



Rother District Local Plan 2020 - 2040

# Housing Background Paper

Draft (Regulation 18) Version - April 2024

[www.rother.gov.uk](http://www.rother.gov.uk)

This information can be made available in large print, audio or in another language upon request.

Please telephone **01424 787668** or email  
**[DraftLocalPlan@rother.gov.uk](mailto:DraftLocalPlan@rother.gov.uk)**

## Contents

<b>Part 1: Housing Overview</b>	<b>13</b>
<b>1 Introduction</b>	<b>13</b>
Structure of the Background Paper	13
<b>2 Planning Policy Framework</b>	<b>14</b>
Legislation	14
The Localism Act (2011)	14
The Housing and Planning Act (2016)	14
Housing and Regeneration Act 2008	15
The Self-build and Custom Housebuilding Act 2015	15
The Housing Act 1996	15
The Homelessness Reduction Act 2017	16
The Building Act (1984)	16
The Brownfield Land Register Regulations (2017)	16
National Planning Policy	17
Regional Planning Policy	17
County Planning Policy	17
Adopted Local Planning Policy	18
Rother Local Plan Core Strategy (2014):	18
Battle Neighbourhood Plan (Made: 2021):	19
Burwash Neighbourhood Plan (Made: 2022)	19
Crowhurst Neighbourhood Plan (Made: 2019):	19
Peasmarsh Neighbourhood Plan (Made: 2024)	20
Rye Neighbourhood Plan (Made: 2019)	20
Salehurst and Robertsbridge Neighbourhood Plan (Made: 2018)	21
Sedlescombe Neighbourhood Plan (Made: 2018)	21
Ticehurst Neighbourhood Plan (Made: 2019)	21
<b>3 Strategic/Corporate Policy Framework</b>	<b>23</b>
Corporate Plan	23
Strategy Documents	24

	Rother District Council Housing Task and Finish Group Recommendations (2018).....	24
	Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020) .....	25
	Rother Empty Homes Action Plan 2020-2024.....	27
	Rother Housing Allocations Policy.....	28
	Rother Tenancy Strategy Document (2013) and the East Sussex Tenancy Strategy Framework Document 2012-2017 .....	29
	Rother Anti-Poverty Strategy and Action Plan (under development).....	30
	East Sussex Strategic Partnership (ESSP) Statement on Housing (c.2009) .....	31
	Rother Economic Regeneration Strategy (2010-2015) .....	31
<b>4</b>	<b>Facts and Figures .....</b>	<b>32</b>
	Key Facts for Rother .....	32
	Population and household change .....	32
	Affordability ratio .....	34
	Dwelling type and tenure .....	34
	Deprivation.....	35
	Homelessness applications and numbers on the local authority housing register (requiring housing) .....	36
	Fuel Poverty.....	36
	SA/SEA Scoping Report Indicators.....	37
<b>5</b>	<b>Consultation and Engagement.....</b>	<b>41</b>
	Early Engagement Responses (2020) .....	41
	Engagement with representatives of Parish and Town Councils (2023).....	43
	Working Groups .....	44
	Duty to Cooperate.....	44
	<b>Part 2: Specific Housing Topics .....</b>	<b>46</b>
<b>6</b>	<b>Affordable Housing .....</b>	<b>46</b>
	National Policy and Guidance.....	46
	Adopted Local Policy.....	51
	Rother Development and Site Allocations (DaSA) Local Plan 2019:.....	52
	Evidence.....	52

Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	53
Rother District Council Housing Land Supply – April 2023 Position Statement (published December 2023).....	59
State of the Community Land Trust Sector 2023 (Community Land Trust Network, 2023) and A Planners Guide to Community Led Housing (Jo Lavis MRTPI, June 2019) .....	59
Key Issues: Affordable Housing.....	61
Percentage requirements.....	61
Requirement for affordable housing on large sites where the numbers of dwellings fall below the thresholds.....	62
Tenure Split .....	62
Mix and Size.....	62
100% Affordable Housing Proposals and allocating sites for 100% Affordable Housing.....	63
Community-led Affordable Housing Exception Sites.....	63
Supported Housing/Temporary Accommodation Needs .....	63
First Homes .....	64
Policy Options: Affordable Housing.....	64
Policy Option 1: Affordable Housing Percentage Requirements .....	64
Policy Option 2: Tenure Split of Affordable Housing.....	64
Policy Option 3: Size mix of affordable dwellings .....	65
Policy Option 4: 100% Affordable Housing sites .....	65
Policy Option 5: Rural Exception Sites .....	65
Policy Option 6: Temporary Accommodation .....	66
Policy Option 7: First Homes.....	67
<b>7 Housing Mix.....</b>	<b>68</b>
National Policy and Guidance.....	68
Adopted Local Policy.....	69
Evidence.....	70

	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	70
	Working From Home: Planning for the New Normal? (Barratt Developments PLC, December 2021) .....	72
	Key Issues: Housing Mix .....	72
	Policy Options: Housing Mix .....	73
	Policy Option 8: Requirement for smaller (1-2 beds) dwellings .....	73
	Policy Option 9: Set Prescriptive Proportions for Sizes of Dwellings .....	74
	Policy Option 10: Retaining Smaller Dwellings .....	74
	Policy Option 11: Strategic Scale Developments .....	74
<b>8</b>	<b>Specialist Housing Need: Housing for Older People .....</b>	<b>75</b>
	National Policy and Guidance.....	75
	Adopted Local Policy.....	76
	Evidence.....	77
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	77
	Wider Council Initiatives and Strategy Documents.....	80
	Key Issues: Housing for Older People .....	80
	Policy Options: Housing for Older People .....	81
	Policy Option 12: Specialist Housing for Older People .....	81
	Policy Option 13: Specialist Older People’s Housing on Strategic Scale Developments .....	81
	Policy Option 14: Exception Sites Approach for Specialist Older People’s Housing.....	81
	Policy Option 15: Care Homes for Older People.....	82
	Policy Option 16: Bungalows/ Single Storey Living .....	82
<b>9</b>	<b>Specialist Housing Need: Housing for Disabled People and Accessible and Adaptable Housing .....</b>	<b>83</b>
	National Policy and Guidance.....	83
	Adopted Local Policy.....	85
	Evidence.....	85

	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	85
	Rother District Council Accessible and Adaptable Housing Background Paper (September 2018).....	86
	Rother Housing, Homelessness and Rough Sleeping Strategy .....	87
	Key Issues: Accessible and Adaptable Housing .....	87
	Policy Options: Accessible and Adaptable Housing .....	88
	Policy Option 17: M4(2) dwellings .....	88
	Policy Option 18: M4 (3) dwellings .....	88
<b>10</b>	<b>Specialist Housing Need: Self and Custom Build Housing and Community-Led Housing.....</b>	<b>89</b>
	National Policy and Guidance.....	89
	Adopted Local Policy.....	90
	Evidence.....	91
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	91
	Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022.....	92
	Custom and Self-Build Planning Guidance PG2: Delivering a sufficient supply of custom and self-build homes (Right to Build Task Force, March 2021) .....	93
	Independent Review into scaling up self-build and custom housebuilding (MHCLG, August 2021) .....	95
	Key Issues: Self and Custom Housebuilding and Community-Led Housing .....	96
	Policy Options: Self and Custom Housebuilding and Community-Led Housing .....	96
	Policy Option 19: Alternative policy approach for Self and Custom Housebuilding.....	96
	Policy Option 20: Change to proportion of SCHB plots required and/or the threshold above which SCHB is required.....	96
<b>11</b>	<b>Specialist Housing Need: Rural Housing.....</b>	<b>98</b>
	National Policy and Guidance.....	98
	Adopted Local Policy.....	99
	Evidence.....	100

	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	100
	The High Weald AONB Management Plan 2019-2024.....	101
	Community Engagement.....	102
	Key Issues: Rural Housing .....	102
	Policy Options: Rural Housing .....	104
	Policy Option 21: Development Boundaries .....	104
	Policy Option 22: Align policy with paragraph 84 of the NPPF .....	104
	Policy Option 23: Residential development of historic farmsteads.....	105
	Policy Option 24: Agricultural workers’ accommodation .....	105
<b>12</b>	<b>Specialist Housing Need: Live-Work Units.....</b>	<b>106</b>
	National Policy and Guidance.....	106
	Adopted Local Policy.....	106
	Evidence.....	107
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	107
	Key Issues: Live-Work Units .....	107
	Policy Options: Live-Work Units .....	107
	Policy Option 25: Live-Work Units .....	108
<b>13</b>	<b>Specialist Housing Need: Gypsies and Travellers .....</b>	<b>109</b>
	National Policy and Guidance.....	109
	Adopted Local Policy.....	110
	Evidence.....	111
	East Sussex Gypsy and Traveller Accommodation Needs Assessment (GTAA) (2022).....	111
	Key Issues: Gypsy and Traveller Accommodation Needs .....	113
	Policy Options: Gypsy and Traveller Accommodation Needs .....	114
	Policy Option 26: Criteria-based policy to guide planning applications (update to Core Strategy Policy LHN6) .....	114
	Policy Option 27: Transit Sites .....	114
<b>14</b>	<b>Specialist Housing Need: Houses of Multiple Occupation (HMOs).....</b>	<b>115</b>
	National Policy .....	115



	Adopted Local Policy.....	115
	Evidence.....	115
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	115
	Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024.....	116
	Key Issues: HMOS.....	116
	Policy Options: HMOs .....	117
	Policy Option 28: HMOs.....	117
<b>15</b>	<b>Specialist Housing Need: Build-to-Rent .....</b>	<b>118</b>
	National Policy .....	118
	Adopted Local Policy.....	119
	Evidence.....	119
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	119
	Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024.....	120
	Key Issues: Build-to-rent.....	120
	Policy Options: Build-to-rent.....	120
	Policy Option 29: Build-to-rent .....	120
<b>16</b>	<b>Specialist Housing Need: Other .....</b>	<b>122</b>
	National Policy and Guidance.....	122
	Local Policy .....	122
	Evidence.....	123
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	123
	Hastings and Rother Housing and Economic Development Need Assessment (August 2020).....	124
	Key Issues: Other Specialist Housing Need .....	124
	Policy Options: Other Specialist Housing Need .....	125
	Policy Option 30: Housing for families with children .....	125
<b>17</b>	<b>Second Homes and Dwellings as Holiday Lets .....</b>	<b>126</b>
	National Policy and Guidance.....	126
	Adopted Local Policy.....	126
	Evidence.....	126

	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	126
	Hastings and Rother Housing and Economic Development Needs Assessment (HEDNA) (2020) .....	127
	1066 Country Visitor Accommodation Audit 2019.....	127
	Holiday Homes in East Sussex – Census 2021 Briefing (East Sussex County Council) .....	128
	Holiday Homes in Wales: How can planning support the management .....	129
	Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024.....	130
	Key Issues: Second Homes and Dwellings as Holiday Lets .....	130
	Policy Options: Second Homes and Dwellings as Holiday Lets .....	130
	Policy Option 31: Restricting the use of new dwellings as second homes and holiday lets .....	131
<b>18</b>	<b>Internal Space Standards .....</b>	<b>132</b>
	National Policy and Guidance.....	132
	Adopted Local Policy.....	133
	Evidence.....	133
	Rother District Council Space Standards Background Paper (October 2018)	133
	Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024) .....	134
	Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024.....	135
	Key Issues: Internal Space Standards .....	135
	Policy Options: Internal Space Standards .....	135
	Policy Option 32: Internal Space Standards .....	135
<b>19</b>	<b>External Residential Areas .....</b>	<b>136</b>
	National Policy and Guidance.....	136
	Adopted Local Policy.....	137
	Evidence.....	137
	Rother District Council Residential Garden Sizes Background Paper (November 2017).....	137
	High Weald Housing Design Guide (2019) .....	138
	Building for a Healthy Life .....	139

	Key Issues: External Residential Areas .....	139
	Policy Options: External Residential Areas .....	140
	Policy Option 33: External Residential Areas: Garden Size .....	140
	Policy Option 34: External Residential Areas: Car Parking and Cycle Storage .....	140
<b>20</b>	<b>Development Management matters relating to Housing .....</b>	<b>142</b>
	National Policy and Guidance .....	142
	Adopted Local Policy .....	142
	Evidence .....	144
	Key Issues: Development Management matters relating to Housing.....	144
	Policy Options: Development Management matters relating to Housing.....	144
	Policy Option 35: Extensions to Residential Gardens .....	144
	Policy Option 36: Extensions, Alterations and Outbuildings .....	144
	Policy option 37: Annexes.....	145
	Policy Option 38: Boundary Treatments and Means of Enclosure .....	145
	Policy Option 39: Accesses and Drives.....	145
<b>21</b>	<b>Housing Delivery: Brownfield sites and Small sites.....</b>	<b>146</b>
	National Policy and Guidance .....	146
	Adopted Local Policy .....	147
	Evidence .....	147
	Rother District Council Brownfield Land Register.....	147
	Rother District Council Housing Land Supply – April 2023 Position Statement (published December 2023).....	148
	Corporate Plan .....	149
	Key Issues: Brownfield Sites and Small Sites .....	149
<b>22</b>	<b>Vision and Spatial Objectives for the Local Plan.....</b>	<b>151</b>
	Proposed Vision for Rother District in the Regulation 18 version of the Local Plan: .....	151
	Proposed Strategic Spatial Objectives in the Regulation 18 version of the Local Plan: .....	151
<b>23</b>	<b>Preferred Options .....</b>	<b>154</b>
	Affordable Housing: Overarching policy .....	154
	Affordable Housing: Policy for 100% affordable housing developments .....	155

Affordable Housing: Policy for Allocating sites for wholly or substantially affordable housing.....	156
Affordable Housing: Policy for Rural exception sites .....	156
Housing Mix, Build-to-rent housing: Policy for Mixed and Balanced Communities	157
Housing for older people: Policy for specialist housing for older people.....	159
Housing for older people: Policy for residential care homes for older people .....	160
Housing for disabled people: Policy for access standards.....	160
Self-build and custom housebuilding and community led housing: Policy for Self-build and custom housebuilding.....	161
Rural housing, Second homes: Policy for new dwellings in the countryside .....	162
Gypsy and traveller accommodation need: Criteria based policy for gypsies, travellers and travelling showpeople.....	163
Houses of multiple occupation: Policy on sub-division of dwellings and HMOs.....	165
Internal space standards: Policy on internal space standards.....	166
External residential areas: Policy on external residential areas.....	166
Development management housing matters .....	167
Extensions to Residential Gardens.....	167
Extensions, Alterations and Outbuildings.....	167
Annexes.....	168
Boundary Treatments.....	169
Accesses and Drives .....	169
<b>24 Summary of Other Projects and Delivery Mechanisms.....</b>	<b>170</b>
Second Homes .....	170

## Part 1: Housing Overview

### 1 Introduction

#### Structure of the Background Paper

- 1.1 This background paper looks at housing policies and covers a wide range of housing issues. It is divided into three parts.
- 1.2 The first part of the Paper covers housing as a broad topic and includes:
- A summary of relevant legislation relating to housing and planning issues;
  - Identification of the overarching national planning policies relating to housing;
  - Consideration of the potential effects of the Government's review of planning policy;
  - A summary of local and neighbourhood planning policies relating to housing generally;
  - An overview of the relevant strategic and corporate policy framework;
  - Key facts and figures for Rother and the details of relevant SA/SEA scoping report indicators; and
  - Results of early consultation and engagement.
- 1.3 The second part of the Paper covers each different housing topic in turn, first detailing the relevant national and local planning policies specific to the topic, then considering evidence studies and concludes with identifying key issues and policy options. The housing topics considered are:
- Affordable housing;
  - Housing mix;
  - Housing for older people;
  - Housing for disabled people and accessible and adaptable housing;
  - Self-build and custom housebuilding and community-led housing;
  - Rural housing;
  - Live-work units;
  - Gypsy and traveller accommodation need;
  - Houses of multiple occupation;
  - Build-to-rent housing;

- Other specialist housing need;
- Second homes and holiday lets;
- Internal space standards;
- External residential areas;
- Development management housing matters;
- Housing delivery on brownfield sites and small sites.

1.4 The third part of the Paper considers the Plan’s visions and objectives, undertakes a sustainability appraisal, identifies preferred options and undertakes a test of soundness.

## 2 Planning Policy Framework

### Legislation

2.1 There are many pieces of legislation relating to housing and planning. A summary of some relevant legislation is detailed below.

#### The Localism Act (2011)

2.2 The Localism Act (2011) set out a series of measures intended to achieve a shift in power away from central government and towards local people. In terms of planning reform, these measures included the abolition of Regional Strategies, the introduction of the Duty to Cooperate and the introduction of Neighbourhood Planning. In terms of changes to housing legislation, the measures included social housing allocations and tenure reform which allowed Local Authorities to set their own policies about who should qualify to go on the waiting list for social housing; and allowed social landlords to introduce “flexible” rather than “lifetime” tenancies. The Localism Act also implemented changes to the way social housing is funded.

#### The Housing and Planning Act (2016)

2.3 The Housing and Planning Act 2016 contains provisions on new homes, landlords and property agents, abandoned premises, social housing, planning, compulsory purchase, and public land. It also made changes to the Self-Build and Custom

Housebuilding Act 2015 (see below). Chapter 1 required English planning authorities to carry out their planning functions with a view to promoting the supply of “starter homes”, however this concept has now been abandoned by the Government and replaced with a requirement for “First Homes” as set out in the Planning Practice Guidance which is discussed below. On publication of the Social Housing Green Paper in August 2018, the Government confirmed that several measures in the Housing and Planning Act would not be implemented.

## Housing and Regeneration Act 2008

- 2.4 This Act sets out the objectives of the Regulator of Social Housing (RSH), a non-departmental public body of government, and defines the terms “social housing” and “registered provider”. The RSH regulates and maintains a list of Registered Providers (RPs) of social housing. RPs are social housing providers including local authorities, housing associations, housing co-operatives, profit-making organisations and any other form of housing provider.

## The Self-build and Custom Housebuilding Act 2015

- 2.5 This Act (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. Under section 1 of the Act, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Since the publication of the Act there is now a greater emphasis in the National Planning Policy Framework to respond to self and custom housebuilding needs in the preparation of Local Plan policies, which will be detailed further, below.

## The Housing Act 1996

- 2.6 Part 7 of the Housing Act 1996 is the primary legislation that provides the statutory under-pinning for action to prevent homelessness and provide assistance to people threatened with homelessness or who are actually homeless.

## The Homelessness Reduction Act 2017

- 2.7 This Act significantly reformed England’s homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to all those affected, not just those who have ‘priority need’. It places various duties on Local Authorities in terms of responding to homelessness, including a duty to provide advisory services, to assess all applications for social housing where an applicant is threatened with homelessness, and duties around providing accommodation for homeless people.

## The Building Act (1984)

- 2.8 The Building Act 1984 enables the Secretary of State to make, and obliges local authorities to enforce, the Building Regulations in their area. The Building Regulations concern the securing of the health, safety, welfare and convenience of people in or about buildings, and include the conservation of fuel, power and water.
- 2.9 In 2015 the Government introduced, through amendments to the Building Act, a three-tier standard for accessibility in Part M (access to and use of buildings) of Schedule 1 of the Building Regulations, involving a mandatory baseline (i.e. minimum) requirement and two optional standards. Optional standard M4(2) provides for accessible and adaptable dwellings. Optional standard M4(3) provides for wheelchair user dwellings (M4(3)(2)(b) requiring a wheelchair accessible dwelling, suitable for immediate occupation and M4(3)(2)(a) requiring a wheelchair adaptable dwelling).

## The Brownfield Land Register Regulations (2017)

- 2.10 A duty has been placed on local planning authorities through the Housing and Planning Act (2016), to prepare, maintain and publish a register of brownfield land (also known as previously developed land), assessed as being potentially suitable for residential development. The Town and Country Planning (Brownfield Land Register) Regulations 2017 state that the Brownfield Land Register must be maintained in two parts: Part 1 comprises of a list of brownfield sites that are considered appropriate for residential developments regardless of their planning



status; and Part 2 is a subset of Part 1, comprising only those sites in Part 1 considered suitable for a grant of Permission in Principle (PiP) for residential or residential-led development. Part 1 of the Register is compulsory, while Part 2 is discretionary. Currently, Rother only has Part 1 of the Register.

## **National Planning Policy**

- 2.11 Paragraph 8 of the National Planning Policy Framework (NPPF) (December 2023) confirms that achieving sustainable development means that the planning system has three overarching objectives: an economic objective; an environmental objective; and a social objective, of which an important aspect is:

*“ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations”.*

- 2.12 Paragraph 63 of the NPPF notes that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.
- 2.13 National Planning Policy and Guidance relating to the different housing topics are detailed in the second part of this Paper.

## **Regional Planning Policy**

- 2.14 Since the abolition of Structure Plans and later, Regional Spatial Strategies in 2010, there has been no regional planning policy for housing in England, meaning that it is for Local Planning Authorities to implement the requirements of the Framework and PPG.

## **County Planning Policy**

None relevant.

## Adopted Local Planning Policy

- 2.15 The Rother Local Plan Core Strategy (2014) sets out the vision, overarching development strategy and strategic policies for development and change, and conservation, for Rother District over the period up to 2028. The Development and Site Allocations (“DaSA”) Local Plan is “part 2” of the Local Plan and sets out more detailed “development policies” for certain topics and identifies specific site allocations to deliver development targets. There are also eight “made” Neighbourhood Plans (Battle, Burwash, Crowhurst, Rye, Salehurst and Robertsbridge, Sedlescombe, Ticehurst and Peasmarsch) which set out local development policies and/or site allocations.

### Rother Local Plan Core Strategy (2014):

- 2.16 General policies of the Core Strategy relevant to housing in the context of this Background Paper include:
- Policy OSS3 (Location of Development) sets out the matters which should be considered in assessing the suitability of a particular location for development, which include (iii) *the local need for affordable housing*.
  - Policy OSS4 (General Development Considerations) details the considerations which should be applied to all proposals, which include (v) *in respect of residential development, [the development] is of a density appropriate to its context, having due regard to the key design principles [the key design principles are set out at Appendix 4 of the Core Strategy]*.
  - Policy BX1 (Overall Strategy for Bexhill) seeks to (ix) *provide for employment and housing growth... with particular regard to the needs of families, affordable housing for younger people and a range of supported housing options for older households*.
  - Policy RA3 (Development in the Countryside) sets out the extremely limited circumstances in which new dwellings in the countryside will be permitted.
- 2.17 More specific policies of the Core Strategy and the DaSA Local Plan which relate to the particular housing topics are set out under the second part of this Background Paper.

2.18 Below is a summary of housing policies within the seven made Neighbourhood Plans.

Battle Neighbourhood Plan (Made: 2021):

2.19 In addition to its site allocation policies, the Battle Neighbourhood Plan includes the following policies which apply to all housing developments:

- HD3 (Housing Mix) confirms housing developments will be expected to deliver a range of house types, including affordable housing, which may include shared ownership homes and will also be encouraged, where appropriate, to include an element of single level dwellings and, where practicable, sheltered accommodation to meet the needs of the elderly and people with disabilities.
- HD6 (Integration of New Housing) requires new homes to be visually integrated with their surroundings.

Burwash Neighbourhood Plan (Made: 2022)

2.20 The Burwash Neighbourhood Plan does not include site allocation policies or any policies that specifically relate to housing developments. Policies GP03 (Development Boundaries) and GP04 (Design Standards) apply to all developments and require proposals to meet the requirements for the delivery of affordable housing as set out in Policy DHG1 of the DaSA Local Plan (GP03 d), and provide sufficient external amenity space, refuse and recycling storage and car and bicycle parking to ensure a high quality and well managed streetscape (GP04 e).

Crowhurst Neighbourhood Plan (Made: 2019):

2.21 In addition to its site allocation policies, the Crowhurst Neighbourhood Plan includes the following policies which apply/may be relevant to housing developments:

- CB1 (Design) includes criteria relevant to all developments. Those specific to housing developments are: (3) New housing shall comply with the National Space Standards and Building for Life standards... New housing is also encouraged to meet the Accessible/Adaptable Dwelling standard M4(2) of the Building Regulations or any future review of these standards; (4) Any new housing development should be served by appropriate amenity space and

encouragement will be given to developments that connect to local footpaths; (8) New housing should include renewable energy as an integral part of the design and encouragement will be given to developments that exceed energy efficiency standards; (9) New housing developments should provide electric vehicle charging points (or, for flats without an allocated parking space, provision for a shared communal charging point).

- CC1 (Economic Sustainability) – at part (5) this policy supports small scale home working that does not impact neighbours, or reduces out commuting such as live work units or ancillary development that supports home working, i.e. home offices.

## Peasmarsh Neighbourhood Plan (Made: 2024)

2.22 In addition to its site allocation policy, the Peasmarsh Neighbourhood Plan includes the following policies relevant to housing developments:

- H1 (Housing Mix) supports housing developments that respond to local needs by including a mix of housing sizes, types and tenures with priority focused on medium and smaller homes, including at least 60% of dwellings being 2 bedroom, 20% 1 bedroom and 20% 4-bedroom.
- H2 (Rural Affordable Housing Sites) requires housing on affordable housing sites to be retained to meet local needs for people with a local connection.
- H3 (Conversion of Rural Buildings to Residential Use) supports the conversion of suitable redundant farm or other buildings to residential use, subject to detailed criteria.

## Rye Neighbourhood Plan (Made: 2019)

2.23 In addition to its site allocation policies, the Rye Neighbourhood Plan includes the following policy which applies to the allocated housing sites:

- H2 (Housing Mix) requires the allocated housing developments to include (a) Affordable housing appropriately integrated into and spread through each development and indistinguishable from the equivalent market housing. (b) Housing of a size, type and mix which will reflect both current and projected housing needs for Rye, including dwellings suitable for elderly occupants and smaller units for younger people and those looking to downsize their accommodation.

## Salehurst and Robertsbridge Neighbourhood Plan (Made: 2018)

2.24 In addition to its site allocation policies, the Salehurst and Robertsbridge Neighbourhood Plan includes the following policies which apply/ may be relevant to housing developments:

- EC2 (Facilities to support and encourage home working through ultra-fast telecommunication provision) – supports such provision, together with further measures designed to facilitate the supporting of home working, subject to listed criteria.
- HO3 (Development of Residential Gardens) resists such proposals where they would harm local character.
- HO4 (Housing Mix) supports housing developments which include a range of house types, and normally including a high proportion of one, two and three bedroom dwellings. Housing developments will also be expected to include an element of single level dwellings and, where practicable, sheltered accommodation to meet the needs of the elderly and people with disabilities.

## Sedlescombe Neighbourhood Plan (Made: 2018)

2.25 The Sedlescombe Neighbourhood Plan does not include any general housing policies although detailed site-specific requirements are included within its site allocation policies.

## Ticehurst Neighbourhood Plan (Made: 2019)

2.26 In addition to its site allocation policies, the Ticehurst Neighbourhood Plan includes the following policies which apply/may be relevant to housing developments:

- H3 (Mix of Housing Sizes) requires the provision of a mix of housing types and sizes to support meeting the local housing needs and demands demonstrated in the most recent housing market assessment and housing needs analysis for the plan area. Also includes indicative percentages for the sizes and tenure of dwellings on new developments (40% affordable housing).

- H4 (Affordable Housing) sets out indicative tenures for affordable housing in new developments as follows: shared ownership and/or low-cost starter homes 50%; affordable rent 50%.
- INF3 (Community Areas in Housing Developments) In developments of 10 or fewer homes, only well-planned layout and informal open spaces are expected. In developments of more than 10 houses an on-site Local Equipped Area of Play (LEAP) should be required.

## 3 Strategic/Corporate Policy Framework

### Corporate Plan

- 3.1 The current Rother Corporate Plan (2020-2027) was adopted by Full Council on 5 July 2021. The Corporate Plan provides the strategic direction for the Council and shapes the work programmes and service plans of officers throughout this time period. It sets out 10 priority objectives. Those of particular relevance to housing are:
- Increase the supply of affordable homes throughout the District: including by delivering 400 affordable rent homes by the end of 2023.
  - Housing List Reduction: To reduce the numbers on the Rother Housing List.
  - Housing: To bring Rother above a 5-year housing land supply by the end of 2023.
- 3.2 Under each priority objective, a number of actions to achieve the aims are detailed. Under “increasing supply of affordable homes” the actions include:
- Ensure that schemes being progressed by Registered Providers and private developers are delivered within expected timescales.
  - Work with landowners and Registered Providers to begin delivery on stalled sites with planning permission.
- 3.3 The actions under “Housing List Reduction” include the following:
- Increase supported housing options to meet identified temporary accommodation needs.
  - Increase the number of adaptations made to the homes of disabled people and support them to sustain their accommodation through the provision of Disabled Facilities Grants (DFGs).
  - Deliver effective social housing allocations through the implementation of a revised Housing Allocations Policy for Rother and by adjusting the Rother Local Plan to prioritise the type of affordable housing delivered for those in Band A.
- 3.4 The actions under “Housing” (land supply) include:

- Deliver a new Local Plan 2019-2039 with policies that: speed up the overall planning process; incentivise delivery of smaller sites; and create an environment of certainty for developers.
- By working with the Sussex Community Housing Hub and Registered Providers to bring forward applications on rural exception sites.
- By attracting higher indexed wage business employment... In addition to ensure the Rother Local Plan reflects a housing mix which supports the needs of incoming businesses.

## Strategy Documents

3.5 This section summarises the following local and county-wide strategy documents:

- Rother District Council Housing Task and Finish Group Recommendations (2018)
- Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020)
- Rother Empty Homes Action Plan 2020-2024
- Rother Housing Allocations Policy and New Housing Allocations Policy (2019)
- Rother Tenancy Strategy Document (2013) and the East Sussex Tenancy Strategy Framework Document 2012-2017
- Rother Anti-Poverty Strategy and Action Plan (in development)
- East Sussex Strategic Partnership (ESSP) Statement on Housing (c.2009)
- Rother Economic Regeneration Strategy (2010-2015), superseded by the Rother District Economic Recovery Action Plan.

### Rother District Council Housing Task and Finish Group Recommendations (2018)

3.6 The Housing Issues Task and Finish Group (HIT&FG) was set up by the Council's Overview and Scrutiny Committee in November 2017 to gain a better understanding of what barriers might be acting to deter or delay housing delivery in the district, as well as affordable and social housing delivery and land supply issues.

3.7 The HIT&FG recommended a number of actions to promote a sufficient and continuous housing land supply. Many of these have been achieved through the adoption of the Development and Site Allocations Plan. Other actions relate to the 'Unblocking' of sites where physical infrastructure and/or ownership factors present



a constraint to development. Other actions, such as introducing and delivering a Landowners Forum and preparing a housing delivery “Action Plan” are ongoing. The Action Plan is produced annually, as required by the NPPF, and this also sets out how the remaining recommendations are being addressed.

### Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020)

3.8 This document is in two parts. Part 1 sets out the current picture in Rother, including the issues and challenges particular to our district. It explains how and why the Council decided upon the priorities set out. Part 2 sets out an improvement delivery plan for the district. Priorities are set out in 3 key areas:

1. Addressing Supply - Housing Development - all types of housing development, with a focus on increasing the supply of affordable housing. Support the provision of well designed homes, across all tenures, that are affordable, sustainable and suitable for people's needs; bring into use long term empty homes.
2. Housing Needs - focusing on reducing homelessness and rough sleeping;
3. Housing Quality - focusing on improving standards in existing housing and ensuring housing is suitable to meet the needs of residents. Address fuel poverty issues and improve the quality and suitability of housing in the district.

