settlement area, which could, conveniently, form an extension to Rye Parish. The proposal went to appeal during which time the Planning Inspector recorded as follows:
- Over-riding factors applied to the proposal by placing it in the “context of the strategic requirements for housing supply”.
 - DEFRA did not object to the loss of agricultural land on the basis that the site was low grade land. Despite being adjacent to the AONB ⁷ the land had no other designation.
 - Being lower than the Udimore Road (B2089), one of the gateway entrances to Rye from the West, the site was not visually prominent from certain angles, notably the South and West. However since development, it is very prominent from the North and Northwest. At the time the site “was seen to bring about a

⁷ <http://www.highweald.org/high-weald-aonb-management-plan.html>

change in the pattern of development” but would be contained within the landscape and sit “comfortably within the context of the adjoining development”.

- The site would be accessible from the Town Centre and to services on foot or by bus within 15 minutes.
- The site would not impact significantly or adversely on the road ((B2089) network.
- With a clay topsoil and sloping site, flood risk could be mitigated by technical solutions such as the SUDS system which was built as part of the development.
- The ecological value of the site was not such that it would prevent its development.
- The number of dwellings would not place significant stress on local services.
- The proposed mix of dwellings (60% open market and 40% affordable) was considered appropriate. However it was noted that the development would require careful design with particular concern for density (30 dwellings per hectare [dpha]). During the planning appeal the planning inspector recommended that the site would be suitable for 114 dwellings with a density of 30 dpha of which 405 affordable. Since that initial agreement the developer has sought permission for additional dwellings to a level of 161, which has been agreed.
- The way that this particular development has been handled has been carefully re-considered by the Steering Group, that concluded that the particular conditions which applied to Valley Park (“sitting comfortably within the context of the adjoining adjacent existing development; not visible from the Rye Citadel; flood risk being mitigated easily by technical solutions”) cannot be applied to any other green sites on other gateways to Rye without significant “urban creep” and change to the character and view of Rye in its marsh surroundings. In particular, there is no other site which could be “seen to bring about a change in the pattern of development” but would be contained within the landscape and sit “comfortably within the context of the adjoining development”. Importantly, there is strong community opposition to housing development in one “block” as was seen in Valley Park (161 dwellings in 2011). Such a development would be seen as incompatible with the character of Rye and would risk breaching more green spaces in a way that would not integrate easily into the Parish.

Therefore the single site option was discounted.

c. Option C: Development dispersed across sites within the Parish:

- Development would be divided across several potential sites – some brownfield
- in relatively low density, where site assessment indicated that development was seen as achievable. This would have the advantage of reducing the overall impact of development on Rye while still permitting development within 15 minutes walk of the Town Centre.
- Having reviewed the work of Rother DC (in particular its SHLAA) and reconsidered the amount of key sites where development is assessed as achievable before 2028, several sites have been confirmed as suitable for the required numbers of dwellings to meet the 110 (net) target set by the Core Strategy.

This dispersed option was selected.

Food Retail Site Development Options

3.2 For food retail sites, the town centre was first considered, then around the edges and only after that, sites further afield considered. The Steering Group adopted the following sequence:

- Consider retail sites within the town centre (post office site – not achievable).
As none:
- Consider the edge of centre (edge of town centre boundary – local plan 2006 designation: former Lower School site or Gibbet Marsh, considering that the bulk of the population of Rye lives in the West.
- Consider beyond: former Freda Gardham.

3.3 The RNP builds on the Rother Core Strategy (2014) when considering new developments and associated infrastructure. The Core Strategy⁸ for Rye (and Rye Harbour) sets a *strategic objective for Rye*:

To improve the economic and social well-being of Rye, including in relation to its market town role, tourism and the Port of Rye, whilst fully respecting and sensitively managing its historic character, vulnerability to flooding and ecologically important setting.

⁸ <http://www.rother.gov.uk/corestrategy>

3.4 An extract from the strategic objective sets out to: *“retain and strengthen the role of Rye as a service centre supporting retail, culture and social infrastructure; provide modest and balanced employment growth to create jobs and opportunities to meet the needs of existing and new residents. There should be quality year round employment, with less reliance on seasonal/tourist activity and promotion of green tourism opportunities”*

3.5 However the Rother Core Strategy goes on to suggest that:

“Due to its topographical and landscape context and statutory designations, Rye is heavily constrained and further opportunity for development on the periphery of the town is confined”.

3.6 The overall strategy for Rye and Rye Harbour is the development of key sites – many of them brownfield - and infill within the built up urban area. Given the environmental constraints surrounding Rye, the uncertainty surrounding the deliverability of allocations and limited further opportunities within the existing built-up area, as identified in the Strategic Housing Land Availability Assessment (SHLAA) 2013, it has been appropriate to adopt a range of housing growth to allow for flexibility. Rother sets a range for housing growth in Rye and Rye Harbour as 355-400 dwellings up to 2028. Once commitments are considered the figure drops to 67-112. The RNP allocates up to 160 to provide headroom for non achievability. The range allows scope for some mixed development subject to detailed assessment.

3.7 As a market town, minor port and tourist centre in Rother district, the Town has a large range of services and an employment base, but with several brownfield sites, there are opportunities for regeneration and growth during the RNP period. One area which the RNP Steering Group has considered is the market trend in convenience shopping in the UK⁹. It has noted that successful outlets are seen as food first and petrol, second.¹⁰

3.8 For development to increase employment and enterprise the Rother policy is to:

“Retain the centre of Rye as the main focus for retail and services for the town, and increase the choice of convenience shopping in Rye by facilitating the increase of some 1,650 sq m net additional convenience (food outlet) floorspace within or adjacent to the town centre”

3.9 To meet this requirement, in 2013, the RNP allocated the Lower School Site for the additional convenience food store. From 2014 to 2016, supermarkets, Sainburys and Tesco struggled to secure a site in Rye by focusing on the Lower School Site. However, a

⁹ <https://www.himshopper.com/latest-thoughts/article/forecourt-retailing-trends/>

¹⁰ <https://www.thetimes.co.uk/article/petrol-stations-seen-as-as-a-convenience-store-that-also-sells-petrol-903h0xjm0>

change in markets trends and a cessation of mass development of large stores resulted in both companies withdrawing in 2016 from the proposal.

3.10 This allocation added to existing development: the recently (2018) enlarged Jempsons food store, which opens on every day except Sunday; the one fuel outlet collocated with Costcutters in Rye, providing convenience food and fuel 7 days a week; the local convenience store (open 7 days) at Tilling Green Estate.

3.11 From consultations, many in the community seek another supermarket to provide choice and value 7 days a week. Since Tesco's and Sainsbury's withdrew there has been little interest from other companies. However in 2016, the RNP sought to meet the Rother requirement for a second supermarket between the Town Centre and the majority population in the West of Rye by allocating the Lower School Site in order to:

"Retain the centre of Rye as the main focus for retail and services for the town, and increase the choice of convenience shopping in Rye by facilitating the increase of some 1,650 sq m net additional convenience (food outlet) floorspace within or adjacent to the town centre"

3.12 However, because of a proposal for housing on the Lower School Site, the RNP selected an alternative site (10,000 sqm of the 18,000 sqm total) at Gibbet Marsh. This was the position at the time of the 2018 Town Meeting, when some 60 objectors argued that the Gibbet Marsh alternate allocation would not be supported. They argued that there was no need for a second supermarket, despite the fact that a straw poll of 200 residents at the meeting indicated roughly 50-50 for a 2nd supermarket. The pro store arguments focused onto the need for competition, lower prices; improved quality and longer opening hours, particularly for Sundays.

3.13 Arguments against Gibbet Marsh included : impact on traffic, the Ferry Rd Nursery, restrictions on Gibbet Marsh as overflow car park, particularly should the Fast Rail come to Rye, impact on use during peak visitor times such as festivals, impact on the green space and pathways ; access issues; potential for Increased anti social behaviour; "morally wrong" ; impact on an historical site.

3.14 Following the 2018 Town Meeting, the allocation was reviewed and advice from Rother DC sought. Rye argued that there was now "change of circumstance" affecting the set target for additional enterprise sq m. Rother DC altered its position:

"notwithstanding the Core Strategy position that 2nd store is required; evident that retail trends have changed; little interest from developers; therefore no expectation of achieving in period".

3.15 On 14 May 2018 Rye TC agreed that the RNP should retain the proposal for a change the development boundary at Gibbet Marsh, to allow future use such overflow car parking for Fast Rail but to remove the alternative allocation for a supermarket from the Plan.

3.16 Meanwhile in 2016 BP sought to establish an edge of town facility on the B2089 adjacent to the AONB and the western Parish boundary on land made available by Aroncorps, the Valley Park Developer. BP made two proposals for a petrol station with

500 sq m food store. The first was refused. The second I (RR/2018/5454/P) was claimed by BP to address the criticisms of the first: “ to re-design to address the Council’s previous reasons for refusal on 16 October for the following reasons. However Rother DC refused the second on the grounds that:

- The proposed petrol filling station would **extend the development of Rye into open countryside beyond the clearly established town edge**, introducing a discordant addition at the approach to the town, adversely affecting the rural character of the area and the entrance to the High Weald AONB. Given the surrounding topography the new urban development would appear unduly prominent and have a significant intrusive impact on the wider rural character, being visible across a significant area beyond simply localised views. Moreover, the **illumination associated with the function and hours of operation of the premises would exacerbate the adverse landscape impact and would impinge on the intrinsically dark night skies of the rural location including the High Weald AONB**. As such the proposal is contrary to the objectives of Policies RA (ii), RA3 (v), EN (i), (v) and (Vii) and OSS4 (iii) of the Rother Local Plan Core Strategy and paragraph 115 of the NPPF.
- The use of the site over a 24 hour period with its associated illumination, in close proximity to neighbouring properties no.174 Udimore Road, Cadborough Oast House Drive, would have a detrimental impact upon the residential amenities to be safeguarded. As such the proposal would be contrary to the objectives of Policy OSS4 (ii) of the Rother Local Plan Core Strategy”¹¹.

3.17 The RNP Steering Group noted that second proposal provided little change from the first in 2017. It also noted that the proposal followed several years of discussion about the future of Aroncorps’ elevated greenfield site at the edge of Rye Parish, adjacent to the AONB and beyond the settlement boundary.

3.18 The RNP Steering Group argued that the commercial proposal would be likely to provide a “destination facility” drawing traffic from the rest of Rye and the A259 up the constrained B2089 to a site on land not previously allocated in any development plan for Rye, including the RNP. The RNP Steering Group noted that the Inspector who approved Aroncorps’ Valley Park housing development to the east, on the lower ground (RY5) did so specifically because that development “could be contained within the landscape and sit comfortably within the context of the adjoining development”. This could not be argued for the BP proposals on high ground. The RNP records the need for a second petrol station and food outlet but indicates that alternative sites along the strategic A259 main through road are available within Rye Parish.

¹¹ <http://www.rother.gov.uk/CHttpHandler.ashx?id=22426&p=0>

3.19 Given the BP interest. The RNP Steering Group has since revisited potential sites on the A259 for a petrol station and convenience food store. With much of Rye lying in Flood Zones 2 and 3a the Steering Group had to take careful note of the NPPF¹²:

“...Local Plans should apply a sequential, risk-based approach¹³ to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change. It further noted that two tests were applicable: the Sequential and Exception tests.

3.20 The Flood Risk Sequential and Exception tests have been completed on all identified sites which have meet the criteria for future development. This report supplements the Site Assessment Document by considering all suitable sites for a second petrol station¹⁴ and a convenience store¹⁵, acknowledging the accepted policy of retention of the centre of Rye as the main focus for retail and services for the town.

Search Criteria

3.21 In order to undertake a sequential site assessment, the criteria for the search must be defined. The NPPF suggests a flexible approach to development when applying the sequential approach. The Steering Group has noted the outcome of the ‘Dundee Case’ (Tesco Stores Ltd v Dundee City Council [2012] UKSC 13). In this case, *inter alia*, the definition of ‘suitability’ in terms of assessing and identifying alternative sites was tested. The Supreme Court adjudged that ‘suitability’ means suitable for the development proposed by the applicant, provided that it has sufficient regard to the need for flexibility. Moreover, regard should also be had to the general statement by Lord Hope in respect of the sequential approach that the,

‘criteria are designed for use in the real world in which the developers wish to operate, not some artificial world in which they have no interest in doing so’.