3.9 The document notes that Rother has a much higher than average proportion of older people; and there is a clear tenure imbalance, with a higher proportion of housing being owner-occupied than the national average and significantly less social rented housing. In addition, it is an increasingly polarised district when it comes to income and household assets, including some of the most affluent wards in the country but also a number of wards which are among the most deprived in the UK. The particular challenges for Rother, relevant to this Background Paper, include:

- Due to a significant portion of affordable housing delivery being dependent on the delivery of private housing schemes, insufficient new affordable housing is being built. This is because general housing delivery is lower than anticipated for multiple reasons including land supply and delivery issues, as well as, in some instances, costly infrastructure leading to stalled sites;

- In terms of meeting particular housing needs, there is a lack of Houses in Multiple Occupation (HMO); this type of housing traditionally suits single households (growing numbers of single young people are being affected by changes to housing benefit rules). There are particular challenges in meeting the growing demand for shared houses in multiple occupation (HMOs) due to planning restrictions on their development in central Bexhill;
- Lack of opportunity for first time buyers to access suitable affordable home ownership options;
- Some areas are impacted by second and holiday homes, reducing supply even further and driving up the cost of housing resulting in less housing stock available for local people. The rise of platforms such as Airbnb are an emerging factor compounding this trend.
- Changes to the funding of new build affordable housing requires registered providers (Housing Associations) to move away from providing 'social rented' homes (60% market rent) to 'affordable rented' homes (up to 80% market rent) which has had an impact for those on low incomes being able to afford social housing.
- The supply of private rented accommodation is not keeping up with demand, resulting in higher rents and greater reluctance from landlords to take on higher risk tenants. This also creates an environment where some landlords have no incentive to provide good quality accommodation. The main reason for homelessness seen by the council is the loss of an assured short hold tenancy in the private rented sector, accounting for between 40% and 50% of total homelessness applications in 2017. This situation highlights the challenges faced by households struggling to afford accommodation in the private sector as incomes fail to keep pace with rising average rents.

3.10 The Action Plan (update 2020) set out the 3 priorities, objectives and proposed actions. A number of the actions listed under the first priority, "Increasing the supply of housing", are relevant to Planning but also to the Council as a developer, e.g. in terms of directly providing housing schemes. Actions 1.2 and 1.3 could be relevant to this Background Paper:

- 1.2: Continue working with the Sussex Community Housing Hub (SCHH), Parish and Town Councils and community groups in identifying suitable sites, including exception sites, and supporting the delivery of community led housing.

- 1.3: Strengthen partnerships with registered providers, development and planning partners to streamline the delivery of housing [through a joint protocol between Housing partners, Planning and Legal teams].
- 3.11 The majority of actions listed under the second priority, “Rough sleeping, homelessness and meeting housing aspirations”, are not directly related to Planning, however, some actions listed under the third priority, “Improving the quality and suitability of existing housing and new build housing” are relevant, including:
- 3.1 Reducing fuel poverty: Explore the opportunity of introducing affordable warmth methods of construction on any residential developments taken forward by the Council and work with registered providers to include these on all affordable housing;
  - 3.3 Modern methods of construction: Explore the opportunity to introduce modern methods of construction on any residential developments taken forward by the Council (action achieved) and work with registered providers to include on all affordable housing developments, for example timber framed kits;
  - 3.4 Increase the number of affordable homes built to Nationally Described Space Standards and accessible and adaptable standards (action achieved, due to the adoption of Policies DHG3 and DHG4 of the DaSA Local Plan).

### Rother Empty Homes Action Plan 2020-2024

- 3.12 The Housing, Homelessness and Rough Sleeping Strategy 2019-2024, which links into the Corporate Plan, highlights the need to increase the housing supply within the District. Empty homes are identified as a wasted resource and action is needed to try and bring empty homes back into use. The Strategy stipulates that an action plan must be put into place setting out a number of methods for bringing empty homes into use.
- 3.13 The Empty Homes Action Plan details that action will be taken against at least five empty properties a year. The Action Plan will be reviewed before 2024.
- 3.14 When assessing the number of empty homes, the Local Authority uses Council Tax data as a starting point. For the purposes of the action plan, an empty property refers to privately owned residential properties that have been un-occupied and unfurnished for two years or more, but excludes second homes and holiday homes.

As of 1<sup>st</sup> July 2019 there were 164 properties that met this definition in Rother. The largest numbers were in Bexhill, followed by Rye Foreign, Camber and Rye. The majority of empty properties are smaller properties.

- 3.15 The Action Plan prioritises bringing back into use smaller long term empty properties as these are more likely to be affordable and meet the greatest housing need (as demonstrated by housing register data). It also focuses on those areas with the highest numbers of empty properties, particularly Bexhill and Rye, where housing need is greater.

### Rother Housing Allocations Policy

- 3.16 The Housing Allocations Policy, required by Legislation, is the criteria used by the Council to prioritise applications for social housing and the procedures that will be followed. The Council is currently in the process of moving to a new Housing Allocations Policy which was consulted on in 2019, but its adoption has been delayed due to the COVID-19 pandemic.
- 3.17 The new Housing Allocations Policy confirms that the Council transferred its social housing stock in 1996 and no longer owns any 'council' housing. It has nomination rights to some of the social housing stock in Rother owned by social landlords when the property becomes vacant. Southern Housing (formerly Optivo) owns and manages the majority of Rother's social housing stock. The Council has a 100% nomination right to access Southern Housing's new build social housing stock and 75% of relets. The Council also generally has up to 75% nomination arrangements with other social landlords. Social housing stock in Rother equates to approximately 9.7% of total housing stock in the district. This compares to the national average of 17.4% of all housing stock.
- 3.18 The Housing Allocations Policy confirms that the Council's objectives are to ensure that social housing goes to those with the greatest need and in addition to those who have a local connection to the Rother District, either through residence, family connection, employment or voluntary activity.
- 3.19 When someone applies for social housing, the Council will determine the applicant's level of priority based on the information provided. Under the current

Housing Allocations Policy, applicants are placed into one of four priority groups (Bands A to D), with Band A applicants in the most housing need and Band D the least. Band A households in temporary accommodation who have been accepted as being homeless are given first priority for all vacancies with the exception of Section 106 Exception Sites. The Council will also prioritise Band A applicants accepted as homeless and those who have been deemed potentially homeless or ready to move on from Supported accommodation over other Band A applicants in order to prevent homelessness and carry out its statutory functions.

- 3.20 Under the new Housing Allocations Policy, there are only two Priority Bands rather than four: these categories are known as Urgent Need category and Waiting List category.
- 3.21 The current Housing Allocations Policy notes that there is an acute lack of adapted properties for disabled households in the Rother area. Therefore, to make the best use of the Housing stock available the Council will prioritise disabled applicants in housing need, if a vacant property is suitable to meet their needs, regardless of local connection to the Parish or Ward local connection or priority band.
- 3.22 The Local Connection test awards local connection to a particular Parish or Ward, however, in some Parishes there are few or no homes. Therefore, Parishes are grouped in clusters to manage the housing need and demand for vacancies. For the purposes of the housing allocations policy, vacancies in Bexhill are available to all applicants and are not subject to the local connection rules. In addition to Bexhill, there are three Parish Clusters: Battle Parish Cluster, Rye & Rye Rural Parish Cluster; and Ticehurst Rural Parish Cluster. When a property becomes available, if an applicant with a local connection to the parish cluster cannot be found on the shortlist then the applicant with the highest band priority with the earliest priority date (regardless of local connection) will then normally be offered the vacancy.

Rother Tenancy Strategy Document (2013) and the East Sussex Tenancy Strategy Framework Document 2012-2017

- 3.23 The Rother District Council Tenancy Strategy, as required by Legislation, is a guide for partners who work with the Council to provide new affordable homes. The East Sussex Tenancy Strategy Framework period elapsed in 2017 but the document

continues to reflect current ways of working. It sits above the Rother Tenancy Strategy Document (2013) and sets out a Framework for the County.

3.24 The Rother Strategy sets out the matters Registered Providers will have to regard when making their own policies relating to tenancies. It also sets out what the Council expects from Registered Providers.<sup>1</sup> Requirements relevant to this Background Paper include:

- Registered providers should set affordable rents at no higher than the local housing allowance. They will have to take local circumstances into account and consider the need to set affordable rents at below 80% of market rent in some high cost areas.
- Registered providers should work with the Council to look for opportunities to use the money provided from higher rents and sales to build new affordable homes in the district.
- The conversion of social rented properties to affordable rent by registered providers will be based on the agreed contract with the Homes and Communities Agency (HCA). Support from the Council will be required prior to any conversions.
- The Council will continue to seek social rented homes on new developments where no HCA grant has been given subject to the viability of the scheme on a site by site basis.
- The Council will continue to seek social rented homes on supported housing schemes, subject to the viability of the scheme on a site by site basis.

### Rother Anti-Poverty Strategy and Action Plan (under development)

3.25 This Strategy and Action Plan is currently being developed for the district, led by the Council in partnership with Rother Voluntary Action, following the Council's approval of the recommendations of the Anti-Poverty Task and Finish Group (APT&FG) (June 2021). The aim of the APT&FG is to investigate the effects of income, health and housing poverty on local people and the local services that support them. It found that the causes of poverty are complex and driven by a range of interrelated forces across income, health, housing, employment and education. The main objectives of the Strategy and Action Plan relate to:

---

<sup>1</sup> Rother Tenancy Strategy Document 2013, section 8.

coordinating services designed to alleviate poverty; maximising the accessibility of these services; and promoting information, advice and support to service users and professionals. The Plan will also touch on affordable housing provision.

### East Sussex Strategic Partnership (ESSP) Statement on Housing (c.2009)

3.26 While this document is rather dated, it represents a high-level agreed statement on housing across the East Sussex local authorities and other key statutory and non-statutory agencies. Its strategic priority for 2026 is: “to provide affordable, good quality and environmentally friendly homes and housing for all” and it proposes to achieve this through the following Key Tasks:

- Increase the supply of homes and increase and diversify the supply of affordable homes, housing and tenures in all areas, both rural and urban;
- Develop high quality, modern and efficient health, social care and housing support services for older people;
- Minimise homelessness, especially hidden and youth homelessness;
- Improve the quality of existing homes and help bring empty homes back into use;
- Increase energy and water efficiency of new and existing homes;
- Plan infrastructure needs alongside housing developments, and ensure new developments do not increase flood risk;
- Extend number and range of people receiving housing-related support;
- Enable new sites to meet the needs of Gypsies and Travellers.

### Rother Economic Regeneration Strategy (2010-2015)

3.27 This document is now out of date and has been superseded by the Rother District Economic Recovery Action Plan, produced in response to the Covid pandemic. The main focus of both documents is economic regeneration and recovery, however one of the objectives within the Strategy was “to ensure that there is an adequate supply of affordable housing”, noting the importance of affordable housing provision to maintaining mixed, vibrant communities which are more sustainable and self-supporting with a greater range of services. The Strategy makes reference to the Local Plan and other strategies in achieving this objective.

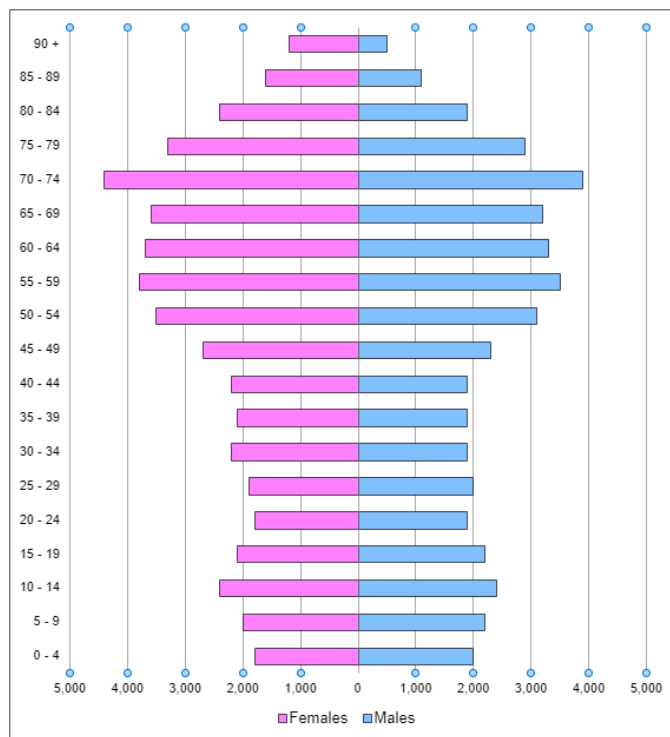
## 4 Facts and Figures

### Key Facts for Rother

#### Population and household change<sup>2</sup>

4.1 Rother’s population is heavily weighted towards the older end of the age spectrum, as shown by the population pyramid below, and it continues to age more acutely than in other parts of the region and country. Between 2008 and 2018, Rother’s overall population increased by 6.14%, while the number of residents aged 65 and over increased by over 22% in the same time period. Trend-based population projections (2019-2039) find that the district’s overall population will continue to increase, with the increase in residents aged over 75 particularly great. The trend influences the projected workforce change, which is expected to grow by 3.9% across East Sussex over 2019-2034, but by only 0.3% in Rother over the same period.<sup>3</sup>

Figure 1: Population by age and sex, Rother, 2021. Data from East Sussex in Figures



<sup>2</sup> Source: Sustainability Appraisal/Strategic Environmental Assessment Scoping Report in support of the Rother District Council and Hastings Borough Council Local Plan Updates (2019-2039), Appendix 3 and 4, April 2020.

<sup>3</sup> Source: East Sussex County Council, Research and Information Team, April 2021.



- 4.2 As can be expected given the population profile, Rother's birth rate (2002–2019) has been lower than the County, regional and national averages. Also in line with the older age profile, Rother's death rate (deaths per 1,000 population) is higher than the County, regional and national averages.<sup>4</sup> As the death rate in Rother (and across East Sussex) is higher than the birth rate, the population increase is mainly driven by internal net migration (more people moving into the District than moving out).
- 4.3 The life expectancy of Rother residents is broadly in line with the county and regional averages, although the percentage of the population living with a long-term health problem or disability in Rother (23.4% in 2011) is higher than across the county and region, also in line with the older age profile.<sup>5</sup> The proportion of working age people claiming Employment and Support Allowance (ESA) or Incapacity Benefit (because they cannot work because of illness or disability) in Rother in 2021 was very slightly lower than across East Sussex, but higher than both the regional and national averages.<sup>6</sup>
- 4.4 Household change calculations predict that the number of households in Rother is set to increase by 17% between 2020 and 2035, this is slightly higher than the increase across East Sussex (16.2%).<sup>7</sup> The average size of household, which is already low compared to the national and county average, is expected to slightly reduce from just below 2.15 persons (in 2020) to 2.05 persons (in 2035), in line with the County-wide trend.
- 4.5 In terms of household composition, the 2021 census shows that Rother has a higher proportion of one-person households aged 66+ (20%) compared to England (13%), emphasising the heavily aged profile of the population. It also has a far higher proportion of households categorised as 'single family: all aged 66+' (16%), compared to England (9%).<sup>8</sup>

---

<sup>4</sup> Source: Office for National Statistics (ONS), July 2020.

<sup>5</sup> Source: 2011 Census, Office for National Statistics, from East Sussex in Figures.

<sup>6</sup> Source: Department for Work and Pensions/StatXplore, from East Sussex in Figures

<sup>7</sup> Source: East Sussex County Council, Research and Information Team, March 2022.

<sup>8</sup> Source: 2021 Census, Office for National Statistics, detailed in Rother and Hastings HEDNA (2024)

- 4.6 In line with the anticipated ageing of the population, household projections 2020-2035 predict that the number of single-person households in Rother will increase over this period (for both males and females) and the number of households with dependent children will decrease<sup>9</sup>.
- 4.7 The rural nature of much of Rother means that it has a lower population density than the average across East Sussex and the region (the figure in the 2011 census was 1.8 people per hectare in Rother compared to 3.1 in East Sussex and 4.5 across the South East). It also has a significantly higher proportion of people living in rural areas than the county and regional averages. While almost half of Rother's population lived in Bexhill in 2011, 52% lived in the rural areas (defined as areas with fewer than 10,000 inhabitants), compared to 26% in rural areas across East Sussex and 20% across the South East.<sup>10</sup>

### Affordability ratio

- 4.8 The affordability ratio (lower quartile house price to lower quartile gross annual workplace-based earnings) in Rother has steadily increased from 9.33 in 2011 to a high of 13.82 in 2021.<sup>11</sup> This upward trend is problematic as it demonstrates that house price growth is significantly outstripping wage growth, ultimately making housing more unaffordable for those who live and work within the district and potentially pricing out future local buyers. This is demonstrated by the fact that wage growth rose by 27.3% between 2011 and 2020, while lower quartile house prices in the district increased by 49.0% over the same period.<sup>12</sup>

### Dwelling type and tenure

- 4.9 The 2011 census found a far higher proportion of detached houses and bungalows in Rother compared to both the national and county averages, and a lower proportion of semi-detached and terraced housing and purpose-built flats. The

---

<sup>9</sup> Source: East Sussex in Figures.

<sup>10</sup> Source: 2011 Census, Office for National Statistics, from East Sussex in Figures.

<sup>11</sup> Source: Office for National Statistics, detailed in Rother and Hastings HEDNA 2023

<sup>12</sup> Source: House price to workplace-based earnings ratio dataset, Office for National Statistics, (March 2022).

proportion of flats in converted buildings was slightly higher than the national average.

- 4.10 2021 figures show that Rother has a higher proportion of owner-occupied dwellings (72.7%) compared to the national average (61.3%), and a lower proportion of social rented dwellings (10.2% in Rother compared to 17.1% nationally). The proportion of private rented dwellings in Rother is also slightly less than the national average. At both national and district levels, the proportion of owner-occupied and social-rented housing has slightly decreased since 2011 while the proportion of private rented housing has slightly increased. At 16.2% of the total housing stock, although lower than the national average, private rented housing represents a significant portion of the market in Rother, particularly in Bexhill and other smaller urban areas of the district.<sup>13</sup>
- 4.11 At the 2021 Census, approximately 98.1% of Rother's population was estimated to be living in households (91,308 people), the England figure is 98.3%. Just under 2% of Rother's population lives in communal establishments, higher than the England average of 1.7%; this is reflective of the relatively aged profile of Rother's population and the likelihood of these age groups residing in care homes.<sup>14</sup>

## Deprivation

- 4.12 The Indices of Multiple Deprivation (IMD) are widely used to analyse patterns of relative deprivation for small areas and to identify local need. They provide a snapshot of conditions in an area, looking at a range of factors including income, employment, education, health, barriers to housing and services, living environment and crime. Whilst most of the district is not particularly affected by deprivation, some areas are in the top 10% and 20% most deprived in the country. These include Sidley and Bexhill Central and parts of Eastern Rother and Rye.<sup>15</sup>

---

<sup>13</sup> Source: Office for National Statistics published on East Sussex in Figures, January 2023

<sup>14</sup> Source: Office for National Statistics detailed in Rother and Hastings HEDNA (2024)

<sup>15</sup> Source: Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

- 4.13 Data shows that in 2015, 11.4% of the population, or 10,530 people in Rother were affected by income deprivation. This a slightly lower percentage than the county average (12%).

Homelessness applications and numbers on the local authority housing register (requiring housing)

- 4.14 The number of households presenting themselves as homeless increased in Rother over the period 2017 to 2022, from 199 in 2016/17 to 431 in 2018/19 and 568 in 2022/23. The number of households the Council is accommodating in temporary accommodation following a homeless application has also increased, from 72 (in April 2020) to 155 (in April 2023), a number which has continued to grow.
- 4.15 The number of households on the local authority housing register (requiring housing) declined over the period 2011-2017, from 1,793 households in 2011 to 1,105 in 2017, however, as of November 2023 the figure has risen to 1,850 households.

Fuel Poverty

- 4.16 A household is considered to be fuel poor if: they have a fuel poverty energy efficiency rating of band D or below; and if they were to spend their modelled energy costs, they would be left with a residual income below the official poverty line.
- 4.17 In 2020, 10.5% of households in Rother were found to be in fuel poverty (higher than the East Sussex average of 9.9%), with the highest incidences in the more deprived wards (Central Bexhill, Rye and Sidley) but also, high incidences in many rural areas.<sup>16</sup> There are two primary drivers of fuel poverty: the cost of heating, and income. The prevalence of fuel poverty in rural areas is likely due to the prevalence of large, old, expensive to heat dwellings in rural areas, along with a higher

---

<sup>16</sup> Source: Department for Business, Energy & Industrial Strategy (BEIS), July 2022 (published on East Sussex in Figures).

proportion of dwellings utilising less efficient fuel sources than mains gas, further increasing heating costs.<sup>17</sup>

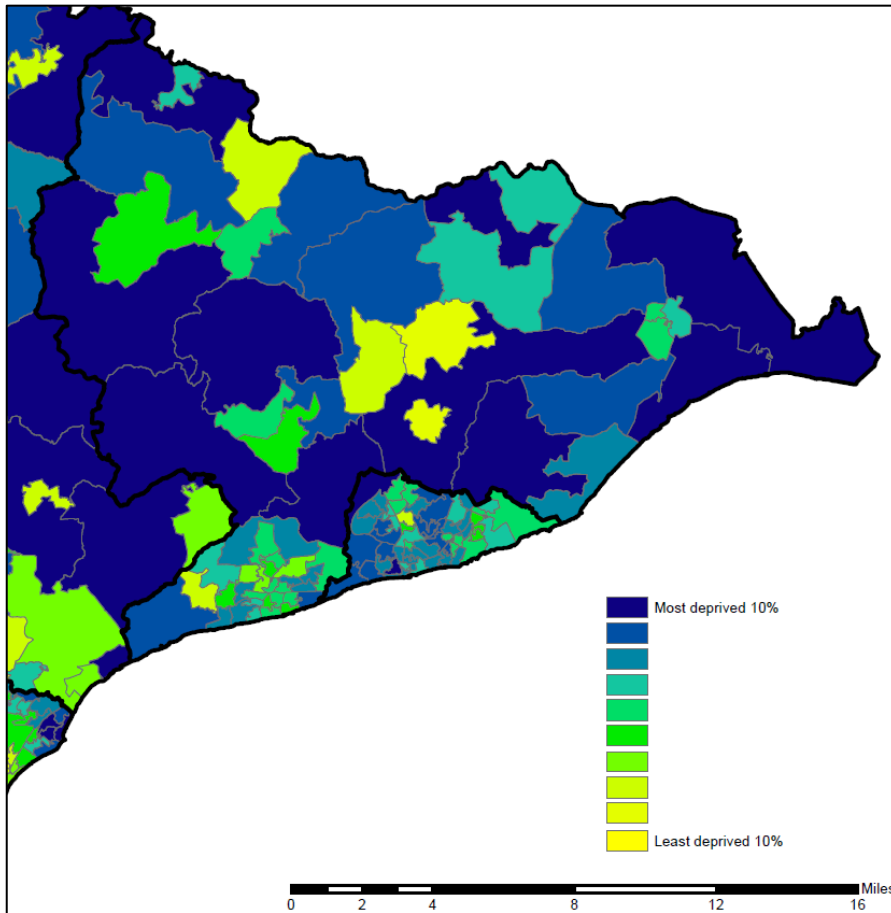
### **SA/SEA Scoping Report Indicators**

- 4.18 There are a wide range of indicators listed under 10 topic areas in the Sustainability Appraisal (SA). Those of relevance to housing, which are not otherwise detailed under “key facts” above, include:
- 4.19 Indices of Deprivation: Figures show that Rother’s overall average rank in the indices of deprivation became worse over the period 2015-2019 (from 148<sup>th</sup> to 135<sup>th</sup>, with number 1 being the most deprived local authority and number 317 being the least). Rother’s rank became worse over all indicators, except for education, skills and training, where it improved. When looking at the wider area, the drop in rank in Rother reflects a more general drop within East Sussex as a whole, with all Local Authorities dropping in rank to some degree.
- 4.20 Indices of Deprivation: Barriers to Housing and Services: Over the period 2015-2019 the most significant change (worsening) in the indices of deprivation was in “barriers to housing and services” where Rother’s rank went from 130 to 52. This domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: ‘geographical barriers’, which relate to the physical proximity of local services, and ‘wider barriers’ which includes issues relating to access to housing, such as affordability. The indicators used to constitute this domain are: road distance to a post office, a primary school, a general store and a GP surgery. In addition, the domain draws on indicators for household overcrowding, homelessness and housing affordability.
- 4.21 The map at Figure 2 below illustrates the barriers to housing and services domain across the district, with the darker areas being more deprived in terms of this indicator and the yellow areas being less deprived. This shows that many rural areas perform badly while most parts of Bexhill are less badly affected, probably due to being closer to services.

---

<sup>17</sup> Source: Rother District Council Strategic Housing Research Project: Report of Findings, January 2018

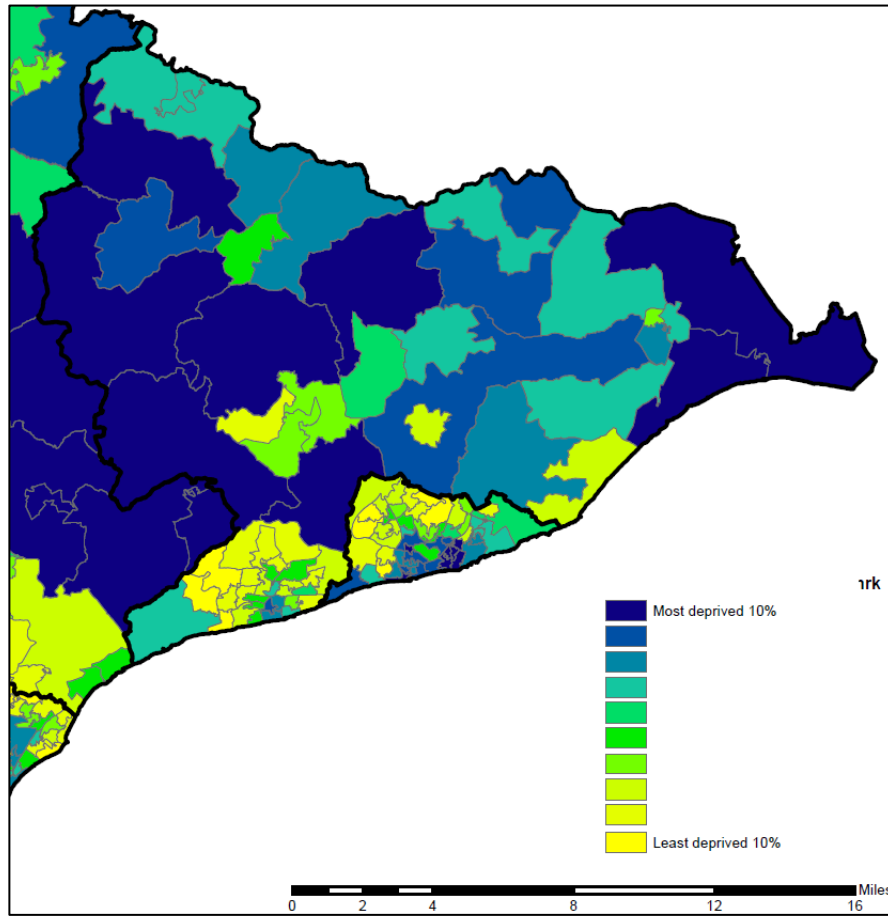
Figure 2: Indices of Deprivation by Indicator: Barriers to Housing and Services, 2019<sup>18</sup>



4.22 Indices of Deprivation: Living Environment: Rother’s performance (rank) under this Domain also worsened over the period 2015-2019. The Living Environment Domain measures the quality of the local environment. The indicators that constitute this domain are: houses without central heating, housing in poor condition, air quality (based on emissions rates), and road traffic accidents involving injury to pedestrians and cyclists. The map at Figure 3 below illustrates this geographically, with the worst affected areas in dark blue again. This also shows some poor performing rural areas.

<sup>18</sup> Source: Rother DC & Hastings BC Sustainability Appraisal Scoping Report, Appendices 3 & 4.

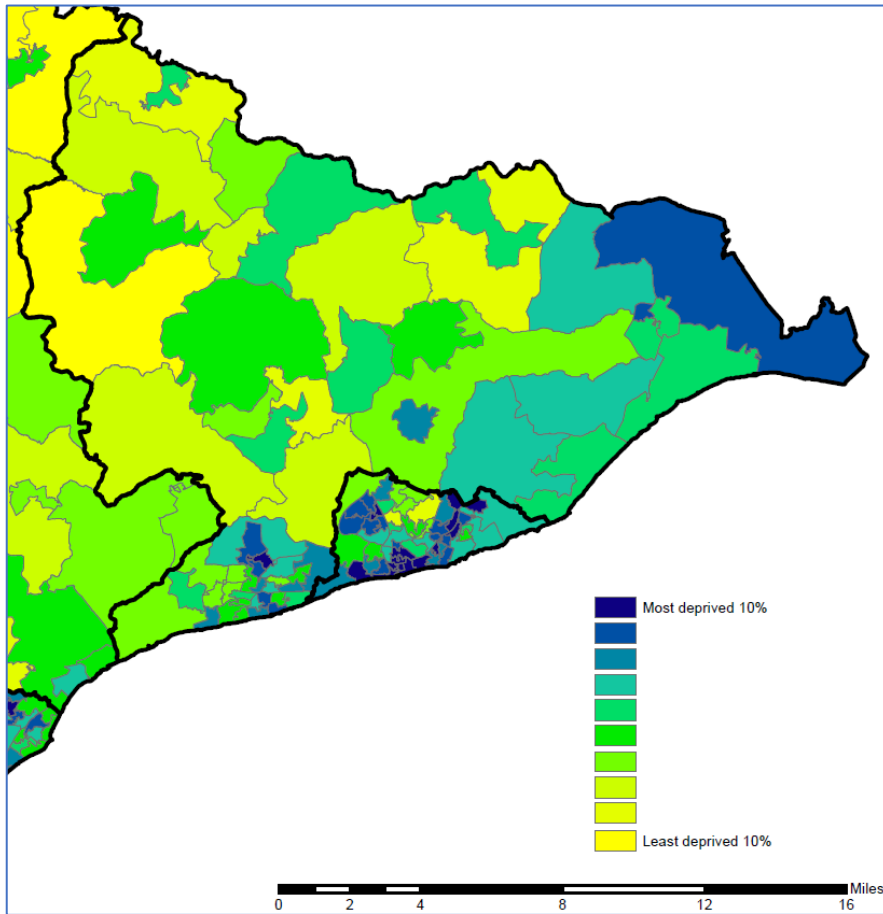
Figure 3: Indices of Deprivation by Indicator: Living Environment, 2019<sup>19</sup>



4.23 Indices of Deprivation: Deprivation due to low income: This indicator is shown geographically in the map at Figure 4 below. The indicator measures the proportion of the population in an area experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings. The map shows that the worst affected areas are in parts of Bexhill, Rye and the rural east of the district, and to a lesser extent, Battle.

<sup>19</sup> Source: Rother DC & Hastings BC Sustainability Appraisal Scoping Report, Appendices 3 & 4.

Figure 4: Indices of Deprivation by Indicator: Income Deprivation, 2019<sup>20</sup>



<sup>20</sup> Source: Rother DC & Hastings BC Sustainability Appraisal Scoping Report, Appendices 3 & 4.



## 5 Consultation and Engagement

### Early Engagement Responses (2020)

- 5.1 As part of a program of Early Engagement on the direction of the Local Plan Update, the Council consulted its members, parish/town councils and other targeted organisations between August and October 2020.
- 5.2 Respondents were asked for their thoughts on what the District should look like by 2039. In relation to housing, responses were received on the following topics:
- Affordable housing.
  - High environmental standards for new dwellings
  - Housing quality
  - Refocus of town centres away from retail
  - Suitable housing
  - Older person's housing
  - Shops and offices converted into housing.
- 5.3 Respondents were asked what should have been achieved by 2039, and in relation to housing, responded as follows:
- Genuinely affordable housing
  - Use of a Bexhill Community Land Trust for provision of socially rented housing
  - Use of exception sites
  - Reduction in empty properties.
  - Reduction in housing waiting list
  - Zero carbon
  - By 2025 all residential developments should be carbon neutral
  - Use of community energy systems
  - Well insulated
  - Better grey water requirements
  - Mix of housing types including provision of specialist housing
  - All new developments should have accessible greenspace.
- 5.4 Further comments on housing included:

- Need to be tougher on applicants avoiding the delivery affordable housing through planning applications.
- Affordable housing viability should be assessed at outline planning application stage.
- More consideration of residential and commercial mixed developments.
- Cost of land and impact of delivering affordable housing.
- Consider all means of providing more affordable housing.
- Funding of affordable housing including grants.
- Flexibility in tenure may help.
- Compulsory purchase land from development sites to build affordable housing.
- Exception sites are few and far between.
- Improve housing space standards.
- Improve insulation above national standards.
- Clear policy on proportion of homes to the Lifetime Homes standard and adaptable homes, and policies to enable extended family living.

5.5 Respondents were asked to list up to ten objectives that they think are the most important to Rother district. Affordable Housing was the sixth most commonly cited objective.

5.6 Respondents were also asked how the number of houses delivered could be increased, whilst still ensuring we deliver sustainable development which is defined as balancing social, economic and environmental needs. Answers included:

- Increase housing density through smaller dwelling types;
  - Development of brownfield land;
  - Redeployment of current housing stock; review underused stock; older person downsizing; regenerate existing stock; control holiday lets;
  - Through change of use (office/retail to residential);
  - Town-centre live-work spaces;
  - Increasing the range of housing to meet local needs, including Council-built older people's housing, starter homes;
  - Protect affordable housing quotas permissioned;
  - Increased support for affordable housing, including rural exception sites.
- Streamline the process for affordable housing;
- Promoting high end development in certain areas;
  - Consider developer contributions and CIL, are they blocking the delivery of housing?

5.7 Respondents were asked for their thoughts on the impacts of Covid-19 and how it could affect how people live and work in the future. An overwhelming majority considered there will be a permanent shift in how and where people work.

Comments included:

- More working from home.
- Consideration will need to be given to available workspace within new and existing homes.
- Increase risk of isolation among the elderly. Provision of council built older persons communities.
- More holidays taken in the UK and increase in short-term staycation visitors. Impact on second homes, potentially a specific problem in Rye

## **Engagement with representatives of Parish and Town Councils (2023)**

5.8 To inform the development of the new Local Plan, informal, internal meetings have been held with representatives of many of the Parish and Town Councils to discuss matters including potential future development sites, the sustainability of settlements and general planning issues.

5.9 There were a number of issues raised at the meetings that were common to many areas. Those relevant to this background paper include:

- The need for more affordable housing;
- The need for affordable housing to be restricted to local people only;
- The need for more smaller dwellings to allow older people to downsize, and for younger people including first-time buyers, to afford;
- Support for smaller-sized developments (e.g. around 5 dwellings) rather than larger scale schemes.

5.10 Other relevant issues that were raised in a smaller number of areas include:

- The impact of high numbers of dwellings being used as second-homes or holiday lets on affordability for local people;
- The impact of renovations, improvements and extensions to dwellings bought by “incomers” on their affordability for local people;
- The loss of former social housing due to “right to buy”;
- The impact of a loss of CIL for 100% affordable housing schemes;

- A lack of CIL in those areas with few new developments;
- The need for more, and appropriate, specialist housing for older people;
- The loss of sheltered housing;
- The mismatch between (low) local wages and (high) house prices (to buy or to rent) meaning that those who work in the parish cannot necessarily afford to live there;
- In a small number of parishes it was felt that there was not a need for additional affordable housing.

## **Working Groups**

- 5.11 Planning officers attend a number of cross-authority working groups including regular meeting of Local Plan Managers (involving representatives from all other East Sussex Local Authorities including East Sussex County Council); a county-wide transport model evidence group, and the Hastings and Rother Transport Action Group.
- 5.12 An internal Rother officers' working group to discuss and develop housing policies for the new Local Plan has been established (2023) involving representatives from Planning, Housing, Environmental Health, Legal Services and the Senior Management Team. A series of meetings has taken place.

## **Duty to Cooperate**

- 5.13 The Council co-operates with other local planning authorities (LPAs), statutory consultees and other bodies on planning issues that cross administrative boundaries, particularly in relation to strategic matters. Its adjoining LPAs within East Sussex are Hastings Borough and Wealden District, and within Kent: Tunbridge Wells Borough, Ashford Borough and Folkestone and Hythe District.
- 5.14 The Council is committed to its duties in relation to the Duty to Co-operate, and in summer 2020 prepared a Duty to Co-operate Action Plan which outlines how and at what stage it intends to engage and consult with organisations on the development of the Local Plan. The Council has continued with its duties and is starting to implement Memorandums of Understanding (MoU) and Statements of

Common Ground (SoCG) with its partners to formalise strategic planning issues, agreements and working practices to support the preparation of the Local Plan.

- 5.15 Work with the neighbouring borough of Hastings is particularly important, having regard to the close linkages between the areas including in terms of housing and employment markets. Rother District Council and Hastings Borough Council have agreed a MoU relating to the preparation of local plans in the two local planning authority areas for the period 2019-2039, and specifically to the identification and agreement of strategic planning policy matters. Strategic planning matters identified in the MoU, relating to housing, include:
- Housing quantum across the housing market area and in each Council's administrative area;
  - Potential strategic locations for growth, including opportunities to work together to bring forward sites around the Hastings Fringes area;
  - Approaches to meeting housing needs of different groups of society, including affordable housing and specialist need (both Councils have joined the Network of Age-Friendly Communities).
- 5.16 The MoU identifies actions and timescales that the two Councils have agreed to, in relation to addressing each of the strategic matters.
- 5.17 Rother District Council and Hastings Borough Council have also worked together in commissioning the joint Housing and Economic Development Need Assessment (HEDNA) studies (2020 and 2024).

## Part 2: Specific Housing Topics

This second part of the Background Paper covers each different housing topic in turn, first detailing the relevant national and local planning policies specific to the topic, then considering relevant evidence studies and finally identifying key issues and policy options.

### 6 Affordable Housing

#### National Policy and Guidance

6.1 Annex 2 (Glossary) of the National Planning Policy Framework (NPPF) defines Affordable Housing as:

*Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:*

(a) *Affordable housing for rent:*

- the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents;
- the landlord is a Registered Provider (except for Build to Rent schemes, where this requirement does not apply); and
- it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

(b) *Starter homes*

- as specified in the Housing and Planning Act 2016 and any secondary legislation made.

(c) *Discounted market sales housing:*

- sold at a discount of at least 20% below local market value;
- eligibility is determined with regard to local incomes and local house prices;
- It includes provisions to ensure housing remains at a discount for future eligible households.

*(d) Other affordable routes to home ownership:*

- housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market;
- includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy;
- Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to the Government or relevant authority.

6.2 The Planning Practice Guidance (PPG) confirms that all households whose needs are not met by the market and which are eligible for one or more of the types of affordable housing set out in the definition in the NPPF are considered to be in affordable housing need. To plan for this need, the PPG notes that strategic policy-making authorities will need to estimate the current number of households and projected number of households who lack their own housing or who cannot afford to meet their housing needs in the market.<sup>21</sup> It explains how the level of affordable housing need can be calculated.<sup>22</sup> These calculations are carried out for Rother through the Housing and Economic Development Needs Assessment (HEDNA) (2024).

6.3 Paragraph 34 of the NPPF confirms that Local Plans should set out the contributions expected from development, including the levels and types of affordable housing provision required, along with other infrastructure. Such contributions should not undermine the deliverability of the Plan.

6.4 In relation to viability, the PPG notes that where up-to-date Local Plan policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage. In terms of reviewing viability during the lifetime of a

---

<sup>21</sup> PPG: Paragraph: 019 Reference ID: 2a-019-20190220

<sup>22</sup> PPG: Paragraphs: 005 Reference ID: 67-005 to 008-20190722

development project, the PPG indicates that Local Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of a development to ensure policy compliance and optimal public benefits through economic cycles. Where contributions are reduced below the requirements set out in policies to provide flexibility in the early stages of a development, there should be a clear agreement of how policy compliance can be achieved over time. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities' ability to seek compliance with relevant policies over the lifetime of the project.<sup>23</sup>

6.5 Paragraphs 64 to 66 of the NPPF are specific to affordable housing. Paragraph 64 states:

*Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:*

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and*
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.*

6.6 Paragraph 65 notes that affordable housing should not be sought for residential developments that are not “major developments”<sup>24</sup>, except in “designated rural areas”, which include National Landscapes (Areas of Outstanding Natural Beauty). In such areas, policies may set out a lower threshold of 5 dwellings or fewer.

6.7 Paragraph 65 also provides for a reduced proportion of affordable housing in schemes involving the re-use or redevelopment of vacant (but not abandoned) buildings, equivalent to the existing gross floorspace of the buildings. This is to support the re-use of brownfield land.

---

<sup>23</sup> PPG: Paragraphs 007 - 009 Reference ID: 10-007 to 009-20190509

<sup>24</sup> Major developments are defined in the NPPF Glossary, for housing, as: *Development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.*



- 6.8 Paragraph 66 relates to major development involving the provision of housing, noting that such developments should include at least 10% of the total number of homes for affordable home ownership (as part of the overall affordable housing contribution from the site), subject to certain exceptions and exemptions including that the development is solely for: Build to Rent homes; specialist accommodation for a group of people with specific needs (e.g. elderly people or students); developed by people who wish to build or commission their own homes; or is exclusively for affordable housing or is an exception site. The PPG confirms that the 25% “First Homes” contribution (see below) for any affordable product can make up or contribute to the 10% of the overall number of homes expected to be an affordable home ownership product on major developments.<sup>25</sup>
- 6.9 In respect of the distribution of affordable housing throughout a site, the National Design Guide notes at paragraph 111 that well-designed places have: a mix of uses including local services and facilities to support daily life; an integrated mix of housing tenures and types to suit people at all stages of life; and well-integrated housing and other facilities that are designed to be tenure neutral and socially inclusive. Paragraph 116 notes that where different tenures are provided, they should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged. The National Design Guide defines “tenure neutral” as: “housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure.”
- 6.10 Paragraph 73 of the NPPF states that Local Planning Authorities should support exception sites for community-led development, on sites that would not otherwise be suitable as rural exception sites. These sites should be on land which is not already allocated for housing and should: (a) comprise community-led development (as defined in the NPPF) that includes one or more types of affordable housing; and

---

<sup>25</sup> PPG: Paragraph: 023 Reference ID: 70-023-20210524

(b) be adjacent to a settlement, proportionate in size and not compromise areas or assets of particular importance.

- 6.11 Paragraph 82 of the NPPF supports rural exception sites, stating: *In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.*
- 6.12 Rural exception sites are defined in the Glossary to the NPPF as: *Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.*
- 6.13 The PPG confirms that rural exception sites can be used to deliver any form of affordable housing, including First Homes (see below), provided this is supported by appropriate evidence of local need, such as a local housing needs survey. Local authorities and others seeking to bring forward rural exception sites are encouraged to take a proactive approach to identifying suitable locations, including through actively approaching landowners, and working in collaboration with local communities, parish councils and other relevant groups to identify and deliver sites.<sup>26</sup>
- 6.14 Government Policy on First Homes was introduced by a Written Ministerial Statement made on 24 May 2021. "First Homes", as noted in the PPG, are a specific kind of discounted market sale housing, within the definition of affordable housing. They are required to meet specific criteria: (a) they must be discounted by a minimum of 30% against the market value; (b) after the discount has been applied the first sale must be at a price no higher than £250,000 (outside Greater London);

---

<sup>26</sup> PPG: Paragraphs: 011 Reference ID: 67-011 to 015-20210524

and (c) they must be sold to a person who meets the First Homes eligibility criteria (that is: they are a first time buyer, they have a combined annual household income not exceeding £80,000 (outside Greater London), and they have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price. These restrictions are secured through a Section 106 agreement on all future sales (other than the maximum sale price).

- 6.15 Through the plan-making process, local authorities are able to require a higher minimum discount for First Homes of either 40% or 50% below market value, and also set a lower price cap, if they can demonstrate a need for this. Through S106 agreements on individual schemes, local authorities may also apply local eligibility criteria in addition to the national criteria, for example, lower income caps or a local connection test. Such local criteria would only apply for the first three months of marketing a First Home.
- 6.16 First Homes are required to account for at least 25% of all affordable housing units delivered by developers through planning obligations.<sup>27</sup> They are required to be delivered on site unless an alternative approach is robustly justified. Once a minimum of 25% of First Homes has been accounted for, social rent should be delivered in the same percentage as set out in the local plan. The remainder of the affordable housing tenures should be delivered in line with the proportions set out in the local plan policy.<sup>28</sup> First Homes may be provided through an exception site that delivers primarily First Homes, although these are not permitted in the National Landscape.<sup>29</sup>

## Adopted Local Policy

- 6.17 Chapter 15 of the Core Strategy covers “Local Housing Need”:
- Policy LHN1 (Achieving Mixed and Balanced Communities) sets out criteria which housing developments should meet, including (i) they are of a size, type and mix to reflect current and projected housing needs; (v) for affordable housing, achieve an overall balance of 65% social/affordable rented and 35%

---

<sup>27</sup> PPG: Paragraph: 001 Reference ID: 70-001-20210524

<sup>28</sup> PPG: Paragraph: 014 and 015 Reference ID: 70-014 and 015-20210524

<sup>29</sup> PPG: Paragraph: 024 Reference ID: 70-024-20210524

intermediate affordable housing; (vi) they integrate affordable housing with market housing.

- Policy LHN2 (Affordable Housing) and LHN3 (Rural Exception Sites) – these policies have been superseded by Policies DHG1 and DHG2 of the DaSA Local Plan (detailed below).
- Policy LHN4 (Sites for wholly or substantially affordable housing) – supports such site allocations within the rural areas, either within or adjacent to settlement boundaries.

## Rother Development and Site Allocations (DaSA) Local Plan 2019:

- 6.18 Detailed housing policies are contained within the DaSA Local Plan and Neighbourhood Plans. Chapter 3 of the DaSA relates to housing and includes the following policies:
- Policy DHG1 (Affordable Housing). This sets out the percentages of affordable housing expected on housing sites or mixed-use developments, and other requirements relating to on-site provision, pepper-potting and other matters:
    - In Bexhill and Hastings Fringes, 30% on schemes of 15+ dwellings/0.5 hectares site area;
    - in Rye, 30% on schemes of 10+ dwellings/0.3ha site area;
    - in Battle, 35% on schemes of 10+ dwellings/0.3ha site area;
    - in the Rural Areas (AONB), 40% on schemes of 6+ dwellings/0.2ha site area;
    - in the Rural Areas (outside AONB), 40% on schemes of 10+ dwellings/0.3ha site area.
  - Policy DHG2 (Rural Exception Sites). Confirms these will be approved in exceptional circumstances where specific criteria are met.
- 6.19 There are currently no Local Plan policies relating to First Homes. The Government's requirement for First Homes are currently implemented in accordance with Local Plan policies on housing mix and affordable housing. The Council has published a Technical Advice Note (January 2023) on First Homes which sets out how the requirement for First Homes impacts on the implementation of relevant policies of the adopted Local Plan.

## **Evidence**

- 6.20 Key evidence documents relating to affordable housing, summarised below, are:
- Hastings and Rother Housing and Economic Development Needs Assessment (HEDNA) (2024)
  - Rother District Council Housing Land Supply – April 2023 Position Statement (published December 2022)

- 6.21 Other relevant documents include:
- State of the Community Land Trust Sector 2023 (Community Land Trust Network, 2023)
  - A Planners Guide to Community led Housing (Jo Lavis MRTPI, June 2019).

- 6.22 In addition, a Viability Assessment will be undertaken as the Local Plan progresses to inform affordable housing and other policies.

Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 6.23 The purpose of the HEDNA is to assess future development needs for housing (both market and affordable) and employment across the Hastings and Rother area. The Study considers housing and employment need to inform the preparation of the emerging Local Plans, as required by the NPPF.

**Affordable Housing Need:**

- 6.24 The HEDNA models net affordable housing needs for the period 2021 to 2044, based on relative costs and incomes. Its analysis takes account of current unmet needs for affordable housing, newly arising needs and the current annual supply of affordable housing (including commitments). It considers needs for affordable housing to rent, and to buy.
- 6.25 The HEDNA finds that the latest lower quartile (LQ) rental figure indicates costs of £700 per month in Rother.<sup>30</sup> On the assumption that 30% of a household's income is spent on housing costs, the minimum household income needed to afford lower

---

<sup>30</sup> Source: ONS Private rental market summary statistics, April 2021 to March 2022, quoted in HEDNA (2024)

quartile rents is estimated to be £28,000. Of *all* households in Rother, the HEDNA finds that 40% are unable to afford LQ open market rent, 23% are unable to afford “Affordable Rent”, and 10% are unable to afford “Social Rent”. When considering *newly forming* households in Rother, just under 44% earn less than the threshold to afford LQ rents.

- 6.26 Additionally, the HEDNA acknowledges that in Rother, many households within the private rented sector spend a higher proportion than 30% of their income on housing costs (including 57% of private renters in the LQ rental sector). This is due to a lack of availability of lower quartile rented properties.
- 6.27 Taking into account the current and future supply of affordable rental housing, the HEDNA finds there is a net annual need for 238 additional affordable dwellings for rent to 2044 in Rother.<sup>31</sup> The recommended split between social rent and affordable rent is considered below.
- 6.28 For those seeking to buy in Rother, the HEDNA finds that the cost of a LQ property is £240,000. Assuming a loan to income ratio of 3.5 and a mortgage deposit of 15%, this means that a household income of £58,286 is required to buy.<sup>32</sup> The HEDNA estimates that 52% of *all* households in Rother are unable to afford this. It further estimates that 97% of households who are currently private renting are unable to afford a LQ property to buy, and 94% of *newly forming* households in Rother.
- 6.29 Taking into account the current and future supply of affordable housing to buy, the HEDNA finds there is a net annual need for 87 additional affordable dwellings to buy, to 2044.<sup>33</sup>
- 6.30 In total, the HEDNA identifies a net need for 325 affordable homes per year to 2044 in Rother. This demonstrates a significant need for affordable homes and substantially exceeds recent average delivery of affordable homes, and actually

---

<sup>31</sup> Source: HEDNA (2024)

<sup>32</sup> Source: LQ Rents and LQ purchase prices, ONS, quoted in HEDNA (2024).

<sup>33</sup> Source: HEDNA (2024)

exceeds the average number of *all* dwellings delivered per year in Rother since 2011.

6.31 In terms of policy recommendations, the HEDNA notes:

- When developing new planning policies for affordable housing contribution requirements, it is recommended that any percentage requirements have regard to scheme viability.
- Not all affordable housing will be delivered on major sites via S106 agreements, some may be delivered through Grant Funding and 100% affordable housing schemes.
- Consideration should be given to providing policy support for 100% affordable housing schemes subject to an appropriate housing and tenure mix being agreed.
- In setting variable affordable housing contribution requirements across the different geographical areas, varying levels of affordability in the sub-areas of Rother needs to be considered. The HEDNA identifies that there are comparatively greater levels of affordability in Ticehurst, Battle Rural and Battle, and comparatively lower levels of affordability in Bexhill, Rye and Rye Rural.

### Affordable Housing tenure split

6.32 The HEDNA considers the affordable needs split, finding that in Rother, the proportion of affordable units needed for rent is 73% of the total, compared to 27% affordable units to buy. In terms of the split of affordable rental products (the more expensive “affordable rented” compared to the cheaper “social rented”), the HEDNA finds the need in Rother is for 56% affordable rent/44% social rent. It does however note that as social rent is more affordable than affordable rent, social rent would meet both needs. This split is based on needs only, and does not take account of individual scheme viability and deliverability which may result in a different split being applied in policy.

6.33 However, as of June 2021 there is now a requirement for 25% of all affordable housing units delivered by developers through planning obligations to be “First Homes”. This results in the following recommended affordable housing tenure split

for Rother to be considered as a policy option for affordable housing delivered on sites, subject to viability considerations:

*Figure 5: Table showing the Affordable Housing split in Rother, as identified in the HEDNA (2024)*

<b>Affordable housing split</b>	<b>Percentage</b>
Social Rent	32%
Affordable Rent	26%
Affordable Home Ownership	17%
First Homes	25%

- 6.34 The HEDNA finds that affordable home ownership products, e.g. shared ownership or rent-to-buy, can meet the needs of those households able to afford costs for private rental, but not private home ownership. This covers a wide income range. For example, a shared ownership property with a 10% equity share would require an average household income of £37,663 (far less than the £58,286 required to purchase a lower-quartile open market property) and would therefore be accessible to a far greater number of households.
- 6.35 The HEDNA notes that the recommended affordable housing split for Rother (above) represents a reduction from the 65% requirement for social/affordable rent currently set out in Policy LHN1 to 58%. It also recommends that where possible, social rent should be prioritised over affordable rent – this being the most affordable of the two tenure types. Whilst the requirement for social/affordable rent has been reduced as it factors in the requirement for 25% First Homes, the HEDNA finds that this reduction may be offset through policies which provide support for 100% affordable housing schemes. On such schemes for 100% affordable housing the HEDNA recommends that an appropriate tenure mix for the additional provision is agreed on a site-by-site basis with the Registered Providers.

## First Homes

- 6.36 The HEDNA considers whether there is evidence to support the Council applying a higher minimum discount below market value for First Homes (of either 40% or 50%). It finds that First Homes with a minimum 30% discount would require household incomes of £57,270 in Rother - only marginally below lower quartile sales costs. While increasing the discount to 40 or 50% would make First Homes affordable for more households, this would affect overall scheme viability and could



result in the provision of fewer affordable houses for rent (which represents a far greater proportion of total affordable housing need). Consequently, the HEDNA recommends that the First Homes discount rate of 30% is retained. It also recommends that smaller units for affordable home ownership should be secured as First Homes. Larger (3+ bedroom) properties for affordable home ownership should be secured as other intermediate tenures (such as shared ownership).

### 100% Affordable Housing schemes

- 6.37 The HEDNA finds that the extent of the rent/buy gap in Rother (households able to afford lower quartile market rents but not open market property prices) indicates that the Council should strongly support opportunities for schemes proposing 100% provision of affordable housing. Recent evidence suggests a high demand for these schemes incorporating a high proportion of shared-ownership units.
- 6.38 The HEDNA finds that where 100% affordable housing schemes include levels of affordable housing for rent over and above the proportions indicated by the recommended affordable housing mix, this should be encouraged particularly where the absolute increase in supply of larger affordable rented properties might be achieved consistent with recommendations on housing mix for these tenures. Notwithstanding this, 100% AH sites that come forward with higher proportions of properties for affordable home ownership are unlikely to prevent opportunities for meeting a fuller range of affordable housing needs.
- 6.39 The HEDNA does not provide specific justification for a policy to require a given proportion of affordable housing for rent on schemes proposing 100% affordable housing. The rationale for any such approach depends heavily on individual scheme viability and access to funding and the Council's delivery record on meeting the full needs for affordable housing identified in the HEDNA. However, on such schemes the HEDNA notes that it would be appropriate to seek to ensure provision accords with the HEDNA's recommendations on housing mix and to potentially encourage provision for affordable housing for rent in-line with the proportion of dwellings that would be sought from policy-compliant contributions towards these tenures if secured as part of mixed-tenure development.

## Build-to-rent schemes

6.40 While the HEDNA has not identified significant existing demand for build-to-rent schemes within Rother, it notes that there are a significant proportion of households who can afford the costs of private rent, and potentially aspire to home ownership, but for whom the current costs of intermediate affordable housing tenure are out of reach. Due to the nature of build-to-rent schemes, it is anticipated that any affordable housing required as part of these schemes would be delivered as affordable private rent, in accordance with the NPPF.

## Affordable Housing – size of dwellings

6.41 The HEDNA analysed the Rother Housing Register for an indication of affordable housing need (although acknowledged this does not represent all households in need for affordable housing). This showed that the highest level of need for people on the Register (i.e. those in need of properties for affordable/social rent) is for one-bedroom dwellings (nearly 50% of the total), particularly amongst those requiring sheltered accommodation. Households on the Register that are in overcrowded, unsatisfactory, or insecure housing tend to require larger two, three, or four+ bedroom properties.

*Figure 6: Table showing current households in need by bedrooms needed, according to the Rother Housing Register, September 2022. Source: HEDNA (2024)*

<b>Number of bedrooms needed</b>	<b>Required by percentage of households</b>
1	49%
2	30%
3	16%
4	5%

6.42 To make a recommendation for the housing mix of affordable home ownership properties, the HEDNA looks at the occupancy patterns and predicted growth in the private rental sector, finding that the greatest demand is for 2-3 bedroom dwellings:

Figure 7: Table showing recommendations for housing mix for affordable home ownership, based on Private rental sector occupancy. Source: HEDNA (2024)

Number of bedrooms needed	Required by percentage of households
1	21%
2	44%
3	29%
4	5%

- 6.43 For affordable and social rented housing, the HEDNA finds that while the Housing Register shows a significant need for one-bedroom homes, there is also a need for family housing. It recommends that the targets for one and two bedroom homes are combined (around 80%) and that the Council works with Registered Providers to achieve an approximate 50/50 split by bedroom number (with the remaining 20% to comprise larger dwellings), although this should be applied flexibly to optimise the delivery of affordable housing. For intermediate affordable housing the HEDNA recommends that two and three-bed dwellings are prioritised to meet the needs of young families.

Rother District Council Housing Land Supply – April 2023 Position Statement (published December 2023)

- 6.44 This report presents information about housing completions, commitments and requirements as at 1 April 2022. Key figures include:
- Between 1 April 2022 and 31 March 2023, 390 net additional dwellings were built within the district. Since 2011, on average there have been 219 completions per year.
  - There were 109 gross affordable housing completions in 2022/23, made up of 63 affordable rented units and 46 shared ownership. Since 2011, affordable housing completions have made up approximately 30% of gross total completions and averaged 74 gross dwellings per year (averaged at 50 affordable rented and 24 intermediate/shared ownership dwellings).

State of the Community Land Trust Sector 2023 (Community Land Trust Network, 2023) and A Planners Guide to Community Led Housing (Jo Lavis MRTPI, June 2019)

- 6.45 The Community Land Trust (CLT) Network report (2023) finds that the CLT movement has grown rapidly in the last decade, and CLTs are working in partnership with councils, developers, housing associations and landowners to deliver affordable housing and other community developments and schemes.
- 6.46 The Planners Guide (2019) notes that Community Led Housing is built, controlled and owned by the community. This may be a geographical community or a group of people forming a “community”. The three eligibility criteria for the Government’s Community Housing Fund provide the principles that CLH schemes would be expected to demonstrate:
- There is meaningful community engagement and consent occurs throughout the development process. The community does not necessarily have to initiate and manage the process, or build the homes themselves, though some may do;
  - The local community group or organisation owns, manages or stewards the homes in a manner of their choosing. This may be done through a mutually supported arrangement with a Registered Provider (RP) that owns the freehold or leasehold for the property; and
  - The benefits to the local area and/or specified community must be clearly defined and legally protected in perpetuity.
- 6.47 Within these parameters CLH can take a number of legal forms and provide a range of tenures. It can be delivered through different routes including self and custom build, or community build, alone or in partnership with a housing association or private developer. Like any other development, CLH is funded through raising private loan finance. Sources of finance could include: ethical lenders, community shares, crowd funding, public works loan board, working in partnership with an existing housing association.
- 6.48 The Planners Guide notes that in terms of planning policy, most commonly, CLH has been supported in Local Plans by embedding it in a raft of more generic policies, which in combination open up opportunities for delivery. CLH can deliver all housing tenures, although most commonly, schemes include affordable housing in the form of homes for rent or sale. Policy should be worded so that CLH is one option for delivering this tenure. The Guide notes that all types and scale of site are suitable for CLH. It may deliver all or part of an allocated or windfall site, or be on a rural exception site, or it could be part of the LPA’s policy for providing Self and

Custom Build plots. However, while all types of site are suitable for CLH, CLH groups will only be able to take up these opportunities if the policy serves to reduce land value by identifying CLH as a potential use.

- 6.49 The Planners Guide finds that a number of local authorities have used Self and Custom build policies, or use of that term, to open up site opportunities for CLH. These are all predicated on the acceptance that CLH falls into the definition of Self and Custom build housing as set out in statute and the NPPF. Some local authorities support CLH through their rural exception sites policy. A small number of local authorities have a specific “community led development” policy.

## **Key Issues: Affordable Housing**

### Percentage requirements

- 6.50 There is a need to consider whether the current percentage requirements for Affordable Housing (as set out in DaSA Policy DHG1) remain appropriate and viable. There is also a need to further clarify the areas in which different requirements apply, as the existing policy refers to the towns and market towns but does not confirm whether this means the area within the development boundary, or the entire parish, for example. The HEDNA identifies a significant need for Affordable Housing and this is supported by other evidence and through stakeholder engagement. The need to reassess the viability of the adopted policies is clear, given the context of viability assessments submitted in support of individual planning applications which often determine that the policy compliant percentage cannot be met in viability terms.

---

Further evidence required: Viability assessment work, including consideration of sites where quota has not been achieved and sensitivity analysis, to also consider the impact of CIL.

---

## Requirement for affordable housing on large sites where the numbers of dwellings fall below the thresholds

- 6.51 Policy DHG1 of the DaSA currently requires the same percentages of affordable housing to be provided where sites exceed a certain size, even if the number of dwellings provided is less than the number that would trigger the requirement. For example, in Bexhill and Hastings Fringes, 30% on-site affordable housing is required on schemes of 15 or more dwellings (or 0.5 hectares or more). However, paragraph 4.13 of the DaSA notes that financial contributions for affordable housing will not be sought on very small schemes, below the 2019 NPPF's threshold (i.e. 10 dwellings, or 5 in the High Weald AONB). There is a need to clarify these requirements.

## Tenure Split

- 6.52 There is a need to consider an appropriate tenure split between the various forms of affordable housing, also taking into account the requirement for 25% of all affordable housing to be First Homes. Currently Policy LHN1 (v) of the Core Strategy advocates a 65%/35% split (rented/intermediate) and adding the First Homes requirement results in a 65% rented; 25% First Homes and 10% intermediate split. The HEDNA (2024) makes recommendations in this regard. It is also relevant that the Corporate Plan 2020/2027 aims to: *Deliver effective social housing allocations by adjusting the Rother Local Plan to prioritise the type of affordable housing delivered for those in Band A; Increase the supply of affordable homes throughout the District: including by delivering 400 affordable rent homes by the end of 2023; and To reduce the numbers on the Rother Housing List.*

## Mix and Size

- 6.53 There is a need to consider whether a policy is needed to set out the sizes of affordable dwellings required on a scheme, although it should be noted that this is currently considered on a case-by-case basis.