3.22 It is reasonable that any assessment must seek to identify and assess sites that are suitable to accommodate the proposed development: petrol forecourt, convenience store and associated stores and facilities. Criteria are:

¹² <https://planninghelp.cpre.org.uk/planning-explained/national-planning/national-planning-policy-framework>

¹³ <http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainabledevelopment/delivering-sustainable-development/10-meeting-the-challenge-of-climate-change/flooding-and-coastal-change/>

¹⁴ <https://www.himshopper.com/latest-thoughts/article/forecourt-retailing-trends/>

¹⁵ <https://uk.businessesforsale.com/uk/search/convenience-stores-for-sale/articles/running-a-convenience-store-within-a-petrol-station>

- a. accommodate a convenience store of around 500 sqm with space for associated car parking, petrol forecourt and related stores and facilities. The outline requirement is around 2000 sqm but given the serious constraints in Rye there should be some flexibility in the site requirement;
- b. locate close to the town centre (10 minutes walk) so that it would not cause too much “leakage” out of the centre nor function as an effective alternative to existing provision in the town centre.
- c. have good access, for vehicles, including delivery tankers, other vehicles , pedestrians and cyclists.
- d. sited alongside the A259 as the major through route (East – West) through the town, to avoid generating a destination facility on minor roads.
- e. avoid overtrading with the existing town centre and foodstore (Jempsons)
- f. ability to serve areas of the town where there is currently no provision
- g. minimise disruption to surrounding residents
- h. mitigate flood risks and the risk of pollution from toxic spills
- i. minimum impact on the vitality and viability of the Town Centre as defined in the RNP; fit with the retail hierarchy in Rye

Food Retail Sequential tests

3.23 Four sites have been considered. In addition, for reference, there is one site not allocated in the RNP but included for completeness, as it represents a site for which a proposal has been made by BP for a petrol station and convenience outlet on a site unallocated in the RNP. The proposal was rejected for reasons shown.

<p>The western end of RY41 is RY17</p> <p>Land north of Udimore Road</p> <p>Wets of Valley Park</p> <p>RY41 is being developed under</p> <p>RR/2009/1924/P and various amendments including RR/2013/1781/P and RR/2014/3074/P</p> <p>Proposal RR/2017/1231/P by BP for a petrol station and shop on the site to the west of Valley Park</p>	<p>Unsustainable site which is accessible but Greenfield and outside Development Boundary</p> <p>Adjacent to the AONB</p> <p>Subject to a proposal which was refused. RR/2017/1231/P.</p> <p>Rye Town Council Supported refusal as it:</p> <p>Conflicts with the Draft Rye Neighbourhood Plan (no allocation for this site as it is key "gateway" site for Rye and was considered unsuitable for development in the SHLAA.</p> <p>Potentially highly visible development (day and night) alongside the B2089 gateway into Rye,</p> <p>Outside of the development boundary</p> <p>Would fail to integrate – visibility, lighting, traffic and adverse impact on the adjacent AONB (This was a key requirement for the earlier 5 phases of the Valley Park development.</p> <p>Local residents raised a petition against the proposal.</p> <p>In short it represents a welcome</p>
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	<p>proposal (for second petrol station and 24/7 shop) but in the wrong place; more suitable sites appear not to have been considered;</p> <p>Udimore Road cannot accommodate the increased vehicular movements;</p>
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No SHLAA Ref: Lower School Site, Udimore Road	<p>Sustainable site in highly accessible location on partly previously developed land within the Development Boundary, but with flood mitigation necessary together with potential biodiversity impacts.</p> <p>Has been subject to Planning Permission for a supermarket, but this expired in 2016.</p> <p>Close to Town Centre, railway and transport hub</p> <p>Not on A259</p> <p>Previous developers have carried out SSFRA for the site</p> <p>Access issues: need road and rail crossing improvements</p> <p>Now subject to housing proposal</p>
No SHLAA Ref: Gibbet Marsh Car Park, Udimore Road	<p>Sustainable site in highly accessible location on partly developed land outside the</p>

<p>10,000 of an 18,000 sqm site.</p>	<p>Development Boundary, but with flood mitigation necessary together with potential biodiversity impacts.</p> <p>Flood risk to be mitigated; would need SSFRA</p> <p>Not on A259, but in west of Rye near to largest percentage of population.</p> <p>Access issues: needs improvement to access road width and sight lines.</p> <p>Community oppose any development</p>
<p>RY36: Winchelsea Road East</p>	<p>Sustainable part developed site in accessible location on previously developed land within the Development Boundary</p> <p>Site is at road level and would be visible main gateway from Hastings on A259</p> <p>Site of earlier petrol station which resulted in contamination close to Strand</p> <p>Adjacent to Strand tidal river; high risk of pollution impacts on river</p> <p>On A259 ; access no issues</p> <p>Would need SSFRA</p>
<p>RY53: Winchelsea Road West</p>	<p>Sustainable site with significant commercial use in accessible location on previously developed</p>

	<p>land within the Development Boundary</p> <p>Site below road level; any development could be part concealed but would need signage on A259</p> <p>Good access ; used presently by HGVs as transport depot</p> <p>Would need SSFRA; Flood mitigation and pollution traps necessary</p>
<p>RY19 (-): Former Freda Gardham School</p> <p>Footprint of former school allocated by RNP in policy H7</p> <p>2000 sqm of much larger site.</p>	<p>Sustainable site in highly accessible location (A259) on partly previously developed land outside the Development Boundary, but with flood mitigation necessary together with potential biodiversity impacts.</p> <p>Sufficient space</p> <p>Ready access from A259</p> <p>Any development subject to completion of Eastern Rother Tidal Walls Scheme (Plan proposal Jul 18)</p> <p>Following a discussion (s part of Reg 14) about the duration of any flood mitigation the Environment Agency advice in Summer 2018</p> <p><small>"With regards the variety in duration in scheme benefit, all coastal scheme are designed for a 1:200 standard of protection, however some scheme require intervention within this period sometime after 50 or 25 years, i.e. a groyne made out of wood would only be designed for 25 years but the scheme is designed to last 100years with intervention within that, so a scheme is built for 100 years with some works needed within that to either raise to take into account climate change or to rebuild if it gets to the end of its individual component design life."</small></p>

Food Retail Conclusions

3.24 Consultations with the Rye community indicate that many wish more choice in food shopping and the ability to buy fuel (quality, price and 24/7 access). The earlier Core Strategy requirement for an increase of some 1,650 sq m net additional convenience floorspace within or adjacent to the town centre has been modified by Rother DC because of change of circumstances, including lack of interest by potential developers. BP is interested in establishing a petrol station and food outlet in Rye. Market trends indicate that fuel stations have to be linked to convenience food stores to be viable. Site selection has considered the Flood Risk Sequential and Exception tests, which have been completed for all identified sites in Rye. Only those which pass are considered in this paper. A series of criteria have been drawn up for suitable site selection. When these are applied to sites with potential one site meets the criteria: Northern part of the Freda Gardham (adjacent to the A259).

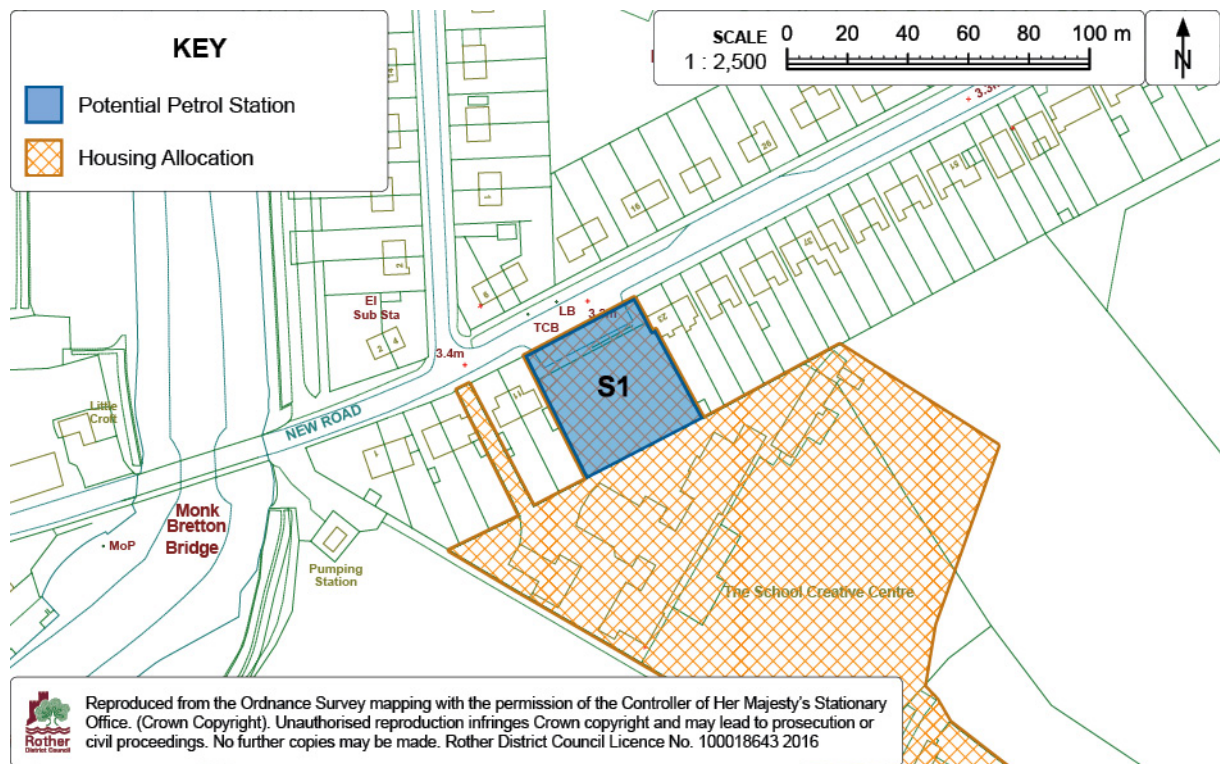


Figure 1: Site S1 Freda Gardham - potential for a second petrol station and food outlet.

Development Boundary

4.1 The Development Boundary is the dividing line or boundary between areas of built/urban development (the settlement) and non-urban or rural development – the countryside. A development is where there is usually a variety of residential, commercial, employment uses and where services are normally provided and expected, the

proportions of each varying depending on the type of settlement. The existing boundaries are established in the 2006 Rother DC Local Plan¹⁶.

4.2 As part of the overall policy to conserve the character of Rye the Plan retains the Development Boundary as an important differentiation between areas where any form of new development would be acceptable and where they would not. (Rother Core Strategy Policy OSS2). To enable the Plan there are two locations as shown on the plan below (in pink) and table where variance is proposed. The environmental impacts of these adjustments have been considered and are not considered detrimental.

4.3 The boundary changes have regard for the:

- Existing pattern, form and function of settlements, including of closely 'linked' settlements and important 'gaps' of countryside between them;
- Character and settings of Rye;
- Sensitivity to further development both within the main built up confines and in more rural fringes;
- The amount of land needed to fulfil development needs and requirements;
- Availability of local infrastructure and services;
- Accessibility to facilities and services, and avoiding scattered and ribbon development;
- Environmental considerations, including the need to conserve designated areas of national and local landscape, archaeological, geological, ecological or historical importance;
- Flood risk
- Following physical features, unless this may suggest a potential for development that is inappropriate.

¹⁶ Rother DC Local Plan - <http://www.rother.gov.uk/localplan2006>

	Location	Consideration	Action
1	Former Freda Gardham School (ESCC owned) Assessed as RY 19a and 19r in the SHLAA 2013	Vary boundary to include identified development Policy H7 in the footprint of the former school only: buildings, former swimming pool and fenced green area between.	Redraw boundary as shown
2	Gibbet Marsh (Rother DC owned)	Vary boundary to include use of site as car park.	Redraw boundary as shown