## 100% Affordable Housing Proposals and allocating sites for 100% Affordable Housing

- 6.54 There is a need for policy to address how planning applications for 100% affordable housing schemes are considered, and set out criteria for such schemes to be supported. This could include a policy option which enables the percentage of affordable housing to increase post-permission. Where schemes are proposed for 100% affordable housing, the tenure split needs consideration, as well as how the different tenures are pepper-potted throughout the site.
- 6.55 It is also necessary to consider whether Core Strategy Policy LHN4 should be carried forward and/ or changed. It is likely that the criteria in each of these policies would be similar. In this interim period before the adoption of a new Local Plan, the Council has published a Technical Advice Note on 100% affordable housing schemes (January 2023) which explains how adopted Local Plan policy will be applied in situations where planning applications for 100% affordable housing are submitted.
- 6.56 The formulation of these policies will need to consider matters such as the effect on CIL, the tenure split of affordable housing, and existing levels of affordable housing and need in the area.

## Community-led Affordable Housing Exception Sites

- 6.57 The existing policy on rural exception sites (Policy DHG2 of the DaSA) could be amended to change the requirement for all schemes to have the support of or be initiated by the Parish/Town Council, and instead, extend the scope to also include other groups as an alternative, e.g. Community Land Trusts.

## Supported Housing/Temporary Accommodation Needs

- 6.58 There is a need to consider whether a supportive policy is needed to increase the number of “supported housing options to meet identified temporary accommodation needs” (a Corporate Plan action). Following discussion with housing colleagues it appears that the need is not necessarily for “supported” housing options but for temporary accommodation in general, including HMO-style

accommodation and self-contained larger units for families. It is necessary to consider whether the current policy framework supports such developments or whether a new policy is needed.

## First Homes

- 6.59 There is a need to determine whether the Council should require a greater discount than 30% of market value and whether a lower price cap (than £250,000) should be implemented through policy. There is also a need to consider whether additional eligibility criteria should be implemented through S106 legal agreements, e.g. lower income cap, local connection test, prioritising key workers.
- 6.60 There is a need to consider whether a policy is required on First Homes exception sites, as provided for by the PPG (although these are not permitted in the AONB).

## **Policy Options: Affordable Housing**

### Policy Option 1: Affordable Housing Percentage Requirements

<b>Option</b>	<b>Comments and recommendation</b>
Carry forward Policy DHG1 of the DaSA	Policy requirements in terms of percentage requirements may not be viable. Wording of policy needs some amendment to clarify requirements as noted above. Not recommended.
Carry forward Policy DHG1 of the DaSA but with minor changes to policy text to clarify requirements.	Policy requirements in terms of percentage requirements may not be viable. Not recommended.
A new affordable housing policy which simplifies the percentage requirements to reflect up to date viability evidence and simplifies the geographical areas.	Further viability evidence is needed to inform the detail of the new policy. Subject to this, this approach is recommended.

### Policy Option 2: Tenure Split of Affordable Housing

<b>Option</b>	<b>Comments and recommendation</b>
Carry forward the split set out in Policy LHN1 of the Core Strategy	This would not reflect up to date evidence in the HEDNA (2024) and would not take account of First Homes. Not recommended.
Do not include a recommended split in policy.	This would not support meeting the needs for the different tenures as identified in the HEDNA and would not accord with paragraph 64 of the NPPF. Not recommended.
Include a new split to reflect the findings of the HEDNA.	This would support meeting the needs for the different tenures. It is important that the split is noted in the policy as a “starting point” for discussions with RDC, so that the actual split can be agreed on a site by site basis. Recommended.



## Policy Option 3: Size mix of affordable dwellings

<b>Option</b>	<b>Comments and recommendation</b>
Include requirements for the mix of different sizes in the policy	This would not allow for changes on a site by site basis and would not take account of current need in different areas or the effect on scheme viability. Not recommended.
Include no information about different sizes in the policy	This would give developers no indication of the different sizes and tenures required. Not recommended.
Include some indicative information on likely sizes of affordable dwellings	The HEDNA (2024) does make recommendations in terms of the sizes of dwellings likely to be needed of each affordable tenure so it is appropriate to include this information in the policy, but again, it is important that it is noted as a “starting point” for discussions to allow for flexibility on a site by site basis to reflect current local needs, scheme viability and other matters. Recommended.

## Policy Option 4: 100% Affordable Housing sites

<b>Option</b>	<b>Comments and recommendation</b>
Carry forward Policy LHN4 of the Core Strategy only, to allow for site allocations for 100% affordable housing. No new policy to guide planning applications for 100% affordable housing. Rely on general affordable housing policy and on Technical Advice Note.	Carry forward of Policy LHN4 is supported in order to guide allocations in Neighbourhood Plans. While a statement could potentially be included within a general affordable housing policy to give in principle support for 100% affordable housing schemes, there are some considerations which may apply to 100% schemes and not other schemes (e.g. a different tenure mix, excluding First Homes, and layout of the different tenures). For this reason it is considered that a specific policy to guide 100% AH schemes is preferable. The existing TAN is based on current Local Plan policies and is not in itself a planning policy, therefore it would need to be updated in any event. It would be neater, and hold more weight, to include relevant parts of it within a new adopted Local Plan. Not recommended.
Do not carry forward Policy LHN4 of the Core Strategy	This would not support the need to deliver as much affordable housing as possible (as identified in the HEDNA 2024). Taking the policy forward gives a clear policy direction to Neighbourhood Plan groups. Not recommended.
Carry forward Policy LHN4 of the Core Strategy, to allow for site allocations for 100% affordable housing, and include a new policy to guide planning application for 100% affordable housing developments	It is considered that two policies will help clarify the intended approach, which is to give as much planning policy support as possible to affordable housing, recognising that it will not all be delivered as a proportion of general housing through a planning obligation and that there are other routes to its delivery, as identified in the HEDNA (2024). Recommended.

## Policy Option 5: Rural Exception Sites

<b>Option</b>	<b>Comments and recommendation</b>
Carry forward Policy DHG2 of the DaSA Local Plan with no changes.	Housing colleagues have commented that the current requirement of the policy that schemes are either initiated or supported by the Parish Council may serve to prevent schemes coming forward which may be initiated by others, e.g. a CLT. Therefore, to further support the delivery of affordable housing

	on rural exception sites a policy change is needed. Not recommended.
Do not carry forward a policy on rural exception sites and instead rely on the NPPF.	Paragraph 82 of the NPPF is clear that rural exception sites should be supported and so an option is to rely on this. However, it is felt that a local policy helps make the local requirements clear. Not recommended.
Update Policy DHG2 to allow sites to be brought forward by others.	Retaining an exception sites policy allows the Council to set out the circumstances in which such sites will be supported including the considerations for allowing a proportion of market housing, further to the NPPF. Removing the requirement for Parish Council support does not conflict with the NPPF and could support a greater number of exception sites coming forward, which would support affordable housing delivery. A new requirement instead for meaningful community engagement to be demonstrated throughout the development process will ensure the local community has been involved in the process even when a Parish Council is not involved. Recommended.

## Policy Option 6: Temporary Accommodation

<b>Option</b>	<b>Comments and recommendation</b>
A new policy to provide specific support for new temporary accommodation.	Discussion with housing colleagues raises the point that the need for temporary accommodation (TA) is directly due to a shortage of affordable housing. Therefore, policies that support the delivery of affordable housing will assist in reducing the need for TA. Furthermore, advice from housing colleagues suggests that the issue in securing TA for Rother residents is not always related to planning, rather finance (in situations where other local authorities, for example, are willing to pay more for TA than Rother). This is an issue outside the planning system. It appears that in instances where TA is required this can usually be supported under existing planning policies (where planning permission is required at all). Circumstances where this may not be the case include proposals involving the change of use of an existing care home or tourist accommodation to TA. However, a new policy to specifically support this would potentially be contrary to other Local Plan objectives, e.g. supporting the economy, and would not be appropriate. The existing policy framework allows such proposals to be considered, having regard to other relevant factors. Therefore, it is not considered that a new specific policy for TA is required. However, one specific issue that has been raised by housing colleagues and in local evidence is a need for additional HMO accommodation and the view that the existing Article 4 Direction in central Bexhill reduces the supply.
A new policy which supports Houses of Multiple Occupation (HMOs)	The intention of the Article 4 Direction in central Bexhill is to allow for proposals for new HMOs to be fully assessed and to prevent an over-concentration in a particular area, it is not intended to prohibit new HMOs. It appears that it may have been misinterpreted and consequently, given the significant affordable housing need identified in the HEDNA it is appropriate for a new policy to clarify the circumstances in which a new HMO will be supported, and set a policy framework for considering planning applications. This policy can also give in principle support for the sub-division of existing dwellings, given the needs both for affordable housing and for smaller dwellings, as identified in the HEDNA. Recommended.

## Policy Option 7: First Homes

Option	Comments and recommendation
A policy to set a require a higher minimum discount for First Homes of either 40% or 50% below market value, and/ or set a lower price cap for the first sale than the standard £250,000.	This would be contrary to the findings and recommendations of the HEDNA (2024) which, while acknowledging that these measures could make First Homes more affordable, they would also mean that the provision of First Homes would be a greater financial burden on developers and therefore the viability of schemes and in particular the delivery of other forms of affordable housing would be adversely affected. Not recommended.
Retain the nationally prescribed minimum discount and price cap.	This would be in line with the recommendations of the HEDNA (2024) which found no evidence to support changing them. Recommended.
A new policy to support First Homes Exception Sites	These are supported nationally through the Planning Practice Guidance, however they are not permitted in National Landscapes. As First Homes are not as effective in meeting the affordable housing needs of those people in the greatest need, it is not considered that particular local policy support for FH exception sites is required. Furthermore, the areas of the district in which they would be permitted is limited. Not recommended.
No policy to support First Homes Exception Sites	This is adequately addressed through national guidance and consequently a local policy is not needed. Recommended.

## 7 Housing Mix

### National Policy and Guidance

- 7.1 As noted in section 2 above, Paragraph 63 of the NPPF notes that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 7.2 The National Design Guide (MHCLG, 2021), which forms part of the PPG, outlines ten characteristics of well-designed places. Relevant to this background paper, two of these characteristics are “Uses” and “Homes and Buildings”. Under “Uses”, the Design Guide notes:<sup>34</sup>
- *Well-designed neighbourhoods provide a variety and choice of home to suit all needs and ages. This includes people who require affordable housing or other rental homes, families, extended families, older people, students, and people with physical disabilities or mental health needs.*
  - *Well-designed places include a variety of homes to meet the needs of older people, including retirement villages, care homes, extra-care housing, sheltered housing, independent living and age-restricted general market housing. They are integrated into new settlements with good access to public transport and local facilities.*
  - *Well-designed larger scale developments include a range of tenures. They also promote a variety of development models, such as community-led development, self- and custom-build and build to rent. This supports a diversity of delivery, by small as well as large developers. It also helps to create rich, diverse settlements.*
- 7.3 The National Model Design Code and the accompanying Guidance Notes for Design Codes (MHCLG, 2021) provide detailed guidance on the production of design codes, guides and policies. On housing mix, the Code notes:<sup>35</sup>
- All schemes should include a mix of tenures and house-types including live/work and custom-build units where possible.

---

<sup>34</sup> National Design Guide, paragraphs 115, 117, 118

<sup>35</sup> National Model Design Code, pages 30-33

7.4 The National Model Design Code includes guidance on “area types”, e.g. town centres, urban neighbourhoods, suburban areas, identifying situations where different characteristics may be appropriate in different areas. It also includes guidance which relates to all development regardless of area type. In relation to the different area types, the Code notes:

- The mix of housing tenures and types will vary with apartments being the norm in town centres and a greater mix being required in urban neighbourhoods and suburbs.

## **Adopted Local Policy**

7.5 Policy LHN1 of the Core Strategy (Achieving Mixed and Balanced Communities) seeks to ensure developments provide a mix of housing to meet local needs:

*In order to support mixed, balanced and sustainable communities, housing developments should:*

- (i) Be of a size, type and mix which will reflect both current and projected housing needs within the district and locally;*
- (ii) In rural areas, provide a mix of housing sizes and types, with at least 30% one and two bedroom dwellings (being mostly 2 bed);*
- (iii) In Bexhill, contribute to increased provision of family dwellings, unless site circumstances make this inappropriate;*
- (iv) In larger developments (6+ units), provide housing for a range of differing household types;*
- (v) In relation to affordable housing, contribute to an overall balance of 65% social/affordable rented and 35% intermediate affordable housing;*
- (vi) Ensure that affordable housing is integrated with market housing, where practical;*
- (vii) Provide a proportion of homes to Lifetime Homes Standard.*

7.6 Policy BX1 of the Core Strategy (Overall Strategy for Bexhill) sets out the overall strategy to deliver the objectives for Bexhill, which includes to: (ix) *provide for employment and housing growth, in accordance with Policy BX3, with particular regard to the needs of families, affordable housing for younger people and a range of supported housing options for older households.*

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 7.7 The HEDNA finds that over the Local Plan period there is expected to be growth in all types of household, but particular growth in the number of households aged over 75 and in smaller households (single people and couples).
- 7.8 The HEDNA finds that currently, many smaller, older households tend to occupy larger (three-bedroom) properties. Three-bedroom properties are also the most popular sized dwelling for families aged under 65, with or without dependent children. Correspondingly, in the owner-occupied sector, over half of the projected household growth in the Plan period is expected to be in households occupying three-bedroom properties. In the social rent and private rent sectors, more growth is expected in households requiring one- and two-bedroom properties.
- 7.9 Anticipated growth by household type and age does vary slightly between the different sub-areas of the district, with Rye Rural having the greatest older population (35.5% aged 65+) and the highest anticipated proportion of 3-bed dwellings going forward (62%) compared with Ticehurst and Battle whose populations aged 65+ are both just over 25% and the anticipated proportion of 3-bed dwellings is around 42%. The towns of Bexhill and Rye (and to a lesser extent, Battle) have greater anticipated proportions of smaller (one and two bedroom) dwellings compared to the rural areas, although in all areas, the proportions of 3-4 bed dwellings combined exceeds the combined proportions of smaller dwellings.
- 7.10 The HEDNA considers current patterns of occupation, together with data from Rother’s Housing Register, to set out recommendations for an overall housing mix by tenure and number of bedrooms (Table X below), although the actual mix achieved on a site will be influenced by the local property market and viability.

*Figure 8: Recommendations for Housing Mix by Tenure. Source: HEDNA (2024)*

Housing Mix by need	1-bed	2-bed	3-bed	4+ bed
<b>Owner occupied (Market and Private, overall average)</b>	6%	24%	49%	20%

<b>Affordable home ownership (based on Private Rented Sector occupancy)</b>	21%	44%	29%	5%
<b>Affordable/ Social Rent (based on Housing Register)</b>	49%	30%	16%	5%

- 7.11 Achieving the overall recommended mix would result in a higher proportion of smaller (one- to three-bedroom properties), relative to existing stock. The proportion of four+ bedroom properties recommended is lower relative to existing stock, although there is still a need for these larger properties including to provide for flexibility in terms of living space or opportunities for home-working. Additionally, the HEDNA notes that providing new large dwellings may free up existing larger dwellings, some of which may be suitable to be sub-divided to provide a number of smaller dwellings or houses of multiple occupation.
- 7.12 The HEDNA recommends that the suggested proportions of one and two-bedroom market dwellings are treated as minima, and higher proportions are encouraged, where appropriate. This is likely to depend on the characteristics of individual sites including the scope for incorporating flatted developments. Additional smaller dwellings are likely to assist in supporting turnover in the market, affordability and enabling ‘rightsizing’ for older households. Evidence shows that older households who occupy larger family market housing are, where it is available, making the choice to move into specialist housing where they can have an escalating level of care when it is required. Higher proportions of non-specialist one and two bed properties that provide for age-inclusive design will also provide opportunities to free up family housing. Higher proportions of smaller dwellings may be appropriate in those parts of the district with the greatest older populations, such as Rye Rural.
- 7.13 The HEDNA (2024) recommends that to support the overall housing mix across the district, accommodation of all sizes continues to be provided, including:
- A greater proportion of smaller dwellings to support turnover in the market and affordability and to encourage “rightsizing” of older households who may wish to downsize from larger properties;
  - Affordable family-sized housing to help alleviate current pressures and address expected future trends in family households in this sector;

- Slightly higher proportions of two, three and four-bedroom affordable rented units to meet needs for family housing;
- For intermediate affordable housing, prioritising the provision of two and three-bed dwellings to meet the needs of young families and reflect existing trends in the private rented sector.

Working From Home: Planning for the New Normal? (Barratt Developments PLC, December 2021)

- 7.14 This research report, commissioned by a major housebuilder, uses survey work to explore how people have responded to the experience of working at home during the pandemic. It contends that *“Two thirds of those seeking homes will now demand an extra room – typically a bedroom - in their accommodation to act as a dedicated workspace”*,<sup>36</sup> and recommends that policies on housing mix should be revised to reflect this. It contends that providing homes that meet this need will be important for local areas seeking to retain and attract newly forming households and young families, and without an urgent review of housing mix policies, the existing mismatch between the supply and demand of homes will become even more acute, making family homes – with a dedicated space for home working - even less affordable for those who most need them.
- 7.15 The report finds that LPAs’ evidence often supports policies that require new housing supply to provide proportionately more smaller one and two-bed homes (rather than family sized homes), to serve an ageing population and an identified net increase in smaller households, but even before the shift to working at home, it contends there were some difficulties in setting planning policies based on this evidence because many single-person older households are unlikely to move from large to small properties, even if small properties are supplied.

### **Key Issues: Housing Mix**

- 7.16 It needs to be considered whether the requirements for the housing mix, currently set out in the Core Strategy, need to change in response to the evidence. It is clear

---

<sup>36</sup> Working From Home: Planning for the New Normal? (Barratt Developments PLC, December 2021), paragraph 4.9



that parts of Core Strategy Policy LHN1 will remain pertinent, e.g. that housing developments should (i) “reflect both current and projected housing needs within the district and locally”; and (vi) “ensure that affordable housing is integrated with market housing, where practical”. It also appears reasonable that the current arrangements, whereby the sizes of affordable dwellings to be provided are agreed on a scheme by scheme basis, depending on current demands in that particular area, should continue. Whether to include prescriptive mixes for market housing and what these require, need to be based on the Council’s priorities and its overall vision and objectives.

7.17 It also needs to be considered whether the current policy requirement for 30% 1-2 bed dwellings in the rural areas, and increased provision of family housing in Bexhill, remain appropriate. Evidence in the HEDNA suggests that smaller dwellings are required in all areas, and that there is no additional need for larger dwellings in Bexhill over and above the need elsewhere.

7.18 It also needs to be considered whether an additional policy is required for larger (strategic) scale developments, to encourage these to include a range of tenures and housing suitable for different groups, and a variety of development models, such as community-led development, self- and custom-build and build to rent (as promoted in the National Design Guide).

## Policy Options: Housing Mix

### Policy Option 8: Requirement for smaller (1-2 beds) dwellings

Option	Comments and recommendation
Retain Core Strategy requirement (Policy LHN1 (ii): minimum 30% 1-2 beds in the rural areas)	This would not reflect the recommendations of the HEDNA which suggests that smaller dwellings are required throughout the district. Not recommended.
Do not include a policy requirement relating to smaller dwellings, let the market decide.	This would not support the delivery of smaller dwellings as recommended by the HEDNA. Not recommended.
A new policy requirement that requires a minimum percentage of smaller dwellings in all areas.	This would reflect the recommendations of the HEDNA. It is further considered that the requirement should apply to market dwellings, because the HEDNA identifies a need for these and also, currently, on smaller schemes in particular, the 30% requirement is often met through affordable dwellings with very few smaller market dwellings provided. The mix for affordable dwellings can be covered by another part of the policy. Recommended.

## Policy Option 9: Set Prescriptive Proportions for Sizes of Dwellings

<b>Option</b>	<b>Comments and recommendation</b>
A new policy requirement which sets out numbers of 1,2,3 and 4+ beds dwellings for all new developments in both the market and affordable sectors.	To require this for market housing would be contrary to the finding of the HEDNA that the mix achieved on a site will be influenced by the local property market and viability. Not recommended. Indicative proportions are appropriate for affordable housing however, as detailed above, as these can be more reliably determined with reference to the Housing Register.
Retain existing policy position, i.e. to require housing developments to be of a size, type and mix to meet current and projected housing needs.	This would allow for a degree of flexibility to encourage housing delivery (including affordable housing) while still allowing proposals to be considered more generally against the mix recommended in the HEDNA. Recommended.

## Policy Option 10: Retaining Smaller Dwellings

<b>Option</b>	<b>Comments and recommendation</b>
A new policy requirement that resists a net loss of dwellings numbers (e.g. conversion of flats into a house)	There is currently no local policy basis for resisting net losses of dwellings, even though such proposals potentially have two adverse effects: (1) losing dwellings numbers and adversely affecting the local housing supply; and (2) adversely affecting the supply of smaller dwellings in particular, for which there is a demonstrable need. A new policy would allow these factors to be considered and set a clear presumption that such proposals would not be supported other than in exceptional circumstances. Recommended.
Retain existing policy position, i.e. no policy to resist the net loss of dwellings numbers.	For the reasons detailed above such proposals run contrary to supporting the local housing need. Not recommended.

## Policy Option 11: Strategic Scale Developments

<b>Option</b>	<b>Comments and recommendation</b>
A new policy for strategic scale developments (e.g. 100+ dwellings) which requires them to deliver a range of tenures and housing suitable for different groups, and a variety of development models, such as community-led development, self- and custom-build and build to rent.	There are very few developments of this scale in Rother. Any allocations for sites of this scale would have their own specific allocation policy which would consider appropriate needs on a site-by-site basis. It is considered the current policy approach is sufficient, given the low numbers of developments affected. Additional requirements for older people's housing may be appropriate, as considered further below. Not recommended.
Continue existing policy position with requirements set out in separate policies, i.e. 6+ dwelling schemes to provide for differing household types, proportion of affordable housing, proportion of self and custom build housing.	For the reasons detailed above this is the preferred approach. Recommended.

## 8 Specialist Housing Need: Housing for Older People

### National Policy and Guidance

8.1 Paragraph 63 of the NPPF lists “older people” (including those who require retirement housing, housing-with-care and care homes) among those “different groups in the community” for whom the need, size, type and tenure of housing should be assessed and reflected in planning policies.

8.2 The NPPF glossary provides definitions of older people for planning purposes, which recognise the diverse range of needs that exist. The PPG provides indicative definitions for the different types of specialist housing designed to meet the needs of older people:

- *Age-restricted general market housing:* This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- *Retirement living or sheltered housing:* This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- *Extra care housing or housing-with-care:* This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- *Residential care homes and nursing homes:* These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

- 8.3 The PPG notes that the health and lifestyles of older people will differ greatly, as will their housing needs.<sup>37</sup> Local plans need to provide for specialist housing for older people where a need exists. The PPG notes that an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.
- 8.4 There are specific characteristics which can make a community “dementia friendly”, and housing aimed at people with dementia needs to be designed with their needs in mind. The PPG notes that there should be a range of housing options and tenures available to people with dementia, including mainstream and specialist housing.<sup>38</sup>
- 8.5 For plan-making purposes, the needs of people who will be approaching or reaching retirement age over the plan period, as well as the existing population of older people, needs to be determined. For Rother, this is done through the HEDNA (2024). The PPG notes that policies should set out how the local planning authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.<sup>39</sup> It is up to the plan-making body to decide whether to allocate sites for specialist housing for older people.<sup>40</sup>

## **Adopted Local Policy**

- 8.6 Locally, the Council has joined the World Health Organisation’s (WHO) Global Network for Age-friendly Cities and Communities, which is committed to supporting the full participation of older people in community life and the promotion of healthy and active ageing.
- 8.7 Policy CO5 of the Core Strategy (Supporting Older People) supports initiatives and developments which:

---

<sup>37</sup> PPG: Paragraph: 010 Reference ID: 63-010-20190626

<sup>38</sup> PPG: Paragraph: 019 Reference ID: 63-019-20190626

<sup>39</sup> PPG: Paragraph: 006 Reference ID: 63-006-20190626

<sup>40</sup> PPG: Paragraph: 013 Reference ID: 63-013-20190626

- (i) Enable older people to live independently in their own home;
- (ii) Increase the range of available housing options with care and support services in accessible locations;
- (iii) Promote active lifestyles;
- (iv) Increase older people’s engagement in community life, including through “hubs”.

8.8 Policy DHG5 of the DaSA Local Plan (Specialist Housing for Older People) confirms that schemes comprising of specialist housing for older people to meet the needs set out in the East Sussex Bedded Care Strategy will be supported on suitable sites in the larger villages and towns. As well as the provision of higher access standards (as set out in policy DHG4) and specialist housing schemes (provided for as site specific allocations within this Plan), regard should be had to the “walkability” to services and public transport in the siting of housing schemes for older people.

## Evidence

Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

### Specialist Housing for Older People

8.9 The HEDNA finds there is a substantial need for older person’s housing in Rother. This need is generated mainly from existing residents. The greatest need is for specialist older persons market housing with care. The HEDNA finds that meeting this need would have a positive impact on the housing market as larger (general needs) family homes will be released back into the housing market, as older households move out of them.

8.10 Figure 9 (below) sets out the needs for different forms of specialist accommodation needs for older persons, as identified in the HEDNA.

*Figure 9: Summary of Older Persons Specialist Accommodation Needs to 2043. Source: HEDNA (2024)*

Type	Tenure	Net need from 2023-2043
Age Exclusive	Social landlord	312

	Ownership	87
<b>Retirement Living or Sheltered Housing</b>	Social landlord	559
	Ownership	-46
<b>Older persons housing with care</b>	Social landlord	485
	Ownership	2,171

- 8.11 The figures in the table need to be treated with caution because they assume that the population will increase in line with the Standard Method for calculating the Local Housing Need (LHN) (i.e. that an additional 737 dwellings per year will be built in Rother), whereas, as noted above, the Council’s latest Housing Land Supply Position Statement (2023) finds that since 2011, on average there have been 219 new dwellings completions per year. However, the table usefully takes into account the existing supply of the different forms of specialist accommodation to identify those where there is expected to be a more significant shortfall over the period to 2043 (i.e. “housing with care” in the owner-occupied sector and all forms of specialist older persons housing in the socially rented sector). The HEDNA (2024) notes:
- 8.12 The degree to which the Councils plan to meet the identified need for specialist older persons housing will be dependent upon whether the LHN is to be met in full and the degree to which suitable sites can be identified to meet this specialist need. In considering the policy response to this need it is appropriate to note that specialist housing for older persons is usually delivered at a higher density than family housing but has the impact of releasing second hand family housing back onto the market thus improving accessibility for all.
- 8.13 The HEDNA recommends that the Local Plan considers allocating sites for specialist older persons housing, and in addition that any larger strategic allocations should deliver a proportion of specialist older persons housing. It notes that both policy responses need to take into consideration the size of site that is required to deliver specialist older persons housing with care. For specialist older persons housing without care there is usually no minimum size of site, but for housing with care (and especially 24 hour care as is the case with the Extra Care model), a minimum number of units is usually required to make a scheme viable. Smaller Extra Care providers (c. 60 units) would require sites of 0.4 to 1.4 hectares for

new-build in urban and suburban locations. Integrated retirement communities (min. 120 units) would require sites of 2.5 hectares.

- 8.14 The HEDNA notes that it should be recognised that in many circumstances specialist older persons housing schemes (especially those that provide care) are unable to compete against market housing as they are significantly different business models. As such, where there are policy requirements for the provision of older persons accommodation on strategic sites these will often be delivered by the social sector. In recognition of the difficulties in delivery, the HEDNA also recommends that an “exceptions site” approach could be appropriate, which would allow specialist older persons housing provision on unallocated sites in sustainable locations (including on the edge of settlements).

### Residential Care Homes for Older People

- 8.15 The HEDNA (2024) identifies a considerable range in the potential future need for care home beds, which is dependent on whether the “prevalence rate” (the number of care beds required per 1,000 population aged 75+) either maintains its present position or continues to fall in the future. If the current prevalence rate remains the same, the need for both residential care and nursing beds is likely to grow in the Plan period (up to 961 additional beds needed between 2021 and 2043), as a result of the growth in the population of over 75s. However, if the prevalence rate continues to fall, there may be very little or no demand for additional care beds, due to the existing number of beds being sufficient. Given the downward trend in the prevalence rate, the HEDNA notes that it is not considered appropriate to make provision for the higher levels of care home needs but instead to allow such provision, if required, to be provided through sites released through an exception policy.
- 8.16 The HEDNA also notes that there will be a loss of care home bed spaces as older properties become outdated (for example those with shared bedrooms or shared washing facilities). This need for the renewal of current stock should be recognised. In respect of resisting the change of use from existing care homes to other uses such as residential the HEDNA notes that this will be difficult to resist unless the property concerned has up-to-date modern facilities.

## Wider Council Initiatives and Strategy Documents

8.17 As noted above, the Council has joined the World Health Organisation's (WHO) Global Network for Age-friendly Cities and Communities and the UK Network of Age-friendly Communities. The WHO Global Network connects cities, communities and organisations across the world that support the full participation of older people in community life and promote healthy and active ageing. As part of its commitment to becoming recognised as age-friendly, the council has been working in partnership with East Sussex County Council and Rother Voluntary Action to actively support and engage with older people in the district. A number of events have taken place to consider issues including loneliness, staying active and managing changes in later life, as well as how information can be made more accessible to isolated, older residents.

### **Key Issues: Housing for Older People**

8.18 The evidence shows that the need for Core Strategy Policy CO5 and DaSA Policy DGH5 clearly remains but there is a need to consider rewording, particularly as the East Sussex Bedded Care Strategy is not easily available. There is a need to define "specialist housing for older people" within a new Policy and clarify the areas in which specialist schemes are appropriate. It is also necessary to clarify affordable housing requirements including an option for off-site provision where on-site provision is not achievable, as recommended by the HEDNA (2024).

8.19 There is a need to consider whether to require a proportion of specialist housing for older people on all strategic scale developments, as recommended by the HEDNA (2024).

8.20 There is a need to consider whether a supportive policy for an element of single storey living, e.g. bungalows/ flats is required. If shown to be necessary this could potentially be included as part of a broader housing mix policy (e.g. an update to Policy LHN1 of the Core Strategy).

8.21 There is a need to consider whether a new policy specific to care homes for older people is required, which would set out circumstances in which applications for new care homes / alterations to existing care homes would be supported but also



set out the potential to allow the change of use of care homes where they are no longer needed or no longer viably meet relevant standards.

## Policy Options: Housing for Older People

### Policy Option 12: Specialist Housing for Older People

Option	Comments and recommendation
A new policy for specialist housing for older people to replace the Core Strategy (CO5) and DaSA (DHG5) policies	A specific policy is justified, given the population profile of the district and the current and future need for specialist housing for older people. Recommended.
Take forward CS/DaSA policies with no changes	While this would support the delivery of older people's housing it has been identified that changes to the policy wording are needed to reflect current evidence and update references. Not recommended.
Do not include a specific policy for older people's housing and instead rely on general housing policies.	This would not reflect the special characteristics of older people's housing, for example its different forms and delivery models and would not support the delivery of older peoples housing although a need has been identified. Not recommended.