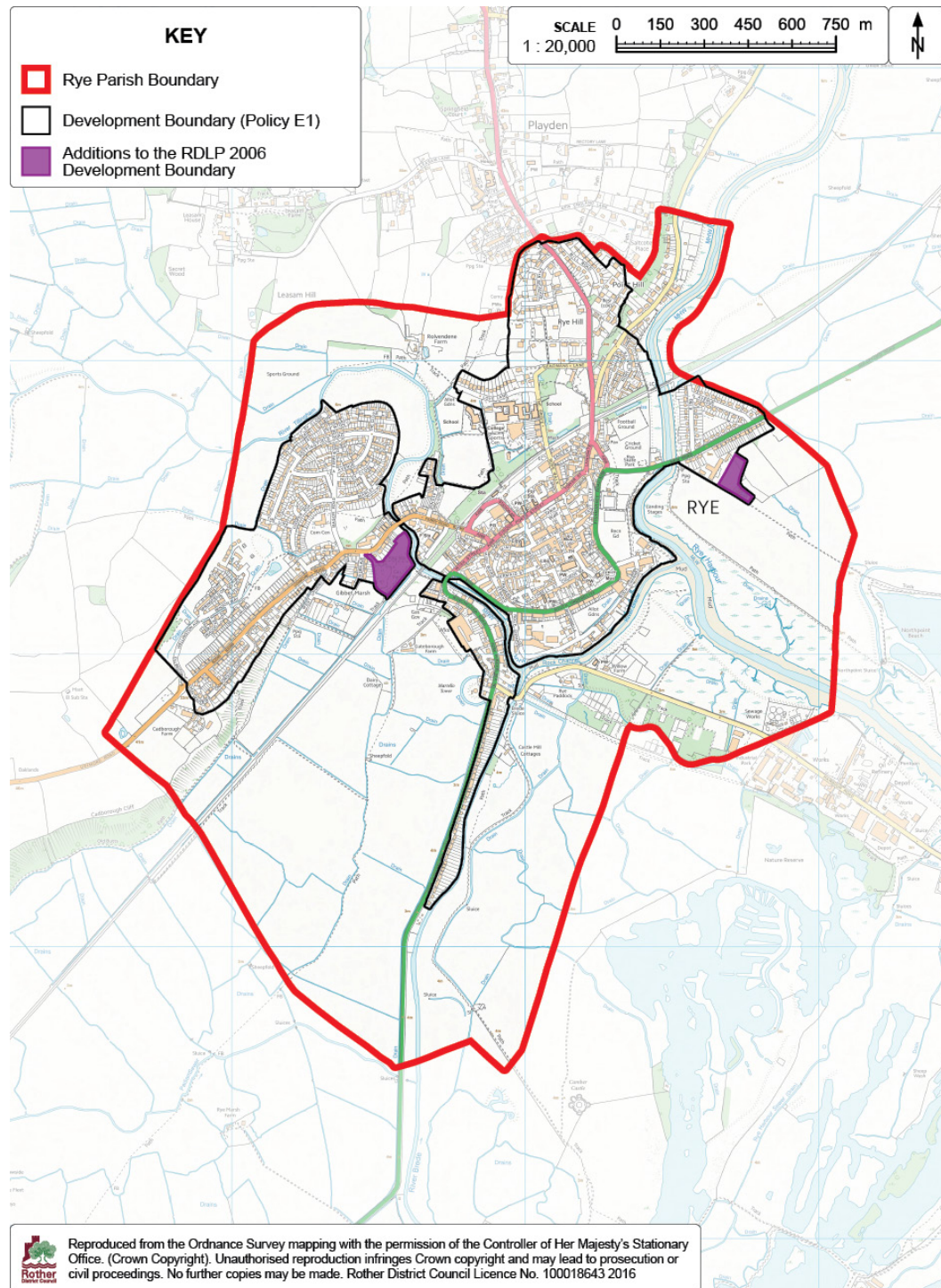


Figure 3: Rye Development Boundary (in black; within the Parish in Red) Variations marked as dark red.

Site Assessment

5.1 An important part of the process has been the public consultations and conversations to seek consensus about future development. A map showing all those sites considered during the process is below. This was displayed at the RNP public vents in 2013 and 2014 (RNP Support paper 3).

5.2 In 2014 the Rother DC Core Strategy (to 2028)¹⁷ was inspected and found 'sound'. This provides policy with which the Rye NP must conform. In 2016 Rother launched its Development and Site Allocation (DaSA)¹⁸ Other national policy¹⁹ has also been considered.

5.3 The Choice of the Sites by the Steering Group was guided by:

- the views expressed by the residents in completed questionnaires returned following the public consultation. Around 70% of those returning questionnaires from the consultation agreed that the sites suggested did best match the factors they believed important when selecting development sites.
- the views expressed in Council and Steering Group meetings;
- a published summary of all conclusions on the Rye NP website for comment;
- the outcome of two open workshops in July 2012, which focused on the factors considered important by residents when selecting sites for new homes;
- the sustainability objectives;
- an acknowledgement in the Rother Core Strategy that *"Due to its topographical and landscape context and statutory designations, Rye is heavily constrained and further opportunity for development on the periphery of the town is confined. The strategy for Rye (and Rye Harbour) is the development of key development sites and infill within the built up urban area. Given the environmental constraints surrounding Rye, the uncertainty surrounding the deliverability of existing allocations and limited further opportunities within the existing built-up area, as*

¹⁷ <http://www.rother.gov.uk/corestrategy>

¹⁸ <https://www.rother.gov.uk/dasa>

¹⁹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

identified in the Strategic Housing Land Availability Assessment (SHLAA) 2013, it would be appropriate to adopt a range of housing growth to allow for some flexibility. The process of identifying key sites suitable for development will be undertaken in the Rye Neighbourhood Plan.”

5.4 The Steering Group has considered as many sites as possible in order to find the most sustainable sites. As part of this process, the Steering Group has had conversations with land owners and other interested parties in order to assess achievability and viability. The assessment documents the significant geographic constraints which seriously limit the options of site selection, when the environmental factors are considered as below.

5.5 The Sequential and Exception tests (RNP Support 4) were applied to consider the impacts on biodiversity and flood risk and importantly to many in Rye to minimise the impact on the town and landscape.

5.6 Concurrent and subsequent work has included a sustainability and environmental assessment. The findings have been supported by the views expressed by local people in the survey of residents and in conversation at public events.

5.7 The exercise has been comprehensive but, if in the future, any new sites are identified then surveys will be undertaken in a way consistent with this approach.

5.8 Housing sites are already shown on the SHLAA²⁰ register (Strategic Housing Land Availability Assessment). This work in 2013 was reconsidered when Rother DC developed its Development and Site Allocations in 2016/17²¹.

²⁰ <http://www.rother.gov.uk/SHLAA>

²¹ <https://www.rother.gov.uk/dasa>

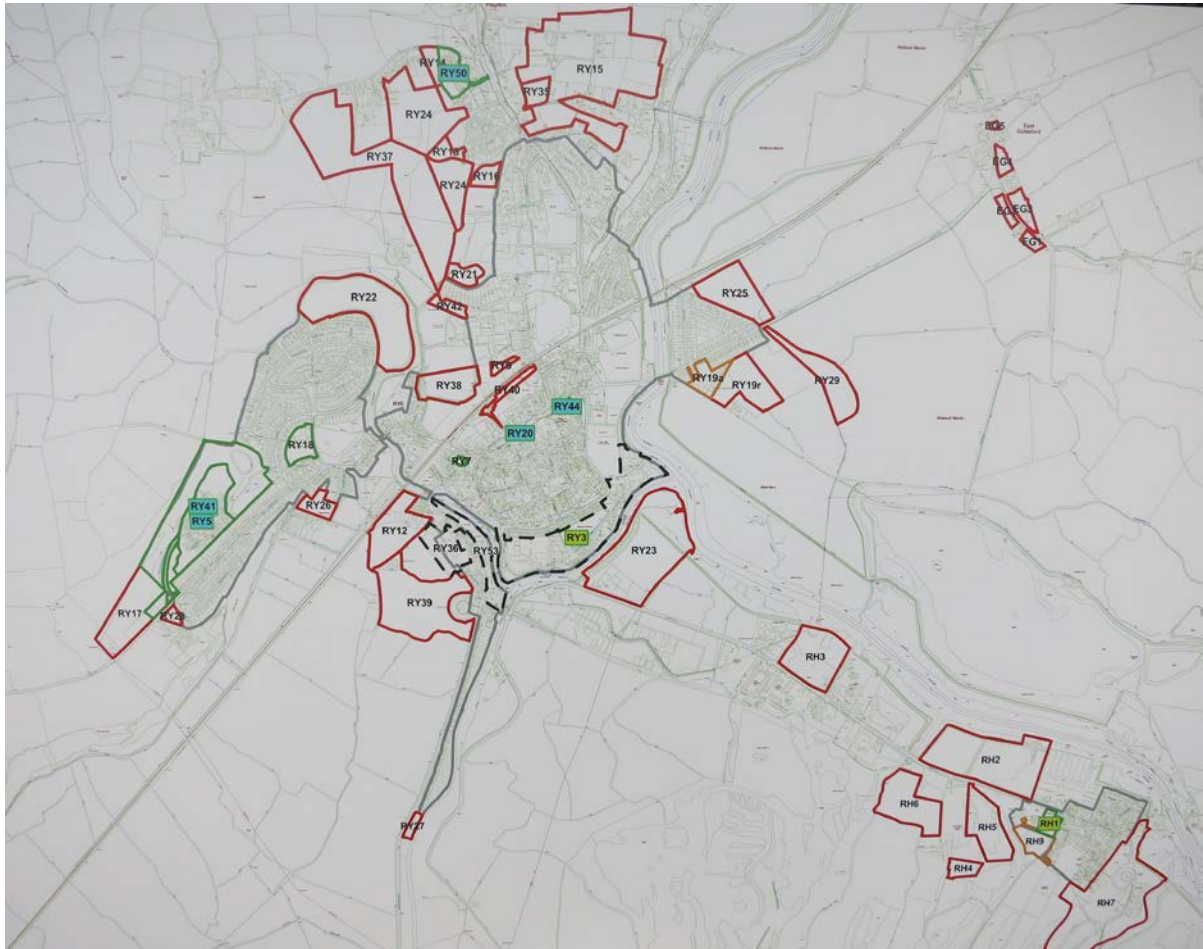


Figure 2: 2013 SHLAA

5.9 For each potential site, a widely used (by Neighbourhood Planners) 10 stage process has been used (See RNP Support 2 – Site Assessments).

Process Number	Factors	Remarks
1	Site Name and location	
2	Existing Land Use.	
3	Site Characteristics: topography; natural landscape; boundaries;	

	road frontage.	
4	Green Belt assessment:	N/A for Rye
5	Conformity with Rother DC Core Strategy Spatial Development Strategy.	Noting constraints acknowledged by Rother DC
6	Brownfield or Greenfield	Previously developed or greens space space/agricultural land.
7	The identification of any characteristics affecting development, such as flood risk	
8	Site Boundary	Issues or questions
9	Dependency on adjacent development	Neighbouring sites?
10	Conclusions	Available and achievable?

5.10 This assessment sets out the respective benefits of targeting eight sites (shown enclosed) for redevelopment. Given the many constraints in Rye Parish, the selected sites provide a valuable land resource for meeting the town's housing needs in an area of high environmental constraint.

5.11 Rejected sites are shown with reasons and justification.

Sites in Rye Parish


5.12 The following sites (with SHLAA numbers where relevant were recorded as:

- Having fully completed assessment forms in the Site Assessment Background Paper
- Be assessed against the sustainability objectives in the Sustainability Appraisal

- Be assessed in respect of flood risk in through the sequential test and the exceptions test.

- 1 No SHLAA Ref: Lower School Site, Udimore Road
- 2 No SHLAA Ref: Gibbet Marsh Car Park and Green Space, Udimore Road
- 3 No SHLAA Ref: Land to the west of Station Approach
- 4 RY3: Rock Channel (split into sites A, B, C and D)
- 5 RY7: Former Council Depot, Cyprus Road
- 6 RY12: Land North Gateborough Farm, Winchelsea Rd (South of railway)
- 7 RY18: Former Tilling Green School and grass playfield
- 8 RY19a and 19r: Former Freda Gardham School (Brownfield part)
- 9 RY21: Land rear of Love Lane (North of Love Lane and South of graveyard)
- 10 RY22: Land Northeast of Tilling Green Estate (Tillingham flood plain)
- 11 RY23: Land south of Rock Channel (Strategic Gap)
- 12 RY26: Land at Glencose Farm, West Undercliff
- 13 RY27: Land adjacent 136 New Winchelsea Road
- 14 RY29 (and 25): Land south of Guldeford Road outside Parish; marshland
- 15 RY36: Winchelsea Road East
- 16 RY38: Land South of Thomas Peacock School (Rye Academy sports field)
- 17 RY39: Land south west of Rye (West of Martello behind Winchelsea Rd)
- 18 RY41: Valley Park, off Udimore Road, includes RY17: Land west of Oast House Drive
- 19 RY42: Land north of Thomas Peacock School
- 20 RY53: Winchelsea Road West

5.13 Sites by location and showing assessment details.

	SHLAA	Not included in SHLAA 2013 exercise because intended for supermarket at that time
1	<p>Lower School Site Off Ferry Road</p> <p>Description</p> <p>Area in Ha</p>	<p>Off Ferry Road</p> <p>Vacant and overgrown – brownfield former school site cleared of buildings</p> <p>1.46 Ha</p> 
2	Land Use	<p>Not included in SHLAA as site was subject to planning permission²² for supermarket.²³ Sainsburys (RR/2010/2570/P)</p> <p>Tesco RR/2010/2570/P Now expired and withdrawn. In 2015 the Neighbourhood Planners identified four possible uses: commercial, dwellings (up to 50), education and other such as parking.</p> <p>Then the local Academy announced: “Rye Academy Trust is to register an interest in acquiring the Lower School site to replace the old Rye College Building. We need a modern building which will be a positive aide in learning as we have discovered with the layout of the Rye Studio School for the Creative Industries.</p>

²² <http://www.rother.gov.uk/CHttpHandler.ashx?id=21515&p=0>


²³ http://planweb01.rother.gov.uk/OcellaWeb/viewDocument?file=dv_pl_files%5CRR_2015_750_P%5CRR_2015_750_P-DN.pdf&module=pl