### Policy Option 13: Specialist Older People's Housing on Strategic Scale

#### Developments

Option	Comments and recommendation
Require a proportion of specialist accommodation for older people on all strategic scale residential developments.	This would be line with the recommendations of the HEDNA and would support the delivery of older people's housing. Recommended.
Do not require a proportion of specialist accommodation for older people on all strategic scale residential developments.	There is a need to support the delivery of older people's housing, and as older people are a significant proportion of Rother's population, to require housing to meet their needs is in line with the objective of achieving mixed and balanced communities. To not require a proportion on strategic scale developments would be a missed opportunity. Not recommended.

### Policy Option 14: Exception Sites Approach for Specialist Older People's Housing

Option	Comments and recommendation
A new policy provision which allows for specialist schemes, in exceptional circumstances, outside development boundaries	This would be in line with the recommendations of the HEDNA and recognises the significant need for specialist housing, and the difficulties that schemes face in competing with general needs housing due to their different finance/development models. It is important that any new policy only allows such developments in sustainable locations, and that the normal policy provisions for protecting the landscape character etc also apply. Recommended.

Do not include a new policy provision which allows developments outside development boundaries.	This would not support the delivery of specialist older people's accommodation. Not recommended.
---	--

## Policy Option 15: Care Homes for Older People

<b>Option</b>	<b>Comments and recommendation</b>
A new policy that specifically relates to care homes for older people.	Residential care homes for older people do raise specific planning considerations due to the uncertainties regarding the need for additional care beds and the fact that some care homes are expected to close over the Plan period because they do not meet current standards. Therefore, a specific policy is justified. Recommended.
No new policy, rely on existing policy approach (general older people's housing policies, retention of social facilities)	Relying on the existing policy approach means that developments involving the loss of care homes are only permitted if (i) there is an over-provision in the local area; or (ii) viability and marketing evidence shows there is no demand. This does not allow for a situation where the care home does not meet current standards and cannot viably be improved to meet them, and runs contrary to the findings of the HEDNA. Not recommended.

## Policy Option 16: Bungalows/ Single Storey Living

<b>Option</b>	<b>Comments and recommendation</b>
A new policy that requires a proportion of bungalows/ single storey dwellings on all developments.	This would support the delivery of bungalows, which are a desirable form of accommodation for older people, including those on the Housing Register. However there is no specific evidence that would support a particular requirement and doing so may impact on scheme viability and the delivery of other dwelling types. Not recommended.
No specific requirement but a more general requirement for housing schemes to suit a range of differing households, with encouragement for bungalows in the supporting text.	This is a more flexible approach which would also allow the requirements of different household types (e.g. younger people) to be considered. Recommended.

## 9 Specialist Housing Need: Housing for Disabled People and Accessible and Adaptable Housing

### National Policy and Guidance

- 9.1 Paragraph 63 of the NPPF lists “people with disabilities” among those “different groups in the community” for whom the need, size, type and tenure of housing should be assessed and reflected in planning policies. The NPPF glossary provides a definition of people with disabilities for planning purposes: “*People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs*”. The PPG confirms that without accessible and adaptable housing, disabled people risk facing discrimination and disadvantage in housing, meaning it is important to plan early to meet their needs throughout their lifetimes.<sup>41</sup> The PPG recognises that the wide range of disabilities may generate a range of housing requirements which can change over time.
- 9.2 In the interests of creating safe, inclusive and accessible places which promote health and well-being, with a high standard of amenity for existing and future users, footnote 52 of the NPPF notes that planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. In doing so, policies can set out the proportion of housing that will be delivered to the two “higher” categories of accessibility: M4(2) Category 2 (Accessible and adaptable dwellings) and M4(3) Category 3 (Wheelchair user dwellings) – which is itself divided into two categories – (a) wheelchair adaptable and (b) wheelchair accessible dwellings. Planning policies must be based on evidence of need (from the housing needs assessment and other available datasets), viability and a consideration of site-specific factors.<sup>42</sup>

---

<sup>41</sup> PPG: Paragraphs: 001 and 002 Reference ID: 63-001 and 002-20190626

<sup>42</sup> PPG: Paragraph: 009 Reference ID: 63-009-20190626

- 9.3 The PPG confirms that “accessible and adaptable housing” will provide safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable bathroom and kitchens within the home. “Wheelchair user dwellings” include additional features to meet the needs of occupants who use wheelchairs, or allow for adaptations to meet such needs.<sup>43</sup> Part M of the Building Regulations sets a distinction between wheelchair *adaptable* dwellings (M4(3)(2)(a): a home that can be easily adapted to meet the needs of a household including wheelchair users) and wheelchair *accessible* dwellings (M4(3)(2)(b): a home readily useable by a wheelchair user at the point of completion). The PPG notes that Local Plan policies for wheelchair *accessible* homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling<sup>44</sup>.
- 9.4 The PPG notes that where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements<sup>45</sup>.
- 9.5 The PPG also considers accessibility more widely, in terms of promoting “inclusive design”, noting that an inclusive environment is one that can be accessed and used by everyone, recognising and accommodating differences in the way people use the built environment. Good design can help break down unnecessary physical and psychological barriers and exclusions caused by the poor design of buildings and places.

---

<sup>43</sup> PPG: Paragraph: 008 Reference ID: 63-008-20190626

<sup>44</sup> PPG: Paragraph: 009 Reference ID: 56-009-20150327

<sup>45</sup> PPG: Paragraph: 008 Reference ID: 56-008-20160519

## Adopted Local Policy

- 9.6 Policy DHG4 of the DaSA Local Plan (Accessible and Adaptable Homes) confirms that the Council adopts the Optional Buildings Regulations for Accessible and Adaptable Homes. This means that all homes are required to meet M4(2): Category 2 – Accessible and Adaptable Dwellings, and where there is an identified need on the Housing Register, sites that provide affordable housing are also expected to provide 5% of the total housing requirement to meet M4(3): Category 3 – Wheelchair Accessible Homes. While the Policy does not distinguish between M4(3) wheelchair accessible and wheelchair adaptable dwellings, because the Council is responsible for allocating a person to live in such a dwelling, M4(3)(2)(b) wheelchair accessible dwellings are required. This should be clarified in future policy. New development is only exempt from these current policy requirements in very limited circumstances.

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 9.7 The HEDNA (2024) considers 2011 Census data, which shows that in Rother, 22% of the population has a disability which means that their activities are either limited a little or limited a lot, which is higher than the county and national figures (19% and 17% respectively). Unsurprisingly, the proportion significantly increases with the age of the population. The number of people affected is set to increase as the population increases over the Plan period. This means that the number of households who require adaptations to their dwelling to make it suitable for their needs is also set to increase.
- 9.8 The HEDNA also finds that the number of wheelchair user households is set to increase over the Plan period, together with the number of households who require wheelchair adapted housing.
- 9.9 Therefore, the HEDNA concludes that the evidence supports the Council in retaining the policy requirement for all new dwellings to be M4(2) compliant as a minimum, and a proportion of new dwellings to also be M4(3) compliant, noting

however that the viability of any such policy would also need to be assessed, together with recognition that delivery of Part M4(2) and Part M4(3) compliant dwellings may not be possible in all cases (e.g. due to built form including flatted developments, topography, and flood risk).

- 9.10 In calculating an appropriate requirement for M4(3) dwellings, the HEDNA notes that around 3.5% of households in England are wheelchair users, although relying on this figure doesn't take account of existing unmet needs for wheelchair user dwellings. In Rother the total projected need for additional wheelchair user dwellings represents 4.3% of the total dwelling requirement. Therefore, the HEDNA finds it is reasonable to recommend that 5% of new market housing in Rother should be required to meet the wheelchair user dwelling standards of Part M4(3)(a) to provide for wheelchair adaptable dwellings.
- 9.11 The HEDNA notes that it is necessary to consider the substantially greater need for accessible and adaptable homes in the affordable housing sector. According to the English Housing Survey (2018-19, quoted in the HEDNA), around 7.1% of local authority/housing association households have a wheelchair user, compared with 3.1% of owner-occupied households and 1.4% of private rented households. It is therefore considered appropriate for policy options to consider a higher requirement for wheelchair user dwellings within new affordable housing for those unable to meet market housing costs. The HEDNA recommends that up to 10% of affordable housing should be required to meet the wheelchair user dwelling standards of Part M4(3) (accessible or adaptable dwellings), subject to viability – although, as set out in PPG, Local Plan policies for wheelchair accessible homes (M4(3) (b), a home readily useable by a wheelchair user at the point of completion) should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

Rother District Council Accessible and Adaptable Housing Background Paper  
(September 2018)

- 9.12 This Background Paper was published alongside the DaSA Local Plan 'Proposed-Submission' version and provides the evidence for Policy DHG4 of the DaSA Local Plan. It found that the introduction of the optional accessibility standard M4(2) was justified in the district due to its

ageing population and forecast increase in the number of people with mobility issues and limiting illnesses. It also considered data from the Council's Housing Register which indicated that there were around 200 people with a mobility issue on it at the time, with around 9% requiring the use of a wheelchair inside and outside the home. It therefore concluded that it is reasonable to require around 5% of the total housing on sites where affordable housing thresholds are triggered, to be constructed to M4(3)(b) standard, in order to meet this requisite need identified through the Register.

- 9.13 Updated evidence in the HEDNA (2024) has shown these population characteristics and predictions remain consistent. Up-to-date data from Rother's Housing Register<sup>46</sup> indicates there are now almost 250 people with a mobility issue on the Register, with around 8% of those people requiring the use of a wheelchair all the time, inside and outside the home, and an additional 11% who cannot manage steps or stairs but do not rely on a wheelchair indoors, although they may use one some of the time.

### Rother Housing, Homelessness and Rough Sleeping Strategy

- 9.14 The Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020) identified a number of actions under the Priority "Improving the quality and suitability of existing housing and new build housing". The 2020 Update confirms that one of these actions, "Increase the number of affordable homes built to Nationally Described Space Standards and accessible and adaptable standards" has been achieved, due to the adoption of Policies DHG3 and DHG4 of the DaSA Local Plan.

### **Key Issues: Accessible and Adaptable Housing**

- 9.15 The evidence strongly supports the retention of Policy DHG4 of the DaSA (Accessible and Adaptable Homes). However, given the District's ageing population it is prudent to consider whether the requirements for wheelchair accessible dwellings (M4(3)(a) standard, which is a lesser requirement than M4(3)(b)) could be extended to also apply to market developments, as suggested in the HEDNA.

---

<sup>46</sup> January 2024

## Policy Options: Accessible and Adaptable Housing

### Policy Option 17: M4(2) dwellings

Option	Comments and recommendation
Retain existing policy requirement (all dwellings to meet M4(2) standard).	Evidence, as set out in the HEDNA, supports retaining this existing policy requirement as it would address an identified need (as required by the NPPF). Recommended, subject to viability evidence.
Remove policy requirement for all dwellings to meet M4(2) standard.	This would not be in line with the recommendations of the HEDNA. Not recommended.

### Policy Option 18: M4 (3) dwellings

Option	Comments and recommendation
Retain existing policy requirement (5% of housing to meet M4 (3) (b) (wheelchair accessible standard) where there is a need on the housing register, as part of the affordable housing requirement). No additional requirement for M4 (3) (a) dwellings.	Evidence, as set out in the HEDNA, supports retaining this existing policy requirement (and indeed raising it to 10% - see below) although to do this alone would not meet the identified need for market housing to be wheelchair adaptable.
Expand policy to require 5% of market housing to meet M4 (3) (a) standard (wheelchair adaptable dwellings).	This would be in line with the recommendations of the HEDNA and would facilitate the delivery of this housing type, which evidence shows is needed. Recommended.
Expand policy to require 10% of housing to meet M4 (3) (b) (wheelchair accessible standard) where there is a need on the housing register, as part of the affordable housing requirement.	This would be in line with the recommendations of the HEDNA which finds a requirement of “up to 10%” is justified (where the local authority is responsible for allocating or nominating a person to live in that dwelling). However, it would exceed the proportions suggested by the Housing Register data, which suggests that while 16.5% of the total number on the Housing Register have a mobility problem, less than 5% of the total rely on a wheelchair indoors or outdoors. Therefore, the retention of the current policy requirement is justified.



## 10 Specialist Housing Need: Self and Custom Build Housing and Community-Led Housing

### National Policy and Guidance

- 10.1 Paragraph 63 of the NPPF includes “people wishing to commission or build their own homes” among the list of different groups in the community whose housing need should be assessed and reflected in planning policies.
- 10.2 The NPPF glossary confirms that Self-Build and Custom-Build Housing is: “Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing” and that the legal definition is contained within the Self-build and Custom Housebuilding Act 2015 (as detailed under “Legislation”, above).<sup>47</sup> The PPG notes that it can cover a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation (‘turnkey’).<sup>48</sup>
- 10.3 As noted in Section 2 above, the Self Build and Custom Housebuilding Act 2015 (as amended) requires local authorities to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building and also have regard to this and give enough suitable development permissions to meet the identified demand.
- 10.4 The PPG notes that to obtain a robust assessment of demand for custom and self-build housing, local planning authorities should assess and review the data held on their registers. This assessment can be supplemented with the use of existing secondary data sources.<sup>49</sup>
- 10.5 In terms of ensuring sufficient development permissions are granted to meet the demand, the PPG notes that local planning authorities should consider how policies

---

<sup>47</sup> NPPF: Annex 2 (Glossary)

<sup>48</sup> PPG: Paragraph: 016 Reference ID: 57-016-20210208

<sup>49</sup> PPG: Paragraph: 003 Reference ID: 67-003-20190722

may address this, for example, through requiring a number of units as part of certain allocated sites, or on certain types of site. More widely, authorities can play a key role in brokering and facilitating relationships to help bring suitable land forward, for example by using their own land (if available and suitable) for self-build and custom housebuilding and marketing it to those on the register; working with Homes England to unlock land and sites to deliver self-build and custom build housing; and when engaging with developers and landowners who own sites, encouraging them to consider self-build and custom housebuilding, and facilitating access to those on the register where the landowner is interested.<sup>50</sup>

- 10.6 Paragraph 70 of the NPPF notes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should implement a number of measures, including (b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing.
- 10.7 Paragraph 73 of the NPPF additionally supports exception sites for “community-led development” for affordable housing on sites that would not otherwise be suitable as rural exception sites. Such sites may include a proportion of market homes at the Local Planning Authority’s discretion, for example where essential to enable the delivery of affordable housing.
- 10.8 It follows that community-led development may sometimes include self- and custom-build housing, but not all self- and custom-build housing is community-led development.

## **Adopted Local Policy**

- 10.9 Policy DHG6 of the DaSA Local Plan (Self-build and Custom Housebuilding) states: *The Council will support Self and Custom Housebuilding projects subject to compliance with other relevant Local Plan policies.*

---

<sup>50</sup> PPG: Paragraph: 025 Reference ID: 57-025-20210508

*On sites of 20 or more dwellings, provision for 5-10% of the total number of dwellings to be provided should be made available as serviced plots for self and custom housebuilders. Plots should be made available and marketed through relevant marketing agencies for a period of at least 12 months. If the plots are not sold within this time period, the dwellings may be released for conventional market housing in line with the terms set out in the relevant legal agreement.*

*Where appropriate, the Council will seek to ensure that self/custom build homes are developed in accordance with an agreed design code.*

## **Evidence**

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 10.10 The HEDNA (2024) notes that the Council granted planning permission for an average of 18 individual SCHB plots a year between 2016 and 2022, the majority for single dwellings. Based on an assessment of past trends, the HEDNA estimates a total need for 414 SCHB plots in Rother in the period to 2044, although this does not take account of under-supply of plots and therefore should not be seen as an ‘upper limit’ of need. Therefore, to ensure the Council continues to comply with the requirements of the SCHB Act, the HEDNA recommends the retention of Local Plan policies that provide support for the delivery of SCHB.
- 10.11 The HEDNA notes that the existing DaSA policy (DHG6) appears to have been effective in enabling serviced plots to acquire planning consent, although it does only support provision on larger scale development sites. The HEDNA also notes that it may be possible to further support delivery of custom and self-build plots through permissive policies, for example on edges of settlements or rural exception sites that deliver plots as affordable housing (for example through registered providers, self-build groups or community trusts), and by promotion through neighbourhood plans. It may also be desirable to seek a higher level of provision of serviced plots in areas or on specific allocation sites where levels of demand are known to be higher (such as in the rural areas of Rother and in Battle), subject to viability and site suitability.

## Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022

- 10.12 Rother District Council’s Self-Build and Custom Housebuilding (SCHB) Register was established on 1 April 2016 and individuals and associations are able to register via an online form throughout the year.
- 10.13 The Council’s Self-build and Custom Housebuilding Headline Data Report 2022 identified that as of 30 October 2022 there were 165 individuals and 3 associations on the Register.
- 10.14 The Register asks a number of specific questions of each prospective individual to identify their preferences on the type of plot they are interested in and where they would prefer an individual plot, for example. The majority of individuals who have signed to be on the Register indicated that they would prefer an individual plot, rather than a plot on a site with a group of other self/custom housebuilders. Figure 10 below shows the location preferences, with the rural areas proving the most popular.

*Figure 10: Location preferences for people on Rother’s SCHB Register <sup>51</sup>*

<b>Location</b>	<b>Preference</b>
Battle	52%
Bexhill	38%
Edge of Hastings	44%
Rye	40%
Rural East	65%
Rural West	63%

- 10.15 The data also shows that a large majority of individuals on the Register (93%) would prefer a detached house and only 4% would prefer a terraced house or semi-detached bungalow. 1% of entrants onto the Register have expressed an interest for an apartment/flat. In terms of the size of dwelling preferred, the most popular dwelling size is 4 bedrooms, followed by 3 bedrooms. There appears to be very little demand for 1 bedroom SCHB properties in Rother.

<sup>51</sup> Source: Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022. It should be noted that individuals can select more than one option for their preferred location, therefore the total adds up to more than 100%.

## Custom and Self-Build Planning Guidance PG2: Delivering a sufficient supply of custom and self-build homes (Right to Build Task Force, March 2021)

- 10.16 This document is planning guidance published by the Right to Build Task Force. The Task Force is funded by the Government and provides help to local authorities, community groups and other organisations to deliver large, affordable, custom, and self-build projects.
- 10.17 The Guidance notes that at present, the majority of Custom and Self-Build (CSB) developments are individual homes on single plots. Demand of this type is expected to remain strong. In addition to individual plots, small developments of custom build homes are also popular, with village and smaller town communities generally accepting of CSB developments particularly where organic growth can be achieved on the edge of settlements. Furthermore, it notes that the ‘Letwin Review’<sup>52</sup> found that a lack of diversity of build types is one reason for the slow build rates on larger sites, and it is therefore also important for these larger housing schemes (c. 1,500 units) to provide for diversity, of which the provision for plots for CSB forms an important part.
- 10.18 The guidance finds that to plan positively for the future supply of CSB plots, LPAs must seek to deliver the type of plots preferred by prospective self-builders. It is therefore important that a range of opportunities are offered on large and small sites providing diversity, and that planning policies should positively encourage CSB windfall proposals in appropriate areas such as infill plots, locations on the edge of settlements and brownfield sites.
- 10.19 The Guidance identifies a number of different policy options for delivering CSB:
- Percentage-based policies on larger sites (as currently used by Rother through DaSA Policy DHG6). The threshold at which a site is considered large enough to deliver CSB plots as a percentage of the overall site will vary by council. Two

---

<sup>52</sup> Independent Review of Build Out (2018):  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752124/Letwin\\_review\\_web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752124/Letwin_review_web_version.pdf)

adopted policy examples provided in the Guidance are from Peterborough (1-5% on sites over 500 dwellings) and Wellingborough (5% on sites over 50 dwellings or 1.4ha site area). Provision of CSB plots within larger sites should be informed by evidence of site-specific demand. This will inform which types of CSB are most appropriate and will provide confidence to the local authority and developers that there is sufficient market interest. A cascade mechanism would be set out within a Section 106 Agreement for determining what will happen to a plot should there be no demand for it under the conditions set out in the planning permission, and a marketing strategy should be agreed as part of the planning application process, which could also be explained in a Supplementary Planning Document.

The Guidance recognises that, dependent upon local conditions, on occasions the sale of plots may not deliver the same absolute level of financial return for a housing developer as the speculative build out of homes. However, limited allocations are unlikely to significantly impact viability of sites given that CSB normally forms a small percentage of the total units provided and given that CSB plots realise a return much quicker than standard housing which can help with overall cash flow.

- Allocation of sites specifically for CSB. The guidance suggests that such sites would normally be at the smaller end of the spectrum (e.g. 5 – 30 homes), although there are examples of major sites specifically for CSB being successful.
- CSB Exception Sites. The Guidance explains that where a development strategy states that new housing development must take place within identified settlement boundaries for example, a CSB ‘exception’ policy may set out a small number of exceptions to facilitate CSB housing in appropriate and sustainable locations, which may be contrary to policy for developer-led market housing. Such a policy would create a small number of opportunities for custom and self-builders in appropriate and sustainable locations, where they are not in competition with larger scale developers.
- Policies in Neighbourhood Plans (NPs). The Guidance considers that LPAs should actively encourage NP groups to assess demand and seek to meet the demand via allocations or policies. NPs are helpful in assessing local demand (on a ward by ward basis) as NP Groups have the ability to carry out Housing

Needs Surveys. Where an LPA has a number of NP Groups producing NPs they are able to gain useful indicative evidence of demand for CSB across the district.

Independent Review into scaling up self-build and custom housebuilding (MHCLG, August 2021)

- 10.20 This independent review was commissioned by the Prime Minister in April 2021 and was led by Richard Bacon MP. It made a number of recommendations in order to increase the number of self-build and custom houses built:
- The government should create a new Custom and Self-Build Housing Delivery Unit within Homes England to enable the creation of serviced building plots on small and large sites and support the delivery of custom and self-build housing at scale across the country.
  - The government, working through Homes England in partnership with the custom and self-build industry, should create a custom and self-build housing Show Park and should strengthen existing legislation to mandate the wider publicity of Self-build and Custom Housebuilding Registers and the sharing of key data between willing landowners and people on registers.
  - The government should reignite the successful Community Housing Fund; create accessible opportunities for communities to help themselves by introducing a Self-Help Housing Programme; and introduce a Plot to Rent Scheme.
  - The government should recognise and support the pathfinding role of the custom and self-build housing sector in advanced manufacturing and in greener homes to accelerate the delivery of its wider Modern Methods of Construction and Net Zero Housing ambitions.
  - The government should ensure that the planning reforms in its White Paper, Planning for the Future, maximise the opportunities for access to permissioned land for CSB across all tenures, including making focussed changes to the Right to Build legislation to ensure that it achieves its objectives.
  - The government should investigate the perceived disadvantages in the tax system between the CSB delivery model and other forms of housing, identifying specific actions where necessary to neutralise them.

## Key Issues: Self and Custom Housebuilding and Community-Led Housing

- 10.21 There is a need to consider whether Policy DHG6 of the DaSA Local Plan should be retained, or whether the evidence suggests CSB could be delivered more effectively in another way.
- 10.22 There is a need to consider whether the proportions of CSB required on larger sites, and indeed the threshold for requiring CSB plots should be amended.
- 10.23 There is a need to consider whether additional policy support is required for self and custom housebuilding and community-led housing.

## Policy Options: Self and Custom Housebuilding and Community-Led Housing

### Policy Option 19: Alternative policy approach for Self and Custom Housebuilding

Option	Comments and recommendation
Adopt an exception site approach which would allow for affordable housing SCHB developments on the edge of settlements.	There is a current Local Plan policy supporting rural exception sites for affordable housing and this policy will be carried forward. It would support an exception site of SCHB providing the development met the criteria of the policy. It is not considered there is a need for a separate policy for SCHB exception sites. Not recommended.
Allocate sites for CSB.	This could be considered at a later stage of the Local Plan development although data from the Council's SCHB Register suggests that most people on it want an individual plot. Therefore there may not be significant demand for a plot on a shared site. There is nothing to stop any of the existing allocations as coming forward as SCHB developments. Not recommended at this stage.

### Policy Option 20: Change to proportion of SCHB plots required and/or the threshold above which SCHB is required<sup>53</sup>

Option	Comments and recommendation
Require a higher or lower proportion than 5-10%, either throughout the district or in certain areas	The limited evidence to date shows that schemes seek to achieve 5% rather than 10% as the policy does not require the maximum figure. Therefore the number could be amended to "at least 5%". It is too early to determine how successful the policy has been in terms of delivering plots, or whether there has been a demand for the plots that have been secured. Not recommended.

<sup>53</sup> Current requirement is 5-10% on sites of 20 dwellings or more



Change the threshold from 20 dwellings, either throughout the district or in certain areas

The threshold (20 dwellings) is already low compared to many Councils, which adopt a higher threshold of 50 or 100 dwellings. However, even at 20, the number of plots permissioned has been low, due to the relatively low number of qualifying residential schemes permissioned, particularly in the rural areas. It is too early to determine the success of the uptake of plots. To increase the threshold would further reduce the number of plots permissioned. No change recommended.

## 11 Specialist Housing Need: Rural Housing

### National Policy and Guidance

- 11.1 Paragraph 82 of the NPPF notes that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.
- 11.2 Paragraph 83 notes: *To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.*
- 11.3 Paragraph 84 confirms that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more specific circumstances applies, summarised as: (a) an essential need for a rural worker to live permanently at or near their place of work; (b) to make the best viable use of a heritage asset/secure its future; (c) to re-use redundant or disused buildings and enhance their setting; (d) to subdivide an existing residential building; (e) the design is of exceptional quality, truly outstanding, and would significantly enhance its immediate setting.
- 11.4 The PPG acknowledges that people living in rural areas can face particular challenges in terms of housing supply and affordability, while the location of new housing can also be important for the broader sustainability of rural communities. Strategic policies will need to be informed by an understanding of these needs and opportunities, especially where authorities in designated rural areas (including

AONBs) wish to demonstrate that it is appropriate to set lower thresholds for affordable housing than those which apply generally.<sup>54</sup>

### Adopted Local Policy

- 11.5 Policy OSS1 of the Core Strategy (Overall Spatial Strategy) confirms that new housing in the rural areas (i.e. outside the main towns of Bexhill, Battle and Rye) forms part of the overall spatial strategy, i.e. (c) ... *the limited growth of villages that contain a range of services and which contributes to supporting vibrant, mixed rural communities, notably in relation to service provision and local housing needs, and is compatible with the character and setting of the village; and (d) ... small-scale infill and redevelopment, and otherwise enable local needs for housing and community facilities to be met, in other villages.* Housing numbers for the villages are set out in Policy RA1.
- 11.6 Policy RA3 of the Core Strategy (Development in the Countryside) confirms that new dwellings in the countryside (i.e. outside the Development Boundaries set out in the Plan) will be permitted only in extremely limited circumstances, including: (a) dwellings to support farming and other land-based industries, subject to specific criteria; (b) the conversion of historic farm buildings; (c) a one-to-one replacement dwelling; or (d) an affordable housing exception site.
- 11.7 Policy LHN1 of the Core Strategy (Achieving Mixed and Balanced Communities sets out criteria which housing developments should meet, including (ii) in rural areas, provide a mix of housing sizes and types with at least 30% one and two bedroom dwellings.
- 11.8 As noted above under “Affordable Housing”, Policy DHG1 of the DaSA Local Plan (Affordable Housing) sets out the percentages of affordable housing expected on housing sites or mixed-use developments, which for the Rural Areas is 40%. Policy DHG2 (Rural Exception Sites) confirms that these will be approved in exceptional circumstances where specific criteria are met.

---

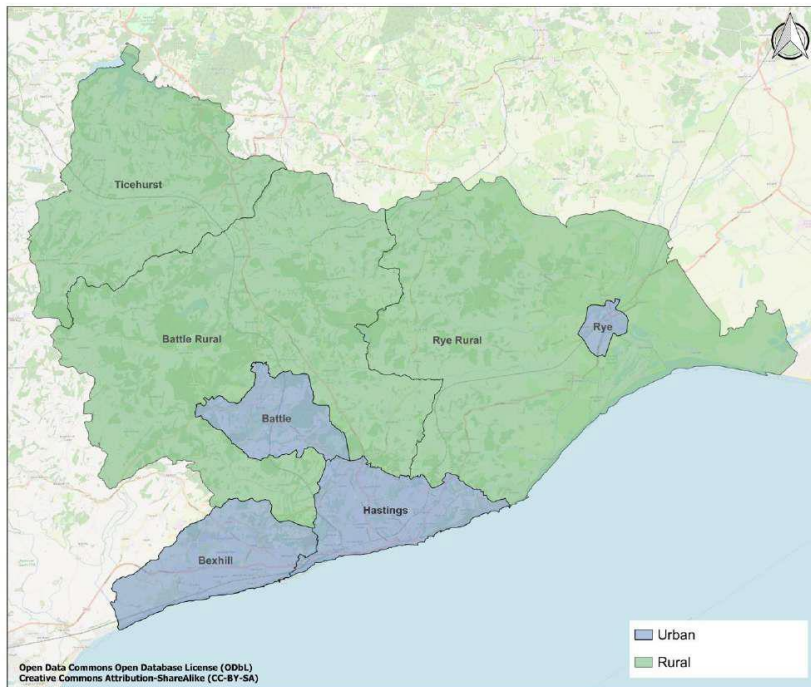
<sup>54</sup> Paragraph: 009 Reference ID: 67-009-20190722

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 11.9 The HEDNA considers sub-areas within Rother: Bexhill, Rye Rural, Battle Rural, Ticehurst, Battle and Rye, as shown in Figure 11, with Hastings.

*Figure 11: The location of sub areas within Rother (HEDNA, 2024). Contains OS Data © Crown Copyright and database rights 2022*



- 11.10 Clearly, the rural areas are largely within the Battle Rural, Rye Rural and Ticehurst areas, although the edges of the urban areas may also include some areas with “rural” characteristics.
- 11.11 Using data from the 2021 Census, the HEDNA finds that Rye Rural, Battle Rural and Ticehurst combined contain 41% of Rother’s population. Also using 2021 Census data, the HEDNA finds that Rye Rural has the most aged population, with 35.3% of its population aged 65+ compared to Rother’s average of 31.1%. The HEDNA notes that this may have implications for requirements for smaller properties to encourage rightsizing for older residents. Bexhill has the greatest proportion of population aged 80+ (8.8%) followed by Rye Rural (7.9%). Battle has

the highest proportion of children aged 0-15 (19% of the population), compared to 12.3% in Rye Rural (the lowest), and 14.9% for Rother as a whole.

- 11.12 In terms of household size, the rural areas tend to have a smaller proportion of one person households (25-30%) compared to Bexhill and Rye (each has 37%). Ticehurst, Battle Rural and Battle have the highest proportions of households consisting of three people or more (around 34%).
- 11.13 Between 2001 and 2020, the population growth rate was highest in Battle at 21%, equivalent to an additional 1,110 people. The population of the rural areas grew by between 9.1% (Rye Rural) and 14.4% (Ticehurst). Population growth has primarily been driven by positive net in-migration (people moving into the area) and negative natural change (an excess of deaths over births) in all sub-areas.
- 11.14 The HEDNA uses Land Registry data to compare the lower quartile and median house prices in the different sub-areas and the changes between 2011-2021. It finds that in 2021, the median house price (between £420-£428,000) was highest in the rural areas (Battle Rural, Rye Rural and Ticehurst), and lowest in Bexhill, (£284,950). Lower quartile house prices were similarly most expensive the rural areas and cheapest in Bexhill. The increase in house prices since 2011 has been greatest in Rye Rural, where median house prices have increased by 70% and lower quartile house prices by 62%. The percentage increases of median house prices in the other rural areas are more in line with the urban areas (between 50-60%).
- 11.15 The HEDNA also compares household incomes in the different sub areas, finding that in the urban areas of Bexhill and Rye, a greater proportion of households have annual incomes lower than £30,000, whereas in Battle Rural and Ticehurst, over three quarters of households have incomes higher than £30,000. The median household incomes are highest in Ticehurst (£45,000) and Battle Rural (£37,500). The pattern is not a simple rural/urban divide, however, as comparatively more households in Rye Rural have a lower income than those in the urban area of Battle.