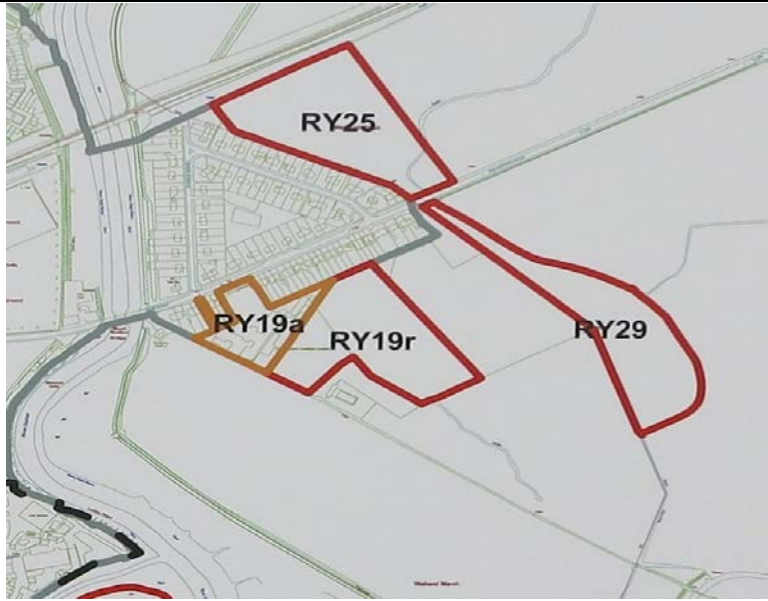
		<p>Building on the Lower School site will keep intact our vision of the Rye Educational Quarter and will allow us develop further facilities for the benefit of everyone in Rye and the surrounding area. “ The Trust has since withdrawn its plans.</p> <p>In 2017, Plutus Rye proposed in RR/2017/1778/P 72 dwellings with associated landscaping, car parking and other infrastructure.</p> <p>Within the context of the RNP the comments were:</p> <p>Lower School Site. RR/2017/1778/P. Plutus Rye Ltd (supported by Iceni) has submitted its long awaited application for 72 homes on the former Lower School Site of Ferry Road: 43 houses and 29 flats with associated landscaping, car parking and other infrastructure.</p>
		<p>The Plutus/ICENI development team discussed their initial proposals with the RNPSG in 2016 and since then has been working to resolve issues of mitigating flood risk, particularly for surface water, with the EA and others. In the context of the RNP, although the site is allocated for housing (in addition to commercial, education and another such as parking) we retain our initial reservations about the latest proposal in terms of: excess number of dwellings - RNP allocates 50 dwellings; the developer proposes 72 – inadequacy of parking, green space and difficulties with access. In short the proposal is big on context but short on some vital detail. There would be a need for early increased community support and infrastructure particularly by agencies such as NHS for health services and the Rye Academy with ESCC for education.</p>
3	Characteristics and Boundaries	<p>The former school site itself is flat, partly overgrown and has been neglected in recent years.</p> <p>The adjoining scrub/wooded area is generally below the level of the school site, at different levels along its length and with some watercourses or ditches running through this area.</p> <p>It is 400m from the Town Centre.</p> <p>Boundaries are clearly defined by a fence.</p>

4	Green Belt Assessment	N/A
5	Comply with Rother DC Core Strategy?	Yes
6	Ecological factors	Brownfield with some preserved habitats

7	Characteristics affecting development	The site has potential for four uses: housing, supermarket or commercial, education or other such as parking.
8	Boundary Issues?	None
9	Development dependent on adjacent sites?	Yes: to the east National Rail and north (Rye Academy).
10	Summary and Conclusions	
	Available?	The site has been sold by Sainsburys to a developer, Plutus Rye. Planning for housing started in 2016.

Achievable?	<p>The site is sold with an expired planning permission for a supermarket. There is a related S106 that aims to improve the nearby rail crossing and the area known as station approach. Subject to future use, this may need to be re-negotiated. Given the proximity to sewers and surface water drains the site will require localised flood risk mitigation.</p> <p>Development is considered achievable for both housing, a supermarket, parking or education use. In early 2018, only housing is a serious proposition.</p>
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SHLAA 2013	SHLAA Reference: RY19a and 19 r
Name	The (Former) Freda Gardham
Gross Area	Allocated around 2Ha
Description	<p>Former school owned by ESCC, comprising school buildings, outbuildings a disused swimming pool and green playing fields between. Outside the development boundary</p> <p>Former Freda Gardham School viewed from south (site of former swimming pool)</p> 

2.	Land Use	 <p>Sites RY19a and 19r as examined in SHLAA 2013 Sites extend over adjacent green spaces to east.</p> <p><i>The SHLAA Assessment : “RY19 is outside the settlement boundary but relates with urban fringe. RY19 can be broadly split into two distinct sections, a flat brownfield site (RY19a) which comprises a former school and the agricultural backland which extends into the open countryside (RY19r). The site is relatively well connected with pedestrian footpaths and public transport links all close by. The site is at high risk and is poorly defended from tidal flooding and would be subject to Sequential Test and Exception Test. The EA has also indicated the site will also be dependent on Eastern Wall flood defence coming forward (programmed 2016/17). Northern brownfield section (RY19a) is suitable for development, possibly as part of a mixed use scheme. Community uses and residential would both be suitable. Southern sections (RY19r) has potential for other uses such as open space, recreation and green infrastructure provision including the introduction of sustainable drainage to address localised flooding and drainage issues. RY19r would not be suitable for housing as it would encroach into the open countryside and would be unacceptable in terms of landscape impact. ESCC Highways advise "Site has advantage of having former traffic movements associated with it, good quality vehicular access point is available. Close to bus stops, good quality footways." RY19 would not be delivered until the flood defence scheme has been implemented post 2016/17. The site lies on Tidal Flat Deposits underlying Hastings Beds. Tidal Flats Deposits are classed as unproductive strata and</i></p>
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the Hasting Beds are classed as a Secondary A Aquifer. The EA advises a proposal would have to undertake a land contamination assessment with the planning application that demonstrated any unacceptable risks could be managed appropriately through the re-development process. The EA has also advised how foul water is disposed to ground in the area is important due to the shallow groundwater and very limited attenuation that would occur in the unsaturated zone above the water table. The development would have to connect nearest foul water sewer. Relevant policies: OSS1, OSS3, OSS4, OSS5, RY1, EN5, EN7, , TR3, IM2 and CO3.”

The RNPSG reassessed the work of the SHLAA and having considered current use and boundaries, to reduce impact on the Marsh, has reconsidered the two segments identified by the SHLAA - RY19a and 19r - allocated for development just the footprint of the former school, land immediately to the Southeast which adjoins and embraces the former swimming pool, all within the fenced boundaries of the former school. Other parts of RY19r were excluded as green space and for use for amenities.

To reduce the impact on the Marsh, and prevent significant encroachment beyond the development boundary, the adjusted site allocated in the RNP is below.



ESCC owns the site. In 2007, the Council resolved as follows:

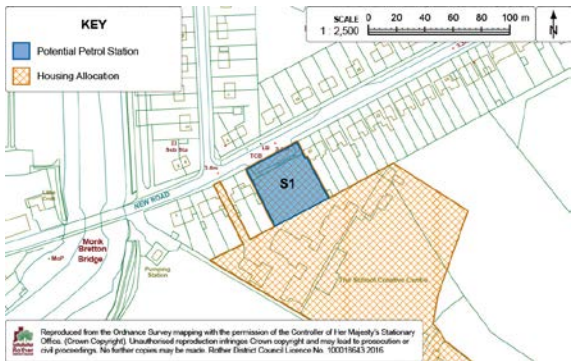
“The Freda Gardham school site, which is owned by ESCC will be subject to disposal as per the Council’s decision in 2007: Given that there will no longer be an operational



		<p>requirement for either Tilling Green Infant School or the Freda Gardham Community School on completion of the replacement primary school, it is recommended that both premises are declared surplus to Children's Services Department requirements, and referred to the Lead Member for Corporate Resources to consider the case for disposal".</p> <p>There are other factors affecting use as below.</p> <p>Part of the playing fields (RY19r) are long leased to Rye TC for use by Rye Rugby Club.</p> <p>Since taking the lease of the site since 2008, B&R Productions (Creative Centre) negotiated departure in mid 2013 and has now moved to Ashford. ARCC took the lease and now embrace numerous small users (mostly arts related) who rent space.</p> <p>ARRCC (Rye) signed the lease for the whole site today from ESCC and will have the residual time (remains from the 3 year lease from 2012), therefore to 2015. ESCC has advised ARRCC verbally that it has no plans for disposal until around 2019.</p> <p><i>ESCC has advised that the ARCC lease runs until 5 April 2018 with one year break clauses in the lease.</i></p> <p>ARRCC (as at June 2018 ARCC has now been disestablished) uses around 5 rooms (plus WC and kitchen facilities) 5 days a week; is self funded with small grants from ESCC for those individuals who need support. Users come from all round Rye. ARCC would prefer to remain in Rye District but not necessarily Rye.</p> <p>ESCC has not advised the details of costs of running the site and the advantages and disadvantages of disposal sooner rather than later.</p> <p><i>ESCC advise that any development allowable will depend on the Flood Risk Assessment, after EA's proposed works on the Eastern Rother Tidal Walls are completed.</i></p>
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		<p><i>EA use three criteria to decide what can go on a site:</i></p> <p><i>[1] HIGHLY VULNERABLE = Police; Fire; Ambulance; Telecom; Hazardous storage ; Basements ; Caravans</i></p> <p><i>[2] MORE VULNERABLE = Hospitals, residential care homes, social services, dwelling houses, drinking establishments, educational, land fill etc</i></p> <p><i>[3] LESS VULNERABLE = Shops, financial/professional; gen industry; distribution, non residential; assembly; leisure; water treatment, sewerage etc.</i></p> <p><i>Further, ESCC has advised that day to day running costs are met by the tenant along with servicing and reactive maintenance. ESCC does support some structural repairs but there is no annual budget for this property.</i></p> <p>Adjacent to the Freda Gardham to the Southwest and South are Camberfields. This was owned by Rother DC but in 2016 was sold for agricultural purposes.</p> <p>Those who completed the RNP survey AGREED that this site should be developed for mixed use. Given the flexibility of the site it is considered suitable for the allocation of some land for self build subject.</p>
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3	Characteristics and Boundaries	<p>The southern part of the site (RY19a and 19r) is located beyond the settlement boundary. The site is 400m from the Town Centre. During WW2, the site was used as HMS Haig.</p> <p>There are localised flood risks, which need to be mitigated (as part of any EA plan for East Rother) as part of any redevelopment. There have been continual updates from the EA about the project to enhance the flood defences on the eastern side of the River Rother to raise them to 5.8m AOD, to match those on the western side of the Rother. Flood risks (Zone 3) will need to be mitigated before any development and this is dependent on the EA's Eastern Rother Tidal Wall scheme. (Complete by 2022)</p>			
4.	Green Belt Assessment	None			
5	Comply with Rother DC Core Strategy?	Yes			
6	Is there any Ecological or environment al impact?	Greenfield	Brownfield	Mixture Yes	Unknown
7	Characteristics affecting development	<p>Flood risk (Zone 3a) mitigation will be required.</p> <p>Environmental assessment will be required.</p> <p>Lease by present users will need to be reviewed and relocation of the organisation planned as appropriate.</p> <p>Local bund may be required for protection of the allocated site from surface water</p>			
8	Any questions about boundaries?	The boundary of the potential development has been proposed only to take in the brownfield site of the now former school, playing green space and swimming pool			


9	Development dependent on adjacent sites?	Development is dependent on completion of flood risk mitigation by the Environment Agency's Easter Rother Tidal Flood Walls project planned for completion by 2022.
10	Summary and Conclusions	
	Available?	<p>The site is owned by the ESCC.</p> <p>The eastern end is leased /occupied by Rye Town Council (sub let to Rye Rugby Club).</p> <p>The former school buildings and western grassed area is leased to charity ARCC.</p> <p>On Environment Agency advice the site should not be available for development until flood risk mitigation - Eastern Rother Tidal Walls Scheme - is completed. This is set to go for planning permission in late 2018.</p> <p>There is no current planning proposal for the site.</p> <p>ESCC has stated that it will dispose of the site but no date has been fixed and is dependent on flood risk mitigation.</p>

	Achievable?	<p>There may need to be a heritage examination as the site may hold historical artefacts. Access from the main road is not an issue.</p> <p>The site is considered suitable for residential and/or mixed development. There is a variety of substantial former educational buildings which could be incorporated into any scheme.</p> <p>Some 2000 sq m of land adjacent to the A259 could provide a location for a petrol station and or food outlet of up to 500 sq m (S1 below).</p> 
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SHLAA Reference if applicable RY7		
1	<p>Location</p> <p>Name</p> <p>Description</p> <p>Gross Area in Ha</p>	<p>Cyprus Place</p> <p>RY7 – Cyprus Place</p> <p>Former council depot, under lease for retail and commercial use. Mixed industrial buildings, hard standing, garages and storage within fenced boundary</p> <p>TBA</p>  

2	Current land use	Leased to Rye Hire as a stores hire depot
3	Characteristics and Boundaries	<p>Former Council Depot, Cyprus Place</p> <p>The site is located within the settlement boundary 200m from the Town Centre.</p> <p>It is considered suited to residential development, but any scheme would need to meet the design statement for buildings in the conservation area and setting.</p> <p>This is a small site with potential for redevelopment. There is an opportunity to chime with existing character and feel of area.</p> <p>On 10 year lease which was extended in 2014. RY7 is within flood zone and therefore development would be subject to sequential and exception test.</p> <p>There is an opportunity to improve character of site to fit better with character of surrounding residential properties in an area which is predominantly residential.</p> <p>The site is assessed for 7 dwellings with some small retail/commercial opportunity in keeping with the locality.</p>
4	Green Belt Assessment	None
5	Comply with Rother DC Core Strategy?	Yes, SHLAA RY7

6	Is there any Ecological or environmental impact?	Greenfield	Brownfield Yes	Mixture	Unknown
7	Characteristics affecting development	The site is in Flood Zone 2 but benefits from the existing river flood defences.			
8	Any questions about boundaries?	None			
9	Development dependent on adjacent sites?	None; surrounded by dwellings.			
10	Summary and Conclusions				
	Available?	The site is owned by the Local Authority and leased /occupied by a commercial leaseholder. Therefore it is unavailable at present but may be within the Rye NP period. There is no record of any planning proposal has been submitted for the site.			
	Achievable?	There may need to be a heritage examination as the site may hold historical artefacts. Access from the main road is not an issue. There is a wide variety of former educational buildings which would need to be demolished.			

SHLAA RY18		
1	Location	Tilling Green Off Mason Road
	Name	Former Tilling Green School
	Gross Area	.924 ha
	Description	Comprises former school, car park and playing field Building used as community centre
2	Land Use	<p>Former school: Tilling Green Infant School was constructed in 1951. On 12 January 2005, ESCC agreed in principle to replace both this school, the Tilling Green Infant along with another, the Freda Gardham Community School (considered elsewhere) by facilities on another site.</p> <p>The building is currently used for community purposes.</p> <p>Relevant Rother DC policies: OSS1, OSS4, OSS5, RY1, EN5, EN7, TR3, IM2 and CO3.</p> 

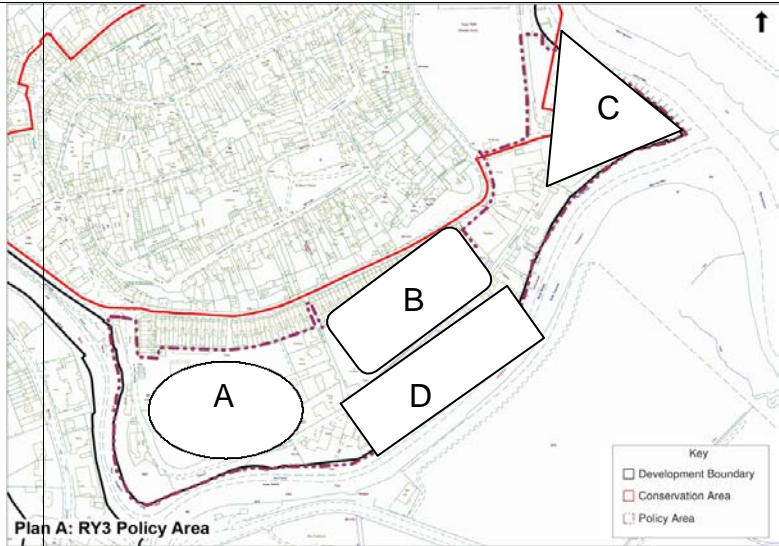
3	Characteristics and Boundaries	<p>This site is categorised as Flood risk 3. It is to existing shops on the Tilling Green Estate and 800m from the Town Centre.</p> <p>There are no landscape constraints. Access can be made by an existing entrance in the frontage.</p> <p>Local stakeholders have indicated there should be some retention of community use onsite as part of any proposal.</p> <p>The site is flat, needs flood mitigation and has been assessed for 10 units and a community facility.</p> <p>This site will require sequential and exception tests given its location in the flood zone and there is a requirement for further investigation of surface water flooding and drainage issues.</p>
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4	Green Belt Assessment	No			
5	Comply with Rother DC Core Strategy?	Yes			
6	Is there any Ecological or environmental impact?	Greenfield	Brownfield	Mixture YES	Unknown


7	Characteristics affecting development	<p>REACT has considered an ongoing saga of the blocked underground drain adjacent to this site in the Old Brickyard. Responsibility for the drain has never been ascertained in this unadopted lane, between the section managed by the RMIDB (not east of the prominent spring shown on the enclosed diagram) and to the pipe under the highway at Masons Road.</p> <p>The flood risk issues mirror the debate about pathway and trees in the lane in recent E Mails below. From the flood risk point of view, REACT sees the position as follows:</p> <p>The Old Brickyard drain is a key part of the system (dating from the 1920s as maps show) in that western part of Rye as it should provide an alternative route for run-off water to the south and east from Valley Park to the Gibbets Marsh drains and then onto the River Tillingham. Maps (current and 1920s) .</p>
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		<p>The ground in the area of this site is predominantly clay (hence the name Old Brickyard!) and is prone to surface ponding with risks of localised flooding. From recent tests carried out by the Environment Agency it is known that the drain runs underground through a pipe, under homes built in the 1970s (on the north side of Old Brickyard development). This is blocked or disrupted at some point. Water passes into the pipe from both ends but does not pass through. Without major works, probably involving excavation under occupied buildings it seems unlikely that the drain pipe will ever be cleared. The favoured solution to restoring the flow through the drain would be to dig a bypass open drain on the edge of this site to feed a pipe under the highway of Masons Road to complete the drain from the Pottingfield Petty Sewer eventually to the drain behind Ashenden Avenue. This would restore the drainage capability along the traditional route south and eastwards to the Gibbets Marsh system. Such a project could be added to the groundworks of any development of this site.</p> <p>Section 77(1) of the SSFA applies as it is intended to dispose of a playing field associated with this site: “When a school site becomes surplus to requirements, normally as a result of closure, amalgamation or consolidation, consideration may be given to the disposal, or change of use, of the playing fields provided for it. Where there is community use of playing fields, the applicant will need to demonstrate to the Secretary of State that their proposals have taken that use into account.</p> <p>There are a number of trees within the site but no known tree protection orders.</p>
8	Any questions about boundaries?	None; perimeter is clearly defined
9	Development dependent on adjacent sites?	No
10	Summary and Conclusions	


Available?	<p>The site is owned by ESCC. The land has potential for development. The site has no heritage landscape value but is enjoyed by the local community for leisure and recreation activities.</p> <p>The Community would like to retain the Community Centre An outline plan by Amicus for 32 dwellings and a community facility in 2016 was subsequently withdrawn, when Amicus Horizon became Optivo</p> <p>The site would be suitable for some self build projects.</p>
Achievable?	<p>Before disposal, ESCC will have to satisfy the SofS Education when it seeks approval under Section 77(1) of the SSFA for the disposal of the playing field associated with this site.</p> <p>Development is considered suitable and achievable.</p>

	SHLAA RY3 Description	<p>The site is made up of several commercial businesses and a wharf.</p> <p>Comprehensive approach to development in this area is required.</p> <p>Multi-ownership is significant constraint on the site.</p>
		 <p>Plan A: RY3 Policy Area</p>
2	Land Use	<p>The broad location is presently under mixed use:</p> <p>West (A) : predominantly industrial</p> <p>Centre north (B): green space allotments</p> <p>East (C) : (Has been called Rye Peninsular) industrial, including wharfs and boatyards.</p> <p>Centre south (D) Mixed use dwellings and commercial. In addition there are Sea Cadets</p>
3	Characteristics and Boundaries	<p>Categorised as Flood Risk Zone 3 ; some 200m from the Town Centre. Land between South Undercliff and Rock Channel Rye as defined in the adopted Local Plan, is currently allocated for housing, open space and appropriate commercial uses. Comprises several commercial and maritime related businesses, some dwellings and a wharf.</p>

		<p>A comprehensive approach to development in this area is required in order to ensure the most effective and efficient use of land and that individual elements contribute to a holistic vision, which also looks to strengthen links with adjacent areas, notably the town centre. The area has been the subject of a development brief.</p> <p>https://www.rother.gov.uk/media/pdf/2/q/SPD_-_Rock_Channel_FINAL.pdf</p>  <p>Plan E: Aerial Photograph</p> <p>The area is allocated for housing, open space, appropriate commercial uses and offices, falling within the A2 and B1 use classes, which should be at a scale appropriate to this mixed-use site close to the town centre.</p>
4	Green Belt Assessment	No
5	Comply with Rother DC Core Strategy?	Yes

6	Is there any Ecological or environmental impact?	Greenfield	Brownfield	Mixture Yes	Unknown
7	Characteristics affecting development	<p>This assessment draws from previous development studies by Rother DC, including:</p> <p>https://www.rother.gov.uk/media/pdf/2/q/SPD_-_Rock_Channel_FINAL.pdf</p> <p>There are flood risks that are mitigated by walls and rights of way issues.</p> <p>For 200 years, this was the site for boat building and other light industrial uses, therefore some remedial works may be necessary to address any contamination and any leaching of contaminants off site.</p> 			

		 <p>For any development in this location, there has been much consideration of some well known principles: building alignment, permeability, connectivity, sight lines, density, green spaces and public access, roofscape, flood risks, parking and building height.</p> <p>The allotments would be retained as now.</p> <p>Building height is a major consideration. The proposed development would be some 800mm less than the roofline of the agreed Bridge Point proposal. (Below)</p> 
8	Any questions about boundaries?	None

9	Development dependent on adjacent sites?	There is scope for further development subject to land owners' agreement/intentions.
10	Summary and Conclusions	<p>Available?</p> <p>Site A: Although there are no land ownership issues to be resolved there are rights of way to be resolved. Since the 1930s through road has been relocated around current industrial units.</p> <p>The extreme western part of the site (Bridge Point) is being developed now. This will provide a signal or marker for the community for the future of this part of Rye. It would be made more attractive and make better use of the public access (pedestrian and cycle) to the river frontage.</p> <p>Further proposals for Site A involve innovative design. Any development might include dwellings/units with other community use buildings. The location would be ideal as area for creative businesses, perhaps with cafes. There would be a requirement for affordable and the pros and cons of a mix (open and affordable) and affects on project viability.</p> 



	Available	<p>Site divided into four sections.</p> <p>West: Part A allocated for mixed development housing. RR/2015/1323/P and RR/2013/2039/P. Extreme Western part (Bridge Point under development) RR/2017/2321/P</p> <p>Part B to be retained as allotments</p> <p>Part C allocated for mixed development. Rye Partnership rents much of the site from the Environment Agency. As at 2018, subject to regeneration study by Rye Partnership.</p> <p>Part D Little scope for further development; already mixed commercial and dwellings.</p>
	Achievable	A and C: Some development considered achievable before 2028

SHLAA Reference if applicable RY53		
1	<p>Location</p> <p>Name</p> <p>Gross Area in Ha</p> <p>Description</p>	<p>Land running north south on the west side of Winchelsea Road</p> <p>RY53 - Winchelsea Road</p> <p>TBA</p> <p>A strip of land on the east side of the main gateway to Rye from the South Coast road (drawing below showing Environment Agency land in red).</p>
		<p>Of all the potential development in Rye, the broad location (SHLAA 2013 – RY53) is considered to be one of the most important. The function and role of the location is to provide a key gateway to the Town from the West and to provide an attractive “backdrop” for those viewing to the West from the busiest part of the Strand East Side. However, one of the challenges is that the location is divided as shown on the map below.</p>
2	Land Use	<p>There are commercial and light industrial plots, car parks, a hotel and several private interspersed dwellings. Many of the plots are leased for garage and car sales use.</p>

		<p>The Environment Agency owns several plots as shown in the map above.</p>
3	Characteristics and Boundaries	<p>This consists of several parcels of land on one of the main gateway arteries into Rye.</p> <p>The location is 500m from the Town Centre.</p> <p>The site is to the west of the Strand which saw the highest surge tide AOD of 5.1m in December 2013 as below. It is Flood Risk Zone 2. Any development would require sequential and exception tests as part of the process.</p>



Extreme water levels on the Strand in Dec 13: surge over Spring Tide

Within the settlement boundary there is a mix of commercial and residential uses some of which are vacant plots but some units are still in commercial operation.

There are considered to be some issues with contamination on parts of the site which would require assessment as part of any application.

There is an opportunity to undertake a comprehensive design led redevelopment of this particular location with a mixed use development which is sensitive to one of the gateways into the town as well as views of the nearby historic core of Rye.