### The High Weald AONB Management Plan 2019-2024

- 11.16 The Management Plan identifies five defining components of character that have made the High Weald a recognisably distinct and homogenous area for

at least the last 700 years, one of which is “Settlement”, noting that the area has “dispersed historic settlement including high densities of isolated farmsteads and late Medieval villages founded on trade and non-agricultural rural industries.”<sup>55</sup>

- 11.17 The key issues identified in the Management Plan, relating to “settlement” include:
- Increase in greenfield development pressure for housing threatening the character of the AONB.
  - Declining housing affordability, including lack of social housing and key worker housing suitable for land-based workers;
  - Fragmentation and suburbanisation of historic farmsteads, and the conversion of agricultural buildings to residential use with the loss of agricultural/economic functional relationship with land.<sup>56</sup>
- 11.18 One of the objectives of the Management Plan is: “to protect the historic pattern and character of settlement”, including towns, villages, hamlets and farmsteads, and an indicator of success is “a greater proportion of new homes delivered through re-development or small developments”.

## Community Engagement

- 11.19 In June 2022 Officers attended a Rother Rural Planning Roundtable with local politicians, business owners and other rural stakeholders. Issues raised by stakeholders, relevant to this Housing background paper, included a need for affordable housing throughout the rural areas so that workers can live near their rural workplaces (particularly as there is a lack of public transport serving the rural areas), and a need for planning support for high quality agricultural worker’s accommodation on farms, as this is key for attracting good seasonal workers.

## **Key Issues: Rural Housing**

- 11.20 Particular issues for the rural areas include affordability and the type of housing required, and these have been discussed elsewhere within this Paper. As noted in Section 7, the current policy requirement for 30% 1-2 bed dwellings in the rural

---

<sup>55</sup> High Weald AONB Management Plan page 23

<sup>56</sup> High Weald AONB Management Plan page 32

areas needs to be considered in terms of whether it is retained or expanded to cover all areas. The HEDNA suggests that the older age profiles in some rural areas (particularly Rye Rural) could have implications for a housing mix, in terms of more smaller dwellings to encourage downsizing. However, the percentage differences between the sub areas are not huge, and the evidence shows that the population throughout Rother is weighted to the older age profile, so it is not considered necessary to adopt different requirements in different parts of the rural areas.

- 11.21 Another key issue is the distribution of new housing within the rural areas, particularly in relation to the Development Boundaries. It needs to be considered whether there is justification for amending the current policy approach for new dwellings outside development boundaries, to allow for small scale growth on the edges of settlements or within settlements without development boundaries, to meet housing needs, improve affordability and support local services. Similar policies in other Local Plans relate to “infilling”, such as Chelmsford, where infilling is allowed in rural areas where the site is a small gap in an otherwise built-up frontage and the development does not detract from the character or appearance of the area<sup>57</sup>; and West Suffolk, where proposals for one or two new dwellings in the countryside are supported when the development is within a closely knit ‘cluster’ of 10 or more existing dwellings adjacent to or fronting the highway<sup>58</sup>.
- 11.22 Compliance with paragraph 84 of the NPPF also needs to be considered and factored into an updated Local Plan policy. Paragraph 84 sets out criteria for *isolated* dwellings in the countryside, whereas the current policy RA3 sets out some of the same criteria, but for all dwellings in the countryside. There are additional criteria within paragraph 84, and the new Local Plan policy also needs to explain how it relates to them.
- 11.23 The need for a policy to set out the circumstances under which residential development of historic farmsteads, particularly in the High Weald AONB, would be supported, could be considered. For instance, Tunbridge Wells Borough Council has an adopted Supplementary Planning Document on Farmsteads Assessment

---

<sup>57</sup> Policy DM9, Chelmsford Local Plan 2020.

<sup>58</sup> Policy DM27, West Suffolk Joint Development Management Policies Document 2015.

which seeks to secure sustainable development and the conservation of farmstead character, noting:

*Traditional farmstead groups and their buildings make a positive contribution to local character and distinctiveness. They are also assets which, through a diversity of uses, can make an important contribution to the rural economy and communities. Historic farm buildings are, however, largely redundant for mainstream agricultural use as a result of changing agricultural practice. As a consequence they are under the greatest threat of neglect on one hand, and development on the other, than any rural building type.<sup>59</sup>*

- 11.24 The need for additional policy support for agricultural worker’s accommodation could also be considered.

## Policy Options: Rural Housing

### Policy Option 21: Development Boundaries

Option	Comments and recommendation
A new approach which would allow for small scale residential development outside development boundaries in “infill” plots or on the edges of settlements	This would serve to facilitate additional housing in rural areas but it would not guarantee that the additional housing would be of a scale or price which would make it affordable or suitable for the rural population. Additional controls could be considered (e.g. maximum size of dwellings, affordable housing only). Recommended approach, with further consideration necessary as to the details.
Retain existing policy approach but assess all development boundaries for potential areas of expansion and all other areas of built form for their appropriateness for a new development boundary	This is a relatively large piece of work and is unlikely to be achievable in the time before the regulation 18 consultation. In any event even if this was undertaken it would be difficult to anticipate all possible areas that could be suitable for one or two dwellings, so there may still be a need for a new policy approach as outlined above. Not recommended.

### Policy Option 22: Align policy with paragraph 84 of the NPPF

Option	Comments and recommendation
Duplicate the provisions of paragraph 84 of the NPPF but for all areas outside the development boundaries (not just isolated locations)	There is no need to duplicate paragraph 84, and indeed, paragraph 16(f) of the NPPF notes that Local Plan policies should avoid duplication. However it is possible that the existing Local policy approach could be expanded by supporting those forms of development allowed by para 84 in isolated locations in all rural

<sup>59</sup> Farmsteads Assessment Guidance for Tunbridge Wells Borough - Supplementary Planning Document 2016, page 3.



<p>as provided for by paragraph 84).</p>	<p>locations. The existing policy approach already does this for rural worker's dwellings and historic farm buildings. This could be expanded to cover other heritage assets. It is not considered appropriate to support those developments subject to NPPF para 84 (c-e) in all rural locations as this could result in additional dwellings in unsustainable locations or on unsuitable sites unless very carefully controlled through policy. It is considered that the NPPF adequately covers these situations. Other than expanding the heritage assets provision, this is not recommended.</p>
--	---

## Policy Option 23: Residential development of historic farmsteads

<b>Option</b>	<b>Comments and recommendation</b>
<p>A new policy that supports the residential development of historic farmsteads.</p>	<p>Prioritising residential use of farmsteads could increase the number of dwellings in unsustainable locations served poorly by public transport. Not recommended.</p>
<p>Rely on the existing policy approach for historic farm buildings (set out in Core Strategy policy RA4 which takes a hierarchical approach for re-use, prioritising agricultural use then commercial use and only then, residential use).</p>	<p>This policy approach appears to work well and is in line with the objectives of supporting the agricultural economy and also the wider rural economy, but allowing for residential use (and thus preserving the buildings) if an alternative use is not suitable or achievable. Recommended.</p>

## Policy Option 24: Agricultural workers' accommodation

<b>Option</b>	<b>Comments and recommendation</b>
<p>A new policy to support agricultural workers' accommodation</p>	<p>The existing policy approach (Policy RA3 (iii) (a) of the Core Strategy) already allows new dwellings to support farming and other land-based industries. Furthermore, many temporary dwellings for agricultural workers are permitted development and fall outside planning control. Therefore, an additional policy is not considered necessary.</p>
<p>Additional policy support for affordable housing in rural areas</p>	<p>This would address the general concern of a lack of affordable housing for rural workers in the rural areas. It is already proposed, under section 6 of this Background paper, to expand policy support for rural exception sites.</p>

## 12 Specialist Housing Need: Live-Work Units

### National Policy and Guidance

- 12.1 Paragraph 86(d) of the NPPF confirms that in relation to building a strong, competitive economy, planning policies should, among other things, allow for new and flexible working practices (such as live-work accommodation).
- 12.2 The Guidance Notes for Design Codes, which forms part of the PPG, states: “*All homes should preferably be designed with the flexibility to be used for homeworking. Live/work units go further by providing workspace on the ground floor, a flexible first floor and living accommodation above*”. The Guidance confirms that as part of the housing mix, Local Design Codes should consider live-work units, how they are defined and where they can be located.<sup>60</sup>

### Adopted Local Policy

- 12.3 There are currently no policies within the Core Strategy or DaSA Local Plan which specifically relate to live-work units, although one of the extremely limited circumstances under which a new dwelling in the countryside will be permitted under Policy RA3 of the Core Strategy is (a) dwellings to support farming and other land-based industries.
- 12.4 As detailed in Section 2 above, some of the Neighbourhood Plans include policies which support and encourage home working (e.g. Crowhurst – Policy CC1(5), Salehurst & Robertsbridge – Policy EC2) but not specifically live-work accommodation.

---

<sup>60</sup> Guidance Notes for Design Codes (MHCLG, 2021), pages 69 and 72

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 12.5 The HEDNA finds there has been no evidence from stakeholders or past development trends to indicate that there is a demand or need for specific live-work units as part of the overall housing need.
- 12.6 The HEDNA also considers “working from home”, finding that the increased trend towards working from home in certain sectors may result in an increased desire for dedicated homeworking space within residential units, which it is envisaged would be picked up through market demand for housing. It also notes that the Council may wish to consider introducing more flexible policies that support the delivery of dedicated home working spaces within new residential dwellings.
- 12.7 The HEDNA finds that in terms of the links between new development, existing stock and trends in home-working, the overall recommended housing mix is considered to be broadly appropriate in providing additional space for these activities and opportunities for some to acquire property larger than strictly required. It notes that any proposals to adopt the nationally described standards could reasonably take account of whether provision should be made to assess dedicated provision for homeworking in accordance with room standards for minimum bedroom size. This would be with the objective of ensuring dedicated workspace could be occupied by additional residents without adversely affecting housing standards or delivery outcomes in terms of overall housing mix. This option is considered further in Section 18 below (Internal Space Standards).

## Key Issues: Live-Work Units

- 12.8 It needs to be determined whether a specific policy to support live-work units is required, and if so, the criteria under which such units would be supported.

## Policy Options: Live-Work Units

## Policy Option 25: Live-Work Units

Option	Comments and recommendation
<p>A new policy to support live-work units which could take the form of a generally supportive policy within the development boundaries, an exception sites approach which would allow sites outside development boundaries, a policy which required a proportion of live-work units on all strategic developments of a certain size, or allocating land specifically for live-work units.</p>	<p>The HEDNA finds no demand or need for specific live-work units as part of the overall housing need. Therefore, there is no justification for an exceptions site approach, to make site allocations, or a requirement to deliver live-work units as part as larger developments (and indeed if there is no demand then this could adversely affect the viability of development). Any planning application that were to come forward currently for live-work units within the development boundary would be generally favourably assessed in line with the development strategy subject to other Local Plan policies. Any planning application outside the development boundary would be assessed in accordance with countryside policies. Therefore, it is considered that given the lack of need, the existing policy framework (which will be taken forward) is appropriate for managing any live-work proposals. Not recommended.</p>

## 13 Specialist Housing Need: Gypsies and Travellers

### National Policy and Guidance

13.1 Travellers are listed in paragraph 63 of the NPPF as one of the different groups in the community whose housing need should be assessed and reflected in planning policies. However, the NPPF does not otherwise contain national planning policy for traveller sites, as this is the subject of a separate national policy: *Planning Policy for Traveller Sites (PPTS)* (Department for Communities and Local Government, August 2015, updated December 2023).

13.2 At Paragraph 4, the PPTS sets out the Government's aims in respect of traveller sites which include:

*a. that local planning authorities should make their own assessment of need for the purposes of planning;*

*b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;*

*h. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;*

*j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure; and*

*k. for local planning authorities to have due regard to the protection of local amenity and local environment.*

13.3 For Plan-Making, at paragraph 9, the PPTS confirms:

*Local planning authorities should set pitch targets for gypsies and travellers... and plot targets for travelling showpeople... which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities.<sup>61</sup>*

---

<sup>61</sup> "Pitches", "Plots", "Gypsies and Travellers" and "Travelling Showpeople" are defined in the PPTS, Annex 1.

13.4 Paragraph 10 sets out the requirements of Local Planning Authorities, in producing their Local Plan:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets;*
- b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;*
- c) consider production of joint development plans that set targets on a cross-authority basis;*
- d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density;*
- e) protect local amenity and environment.*

13.5 Paragraph 11 confirms that Local Plan policy should include criteria to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included in Local Plans to provide a basis for decisions in case applications nevertheless come forward. Paragraph 13 notes that local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally, and sets criteria that Local Plan policies should meet, relating to sustainability and environmental impact.

13.6 Paragraph 15 notes:

*If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites. This may include using a rural exception site policy for traveller sites that should also be used to manage applications. A rural exception site policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities, that would not normally be used for traveller sites.*

### **Adopted Local Policy**

13.7 The Rother District Local Plan Core Strategy contains the strategic policies for gypsy and traveller accommodation need:

- Policy LHN5 (Sites for the needs of Gypsies and Travellers) – sets out the numbers of pitches to be provided for over the Plan period (to 2028).
- Policy LHN6 (Gypsies, Travellers and Travelling Showpeople Criteria) – a criteria-based policy against which to make site allocations and determine planning applications for Gypsy, Traveller and Travelling Showpeople sites.

13.8 The DaSA Local Plan includes two site allocations which meet the outstanding need for gypsy and traveller pitches (as at 2018, the base date of the Plan): 1 pitch at Battle and 5 pitches at North Bexhill.

### **Evidence**

#### East Sussex Gypsy and Traveller Accommodation Needs Assessment (GTAA) (2022)

- 13.9 The GTAA (2022) considers three definitions for gypsies and travellers when considering their accommodation need: an “ethnic definition” based on the ethnic identity of gypsies and travellers (not taking into account whether they have permanently ceased to travel or not), and two narrower definitions based on the Government’s previous definition set out in the Planning Policy for Traveller Sites (PPTS) (August 2015) which excluded people who have permanently ceased to travel. As of December 2023, the Government has amended the definition, and it is now in line with the “ethnic” definition considered through the GTAA.
- 13.10 The GTAA notes that a key barrier to delivering new sites cited by stakeholders is a lack of suitable, affordable land, due to significant environmental and other constraints and the low residential land values generated by planning permission for gypsy and traveller sites, compared to conventional housing. Landowners face lower returns than for conventional housing and consequently, responsibility for delivering new provision is on local authorities or the gypsy and traveller community. Public opposition can be a further barrier, irrespective of the size of the site, because there remains a lot of stigma attached to travellers. Furthermore, many existing sites are occupied by single, extended families and are therefore unavailable for unrelated households.

13.11 Key factors determining new provision of sites were found by the GTAA to include: the affordability of land and the cost of development; proximity to social, welfare and cultural services; and impact on the local environment and on local infrastructure. The GTAA found that smaller sites are preferred by gypsy and traveller communities due to their perceived better management.

### Permanent Site Need

13.12 The GTAA (2022) calculated permanent site need in Rother as: 14 permanent pitches between 2021 and 2026, a further 4 pitches to 2031, and a further 5 pitches in each of the 5-year periods 2031-36 and 2036-40 (total need 2021-2040: 28 pitches). Since the base date of the GTAA (1 April 2021), 5 permanent pitches have been approved and consequently the remaining requirement is 9 pitches between 2021 and 2026, and 23 pitches in total to 2040.

13.13 It found that accommodation need across East Sussex will arise largely from:

- families on unauthorised developments requiring authorised pitches;
- new family formations arising within existing family units (for example children growing up and starting their own families); and
- family units currently living in “bricks and mortar” accommodation who need to move to a pitch due to having a psychological aversion to living in a house.

13.14 There may also be accommodation need arising for other reasons including new families moving into the area although this is difficult to quantify.

### Transit Site Need

13.15 In relation to transit need, the GTAA found that there are currently no transit sites in the district, and the only transit site in East Sussex is at Bridies Tan in the South Downs National Park. Over the period 2017-2021, an average of 34 unauthorised encampments took place across East Sussex each year and 18% of these were in Rother. However, on average, only one third of available pitches at Bridies Tan were occupied at any one time. The GTAA notes that this may be because households were not aware of the site, preferred not to use it, or required accommodation in a different location. As such, there may be a need for additional



transit provision in other parts of the county. However, there is currently insufficient evidence to determine the number of additional transit pitches required, and consequently, the GTAA recommends that the Local Plan includes a windfall or criteria-based policy to assess any proposals that come forward for transit sites.

- 13.16 The GTAA also recommends that all East Sussex local authorities adopt a “negotiated stopping” policy. This would allow traveller caravans to be sited at a suitable location for an agreed and limited period of time, and if necessary, with the provision of services such as waste disposal and toilets. Introducing a negotiated stopping policy would require the involvement of other services including the police and Environmental Health and as such is outside the scope of the Local Plan. However, the Council will continue to work with other local authorities and agencies to explore its implementation across the County.

### Travelling Showpeople Site Need

- 13.17 The GTAA found that there are no existing travelling showpeople yards in Rother. There is only one yard in the County, in Wealden district, and there is expected to be a demand for three additional plots to 2040 (although none in the period 2021-2026 and only one in the period 2026-2031). As the demand is expected to arise from natural population growth, it is expected that it will need to be met close to the existing yard in Wealden District. There is no specific evidence of travelling showpeople accommodation need within Rother.

### Key Issues: Gypsy and Traveller Accommodation Needs

- 13.18 In line with the PPTS and the findings of the East Sussex GTAA, there will be a need for a policy to identify pitch targets for gypsies and travellers, and plot targets for travelling showpeople. There will also be a need to identify a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against these locally set targets; together with a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15 of the Plan period.
- Further evidence required: Site search and allocation process.

- 13.19 There is also a need to consider whether there is a continued need for a criteria-based policy for any planning applications on non-allocated sites, and whether any changes are needed to the criteria in Core Strategy Policy LHN6.
- 13.20 There is also a need to determine how the transit needs of the gypsy and traveller community are to be met and whether a specific policy is required.

## Policy Options: Gypsy and Traveller Accommodation Needs

### Policy Option 26: Criteria-based policy to guide planning applications (update to Core Strategy Policy LHN6)

Option	Comments and recommendation
Do not include a criteria based policy, instead rely on site allocations.	Given the historic difficulties in identifying new sites for gypsies and travellers in the district, it cannot be determined at this stage whether sufficient sites will be identified to meet needs. Furthermore, even if sites are allocated, historically, new sites tend to come forward as “windfall” development and not through allocations being developed. Therefore, to rely on site allocations alone risks not allowing the need for gypsy and traveller sites to be met. Not recommended.
Update Policy LHN6.	Policy LHN6 has been used to determine all planning applications for new windfall sites since the adoption of the Core Strategy and provides an effective approach. As there is no evidence of a likely change to the delivery of new sites (i.e. windfall development is likely to continue, regardless of allocations) there is a continued need for a criteria-based policy. There is however a need to update some of the wording and criteria within the current policy to more accurately reflect revised wording in national and local policy, local guidance and the East Sussex GTAA, and to provide additional criteria for transit sites. Recommended.

### Policy Option 27: Transit Sites

Option	Comments and recommendation
New policy for transit sites, including site allocation.	The East Sussex GTAA (2022) found that while there may be a need for additional transit provision in the county, there is currently insufficient evidence to determine the number of additional transit pitches required, and consequently, it recommends that the Local Plan includes a windfall or criteria-based policy to assess any proposals that come forward for transit sites. Currently, transit sites are covered by the general criteria-based policy and it is considered this approach can appropriately continue, with additional criteria added for transit sites. Therefore a specific transit site policy and allocations are not recommended.
No site allocations for transit sites, continue current policy approach of including transit sites in overall criteria based policy for traveller sites.	For the reasons detailed above this approach is recommended.

# 14 Specialist Housing Need: Houses of Multiple Occupation (HMOs)

### National Policy

- 14.1 Houses in Multiple Occupation (HMOs) are not specifically covered in the NPPF, although the general paragraphs on housing need, as detailed above under section 2, are relevant, namely paragraphs 60: *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed...”*; and 63: *“Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies”*.

### Adopted Local Policy

- 14.2 There are currently no specific policies on HMOs in the Core Strategy or the DaSA Local Plan.
- 14.3 There is an Article 4 Direction in place which covers Bexhill town centre, which prohibits the conversion of single dwellings to houses in multiple occupation without express planning permission, to enable the Council to exercise control over the quality and density of development.

### Evidence

#### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 14.4 The HEDNA notes that stakeholders identified an affordability gap, particularly in terms of enabling social housing tenants to access housing in the private rented sector, as the social housing rents are so much lower than private rents and the stock and quality of private rental properties is very low. It found that 57% of private renter households in Rother are currently unable to afford lower quartile open market rents, meaning that more than 30% of their income is likely to be

spent on housing costs. This lack of affordability of average private rents, combined with stagnating incomes and high rates of inflation has resulted in a growing demand for shared or communal living arrangements, such as houses in multiple occupation (HMOs), which tend to provide the most affordable accommodation options in the private rented sector. Affordability issues in the private rented sector (PRS) particularly affects younger households, as the proportion of households in the PRS is far higher in the younger age groups, and in Bexhill and the smaller towns, compared to the rural areas.

- 14.5 Therefore, the HEDNA finds that forms of shared accommodation in the district provide an affordable housing option in the private rented sector and can help to 'bridge the gap' between social housing and private rent. It recommends that the Council considers policy options that support meeting the identified need for HMOs, co-living and other shared forms of accommodation, as long as these contribute towards the provision of mixed and balanced communities (and do not result in over-concentration), are well managed and provide access to appropriate facilities (including amenity space).

### Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

- 14.6 As noted in Section 3 above, the Rother Housing, Homelessness and Rough Sleeping Strategy finds that one of the challenges for Rother, in terms of meeting particular housing needs, is that there is a lack of HMOs and that this type of housing traditionally suits single households, particularly because growing numbers of single young people are being affected by changes to housing benefit rules. It notes that there are particular challenges in meeting the growing demand for HMOs due to planning restrictions on their development in central Bexhill.

### **Key Issues: HMOS**

- 14.7 In light of the evidence, it needs to be considered whether there is a need for a supportive policy for HMOs, and/ or clarification within the Local Plan as to the effect of the Article 4 Direction, to set out the circumstances where an HMO would be supported.

14.8 While an increase in HMOs would assist in meeting the identified needs for households it needs to be borne in mind that one HMO, while potentially accommodating multiple households, counts as only one dwelling in the context of the Council's overall housing delivery numbers. If the same building were to be divided into self-contained flats instead, this would count as multiple dwellings in this context.

## Policy Options: HMOs

### Policy Option 28: HMOs

Option	Comments and recommendation
A new policy to set out the circumstances in which a new HMO will be approved, and requirements for such developments.	While HMOs are not resisted under current general planning policy, the existence of the Article 4 Direction in Bexhill does appear to be interpreted in this manner. A new policy would set a clear policy direction that they will be supported in appropriate circumstances and help meet the need for this type of accommodation as identified in the HEDNA and the Council's own strategy documents. A policy could also be made wider to also cover the subdivision of large dwellings into smaller dwellings, as evidence in the HEDNA also found a need for smaller dwellings. Recommended.
No new policy but instead review Article 4 Direction covering central Bexhill and publish additional guidance to its application.	While this would potentially assist in increasing understanding of the Article 4 Direction in central Bexhill only, it would not provide any planning policy to guide planning applications for a HMO or provide any planning policy support for the sub-division of dwellings. It would not be in line with the recommendations of the HEDNA and would not as effectively support the delivery of this much needed accommodation type. Not recommended.

## 15 Specialist Housing Need: Build-to-Rent

### National Policy

- 15.1 Paragraph 63 of the NPPF identifies a need to assess and reflect in planning policies the housing needs of other groups in the community, including people who rent their homes.
- 15.2 The PPG notes that as part of their plan making process, local planning authorities should use a local housing need assessment to take into account the need for a range of housing types and tenures including provisions for those who wish to rent. The assessment will enable an evidence-based planning judgement to be made about the need for “build-to-rent” homes in the area. If a need is identified, authorities should include a plan policy setting out their approach to promoting and accommodating build to rent. This should recognise the circumstances and locations where build to rent developments will be encouraged – for example as part of large sites and/or a town-centre regeneration area.<sup>62</sup>
- 15.3 The NPPF glossary defines “build-to-rent” as purpose-built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.
- 15.4 The PPG notes that in line with the NPPF, 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build-to-rent scheme. If local authorities wish to set a different proportion they should justify this using the evidence emerging from their local housing need assessment, and set the policy out in their local plan.<sup>63</sup>

---

<sup>62</sup> PPG: Paragraph: 001 Reference ID: 60-001-20180913

<sup>63</sup> PPG: Paragraph: 002 Reference ID: 60-002-20180913

## Adopted Local Policy

- 15.5 There is no adopted Local Plan policy relating to build-to-rent.

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 15.6 The HEDNA finds that build-to-rent (BTR) has, to date, been focused in London and other major cities. However, there has been growing interest in other areas, driven by factors including increasing affordability pressures resulting in increasing numbers of people renting, and financial pressures on buy-to-let landlords, reducing the attractiveness of buy-to-let.
- 15.7 The HEDNA finds that demand for BTR is typically driven by households who would otherwise occupy the private rented sector (PRS). Like the private rented sector, BTR is predominantly occupied by a younger demographic, and renters typically drive less and use more public transport and therefore want to be close to transport nodes or town centres. The HEDNA finds that going forward in the Plan period, the majority of demand for BTR accommodation is expected to arise from within younger age groups, although there is some scope for BTR typologies to accommodate the housing needs of older people, including as part of the provision of specialist housing for older people.
- 15.8 The HEDNA finds that the proportion of younger households occupying the PRS is expected to increase to 2044 and that the scale of growth in the PRS could be greater than anticipated due to affordability barriers to accessing market home ownership and a lack of affordable housing. Furthermore, there are limits in the current size of the PRS and turnover of stock (i.e. a lack of dwellings in the sector, and few dwellings becoming available at any time), which could lead to difficulties in households meeting needs in this sector or alternatively place upwards pressure on rents. An increase in the BTR sector could potentially relieve pressure on the private rented sector.

15.9 The HEDNA notes that to reflect this evidence and also some emerging evidence of demand in the district, the introduction of permissive policies that support the introduction of BTR typologies to diversify supply could be considered. While such policies may be appropriate when applied to suitable schemes (such as those in town centre or sustainable locations, reflecting the typical BTR characteristics noted above) this would be subject to relevant viability testing. The potential for BTR typologies should be assessed with reference to levels of market rent necessary to ensure development is viable. In respect of affordable housing provision within BTR schemes, the HEDNA finds no evidence to support a requirement in excess of the 20% benchmark recommended in the PPG.

Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

15.10 As noted in Section 3 above, the Rother Housing, Homelessness and Rough Sleeper Strategy found: “The supply of private rented accommodation is not keeping up with demand, resulting in higher rents and greater reluctance from landlords to take on higher risk tenants. This also creates an environment where some landlords have no incentive to provide good quality accommodation. The main reason for homelessness seen by the council is the loss of an assured short hold tenancy in the private rented sector.”

**Key Issues: Build-to-rent**

15.11 In light of the evidence, there is a need to consider whether a supportive policy for build-to-rent accommodation is needed.

**Policy Options: Build-to-rent**

Policy Option 29: Build-to-rent

Option	Comments and recommendation
A new policy to set out the circumstances in which build-to-rent development will be supported.	The HEDNA did not identify significant demand for BTR in the district and it must be noted that to date, BTR schemes have been focused in larger towns and cities. However, evidence does show that the need for private rented accommodation is likely to grow, especially among younger people, and BTR developments could ease pressure on this sector and provide for good quality rented accommodation. A supportive policy, potentially in the form of a criteria within a wider housing policy, would give a clear policy



	indication that BTR schemes will be supported in appropriate locations which would help delivery of these developments, in line with the recommendations of the HEDNA. Recommended.
Site allocations for build-to-rent development, or a requirement to provide BTR as part of strategic housing developments above a certain size.	As noted above, significant demand for BTR has not been identified. Furthermore the HEDNA notes that viability would need to be assessed. Consequently there is no evidence that would support an approach to require BTR as part of larger developments and no evidence that if an allocation were made it would be brought forward. Not recommended.

## 16 Specialist Housing Need: Other

### National Policy and Guidance

- 16.1 Paragraph 63 of the NPPF identifies a need to assess and reflect in planning policies the housing needs of other groups in the community. Those not previously specifically identified in this background paper are:
- Families with children;
  - Students;
  - Service families.
- 16.2 The PPG does not appear to provide guidance on families with children or service families. With reference to students, the PPG<sup>64</sup> notes that authorities need to plan for sufficient student accommodation (e.g. communal halls of residence, self-contained dwellings, on- or off- campus). It notes that encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Local planning authorities will also need to engage with universities and other higher educational establishments to ensure they understand their student accommodation requirements in their area.

### Local Policy

- 16.3 Policy LHN1 of the Core Strategy (Achieving Mixed and Balanced Communities) requires housing developments to meet criteria including: (i) *Be of a size, type and mix which will reflect both current and projected housing needs within the district and locally;* (iii) *In Bexhill, contribute to increased provision of family dwellings, unless site circumstances make this inappropriate;* and (iv) *In larger developments (6+ units), provide housing for a range of differing household types.*
- 16.4 The evidence for supporting family dwellings in Bexhill is detailed in paragraph 15.17 of the Core Strategy, which notes that the Strategic Housing Market Assessment (updated 2010) identified a need to plan to promote economic development, which

---

<sup>64</sup> Planning Practice Guidance Paragraph: 004 Reference ID: 67-004-20190722

could indicate the desirability of building houses attractive to potential in-migrants and hence, family housing, which it found to be particularly relevant to Bexhill.

- 16.5 Policy CO4 of the Core Strategy (Supporting Young People) notes: *Priority will be given to making growing up, living and working in Rother attractive to young people and families, including through: (i) Provision of housing options, including affordable homes, suited to the needs of young people, especially in Bexhill and the rural areas.*

## Evidence

### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 16.6 The HEDNA considers the demographics of the district using Census data, finding that between 2001 and 2021, population growth was highest in the 65-79 age group, reflecting an increasingly ageing population. The working age population (aged 15-64) has also increased but at a slower rate than across the South-East and England as a whole. The district experienced a net population outflow in younger age groups, particularly in the aged 15-19 category (associated with young people leaving the area to study elsewhere in the UK). The economic activity rate in Rother (63%) is lower than the rate for England (70%) reflecting the older population.
- 16.7 In terms of household composition, Rother's aged population means that it has a far higher proportion of "single/family aged 66+" (36% of the total) compared to England as a whole (22%)<sup>65</sup>. However, while the proportion of households with dependent children is lower compared to the proportion across England as a whole, it still makes up a fifth of all households in Rother (20.7% compared to 28.5% in England as a whole).<sup>66</sup>
- 16.8 The HEDNA considers the housing needs of families as part of the overall housing mix for both market and affordable housing, and this is detailed in Sections 6 and 7 of this Background Paper. In summary, it finds there will be a need for all sizes of

---

<sup>65</sup> 2021 Census (ONS), referenced in HEDNA (2024).

<sup>66</sup> 2021 Census (ONS) from East Sussex in Figures

dwellings over the Plan period to suit a range of household types and recommends that any mix is applied flexibly.

- 16.9 The HEDNA (2024) does not specifically consider the need for housing for students or service families. However, this was considered in an earlier HEDNA (2020), as detailed next.

Hastings and Rother Housing and Economic Development Need Assessment  
(August 2020)

- 16.10 The 2020 HEDNA has been largely superseded by the HEDNA Update (2024). However, the housing needs for students and service families were not considered through the HEDNA Update (2024) due to the very low levels of need identified in the 2020 HEDNA.
- 16.11 Using 2011 Census figures, the HEDNA (2020) identified very low numbers of all full-time student households in Rother (0.002% of all households) although it noted there probably are more students living in the area. Given the nature of colleges in Hastings and Rother the HEDNA found that even with the anticipated expansion of one college, many students would be likely to live at home. Therefore it found no need for a specific policy to address the needs of students in Rother or Hastings but recommended that this should be monitored. It recommended that any planning application seeking to provide purpose-built student accommodation should be treated on its merits with evidence produced to demonstrate a need.
- 16.12 The HEDNA (2020) found no immediate need for housing for service families due to the extremely low/no numbers of military personnel living in Rother or Hastings.

**Key Issues: Other Specialist Housing Need**

- 16.13 While there is a need to consider the housing needs of families with children in Rother, this has already been covered as part of the general housing mix under Sections 6 and 7 of this background paper. The particular needs of younger people is also considered within other sections, including those on HMOs and Build-to-rent.

- 16.14 Notwithstanding this, it should be considered whether there is a need for a specific planning policy on housing for families with children.
- 16.15 Based on the evidence, it is not considered that the housing needs of students or service families requires further consideration.

## Policy Options: Other Specialist Housing Need

### Policy Option 30: Housing for families with children

Option	Comments and recommendation
A new policy, or criteria within a general housing policy which supports developments of housing for families with children	While Core Strategy Policies CO4 (i) and LHN1 (iii) currently provide for housing options to suit the needs of young people, and family housing in Bexhill, the HEDNA (2024) does not identify a particular need for specific policy support for housing for families or young people. It does however make recommendations for supportive policies for a range of issues that will serve to meet the needs of housing for families and young people, including: the need to plan for a mix of dwelling sizes including a proportion of larger dwellings, increasing the numbers of 2-3 bedroom dwellings in the intermediate affordable sector, supporting affordable housing generally, supporting affordable options including HMOs, supporting build-to-rent. These recommendations have been taken forward as proposed policy options as detailed in the sections above. Therefore, it is not considered necessary for a specific policy on housing for families as this would only serve to duplicate other policies. Not recommended.
Incorporate the needs of housing for families with children into other general housing policies	For the reasons detailed above this option is preferred. Recommended.

## 17 Second Homes and Dwellings as Holiday Lets

### National Policy and Guidance

- 17.1 Second homes and holiday lets are not currently addressed in national planning policy or guidance.
- 17.2 In April 2023 the Government consulted on proposals to introduce a new planning use class for short term lets and associated permitted development rights. If brought forward, these changes would mean that the use of a dwellinghouse (within planning use class C3) as a short-term holiday let would amount to a material change of use, requiring planning permission. However, the consultation also proposed that such a change of use would be “permitted development”, although it would be open to Councils to make an Article 4 Direction to remove this permitted development right in circumstances where this is warranted.
- 17.3 Additionally, the Levelling Up and Regeneration Act (2023) has introduced a new discretionary power for local authorities to impose council tax premiums on second homes of up to 100% (double the normal council tax), although this has not yet come into force.

### Adopted Local Policy

- 17.4 There are currently no adopted local policies on second homes.

### Evidence

#### Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 17.5 The HEDNA (2024) notes that it is not currently possible to restrict the conversion of residential dwellings to second homes/holiday lets through planning policy as they fall within the same use class (C3), although the Government has recently consulted on potential changes (as detailed above). The HEDNA recommends, that if these changes come into force, further evidence should be

gathered to understand the localised impacts of second homes/holiday lets on the availability of residential properties and to introduce Article 4 Directions where necessary.

- 17.6 In terms of the potential for planning controls on new developments (for example a condition or planning obligation limiting the occupation of a new dwelling as a primary residence), the HEDNA notes that nationally, only a limited number of local planning authorities have introduced such policies. It finds that while there is some local evidence of new-build development listed on holiday rental platforms, there is no clear evidence of a wider geographic problem. The HEDNA recommends the Council undertakes post- development occupation monitoring surveys to establish 'vacancy' rates and use of new development as non-primary residences, to help establish the scope to fully explore the potential for such policies in the future.

Hastings and Rother Housing and Economic Development Needs Assessment (HEDNA) (2020)

- 17.7 The HEDNA (2020) found some evidence from property agents that property demand in Hastings, Rye and other rural areas is likely to be driven by holiday lets, which puts some strain on the housing market in these areas. In Rye, estate agents described the rental market as dominated by holiday lets, which are full for the majority of the year but let on a weekly basis.
- 17.8 The HEDNA (2020) suggests that in addition to seeking to deliver more affordable housing in these areas for local people, the Council may wish to consider the introduction of a "St Ives style policy", whereby the sale of new homes is restricted to those who will use it as a primary residence. However, the HEDNA notes that this can have unintended consequences such as shifting the second home market on to the resale stock and reducing the delivery of new stock and with it, additional affordable housing.

1066 Country Visitor Accommodation Audit 2019

- 17.9 In July 2019, Rother, Hastings and Wealden Councils commissioned Tourism South East to undertake a comprehensive audit of visitor accommodation across 1066

Country – which incorporates the whole of Rother and Hastings and a proportion of Wealden. The audit found that there are over 1,000 accommodation establishments listed on AirBnB and other sharing economy websites in Rother, Hastings and Wealden Districts. Of these, the majority are houses and flats. There is probably a 25% overlap with property owners using AirBnB as well as standard self-catering agencies but they still account for a significant number of seasonal bed spaces, estimated at around 2,800.

- 17.10 By collecting postcode data, the audit has mapped each type of accommodation (self-catering; serviced; caravan/camping etc). The maps show that there is self-catering accommodation spread throughout Rother district and there appear to be concentrations in both central Rye and Camber, and to a lesser extent, central Bexhill.

### Holiday Homes in East Sussex – Census 2021 Briefing (East Sussex County Council)

- 17.11 This briefing relates to holiday homes, i.e. second homes where people spend 30 days or more in a year. It summarises data from the 2021 Census (Office for National Statistics). It finds that Rother has a significantly higher concentration of holiday homes than East Sussex as a whole, indeed, among all 309 lower-tier/unitary authority areas within England, Rother ranked the 19th highest (Rother has 13.1 holiday homes per 1000 dwellings compared to an average of 6.3 across East Sussex and 2.4 across England).<sup>67</sup> The briefing notes that the total number of holiday homes is likely to be higher, because the census data only recorded people who usually reside in England and Wales and who said they spend at least 30 days a year at the address..
- 17.12 Areas of Rother where the concentration of second (holiday) homes is particularly high include many of the rural parishes, particularly in the eastern part of the district. The census considers “middle layer super output areas” (MSOAs) which combine parishes or electoral divisions. The MSOA with the highest concentration of holiday homes in Rother (and indeed in East Sussex) was Rye and Winchelsea (41.6 holiday homes per 1000 dwellings), followed by Northiam, Peasmarsch and Camber (26.7), Westfield, Fairlight and Broad Oak (24.9), and Bexhill Central (10.9).

---

<sup>67</sup> Source: Census (2021), Office for National Statistics.



The Briefing also found that in Rother, the most common property type used as holiday homes are detached dwellings (33.6% of all holiday homes, compared to 20.5% which are flats or maisonettes) and that holiday homes have an average of 2.8 bedrooms.

Holiday Homes in Wales: How can planning support the management of holiday homes? (RTPI Research Paper, November 2021)

- 17.13 While this Research Paper focuses on Wales, it identifies issues which are relevant elsewhere:
- Pressure on housing is a well-documented issue and there are many factors contributing to this. The increasing use of housing for short-term holiday lets and second homes, particularly in rural areas, is one such factor.
  - Second homes have been blamed for increasing house prices in areas outside the reach of people who live in the locality because they have a higher income when compared to local earning potential. This then leads to pressures to build more housing and the need for more affordable housing.
  - Second homes are characterised by limited occupation and in these cases offer limited support to the local economy or support for local services e.g. school and community facilities;
  - The loss of homes (to holiday homes) puts pressure for more rural housing in sites which are often located within sensitive landscapes.
  - However, holiday lets play an important role in supporting the local tourism economy and the benefits this provides both to the tourism sector more widely and to local property owners who use holiday lets as an additional income cannot be ignored.
  - There are examples where holiday letting ‘hot spots’ can attract shops and businesses which would otherwise not have been present in a small community, adding local benefit and employment.
  - A key question is who owns the second homes and holiday lets i.e. who benefits from them? In some case it is local residents seeking to make an income through holiday lets and this in turn contributes to the vitality of communities.
- 17.14 The Paper discusses a range of different solutions, including both planning and non-planning measures (e.g. taxation and licensing). Planning solutions include changes to legislation and also occupancy restrictions, whereby the occupancy of a new

property is tied to those living in the community. This second measure has been implemented in some local authorities, including outside Wales (e.g. Lake District). Occupancy restrictions are secured by condition or legal agreement on planning permissions, but the Paper finds that overall, they have limited impact because they can only address new properties and would not be able to provide a solution to the vast majority of the housing stock. Therefore, the Paper recommends that legislative changes are required, together with a licencing scheme and taxation changes.

### Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

- 17.15 As noted in Section 3 above, the Rother Housing, Homelessness and Rough Sleeping Strategy and Action Plan Update (November 2020) notes: *“Some areas are impacted by second and holiday homes, reducing supply even further and driving up the cost of housing resulting in less housing stock available for local people. The rise of platforms such as Airbnb are an emerging factor compounding this trend”*.

### **Key Issues: Second Homes and Dwellings as Holiday Lets**

- 17.16 It is necessary to consider whether there is a need for a policy to seek to restrict second homes and holiday lets. The evidence suggests there are concentrations of these properties in parts of the district. Restrictive measures may be supported by local Parish and Town councils. Such concentrations may be adversely affecting housing affordability but at the same time, holiday lets benefit the local visitor economy. The consideration of whether a policy is needed must take into account the fact that the use of a property as a holiday home or second home does not usually require planning permission, and consequently, any restriction that is introduced (which could be secured on individual planning permissions) could only relate to new developments. As noted in the evidence, such restrictions have limited impact and may have unintended consequences.

### **Policy Options: Second Homes and Dwellings as Holiday Lets**

## Policy Option 31: Restricting the use of new dwellings as second homes and holiday lets

Option	Comments and recommendation
A new policy which would allow a planning condition/obligation to be attached to all permissions for new dwellings to restrict their use to that of a primary residence.	There is insufficient evidence that such a broad-ranging policy is needed across the district. It would be likely to impact on viability and could adversely impact the delivery of new housing. It would have limited impact in influencing the issue of second homes generally as it would only relate to new dwellings and would not affect the use of existing dwellings as second homes. Not recommended.
A new policy, as above, but focused on specific geographical areas which currently have a higher concentration of second homes (e.g. Rye, Winchelsea, Camber).	While there is evidence that there are higher concentrations of second homes in certain areas of the district, these are likely to be limited to relatively small geographical areas (and there is insufficient evidence currently to determine the precise areas). As above, the policy would have limited impact in influencing the issue of second homes generally as it would only relate to new dwellings and would not affect the use of existing dwellings as second homes. Not recommended at the current time, although this could be further explored by Neighbourhood Plan groups.
A new policy, as above, but only focused on new dwellings in the countryside, i.e. where new dwellings are exceptionally allowed outside the development boundary because they meet specific criteria.	While the impact of a policy would be limited due to it only applying to new dwellings (as detailed above), it is considered that a policy can be justified for new homes in the countryside (i.e. outside the development boundary) because these are only allowed in limited circumstances to meet particular rural housing needs, having regard to the identified affordable housing needs in the rural areas. If a dwelling were permitted under this policy and subsequently used as a second home, this would be contrary to that objective. Recommended.

## 18 Internal Space Standards

### National Policy and Guidance

- 18.1 Paragraph 135 of the NPPF notes that planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Footnote 52 of the NPPF confirms: “Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.”
- 18.2 The PPG notes that Local Plan policies may make use of the “nationally described space standard”, where the need is justified. This standard deals with internal space within new dwellings, setting out requirements for the Gross Internal (floor) Area of new dwellings as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.<sup>68</sup>
- 18.3 Paragraph 133 of the NPPF notes that in order to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Under the characteristic “Homes and Buildings”, the National Design Guide notes:<sup>69</sup>
- *Well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them.*
  - *They meet the needs of a diverse range of users, taking into account factors such as the ageing population and cultural differences. They are adequate in size, fit for purpose and are adaptable to the changing needs of their occupants over time.*
  - *Well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher-density developments, particularly*

<sup>68</sup> Technical housing standards – nationally described space standard (DCLG, 2015)

<sup>69</sup> National Design Guide, paragraphs 120-134

*for family accommodation, where access, privacy, daylight and external amenity space are also important.*

- 18.4 The National Model Design Code and the accompanying Guidance Notes for Design Codes (MHCLG, 2021) provide detailed guidance on the production of design codes, guides and policies, expanding on the ten characteristics of good design set out in the National Design Guide. The Code notes:<sup>70</sup>
- Space standards: Nationally described space standards may be included in codes.

## **Adopted Local Policy**

- 18.5 Policy OSS4 of the Core Strategy (General Development Considerations) sets out criteria which all development is expected to meet, including:
- (i) *It meets the needs of future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users.*
- 18.6 The Development and Site Allocations (DaSA) Local Plan includes more specific policies relating to particular aspects of housing developments:
- Policy DHG3 (Residential Internal Space Standards). Confirms the Council adopts the Government's nationally-described space standard and all new dwellings should meet the standard.

## **Evidence**

### Rother District Council Space Standards Background Paper (October 2018)

- 18.7 This Paper was published alongside the DaSA Local Plan 'Proposed-Submission' version, and provides evidence to support Policy DHG3 of the DaSA Local Plan (requiring all dwellings to meet the Government's nationally-described space standard).
- 18.8 The Space Standards Background Paper found that while at that time there was a low compliance against every space standard, many new dwellings were very close to meeting the standards. It was therefore considered necessary to adopt the

---

<sup>70</sup> Pages 30-33

Nationally Described Space Standards (NDSS) to ensure that new dwellings are built to ensure adequate living accommodation for residents.

- 18.9 Viability evidence at that time indicated that the introduction of the standards would not have a material impact on the deliverability of housing schemes within the District. Viability evidence will need to be updated to support the new Local Plan, however it is not anticipated that a continuing requirement to meet the NDSS will have any significant impact on viability. To date, the requirement has not adversely affected the delivery of development nor led to notable resistance from developers. The evidence gathered in 2018 remains pertinent and demonstrates that a local basis for requiring continued compliance with the NDSS remains.
- 18.10 It should be noted that the NDSS represent minimum space standards and that developers are encouraged to normally exceed them. Larger internal areas may help in meeting the needs of more accessible homes and to support home working.

Hastings and Rother Housing and Economic Development Needs Assessment Update (HEDNA) (2024)

- 18.11 The HEDNA (2024) found that the increased trend towards working from home in certain sectors may increase demand for dedicated homeworking space within residential units, which it is envisaged would be picked up through market demand for housing. In particular, the desire to accommodate office space at home might be reflected in a demand for extra or larger bedrooms or additional reception rooms.
- 18.12 The HEDNA notes that the Council may wish to consider the implications of home-working as part of options for planning control including conditions to restrict the use of dedicated home-working space. Likewise, any proposals to adopt the nationally described standards could reasonably take account of whether provision should be made to assess dedicated provision for homeworking in accordance with room standards for minimum bedroom size. This would be with the objective of ensuring dedicated workspace could be occupied by additional residents without adversely affecting housing standards or delivery outcomes in terms of overall housing mix.

## Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

18.13 As noted in Section 3 above, the Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020) set out 3 priority areas, one of which relates to housing quality and improving housing standards. The Actions under this priority include:

- *Increase the number of affordable homes built to Nationally Described Space Standards* (action achieved, due to the adoption of Policies DHG3 of the DaSA Local Plan).

### **Key Issues: Internal Space Standards**

18.14 It needs to be determined whether the evidence supports the retention of the Policy DHG3 (Residential Internal Space Standards) of the DaSA Local Plan and whether the policy wording needs any amendment.

### **Policy Options: Internal Space Standards**

#### Policy Option 32: Internal Space Standards

<b>Option</b>	<b>Comments and recommendation</b>
Retain the existing policy (DHG3) unaltered	The evidence supports the retention of the policy requirement. However, the HEDNA (2024) identified an additional potential issue with regard to the internal size of rooms intended for use as a study. Retaining the policy in an unaltered form would not address this. Not recommended.
Do not include a policy requiring compliance with the NDSS	This would be likely to result in dwellings with smaller room sizes and a poorer level of amenity for occupiers. There is no current viability evidence to suggest the requirement should be removed. Not recommended.
Retain the existing policy (DHG3) but with an additional requirement for all “studies” to meet the minimum internal space standard for a single bedroom.	The evidence supports this option as it will ensure that rooms intended as dedicated workspace could be occupied by additional residents without adversely affecting housing standards or amenity. However, this option will need to be subject to viability testing. Recommended.

## 19 External Residential Areas

### National Policy and Guidance

- 19.1 Paragraph 131 of the NPPF notes: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.* Paragraph 135 notes that planning policies and decisions should ensure that developments (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 19.2 Under the characteristic “Homes and Buildings”, the National Design Guide notes:<sup>71</sup>
- Well-designed buildings are carefully integrated with their surrounding external space. All private and shared external spaces including parking, are high quality, convenient and function well. Amenity spaces have a reasonable degree of privacy.
  - Well-designed places include a clear attention to detail. This considers how buildings operate in practice and how people access and use them on a day-to-day basis, both now and in future. They include: local waste storage, management and pick up, and cycle storage.
- 19.3 The National Model Design Code includes guidance on “area types”, e.g. town centres, urban neighbourhoods, suburban areas, identifying situations where different characteristics may be appropriate in different areas. It also includes guidance which relates to all development regardless of area type. In relation to the different area types, the Code notes:
- Homes and Buildings: Lighting, aspect and privacy: In more urban areas there may be a need for more lighting and shorter privacy distances might be acceptable, while in suburban areas lighting might be more minimal and privacy distance might be greater.

---

<sup>71</sup> National Design Guide, paragraphs 120-134



- Gardens and balconies: Codes might specify minimum sizes for gardens and balconies to improve well-being and amenity. In more urban areas this might be smaller, while in suburban areas larger garden spaces might be specified.

### Adopted Local Policy

- 19.4 Policy OSS4 of the Core Strategy (General Development Considerations) sets out criteria which all development is expected to meet, including:
- (ii) *It meets the needs of future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users.*
- 19.5 The Development and Site Allocations (DaSA) Local Plan includes more specific policies relating to particular aspects of housing developments:
- Policy DHG7 (External Residential Areas). Sets standards for the provision, layout and treatment of external areas of dwellings, usually requiring private rear gardens to be at least 10 metres long, also details expectations for car parking, cycle storage and waste and recycling areas.

### Evidence

#### Rother District Council Residential Garden Sizes Background Paper (November 2017)

- 19.6 This background paper was published alongside the DaSA Local Plan 'Proposed-Submission' version, and provides evidence to support part (i) of Policy DHG7 of the DaSA Local Plan (private external space).
- 19.7 The paper analysed a sample of residential schemes granted planning permission and subsequently constructed in the district since 2013 in respect of the size of the rear garden areas. It found that for all sized dwellings (excluding flats), the average length of rear gardens exceeded 10 metres. However, over a quarter of the houses within the major schemes, and a small proportion (8%) of houses within the minor schemes had gardens measuring less than 10 metres long, although the vast majority of these were only marginally below 10 metres long (i.e. over 9 metres long). It found that the length of gardens was more consistent between schemes compared to the area size of gardens, which varied more significantly. It concluded that a

policy requirement for a minimum length would be less onerous than a policy requirement for a minimum area size.

- 19.8 The paper also considered the policies and guidance of other Local Authorities, finding that minimum garden sizes and separation distances between dwellings are frequently considered in local planning guidance, and the accepted minimum garden length appears to be between 10 and 11 metres. It also looked at appeal decisions which considered amenity space among other factors, finding that the quality and usability of private external amenity space are important factors in determining the acceptability of residential schemes.
- 19.9 Since the DaSA Policy was adopted, it has been used in a number of appeal decisions. While 10 metres long gardens are not always achieved, the policy has resulted in decisions properly considering whether developments include “appropriate and proportionate levels of private usable external space”. There is no evidence that the policy requirement is adversely affecting viability or the delivery of development. Therefore, the findings of the 2017 background paper are still considered relevant.

### High Weald Housing Design Guide (2019)

- 19.10 The High Weald Housing Design Guide is broadly based on ‘Building For Life 12’, a previously widely accepted national industry standard (now superseded by ‘Building for a Healthy Life’) and takes into account the design guidance in the previous version of the National Planning Policy Framework and Guidance and the National Design Guide 2019. It applies in the High Weald National Landscape and seeks to help balance housing delivery with the statutory duty on local authorities to conserve and enhance the HWNL. It aims to give practical and consistent advice to set clear urban design expectations for all new housing development within the High Weald NL.
- 19.11 Much of the advice in the Design Guide relates to the detailed design of developments, rather than housing standards. However, it identifies some matters of relevance, including how aspects of the National Model Design Code and

Guidance Notes will apply in the HWNL, for example in relation to parking solutions<sup>72</sup> and external storage requirements.<sup>73</sup>

## Building for a Healthy Life

- 19.12 Building for a Healthy Life is a design tool referenced in the NPPF (paragraph 138) and an update to “Building for Life”. It includes 12 underlying principles for good design, including:
- Homes for Everyone, which confirms that “offering people access to at least some private outdoor space” is needed, including for apartments and maisonettes which should have access to some outdoor space suitable for drying clothes, and that semi-private garden spaces for ground floor homes and balconies and terraces for homes above ground floor should also be considered.
  - Cycle and Car Parking, which confirms that secure cycle storage is needed close to people’s front doors so that cycles are as convenient to choose as a car for short trips, creative solutions are needed for attractive, convenient and safe cycle parking for higher density developments (such as apartment buildings), and car parking provision should be realistic, guarding against displaced and anti-social parking; thinking about the availability and frequency of public transport.

## **Key Issues: External Residential Areas**

- 19.13 There is a need to consider whether all the criteria of the DaSA policy (DHG7) remain relevant. In particular, whether the requirement for a 10 metres long garden remains appropriate, and whether the requirements relating to flats should be made more specific.
- 19.14 In relation to car parking and cycle storage there is a need to further detail the requirements for cycle storage in line with the Building for Healthy Life requirements. There is also a need to make reference to Electric Vehicle (EV) charging points as these are now a Building Regulations requirement for new dwellings.

---

<sup>72</sup> High Weald Housing Design Guide, page 30-31

<sup>73</sup> High Weald Housing Design Guide, page 36

## Policy Options: External Residential Areas

### Policy Option 33: External Residential Areas: Garden Size

Option	Comments and recommendation
Retain the existing policy requirements (DHG7 (i)) unaltered	The existing policy requirement is viewed by some as inflexible, as a ten metre long garden may not always be appropriate, for example in high density schemes where there may be alternative options to providing external amenity space. However, it is considered that the current policy, together with the supporting text of the DaSA, does provide for this flexibility. Nevertheless, incorporating some of the supporting text into the policy wording itself would help to clarify this. Furthermore, the current policy requirement relating to flats is vague, and does not accord with the Building for a Healthy Life criteria. Consequently this approach is not recommended.
Remove the requirement relating to garden length and rely on local design codes and Building for a Healthy Life	To remove the requirement in the absence of adopted local design codes could result in garden size reducing, to the detriment of residential amenity. The Garden Size Background Paper (2017) considered in detail the options for controlling garden space and concluded that the garden length option was the least onerous and reasonable. It appears to have been effective in decision making and does not appear to have adversely affected scheme viability or delivery. Building for a Healthy Life does not include details on the size of amenity space and therefore is not sufficiently detailed to rely on without a local policy. At this stage in the Local Plan process, local design codes have not yet been developed. Therefore this approach is not recommended at this stage.
Retain the requirement relating to garden length but add further detail into the policy text about exceptional circumstances where the requirement may be relaxed, also add further detail about how the external amenity space requirements apply to flats and maisonettes.	For the reasons detailed in the first row above, this option is recommended. It would retain the policy requirements and ensure that an appropriate level of external amenity space is provided for both houses and flats, in accordance with Building for a Healthy Life. It would provide further clarity for developers and guidance on how the policy can be applied flexibly. Recommended.

### Policy Option 34: External Residential Areas: Car Parking and Cycle Storage

Option	Comments and recommendation
Retain the existing policy requirements (DHG7 (ii)) unaltered	The existing policy requirements remain relevant but it is felt that the requirements for cycle storage in particular could be further detailed to comply with Building for a Healthy Life. Not recommended.
Remove the requirements for car parking and cycle storage and rely on County Council guidance, local design codes and Building for a Healthy Life	This could be considered, however, at this stage in the Local Plan process, local design codes have not yet been developed paragraph. Furthermore, paragraph 138 of the NPPF notes that Building for a Healthy Life is “particularly important for significant projects such as large-scale housing and mixed-use

	<p>developments”. Therefore, without a local policy or local design codes, it could be argued that the requirements are less relevant for smaller scale developments, including single dwellings. The removal of this policy requirement could therefore result in worse outcomes for smaller schemes in particular, to the detriment of residential amenity and sustainable travel choices. Furthermore, the removal of the policy requirement would result in the reference to the County Council’s guidance being lost, potentially weakening the effectiveness of this adopted guidance. Not recommended.</p>
<p>Retain the existing policy requirements but update these in line with current guidance, and requirements relating to EV charging points.</p>	<p>The best outcome for design, residential amenity and sustainable travel choices is considered to be achieved by retaining the local policy requirement but updating it to reflect the recommendations of Building for a Healthy Life and also including reference to EV charging points which are now a requirement of all new dwellings. Recommended.</p>

## 20 Development Management matters relating to Housing

### National Policy and Guidance

- 20.1 Paragraph 131 of the NPPF notes: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.*
- 20.2 Paragraph 132 of the NPPF notes: “Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics”.
- 20.3 Paragraph 180 of the NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by measures including (b) recognising the intrinsic character and beauty of the countryside. Paragraph 182 notes that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues, and that the scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

### Adopted Local Policy

- 20.4 Policy OSS4 of the Core Strategy (General Development Considerations) sets out criteria which all development is expected to meet, including:
- (i) It meets the needs of future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users;
  - (ii) It does not unreasonably harm the amenities of adjoining properties; and
  - (iii) It respects and does not detract from the character and appearance of the locality.

20.5 Policy EN3 of the Core Strategy (Design Quality) (supplemented by Appendix 4 – Key Design Principles), requires new development to be of a high design quality. Policy EN1 (Landscape Stewardship) seeks to ensure the protection, and where possible enhancement, of the district’s nationally designated and locally distinctive landscapes and landscape features.

20.6 The Development and Site Allocations (DaSA) Local Plan includes a number of detailed policies relevant to the determination of planning applications for residential developments of all scales:

- Policy DHG8: Extensions to Residential Gardens. This policy resists extensions to gardens in the countryside unless the extension is modest in area and does not harm rural character, and is to a natural boundary or is a logical rounding off;
- Policy DHG9: Extensions, Alterations and Outbuildings. This policy sets out detailed criteria which proposals involving extensions or alterations to dwellings, or new residential outbuildings, are required to meet, including in terms of their design, impact on amenity and impact on the character of the locality;
- Policy DHG10: Annexes. This policy sets out a sequential approach for residential annexes whereby an extension to the dwelling is considered first, followed by the conversion of an existing outbuilding, and only then may a new building be considered. It also sets out additional considerations for annexes including that their occupation will be tied to the main dwelling so they cannot be used as a separate dwelling.
- Policy DHG11: Boundary Treatments. This policy sets out detailed criteria which proposals for new or altered boundary treatments are required to meet, including in terms of protecting the character of the locality and maintaining highway safety.
- Policy DHG12: Accesses and Drives. This policy sets out detailed criteria which proposals for new drives and accesses are required to meet, including in terms of maintaining highway safety, protecting the character of the locality, and providing appropriate drainage.

## Evidence

- 20.7 Policies DHG9 to DHG12 of the DaSA Local Plan are relatively new policies (adopted December 2019) and have been successfully used in planning decisions and appeals since that time.
- 20.8 Policy DHG8 (Extension to Residential Gardens) was a policy that was previously contained within the Rother District Local Plan 2006 (Policy HG9) and has been successfully used in planning decisions and appeals for many years.
- 20.9 There is no evidence to suggest that any of these policies need to be deleted or significantly amended.

## Key Issues: Development Management matters relating to Housing

- 20.10 The only issue for consideration is whether policies DHG8 to DHG12 of the DaSA Local Plan should be retained, deleted or amended.

## Policy Options: Development Management matters relating to Housing

### Policy Option 35: Extensions to Residential Gardens

Option	Comments and recommendation
Delete policy	Deleting this policy would introduce uncertainty in determining planning applications for these developments and could result in extensions to residential gardens which would be harmful to rural character. Not recommended.
Retain policy	There is no evidence that the policy is ineffective or that it adversely affects viability or the delivery of schemes. It accords with national and local policy in terms of protecting the landscape. Recommended.

### Policy Option 36: Extensions, Alterations and Outbuildings

Option	Comments and recommendation
Delete policy	Deleting this policy would introduce uncertainty in determining planning applications for these developments and could result in proposals that do not accord with the policy objectives, which could ultimately reduce the standard of design and residential amenity and cause harm to local character including historic buildings and areas. Not recommended.
Retain policy	There is no evidence that the policy is ineffective or that it adversely affects viability or the delivery of schemes. It accords with national policy. Recommended.



## Policy option 37: Annexes

<b>Option</b>	<b>Comments and recommendation</b>
Delete policy	Deleting this policy would introduce uncertainty in determining planning applications for these developments and could result in proposals that do not accord with the policy objectives, which could ultimately reduce the standard of design and residential amenity and cause harm to local character. Not recommended.
Retain policy	There is no evidence that the policy is ineffective or that it adversely affects viability or the delivery of schemes. Recommended.

## Policy Option 38: Boundary Treatments and Means of Enclosure

<b>Option</b>	<b>Comments and recommendation</b>
Delete policy	Deleting this policy would introduce uncertainty in determining planning applications for these developments and could result in proposals that do not accord with the policy objectives, which could ultimately reduce the standard of design and cause harm to local character. Not recommended.
Retain policy	There is no evidence that the policy is ineffective or that it adversely affects viability or the delivery of schemes. Recommended.