There are opportunities for residential dwellings as well as improved local linkages between this area and the town, commercial and some appropriate community facilities on the site.

The Environment Agency has a policy of short leases and no disposal resulting in short term

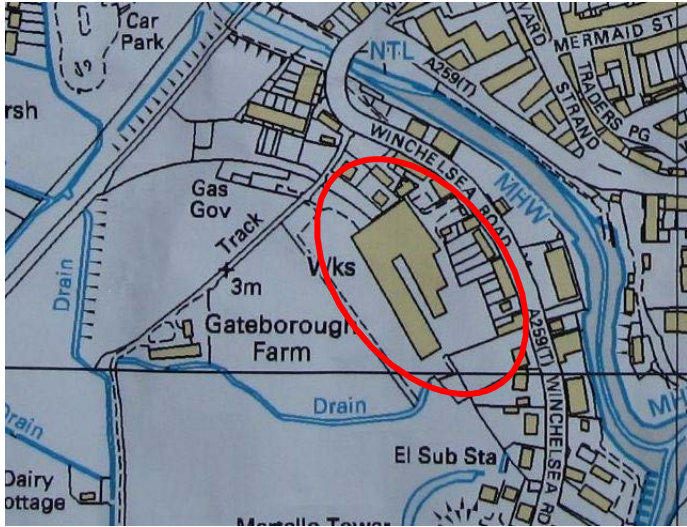
		<p>development.</p> <p>As landownership issues are still to be resolved before the site can be taken forward holistically it is appropriate to identify RY53 as a broad location.</p> <p>Some considerations have been developed for this location by the Rye NP:</p> <p><i>Consideration of the Strand West Side (Location RY53) – Winchelsea Road : Of all the potential development being considered by the Rye Neighbourhood Plan (RNP), the broad location (SHLAA 2013 – RY53) is considered by the Rye Neighbourhood Plan Steering Group (RNPSG) to be one of the most important.</i></p> <p><i>There have been detailed development studies of the adjacent Rock Channel, dating from 2005, 2006 and 2007 (Rock Channel Development Brief), from which the RNPSG considers that there are objectives and principles which have clear application to not only applications coming forward for RY3 such as for Bridge Point and the Bourne and Sons industrial complex at Rock Channel west, but also for the nearby RY53 broad location.</i></p> <p><i>Occupying a key site within RY53 is the former (so called) Grist Mill, where, in the 19c, stood industrial buildings (boat-builders) and storage sheds and more recently a furniture workshop and store. As a brown-field site there is little relevant design precedent from which to draw. The site is directly opposite the busiest part of the Strand East Side and as such is seen as a key building "marker" in this part of Rye.</i></p> <p><i>It has a direct and visible relationship with the Strand and the Citadel to the east and provides a backdrop for all those in the Strand Quay area looking west. It has a prominent position alongside the main gateway to Rye from the South and West.</i></p>
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		<p><i>Adjacent to the former Grist Mill is the former Total Garage. This has been the subject of some decontamination to commercial levels by agents of the Environment Agency, which owns the site. The RNPSG is conversing widely about the future development of the RY53 broad location, with land owners, the community and Rother DC planning officers. The last have given specific guidance, including the need to establish with the community the overall function and role of this location. Any individual development proposal should be placed in the location context and not considered alone. Emerging findings indicate a desire for mixed development of dwellings and specialist business (those not relying on high footfall), such as B1.</i></p> <p><i>The focus of all conversations has been building design, with an overwhelming desire by many to see a "quality and attractive design" on a "human scale" with a clear "sense of place" and connection to its surroundings. Many believe that it should relate generally to the Strand buildings opposite. There is some opposition to "blank and hard faces", with some seeing the advantage of both perpendicular (where sites allow) as well as linear placing. Importantly, any development should fit coherently into a "permeable" road frontage (allowing fleeting and fragmented views through to the east side of the Strand from the Winchelsea Rd) in the broad location, on this important gateway to Rye.</i></p> <p><i>There has been much debate about building height, with some preferring not more than the present industrial building; others favouring no more than a "2.5" storey (top floor in the roof) building. Many consider that, within the location, there should be an interesting and varied roofscape to chime with the roofscape of Rye.</i></p> <p><i>Across Rye, space is a premium. Parking and ground floor storage for items such as waste bins is a potential issue, as if the development occupies the complete site, space for these functions should be provided within the development or provision secured on adjacent nearby sites.</i></p>
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		<p><i>All applications should be specific about parking and other storage needs and how precisely they would be met for all occupants of the building. in both RY53 and RY3. Therefore, quality of design should be a key consideration in approving any application.</i></p> <p><i>The flood risk will demand the need for commercial or garaging on the ground floor on buildings with all services and utilities resilient to Environment Agency predicted worst case water levels. Many from the community see the early development of this location as a real opportunity for new buildings to set an example for the future</i></p> <p><i>RNPSG Sep 2014”</i></p> <p>Relevant policies: Rother DC OSS4, OSS5, RY1, EN2, EN3, EN7, CO1, EC3, TR3,</p>			
4	Green Belt Assessment	None			
5	Comply with Rother DC Core Strategy?	Yes			
6	Ecological or environmental Impacts?	Greenfield	Brownfield Yes	Mixture	Unknown

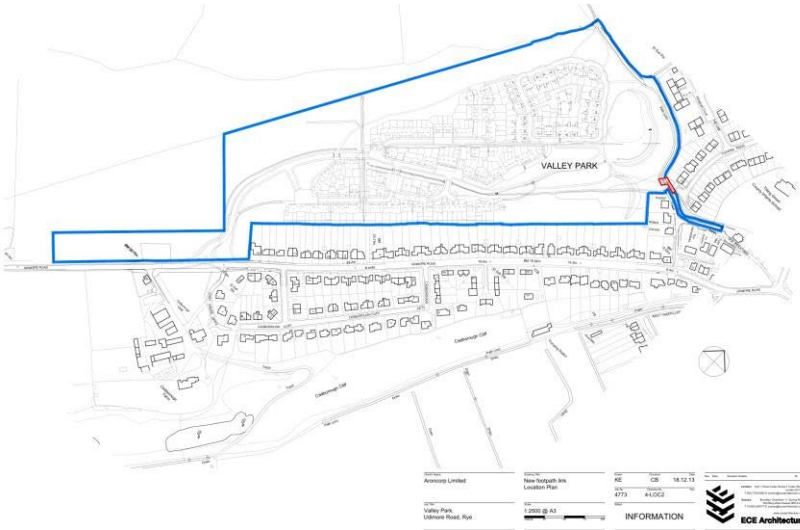
7	Characteristics affecting development	<p>Flood Risk zone 2 and 3.</p> <p>Contamination of at least one site: former Total garage.</p> <p>Japanese knot weed on one site.</p>
8	Any questions about boundaries?	None
9	Development dependent on adjacent sites?	With mixed ownership of sites, each has differing factors affecting future development. This makes for challenging integrated planning.
10	Summary and Conclusions	
	Available?	<p>The site is in mixed ownership. Some sites are leased. This would make a coherent development challenging.</p> <p>On Environment Agency advice all the sites in the location will need flood risk mitigation as part of any design.</p>


	<p data-bbox="300 237 486 271">Achievable ?</p> <p data-bbox="555 237 1220 315">As a gateway to Rye a high quality of design is required of any proposal.</p> <p data-bbox="555 349 1348 416">It provides piecemeal development opportunities, which should be coordinated in a broad location.</p> <p data-bbox="555 461 1380 685">Individual development proposals should be placed in the location context and not considered alone. Recent considerations of the locations have indicated a desire for mixed development of dwellings and specialist business (those not relying on high footfall), such as B1.</p> <p data-bbox="555 719 1396 831">There will need to be further study to establish what improvements could be made to the location, with a view to bridging and retention of river water levels.</p> <p data-bbox="555 864 1348 1200">A consideration that any development should be placed in context and not considered alone. There is potential for a mixed development of dwellings and specialist business (those not relying on high footfall), such as B1. Importantly, any development should be of "quality and attractive design", on a "human scale" with a clear "sense of place" and connection to its surroundings. There should be some relationship to the Strand buildings opposite.</p> <p data-bbox="555 1200 1396 1413">There should be avoidance of "blank and hard faces", with both perpendicular (where sites allow) as well as linear placing. It should fit coherently into a "permeable" road frontage (allowing fleeting and fragmented views through to the east side of the Strand from the Winchelsea Rd) in the broad location.</p> <p data-bbox="555 1435 1380 1581">After much consideration of building height, no more than a "2.5" storey (top floor in the roof) building, with interesting and varied roofscapes to chime with the roofscape of Rye.</p> <p data-bbox="555 1615 1364 1715">As space is at a premium, there should be consideration for parking and ground floor storage for items such as waste bins</p>
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SHLAA Reference if applicable RY36		
1	<p>Location</p> <p>Name</p> <p>Description</p> <p>Gross Area in Ha</p>	<p>Land East of Gateborough Farm, Winchelsea Road.</p> <p>RY36 – West of Winchelsea Road</p> <p>This is a mixed use location adjacent to marshland. It is subject to flood risk.</p> <p>TBA</p> 

		 <p>View from Northwest. Site behind trees.</p>
2	Land Use	Current use is for mixed commercial and light industrial use.
3	Characteristics and Boundaries	<p>This is currently an employment site with one tenant onsite renting from one landowner.</p> <p>The location is 500m from the Town Centre.</p> <p>There is indication of surface water flood risk onsite and the whole of the site falls within Flood Risk Zone 3 with the sequential and exception test applicable.</p> <p>Any development of housing would be restricted to areas where there is lower risk of surface water flooding.</p> <p>It is considered that the location provides valuable employment opportunities close to the Town Centre and therefore the location should remain commercial.</p>
4	Green Belt Assessment	No
5	Comply with Rother DC Core Strategy?	Yes

6	Is there any Ecological or environmental impact?	Greenfield	Brownfield Yes	Mixture	Unknown
7	Characteristics affecting development	Flood risk			
8	Any questions about boundaries?	None			
9	Development dependent on adjacent sites?	None			
10	Summary and Conclusions				
	Available?	<p>The site is in private ownership and leased to multiple occupants.</p> <p>On Environment Agency advice the site should not be available for development until flood risk mitigation is completed.</p> <p>There is no current planning proposal for the site.</p>			
	Achievable?	<p>Vehicular access is not an issue.</p> <p>There is a wide variety of former commercial buildings that would need to be demolished if residential development is proposed. Any scheme would need to meet the design statement of the Rye NP.</p> <p>Flood risks would have to be mitigated by design.</p>			

SHLAA Reference if applicable – VP		Ref 17 and 41
1	<div>Location</div> <div>Name</div> <div>Description</div> <div>Gross Area in Ha</div>	<div>Land to the north of Udimore Road, now known as Valley Park</div> <div>VP - Valley Park</div> <div>Former agricultural land; now developed with plans for 135 + 26 (161) dwellings in five stages. Flood Zone 1</div> <div>10.87 hectares</div> <div></div>

		 <p>This site lies on the western edge of Rye that lies within the 2006 local plan's defined development boundary.</p> <p>The site is bounded by existing residential development to the south east that follows the Udimore Road (B2089) and to the north east by the Tillingham Estate. Part of the site at the southern end has direct frontage to the Udimore Road itself. To the north and west of the site is open countryside.</p>
2	Land Use	<p>In Oct 2007 a proposal by Aroncorps was agreed for 135 dwellings on 3.8 hectares of the site which is 10.87 hectares .</p> <p>The dwellings were to be at a net density of 35.5 dwellings per hectare and some 40% would be affordable homes. The remainder of the site was proposed for play space, open space and landscaping. Permission was also given for a new access from Udimore Road in the form of a mini roundabout.</p> <p>In 2014, a further proposal was made to increase the development by 26 dwellings to 161 total.</p>


		
3	Characteristics and Boundaries	<p>The location is 1200m from the Town Centre.</p> <p>The site was formerly Greenfield and in agricultural use, consisting entirely of pasture in fields divided by hedgerows, some of which contain standard trees.</p> <p>The site was not the subject of any nature conservation or landscape designations, but the north western part of the site adjoins the High Weald Area of Outstanding Natural Beauty (AONB).</p> <p>The site falls gently from west to east and includes part of a minor valley with a water course. The southern end of the site is the most prominent from the surrounding landscape.</p> <p>The land was released by Rother DC as a reserve site for development as provided for within the Rother District Local Plan.</p> <p>Key to determining whether the development should have gone ahead was the forecast housing supply across the District. Development is well under way, with some 3.8 of 10.87 acres to be developed under agreed plans.</p> <p>The northern part of the land owned by Aroncorps is outside the boundary.</p>


		<p>Key to determining whether the development should have gone ahead was the forecast housing supply across the District. Like every other Planning Authority Rother was under pressure to help the Government meets its housing supply targets.</p> <p>The then GOSE expressed a clear expectation that local planning authorities should not rely on projections of past windfall sites in assessing land supply over a 10 year period. Rather the Government wanted to see local housing supply estimates having a 'greater level of certainty'. There were other reasons for the land north of Udimore Road being identified such as the then delays to the Hastings-Bexhill Link Road (which would have supported significant development in NE Bexhill) and the Rock Channel Supplementary Planning Document (held up by a Rother DC staffing shortage and a challenge to the legal status of the South Undercliff Allotments).</p> <p>The pressure to build on greenfield sites outside of defined settlement boundaries but within the Parish boundary was seen as no longer maintainable.</p> <p>Now that development is well under way, with only 3.8 of 10.87 acres developed or under plan for development, the Rye NP should consider whether there is any scope for further density on the site, but ONLY within the Parish boundary. It should be noted that the northern part of the land owned by Aroncorps is outside the boundary.</p>
4	Green Belt	No
5	Conforms to Rother Strategy?	<p>RY41 is being developed under <u>RR/2009/1924/P</u> And various amendments including <u>RR/2013/1781/P</u> and <u>RR/2014/3074/P</u></p> <p>RY17 has been subject to proposal which was refused. RR/2017/1231/P. Rye Town Council Support refusal: Conflicts with the Draft Rye Neighbourhood Plan (no development on the site); more suitable sites appear not to have been considered; outside of the development boundary; unacceptable impact on a</p>

		largely rural gateway to the town; Udimore Road cannot currently accommodate the increased vehicular movements; the lighting associated with the development would be intrusive and inappropriate.
6	Brownfield of Greenfield	Greenfield
7	Characteristics affecting further development	<p>There have been two proposals for the small site (RY17) to the north of the location, but beyond the settlement boundary: one for housing and one for a BP petrol; station. This is a key “gateway” site for Rye and was considered unsuitable for development in the SHLAA.</p> <p>BP proposal RR/2017/1231/P for a petrol station and shop on the site to the west of Valley Park was submitted to Rother DC and sits on the planning website.</p> <p>http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2017/07/RNPSG-update-31-July.pdf</p> <p>In the context of the RNP, it is concluded that the (BP commercial) development does not conform to the allocations in the draft RNP and as a potentially highly visible development (day and night) alongside the B2089 gateway into Rye, fails to integrate – visibility, lighting, traffic, impact on the adjacent AONB - within the Parish. This was a key requirement for the earlier 5 phases of the Valley Park development. It is understood that local residents have raised a petition against the proposal. <i>In short it is a welcome proposal (for second petrol station and 24/7 shop) in the wrong place.</i></p>


8	Boundaries	No
9	Development dependent on adjacent sites?	None
10	<p>Summary and Conclusions</p> <p>The S106 has included pedestrian infrastructure to the Tilling Green Estate to the North East.</p>	

	<p>Available?</p> <p>The site has been developed by Aroncorps which employ building company, Jenners. Dwellings are being sold either as open market or as affordable as per the planning agreement.</p> <p>The plan is for 161 dwellings (initially 135) with infrastructure including a SUDS, involving two retention basins as flood mitigation.</p> <p>The RNP makes no allocation for sites RY 17 or 41 and therefore there should be no further development of RY17 or 41 after Phase 5 of the dwellings have been completed.</p>
	<p>Achievable?</p> <p>It is considered that there is no scope for further development of this location as RY17 Land West of Oast House Drive is located outside the settlement boundary. Part of the site extends into the AONB and development of RY17 would extend ribbon development into the wider countryside. RY17 is also relatively distant from local services. SHLAA considered Contrary to Rother DC Policies OSS3, OSS4, OSS5, EN1, RY1</p> <p>RNP makes no further allocation for this site.</p>

SHLAA Reference None		
1	<p>Location</p> <p>Name</p> <p>Description</p> <p>Gross Area in Ha</p>	<p>Gibbet Marsh off Udimore Road, West Rye.</p> <p>Gibbet Marsh</p> <p>Land owned by Rother DC for car parking (200 spaces) on hard standing and green space.</p> <p>Around 2Ha</p> 
2	Land Use	<p>There is :</p> <p>Half the site is grass; half tarmac</p> <p>Total car parking is 200 spaces but only used to capacity on days when there are major events.</p> <p>A Southern Water sewage pump</p> <p>An East-West cycleway /footway crosses the site.</p> <p>There have been proposals by the community or the coach parking at the Station to be relocated here to free up space in central Rye.</p>

3	Characteristics and Boundaries	<p>The site came to notoriety when on 8 June 1743, having been convicted of murder, John Breads was taken from the Ypres Tower to the Flushing Inn for a last drink and then having been hanged on the Salts outside the Strand gate, was wrapped in chains and displayed in the gibbet on the site.</p>  <p>Natural boundaries : North: Udimore Road; East: River Tillingham South: Railway line West: sewer bounding Ashenden Ave</p>			
4	Green Belt Assessment	None			
5	Comply with Rother DC Core Strategy?	Retained by Rother Dc as car park and recycling point			
6	Is there any Ecological or environmental impact?	Greenfield	Brownfield	Mixture Yes	Unknown

7	Characteristics affecting development	<p>The site is considered partly a green space.</p> <p>There are ways through the site which would need to be preserved.</p> <p>There is an installation owned by Southern Water which would remain.</p> <p>It is considered that parking arrangements would remain as now: "pay to park" by machine.</p> <p>There is single vehicle access from Udimore Road.</p>
8	Any questions about boundaries?	No
9	Development dependent on adjacent sites?	No
10	Summary and Conclusions	
	Available?	Subject to any agreement by Rother DC
	Achievable?	Community view: Use as car park and green space should continue

SHLAA Reference: None				
1	Location Name Description Gross Area in Ha	Land to the west of Station Approach Station Approach West A mixture of commercial buildings, including post office sorting office and garages. TBA		
2	Land Use	Commercial including post office use.		
3	Characteristics and Boundaries			
4	Green Belt Assessment	No		
5	Comply with Rother DC Core Strategy?	Not included		
6	Is there any Ecological or environmental impact?	Greenfield	Brownfield Yes	Mixture Unknown

7	Characteristics affecting development	
8	Any questions about boundaries?	
9	Development dependent on adjacent sites?	Yes
10	Summary and Conclusions	
	Available?	Currently in multiple ownership/use
	Achievable?	Could be developed if came on the market

Small Sites Rejected in the SHLAA 2013

<p>SHLAA RY12 Land north of Gateborough Farm, near Winchelsea Rd</p> <p>Outside the settlement boundary and within the AONB. Flood Risk Zone 3</p> <p>Grazing marsh and prone to significant surface water The impact on the wider landscape as well as important views would be unacceptable given the character and setting of the town especially the citadel.</p> <p>Considered unsuitable for development in SHLAA; not allocated in RNP</p>
<p>SHLAA RY21 - Land north of Love Lane</p> <p>Greenfield site outside the settlement boundary. Agricultural use.</p> <p>Flood Zone 1.</p> <p>Any development considered to adversely impact on profile of Rye</p> <p>Access is an issue.</p> <p>SHLAA considered unsuitable for development. RNP not allocated</p>

SHLAA RY22 - Land East of Tilling Green Estate

Outside the existing settlement boundary and within the AONB

Agricultural land

Flood Risk Zones 3b flood plan of the River Tillingham

River, drainage and surface water flood risk

SHLAA considered unsuitable for development. Not allocated in RNP

Contrary to Rother DC Policies OSS3, OSS4, OSS5, EN1, RY1, EN7

SHLAA RY23 - Land South of Rock Channel

Outside the settlement boundary and within flood plain

Contrary to Rother Policy EN7

Important visual strategic gap between Rye and Rye Harbour Village

The Inspector at the Local Plan Inquiry stipulated development at RY23 should be resisted given the negative impact on the setting of the Citadel.

SHLAA considered unsuitable for development. Not allocated in RNP

Conflicts with Rother DC Policies OSS3, OSS4, OSS5, RY1, EN2, EN7

SHLAA RY26 - Land at Glenclose Farm, West Undercliff.

Outside the settlement boundary, but screened visually from the wider locality

Access constraints making delivery very difficult

Agricultural use

Greenfield site is sited within Flood Risk Zone 3

SHLAA considered unsuitable for development. Not allocated in RNP

Contrary to Rother DC Policies OSS3, OSS4, OSS5, EN7, RY1 and TR3.

SHLAA RY27 - Land adjacent to 136 New Winchelsea Road
Abuts existing residential development but outside the settlement boundary
Therefore contrary to Rother Policy OSS3
Greenfield site within Flood Risk Zone 3.
RAMSAR and SSSI
Would extend ribbon development and therefore resisted by RNP

SHLAA considered unsuitable for development. Not allocated in RNP

SHLAA RY29 - Land south of Guldeford Road
Outside the settlement boundary and extends out into the wider marsh green space.
Agricultural use
Adjacent to SSSI in Flood Risk Zone 3
Area identified by UK Biodiversity Action Plan as a Coastal and Floodplain Grazing Marsh
Development would have negative impact on the wider landscape and therefore not suitable for development. Not allocated by RNP

Issues with Rother DC Policies OSS3, OSS4, OSS5, RY1, EN5 and EN7

SHLAA - RY38 - Land adjacent to Thomas Peacock School (Lower School Site):
Greenfield site is on Flood Risk Zone 3; issues with drainage.
Required for leisure and sport for Rye Academy
Not suitable for housing. Not allocated by RNP

Contrary to Rother DC policies OSS4, OSS5, RY1, EN7

SHLAA RY39 - Land South West of Rye

Greenfield parcel located outside the settlement boundary and set within the marsh green space. Within the AONB

Agricultural use

Flood Risk Zone 3

Area identified as Coastal Floodplain and Grazing Marsh under the UK BAP habitat schedule.

Site extends out into the wider landscape and provides important visual setting for those entering Rye from the southwest.

SHLAA considered unsuitable for development. Not allocated in RNP

Contrary to Rother DC policies OSS3, OSS4, OSS5, RY1, TR3, EN1, EN5 and EN7

SHLAA RY42 - Land Adjacent to Rye Primary School and Allotments

Greenfield site within Flood Risk Zone 3.

Former allotments. Currently long lease community garden managed by Rye CIC

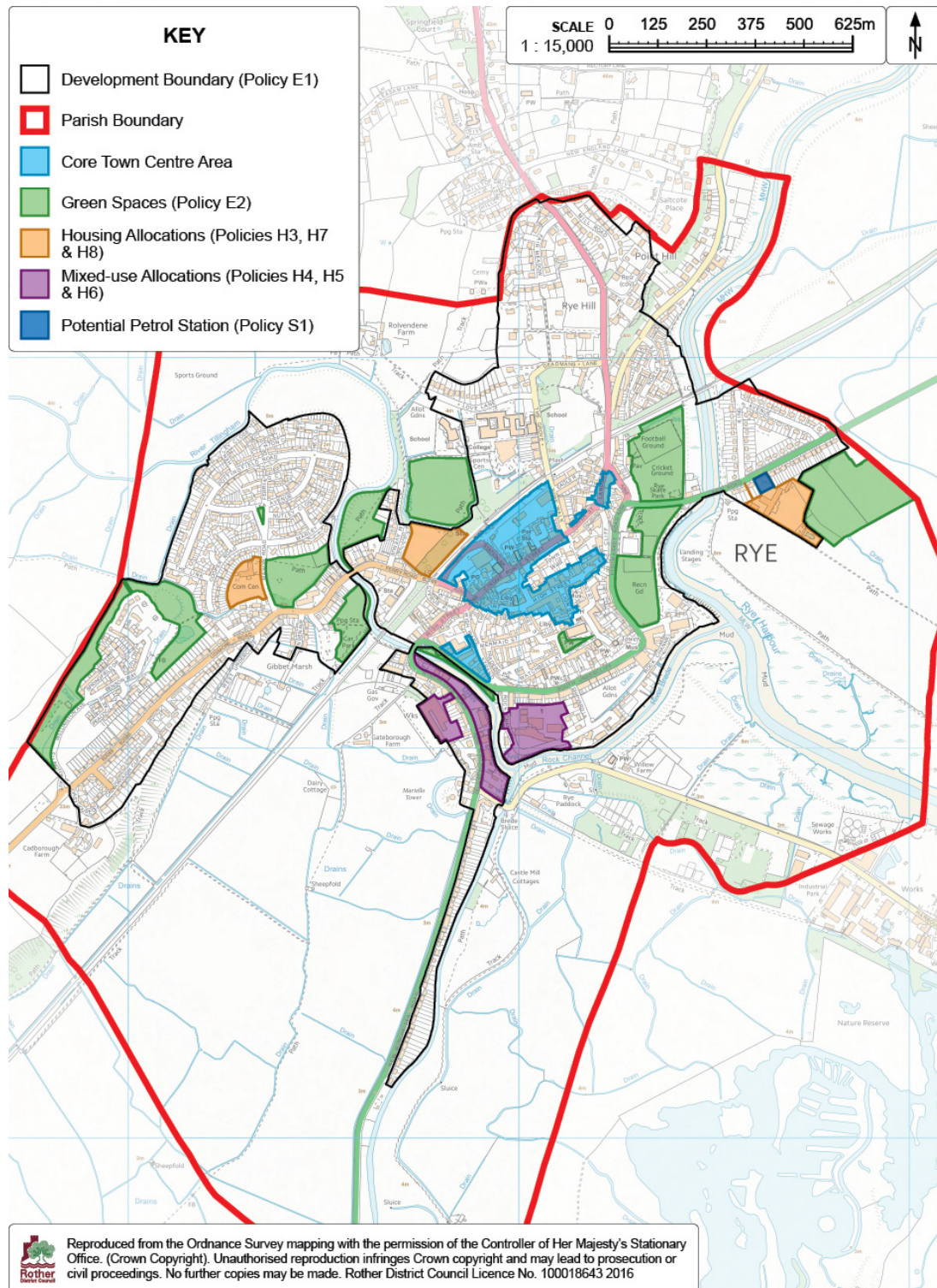
Any development contrary to EN7 and RY1.

SHLAA considered unsuitable for development. Not allocated in RNP

ATBK PhD
For RNPSG

Appendices:

- 1: Map Summary
2. Sites Assessed as unsuitable for development in the Rother SHLAA 2013
- 3.Flood Risks
4. Rye: Sites of Habitat Conservation
- 5.Glossary of terms



Sites Assessed by Rother DC in 2013

Site Assessment of RED Sites and those not in the SHLAA			
SHLAA Number	Brief Description	Factors Affecting	Assessment
RY19r	South East of Freda Gardham	ESCC owned; former school playing field; beyond settlement boundary; excludes former swimming pool; green area and part of Marsh; very wet but will be protected by Eastern Rother Tidal Walls Scheme; adjacent to Camberfields.	Should NOT be developed
Ry25 and RY 29	East Guldeford land; beyond but contiguous with Rye Parish	Parts cover SSS1; within AONB; flood risk 2/3; conflicts with Rother Core Strategy. Cannot meet criteria set for Valley Park (E1); urban creep; negative impact on Eastern gateway;	Should NOT be developed
Ry23	South of Rock Channel	Green space; within AONB; Beyond settlement boundary; conflicts with Rother Core Strategy (strategic gap)	Should NOT be developed
Ry27	Southern end of settlement on New Winchelsea Rd	Beyond settlement boundary; Western gateway; green space; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep.	Should NOT be developed
None	West of New Winchelsea Rd	Beyond settlement boundary; Western gateway; green space; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep. Cannot meet criteria set for Valley Park (E1).	Should NOT be developed
Ry12 and 39	West of Winchelsea Rd	Beyond settlement boundary; within AONB; coastal and floodplain grazing marsh (BAP habitat); green space; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep. Cannot meet criteria set for Valley Park (E1).	Should NOT be developed

Ry26	Land at Glenclose Farm off , West Undercliff	Beyond settlement boundary; access from main road; green space; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep. Concealed from Udimore Road but cannot meet all the criteria set for Valley Park (E1).	Should NOT be developed
RY17 and R28	Land at western end of Udimore Road	Beyond settlement boundary; part of land in AONB; green space; conflicts with Rother Core Strategy. Urban creep. Cannot meet all the criteria set for Valley Park (E1).	Should NOT be developed
RY22	Meadow to the east of Tilling Green	Beyond settlement boundary; green space within AONB; located on River Tillingham flood plain; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep into green space.	Should NOT be developed
Ry21 and 24	Land at the end of Love Lane	Beyond settlement boundary; green space within AONB; located on River Tillingham flood plain; archaeologically sensitive; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep into green space.	Should NOT be developed
Ry9, Ry38 and Ry 40	Land adjacent to Lower School site	Beyond settlement boundary; green space; archaeologically sensitive; conflicts with Rother Core Strategy; Flood risk 2/3. Urban creep into green space.	Should NOT be developed
Ry37, Ry 24 Ry16, Ry 13,		Beyond settlement boundary; green space; no access; conflicts with Rother Core Strategy; Urban creep into green space.	Should NOT be developed

Flood Risks – Extract from the Rother DC Strategic Flood Risk Assessment 2008

Rye (west of the River Rother): This is the major part of Rye. Rye is a small market town with a population of some 4500. It has the normal services and facilities associated with a town of this size including secondary and primary schools. It is served by the Hastings to Ashford railway and the main south coast trunk road, the A259.

The recently completed Rye Tidal Walls and Embankments (western bank) give protection from the 1 in 200 year extreme tidal event. The Shoreline Management Plan is to 'hold the line' for 100 years.

The Rother District Local Plan shows the Development Boundary, together with a mixed use allocation at Rock Channel and a housing allocation at the site of the former Lower Thomas Peacocke School, both of which lie in flood risk areas. Land is also allocated (now with planning permission) for residential development on land adjacent to Udimore Road, but here the residential allocation avoids Flood Zones 2 and 3.

Flood risk at Rye is very complex. The area can be sub-divided into various compartments. Parts are susceptible to tidal flooding, parts to fluvial flooding, parts to surface water flooding and parts to all three types. Details of fluvial flooding are not complete and the Environment Agency intend to carry out an analysis of fluvial flooding in the Tillingham valley. It also has to be borne in mind that Rye is a 'Dry Island' and therefore the historic citadel area relies on access across flood risk areas. Several parts of Rye currently are considered to be in medium or high flood hazard areas.

Not only is Rye a market town, it is also a port. The commercial shipping is based immediately upstream of Rye Harbour village. However the major part of the fishing fleet is based at Fishmarket adjacent to Town Salts and the recreational yachts at Rock Channel and The Strand.

The harbour of Rye has functioned as a port for more than a thousand years. It is one of the original Cinque Ports. Rye is situated at the confluence of the Rivers Rother, Tillingham and Brede.

It is concluded that at Rye (western bank) any planning application received for the redevelopment of Previously Developed Land or for 'infill', that is within Rye (east of River Rother) or Rye East:

The main flood risk to Rye East is from the tidal River Rother. The risk is

residual due to the presence of flood management measures in the form of earth embankments which protect Rye East from tidal events.

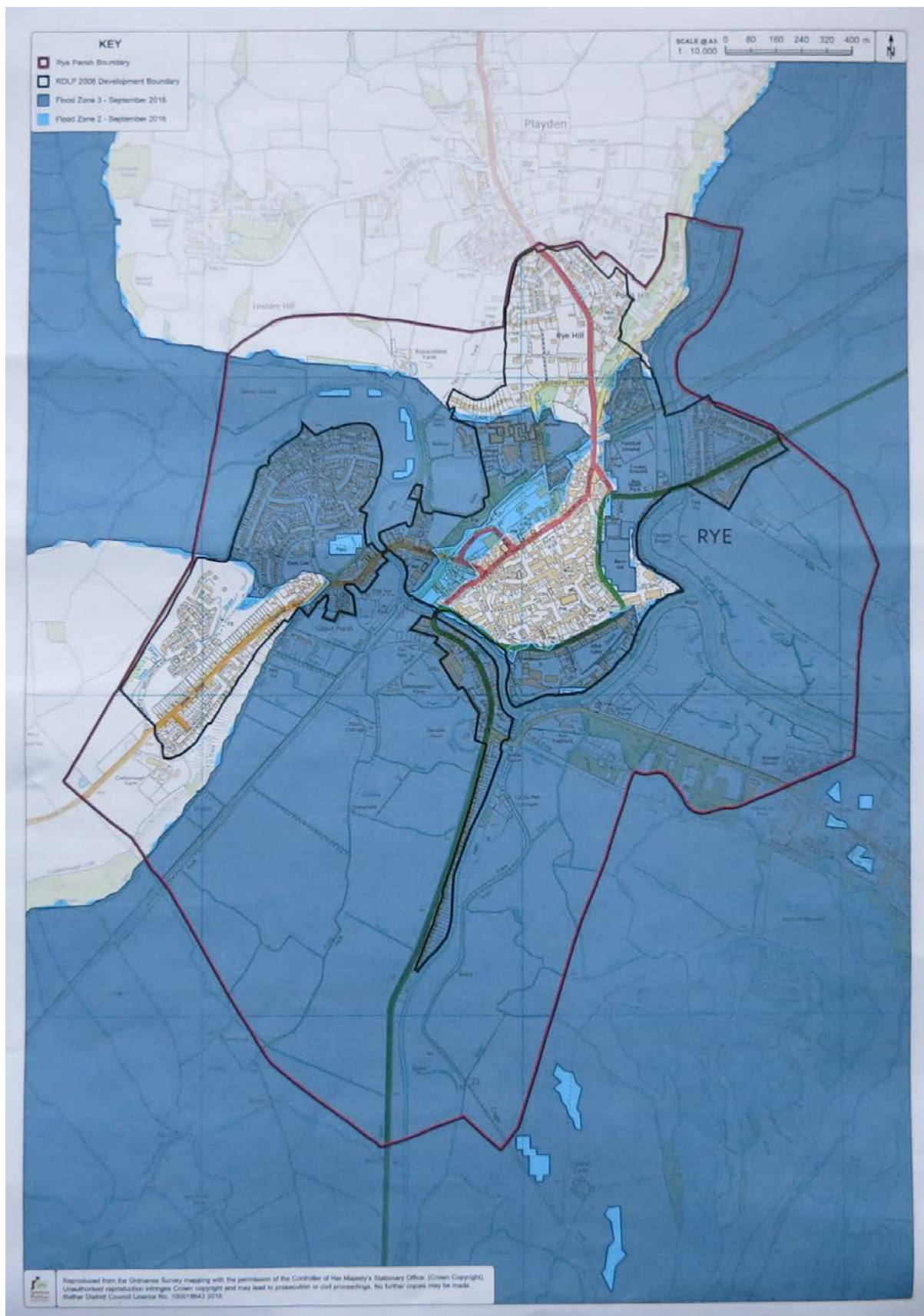
However, although the Shoreline Management Plan policy is to 'hold the line' for the next 100 years, the existing level of protection is only against the 1 in 5 year extreme tidal event and there is little prospect of it being raised to the 1 in 200 year standard before 2020 i.e. in 12 years time. In the past 18 months three emergency repairs have had to be carried out to the existing tidal embankment at Rye East.

All of the existing development at Rye East has taken place in the last 100 years and includes social housing at Kings Avenue and New Road, together with the Freda Gardham Primary School. This primary school will become redundant within the next year or so and therefore an acceptable new use will need to be found for the building/site.

With current day scenarios all of the built up part of Rye East is either in a high flood hazard zone. Scenarios taking into account the predicted increase in sea levels show virtually the whole area in the high flood hazard zone.

The A259 main south coast trunk road traverses this area, while the main south coast railway (Hastings-Rye-Ashford) abuts the area to the north. It is concluded that at Rye, east of the River Rother, any planning application received for the redevelopment of Previously Developed Land or for 'infill' will require an Exception Test, which will be informed by the Level 2 SFRA.

However, because of the high flood hazard and the defences being of a low standard, it has to be assumed that any planning application received for residential development or other vulnerable uses, including change of use, is unlikely to pass the Exception Test, until the defences have been brought up to the required standard.



Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2 and 3)
Zone 2 Medium Probability	Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or Land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map)
Zone 3a High Probability	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding. (Land shown in dark blue on the Flood Map)
Zone 3b The Functional Floodplain	This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map)

Glossary of terms

1. Greenfield land: Land on which no development has previously taken place.

2. Brownfield land (also known as previously developed land) Land which is, or was, occupied by a permanent structure, including the area of land attached to a structure as well as the structure itself and any associated fixed surface infrastructure. The definition excludes:

- land that is or has been occupied by agricultural or forestry buildings;
- land that has been developed for minerals extraction or waste disposal and subsequently restored;
- land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and
- land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

3. Green Belt Land: An area of land defined in a Local Plan, which is largely rural in character, adjacent to the main urban area and which is protected from development by permanent and severe restrictions on building. Green Belt is a specific planning policy. Its aim is to restrict the sprawl of urban areas, prevent neighbouring towns merging together, and preserve the individual character of settlements. Development in Green Belt areas is highly restricted, although these areas may provide suitable locations for outdoor recreational development. In rural areas, small developments of affordable housing may also be acceptable. Areas of Green Belt land are defined in Local Plans. Local Plans do not define whether land is brownfield or greenfield. This must be decided on a case by case basis depending on the characteristics of the site. Green Belt land can be either greenfield or brownfield. Although most land in Green Belt areas will be undeveloped and therefore greenfield, there will also be areas of brownfield land. These could include villages which are included in the Green Belt, as well as rural industrial or business, former institutions such as old hospitals, transport depots, infrastructure like wastewater treatment facilities etc.

4. Affordable Housing: Housing accessible to people whose incomes are insufficient to enable them to afford adequate housing locally or on the open market. It includes rented or shared ownership housing provided by housing associations or local authorities and local cost housing for sale at discount.