## Policy Option 39: Accesses and Drives

<b>Option</b>	<b>Comments and recommendation</b>
Delete policy	Deleting this policy would introduce uncertainty in determining planning applications for these developments and could result in proposals that do not accord with the policy objectives, which could ultimately reduce the standard of design and cause harm to local character and drainage. Not recommended.
Retain policy	There is no evidence that the policy is ineffective or that it adversely affects viability or the delivery of schemes. Recommended.

## 21 Housing Delivery: Brownfield sites and Small sites

### National Policy and Guidance

- 21.1 Paragraph 123 of the NPPF requires strategic policies to set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land. Paragraph 124 notes that planning policies and decisions should, among other things, (c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; and (d) promote and support the development of under-utilised land and buildings.
- 21.2 Paragraph 70 of the NPPF notes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. To promote the development of a good mix of sites, it requires local planning authorities to:
- (a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare (unless there are strong reasons why this can’t be achieved);
  - (b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;
  - (c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;
  - (d) support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes; and
  - (e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.
- 21.3 The PPG confirms that brownfield land registers will provide up-to-date and consistent information on sites that local authorities consider to be appropriate for residential development having regard to the criteria set out in the Regulations<sup>74</sup>.

---

<sup>74</sup> The Town and Country Planning (Brownfield Land Register) Regulations 2017

Local planning authorities will be able to trigger a grant of permission in principle for residential development for sites in their registers where they follow the required procedures. Registers will be in two parts: Part 1 will comprise all brownfield sites appropriate for residential development and Part 2 those sites granted permission in principle. Prior to entering a site in Part 2, local planning authorities must undertake the necessary requirements for publicity, notification and consultation.

## **Adopted Local Policy**

- 21.4 Policy OSS3 of the Core Strategy sets out the criteria against which the suitability of land for development will be assessed, including (vii) making effective use of land within the main built-up confines of towns and villages, especially previously developed land, consistent with maintaining their character. Paragraph 7.4 of the Core Strategy notes that there is a strong track record in Rother of both large and small (essentially brownfield) windfall sites coming forward, and that these have made a significant contribution to housing numbers in past years. Typically, windfall sites are small-scale and within development boundaries.
- 21.5 Policy DIM1 of the DaSA Local Plan confirms that comprehensive proposals for the development of sites will normally be required, including where sites are in multiple ownerships. In exceptional circumstances, proposals for part of a site may be permitted, but only where it demonstrably has regard to, and facilitates, an integrated scheme for development of the entire site.

## **Evidence**

### Rother District Council Brownfield Land Register

- 21.6 The Council's Brownfield Land Register, which is updated every year, provides publicly available information on brownfield land that is suitable for housing.
- 21.7 In accordance with the Regulations, the Brownfield Land Register is maintained in two parts: Part 1 comprises of the list of brownfield sites across the District boundaries that are considered appropriate for residential developments regardless of their planning status; and Part 2 is a subset of Part 1, comprising only those sites

in Part 1 that the District Council considers would be suitable for a grant of Permission in Principle (PiP) for residential or residential-led development. Part 1 of the Register is compulsory, while Part 2 is discretionary. There are currently no sites entered on Part 2 of the Register.

21.8 Rother's Brownfield Land Register, compiled according to a nationally consistent format, has been informed by:

- sites which already have extant planning permission
- sites which have lapsed planning permission since 2011
- sites covered by 'saved' allocation policies
- sites covered by existing allocation policies contained in 'made' Neighbourhood Plans
- sites covered within draft development plans
- Green and Amber sites in the Council's Strategic Housing Land Availability Assessment (SHLAA) (2013).

21.9 As at October 2023, there were 59 sites on the Council's Brownfield Land Register. 30 of these have a current planning permission, and 29 do not. Those that do not have permission include those where planning permission has lapsed and also those which have never had a permission. 41 of the sites are considered to be deliverable. 'Deliverable' is defined in paragraph 5 to Schedule 2 of the 2017 Regulations as, "*there is a reasonable prospect that residential development will take place on the land within 5 years beginning with the entry date*". The total number of dwellings that could be accommodated on all 59 sites together is estimated at between 859 and 933.

Rother District Council Housing Land Supply – April 2023 Position Statement  
(published December 2023)

21.10 This report presents information about housing completions, commitments and requirements as at 1 April 2023. Key figures include:

- Between 1 April 2022 and 31 March 2023 there were 390 net additional dwellings built within the district. Since 2011, on average there have been 219 completions per year.

- Of those, 358 dwellings completed were on large sites (sites of 6 or more net dwellings) in 2020/21. The annual average since 2011 is 166 dwellings a year, making up approximately 76% of total completions.
- There were 32 dwellings completed on small sites (sites of less than 6 net dwellings) in 2022/23. Since 2011, the number of small site completions has averaged at 24% of all completions.
- There were 41 dwellings completed on brownfield land in 2022/23. Since 2011, dwellings on brownfield land have averaged at approximately 45% of total completions, averaging 98 dwellings per year.

### Corporate Plan

- 21.11 As noted in section 3 above, one of the actions identified in the Rother Corporate Plan is to “Deliver a new Local Plan with policies that: speed up the overall planning process; incentivise delivery of smaller sites; and create an environment of certainty for developers.”

### **Key Issues: Brownfield Sites and Small Sites**

- 21.12 It needs to be determined whether specific supportive policies on small sites and brownfield sites are required. This could assist in meeting the Corporate Plan action to incentivise the delivery of small sites, and would also be in line with the High Weald AONB Management Plan, detailed in section 11 above, which seeks a greater proportion of new homes delivered in the AONB through re-development or small developments. However, the assessment of whether policies are needed should also consider the facts that a significant proportion of housing development in Rother already takes place on small sites (sites of less than 6 dwellings) and on brownfield sites. An alternative approach could be to address these matters through the site allocation process, i.e. promoting small and brownfield sites as site allocations.
- 21.13 It needs to be determined whether the existing development boundaries should be reconsidered in light of paragraph 70 (d) of the NPPF, which gives great weight to the benefits of using suitable sites within existing settlements for homes. This will be considered through the future Development Boundaries background paper.

- 21.14 It is necessary to reconsider the wording of Policy DIM1 of the DaSA Local Plan (Comprehensive Development), particularly the phrase “in exceptional circumstances”, in the context of paragraph 70 (e) of the NPPF: LPAs should: (d) *work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.*
- 21.15 The issues addressed above have been considered as part of the Development Principles chapter of the Local Plan and the assessment of proposed policies has been summarised within the Sustainability Appraisal.

## 22 Vision and Spatial Objectives for the Local Plan

### **Proposed Vision for Rother District in the Regulation 18 version of the Local Plan:**

By 2040:

*Rother District will be an attractive, desirable and affordable place to live, work and visit. The needs of all the local community will be met, with an emphasis on enhanced health and wellbeing for now and into the future. Bold solutions will have successfully addressed the climate and biodiversity emergencies and the housing crisis while protecting the High Weald National Landscape, our designated habitats, our heritage and our flood risk areas.*

*Development will be truly sustainable:*

*Major development will be focused in places where sustainable development can be achieved. All development will be net zero carbon ready and provide biodiversity net gain. Sensitive, sustainable and well-designed development that meets local housing and employment needs will be complemented by the timely delivery of supporting infrastructure. The district will contribute to the UK's carbon sequestration and nature recovery goals.*

*Quality of Life will be enhanced:*

*Residents will be able to live well locally within safe, balanced and age-friendly communities, where residents and visitors can reach the facilities and services they need, often by walking, cycling and public transport. Better local job opportunities will support flexible and changing working patterns with improved broadband coverage across the district.*

*Close working with Parish and Town Councils will ensure that strategic planning priorities, objectives and policies are supported by our local communities, particularly through Neighbourhood Plans.*

### **Proposed Strategic Spatial Objectives in the Regulation 18 version of the Local Plan:**

Spatial Objective	How can we achieve this?
<p>1. Deliver net zero carbon ambitions through effective and supportive planning policies.</p>	<ul style="list-style-type: none"> <li>• Direct development to sustainable locations, with services and transport options.</li> <li>• Develop planning policy that contributes to the radical reductions in emissions required nationally, whilst still making development viable.</li> <li>• Work with other departments and key partners to support renewable energy schemes and provide local solutions which can be delivered by local individuals, town and parish councils and other community organisations.</li> </ul>
<p>2. Maximise opportunities for nature recovery and biodiversity net gain and preserve the historic landscape character of the High Weald National Landscape and protected habitat areas of Rother and ensure sensitive development that allows communities to thrive.</p>	<ul style="list-style-type: none"> <li>• Comprehensively assess development sites for their landscape and biodiversity impact including on the scenic beauty of the designated High Weald National Landscape through the Local Plan evidence base (Housing and Economic Lane Availability Assessment (HELAA) and the Settlement Study).</li> <li>• Deliver the ambitions and policy direction of the High Weald National Landscape Management Plan and Design Guide.</li> </ul>
<p>3. Promote high quality design and protect and enhance Rother's built and natural heritage, while providing opportunities for recreation and tourism.</p>	<ul style="list-style-type: none"> <li>• Provide policies that promote high quality design for new development.</li> <li>• Provide policies which protect and enhance our natural and built heritage.</li> <li>• Provide supportive policies for tourism and recreation uses within urban and rural areas, where appropriate and not in conflict with environmental designations and constraints.</li> </ul>
<p>4. Respond to the housing crisis and help facilitate the delivery of housing to meet the needs of different groups in the community, ensuring a variety of high-quality sustainable, zero carbon ready dwellings that meet the needs and income levels of Rother's wider population for their lifetime.</p>	<ul style="list-style-type: none"> <li>• Maximise the potential opportunities for residential development in sustainable and deliverable locations.</li> <li>• Help deliver affordable housing, custom and self-build housing and development on small sites and brownfield land and support community land trusts.</li> <li>• Ensure development is viable and supports growth in the district by providing certainty for developers through site allocations and clear planning policies.</li> </ul>
<p>5. Deliver sustainable growth and regeneration in Bexhill and its edges, along with Hastings Fringes, with supporting infrastructure, contributing to the needs of the wider housing and economic market area.</p>	<ul style="list-style-type: none"> <li>• The HELAA assesses the suitability of sites to identify potential site allocations.</li> <li>• The development strategy will direct development to the most appropriate and sustainable locations.</li> <li>• Local Plan Transport Assessment will provide evidence for key strategic improvements required to the transport network around Bexhill/Hastings.</li> </ul>



Spatial Objective	How can we achieve this?
	<p>The Council will work closely with Hastings Borough Council to deliver a shared vision including cross-boundary strategic infrastructure and consideration of growth options.</p>
<p>6. Create economic prosperity, both in rural and urban locations, meeting the employment needs of the wider population, improving the quality and variety of jobs, and being flexible to the changing needs of the economy.</p>	<ul style="list-style-type: none"> <li>• Allocate sites and provide supportive policies for economic growth (for specific needs).</li> <li>• Provide a flexible approach in planning policy to react to changing economic needs.</li> </ul> <p>Work with other departments and external partners to improve the local employment offer, especially in relation to rural communities.</p>
<p>7. Focus growth in sustainable locations across the district, or places that can be made sustainable through supporting infrastructure and community facilities.</p>	<ul style="list-style-type: none"> <li>• The Settlement Study provides a greater understanding of the sustainability, form and function of towns and villages.</li> <li>• The HELAA helps identify potential sites for development and provides evidence for site allocations.</li> </ul> <p>The Infrastructure Delivery Plan (IDP) will assist in directing and prioritising strategic and local infrastructure needs.</p>
<p>8. Enhance the sustainability and connectivity of local communities through sustainable transport measures and improved internet network coverage.</p>	<ul style="list-style-type: none"> <li>• The Settlement Study provides a greater understanding of the sustainability, form and function of towns and villages.</li> <li>• The Local Plan Transport Assessment will look at ways to enhance sustainable transport options across the district.</li> </ul> <p>Liaise with infrastructure providers (including broadband providers) as part of the IDP.</p>
<p>9. Support and achieve safe, healthy, vibrant and mixed communities where the physical and mental health of residents is a high priority. Create high standards of inclusivity and accessibility to shared facilities for all the district's residents.</p>	<ul style="list-style-type: none"> <li>• Elevate the priority of health matters in Local Plan policy and work with ESCC's Healthy Places team within Public Health to develop supportive planning policies.</li> </ul> <p>The Settlement Study provides a greater understanding of the sustainability, services and facilities within towns and villages and their accessibility.</p>
<p>10. Balance strategic planning with the opportunities for local delivery through neighbourhood planning.</p>	<p>Promote and support neighbourhood planning, alongside the Local Plan. Work with parish/town councils to understand and balance the role of strategic delivery in the Local Plan to local delivery in the Neighbourhood Plan.</p>

## 23 Preferred Options

- 23.1 This section sets out the preferred policy options. It is generally set out in the same topic order as this background paper other than where multiple topic areas are combined within the same option:

### **Affordable Housing: Overarching policy**

Affordable housing will be sought on all qualifying housing development sites.

On housing sites or mixed-use developments delivering a net increase of six or more dwellings within the High Weald National Landscape and ten or more dwellings outside the High Weald National Landscape, or where the site has an area of 0.5 hectares or more outside the High Weald National Landscape, a minimum of **X percent** of the gross number of residential units must be provided<sup>75</sup> as on-site affordable housing provision, unless off-site provision or an equivalent financial contribution in lieu can be robustly justified.

Developments providing a level of affordable housing in excess of these minimum proportions will be considered favourably in accordance with other Local Plan policies.

Where a site-specific viability assessment demonstrates the minimum requirements set out above cannot viably be met as part of an otherwise suitable development, the proportion of affordable housing must be the most that does not undermine viability. The Council will secure a review mechanism through a planning obligation requiring viability to be reassessed, at the developer's expense, over the lifetime of the development, to ensure that the maximum affordable housing contribution viable, up to the policy requirements, is provided.

Of the affordable dwellings provided, the exact tenure mix shall be identified through discussions with the local authority and informed by the latest Government

---

<sup>75</sup> Note that these percentage requirements do not apply to Build-to-Rent schemes or the Build-to-Rent portion of a mixed scheme, as the affordable housing percentage requirements of Build-to-Rent developments are set out in Policy HOU1.

guidance and any relevant local Housing Need Assessment. The starting point for discussions will be based on the following mix:

- 25% First Homes (where required in accordance with national policy)
- 58% Social/ Affordable Rented (with priority given to maximising social rent)
- 17% Other Affordable Home Ownership.

Local eligibility criteria for First Homes, such as a lower income cap than that set out in national policy, a local connection test or criteria based on employment status may be applied on a case-by-case basis where this is justified by a local need, in accordance with national policy.

The different housing tenures to be provided on site (market housing, affordable housing for rent and affordable housing for sale) should be well-integrated and designed to the same high quality to create tenure-neutral<sup>76</sup> and socially inclusive homes and spaces. The affordable housing should be apportioned individually or in small clusters and where this is not proposed it should be robustly justified.

In all cases, planning permission will be subject to a planning obligation to clarify definitions, tenure split and nomination rights and to ensure the affordable housing remains as such in perpetuity (allowing for staircasing provisions for shared ownership homes as appropriate).

### **Affordable Housing: Policy for 100% affordable housing developments**

Developments comprised exclusively of affordable housing will be supported subject to other Local Plan policies (including Policy HOU1) and the following criteria:

---

<sup>76</sup> The National Design Guide defines “tenure neutral” as: “housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure.”

(i) The site location accords with the Live Well Locally policies including in relation to access to services and public transport.

(ii) A mix of affordable housing tenures should be provided. The exact tenure mix of the affordable dwellings shall be identified through discussions with the local authority and informed by the latest Government guidance and relevant assessment of local housing need, having regard to the significant need for social/affordable rented dwellings throughout the district, as well as local and site circumstances.

(iii) The different affordable housing tenures to be provided should be designed to the same high quality to create tenure-neutral and socially inclusive homes and spaces. The different tenures should be in small clusters and where this is not proposed it should be robustly justified.

(iv) In all cases, planning permission will be subject to a planning obligation to clarify definitions, tenure split and nomination rights and to ensure the affordable housing remains as such in perpetuity.

### **Affordable Housing: Policy for Allocating sites for wholly or substantially affordable housing**

In order to meet identified local need for affordable housing, specific sites may be allocated through Neighbourhood Plans for wholly or substantially affordable housing either within development boundaries or otherwise close to local services including public transport connections, and subject to other Local Plan policies. Affordable housing provided on these sites should remain available in perpetuity.

### **Affordable Housing: Policy for Rural exception sites**

In exceptional circumstances, planning permission may be granted for small scale residential development outside development boundaries in order to meet a local need for affordable housing in rural areas. Such development will be permitted where the following requirements are met:

(i) it helps to meet a proven local housing need for affordable housing in the village/parish by addressing the needs of the local community through

accommodating households who are either current residents or have an existing family or employment connection, as demonstrated in an up-to-date assessment of local housing need;

- (ii) it is of a size, tenure, mix and cost appropriate to the assessed local housing need;
- (iii) it is well related to an existing settlement and its services, in accordance with the Live Well Locally policies including access to public transport;
- (iv) the proposal demonstrates that there has been meaningful community engagement throughout the development process and the benefits of the development to the village/parish are clearly defined;
- (v) the local planning authority is satisfied that the identified local housing need cannot be met within the settlement's development boundary; and
- (vi) the development does not significantly harm the character of the rural area, settlement or the landscape, and meets other normal local planning and highway authority criteria, in line with other Local Plan policies.

In all cases, planning permission will be subject to a planning obligation to ensure that the affordable housing accommodation remains available to meet local housing needs in perpetuity, and that people with the greatest local connection are given highest priority in both initial and future occupancy.

A small amount of enabling open market housing will be acceptable where it is demonstrated, with viability evidence, that it is the minimum necessary for the delivery of a suitable scheme, having regard to the criteria above.

### **Housing Mix, Build-to-rent housing: Policy for Mixed and Balanced Communities**

In order to support mixed, balanced and sustainable communities, housing developments will be considered in accordance with the following criteria and subject to other Local Plan policies:

- (i) subject to the other criteria in this policy, all housing developments must be of a size, type and mix which will contribute to meeting both current and projected housing needs within the district and locally;
- (ii) in all housing developments that include market housing, at least 30% of the market housing shall comprise one and two bedroom dwellings (being mostly two bed);
- (iii) in relation to affordable housing, the exact mix of housing sizes and types shall be identified through discussions with the District Council. The starting point for discussions is that the majority of dwellings for social or affordable rent and First Homes shall be of one and two bedrooms and the majority of intermediate affordable dwellings for sale shall be of two and three bedrooms, subject to identified local affordable housing needs;
- (iv) in larger developments (six or more units), a mix of housing sizes and types to meet the needs of a range of differing households must be provided, unless the particular characteristics of the proposal or site makes this inappropriate;
- (v) other than in exceptional circumstances, proposals that would result in a net loss of dwellings numbers (for example conversion of flats into a single dwelling) will be resisted; and
- (vi) proposals for Build-to-Rent accommodation, including as part of wider housing developments, will usually be supported in areas well-served by public transport, subject to other Local Plan policies. A minimum of 20% of Build-to-Rent accommodation will be required to be provided as affordable private rent homes (and maintained in perpetuity), as set out in the Planning Practice Guidance.

### **Housing for older people: Policy for specialist housing for older people**

Schemes comprising of specialist housing for older people will be supported on suitable sites in sustainable locations with good access to public transport and local facilities, subject to compliance with other Local Plan policies.

Developments 100 or more dwellings will be required to include a proportion of specialist housing for older people within the site (at least 10% of the total number of dwellings).

In exceptional circumstances where provision cannot be met within development boundaries, planning permission may be granted for schemes comprising of specialist housing for older people outside development boundaries in order to meet a local need for such housing in rural areas, where the site is well related to an existing settlement and its services, including access to public transport, the proposal accords with policies in the Landscape Character chapter, safeguarding intrinsic and distinctive landscape character and amenities and paying particular regard to the conservation of the High Weald National Landscape and is supported by landscaping proposals appropriate to the local landscape character, and the proposal meets other normal local planning and highway authority criteria, in line with other Local Plan policies.

Schemes providing extra-care housing or housing with care will usually be prioritised over retirement living, sheltered accommodation or age-restricted general market housing, unless it is demonstrated that the site is unsuitable for an extra-care or housing with care scheme, or that there is an identified need for the proposed accommodation type in that location.

The provisions of Policy HOU2 (Affordable Housing) will apply to all schemes meeting the size thresholds set out in the policy, at the proportions set out in that policy. Affordable housing shall be provided either as on-site provision or where this is shown not to be practical, as an equivalent financial contribution for off-site provision.

As well as the provision of higher access standards (as set out in Policy HOU8), regard should be had to the “walkability” to services and public transport in the

siting of housing schemes for older people. Schemes will also be required to comply with the 10 key design criteria set out in the HAPPI principles and other recognised design standards and guidance relevant to older people's housing.

### **Housing for older people: Policy for residential care homes for older people**

New residential care homes for older people will be supported, subject to compliance with other Plan policies, on suitable sites in sustainable locations, with good access to public transport and local facilities, including healthcare facilities.

Proposals to alter or extend existing residential care homes will be supported, subject to other Local Plan policies, where the alterations or extensions will result in a better standard of care provision or are required to meet current relevant standards.

Proposals involving the loss of existing residential care homes, including through change of use, will be resisted unless:

- (a) it is demonstrated that sufficient provision of the equivalent or better quality is available in the local area; or
- (b) it is demonstrated that alternative provision of the equivalent or better quality will be provided in the local area and made available prior to the commencement or redevelopment of the proposed scheme; or
- (c) the proposal is supported by evidence that demonstrates the accommodation no longer meets minimum standards required to provide acceptable care and it is not practicable or viable to improve the accommodation to minimum standards or adapt for alternative specialist accommodation.

### **Housing for disabled people: Policy for access standards**

The Council adopts the Optional Buildings Regulations for Accessible and Adaptable Homes.

All dwellings are required to meet M4(2): Category 2 - Accessible and Adaptable Dwellings.



Additionally, on sites of 20 or more dwellings, 5% of new market housing is required to meet the “wheelchair adaptable dwellings” standard in M4(3)(2)(a) (the provision made must be sufficient to allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs).

Where there is an identified need on the Housing Register, sites of 20 or more dwellings that provide affordable housing in line with Policy HOU2 are, as part of the affordable housing requirement, expected to provide a minimum of 5% of the total housing requirement to meet the “wheelchair accessible dwellings” standard in M4(3)(2)(b) (the provision made must be sufficient to meet the needs of occupants who use wheelchairs).

Only in circumstances where it can be robustly demonstrated by the applicant that it is not practicable or financially viable to deliver the provisions above or where the requirements are clearly incompatible with conserving and enhancing historic character, will new development be exempt from any of these policy requirements. Where only certain elements of the standard(s) cannot practically or viably be achieved, the remainder of the requirements of the standard(s) will still be expected to be provided.

### **Self-build and custom housebuilding and community led housing: Policy for Self-build and custom housebuilding**

The Council will support Self and Custom Housebuilding projects, including community-led projects, subject to compliance with other relevant Local Plan policies.

On all housing developments of 20 or more dwellings, at least 5% of the total number of dwellings to be provided should be made available as serviced plots for self or custom housebuilders.

Plots should be made available and marketed through relevant marketing agencies for a period of at least 12 months. If the plots are not sold within this time period, the dwellings may be released for conventional market housing in line with the terms set out in the relevant planning obligation.

Where appropriate, the Council will seek to ensure that self/custom build homes are developed in accordance with an agreed robust design code.

The requirements of this policy do not apply where the site or proposed development:

- (a) provides solely for Build to Rent homes;
- (b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- (c) is exclusively for affordable housing, a community-led development exception site or a rural exception site;
- (d) consists solely of the re-use or conversion of vacant buildings; or of flats.

## **Rural housing, Second homes: Policy for new dwellings in the countryside**

New dwellings in the countryside will be allowed, in accordance with other Local Plan policies, in very limited circumstances, including:

(i) Dwellings to support farming and other land-based industries. Normally, accommodation will initially be provided on a temporary basis for a period of three years. Both temporary and permanent dwellings will be subject to appropriate occupancy conditions, and all applications should comply with the following criteria:

1. Demonstrate a clearly established functional need, relating to a full-time worker primarily employed in the farming and other land-based businesses;
2. Demonstrate the functional need cannot be fulfilled by other existing accommodation in the area;

Demonstrate the unit and the agricultural activity concerned are financially sound and have a clear prospect of remaining so;

Dwellings are of appropriate size, siting and design.

(ii) The conversion of traditional historic farm buildings or other heritage asset in accordance with Policy HER2 and paragraph 84 of the NPPF;

- (iii) The one-to-one replacement of an existing dwelling of similar landscape impact;
- (iv) As a 'rural exception site' to meet an identified local affordable housing need in accordance with Policy HOU5;
- (v) As a site for specialist housing for older people, to meet an identified need in accordance with Policy HOU9;
- (vi) Single or pairs of dwellings, either within a settlement without a development boundary or adjacent to an existing development boundary where the site is either a small gap in an otherwise built-up frontage or is adjacent to the edge of an otherwise built-up frontage and where the site accords with policies within the Live Well Locally chapter and is close to local services including public transport connections and accessible to them by wheeling, walking or cycling. In all cases the proposal must accord with policies in the Landscape Character and Heritage chapters, safeguarding intrinsic and distinctive landscape character and scenic beauty and paying particular regard to the conservation of the High Weald National Landscape and historic environment. To prevent the inappropriate extension of settlements, proposals adjacent to a site which has previously been developed under this provision will not usually be permitted.

In order to provide for local rural housing need, all new dwellings in the countryside which are permitted under this policy, other than replacement dwellings under part (iii), shall be subject to a restriction, secured by a planning condition or obligation, which limits their occupation to that of a primary residence and prevents their future use as a second home or holiday accommodation. Proposals to change the use of existing lawful holiday accommodation in the countryside to a dwelling will be considered under Policies DEV4 and ECO5.

### **Gypsy and traveller accommodation need: Criteria based policy for gypsies, travellers and travelling showpeople**

Planning permission will be granted for Gypsy, Traveller and Travelling Showpeople sites, when all of the following criteria are met as relevant:

- (i) The site is not located in a designated site of importance for biodiversity or an area of Priority Habitat;
- (ii) The site is not in an area at risk of flooding, unless a site-specific flood risk assessment has demonstrated that the development will be safe and will not increase flood risk elsewhere;
- (iii) The proposal accords with policies in the Landscape Character chapter. Development should safeguard intrinsic and distinctive landscape character and scenic beauty, paying particular regard to the conservation of the High Weald National Landscape and undeveloped coastline, and be supported by landscaping proposals appropriate to the local landscape character;
- (iv) Other than for transit sites, the site is located within or close to an existing settlement and is accessible to local services by foot, by cycle or by public transport;
- (v) The site can be safely accessed by vehicles towing caravans and provides adequate and safe provision for on-site parking, turning, and access for emergency vehicles;
- (vi) The site is of a small scale (maximum ten pitches/ plots) and is not disproportionate in scale to the existing settlement;
- (vii) Mixed use sites should not unreasonably harm the amenity of adjoining properties;
- (viii) In the case of sites for Travelling Showpeople, the site must also be suitable for the storage of large items of mobile equipment;
- (ix) In the case of transit sites, the site should be located close to or within easy access of the strategic road network;
- (x) In the case of transit sites, the proposal must be accompanied by a management plan which demonstrates how the site will be appropriately managed in perpetuity to ensure the amenity of its occupants and the local community is protected.

Where planning permission is granted, appropriate conditions or planning obligations will be imposed to ensure occupation of the site is restricted to those persons genuinely falling into the definitions of Gypsies, Travellers and Travelling Showpeople.

## **Houses of multiple occupation: Policy on sub-division of dwellings and HMOs**

Within the Development Boundaries, proposals involving the subdivision of a larger dwelling (C3 use) into smaller dwellings, and proposals for new Houses of Multiple Occupation (HMOs), will be supported, subject to other Local Plan policies and the following criteria:

- (i) All units of accommodation resulting from the subdivision or conversion will provide an acceptable level of amenity for future occupiers in accordance with Policy DEV1;
- (ii) All units of accommodation resulting from the subdivision or conversion will comply with the housing standards set out in Local Plan policies and/or licensing requirements (whichever is relevant to the type of development), including in relation to Internal Space Standards and External Residential Areas including (and not limited to) in terms of provision for car and cycle parking and waste and recycling;
- (iii) The proposal is appropriate in terms of the impacts on the amenities of occupants of nearby properties;
- (iv) Proposals for HMOs contribute towards the provision of mixed and balanced communities and do not result in an over-concentration of such uses in a particular area;
- (v) Planning applications for a HMO are accompanied by a detailed management scheme to demonstrate how the HMO will be appropriately managed, having regard to the need to protect the amenity of the local area and of future occupiers. Compliance with an acceptable management scheme will be secured through a planning condition or planning obligation;
- (vi) Any alterations or extensions to the host building to facilitate the sub-division are in accordance with Policy HOU17;
- (vii) Any conversion, alteration or extension works to the host building to facilitate the sub-division include measures which will improve energy efficiency and sustainable construction, in accordance with the policies of the Green to the Core chapter;
- (viii) Proposals involving the change of use of a non-residential use to a dwelling or HMO will be determined in accordance with DEV4 as appropriate.

## **Internal space standards: Policy on internal space standards**

The Council adopts the Government's nationally-described space standard. All new dwellings (including changes of use and houses converted into flats) should provide adequate minimum internal space in line with the standard.

All rooms which could potentially be used as a bedroom, including studies and home offices, will be required to meet, as a minimum, the space standard for a single bedroom.

## **External residential areas: Policy on external residential areas**

An integrated approach to the provision, layout and treatment of external areas of dwellings should be taken in accordance with relevant Local Plan policies and with specific regard to the following:

(i) Private External Space: Appropriate and proportionate levels of private usable external space will be expected. For dwellings, private rear garden spaces of at least 10 metres in length will normally be required, other than in exceptional circumstances where this cannot be achieved in an otherwise acceptable development but an appropriate and proportionate level of private amenity space is provided to the side or front of the dwelling, or where there are particular reasons why the future occupiers of the dwelling(s) will have a lesser requirement for amenity space. Flats and maisonettes must provide a minimum of 10sqm of external amenity space per dwelling including at least 3sqm for private use.

(ii) Car parking, cycle storage, and Electric Vehicle (EV) charging: Provision for car parking, EV charging, and safe, secure and covered cycle storage for all new dwellings, including flats should be made in accordance with Local Plan Policy LWL8, East Sussex County Council's 'Guidance for Parking at New Residential Development' and the Building Regulations requirements for EV charging. Its siting and design should be considered at the outset and be appropriate to the location, layout and design approach of the development, respecting and being informed by the character of the locality. Secure cycle storage must be located close to people's front doors so that cycles are as convenient to choose as a car for short trips. and easily accessible from the dwelling.

(iii) Waste and Recycling: Sufficient bin storage and collection points must be provided on all new residential developments and changes of use. Their siting and design should be considered at the outset, be integral to the development, respect the visual amenities and streetscape character of the dwelling and area, and be fully accessible for collection.

(iv) Other storage: Consideration should be given to the need for additional storage for other large personal items within the external area of new residential developments, for example: children's buggies, mobility scooters and wheelchairs. Factors influencing the need for additional storage will include the size of the dwellings, density, location, and the likely needs of the end-users of the development. Any such storage should be safe, secure and covered and conveniently located for users, easily accessible from the dwelling.

## **Development management housing matters**

### Extensions to Residential Gardens

Extensions to the gardens of existing dwellings in the countryside will not be permitted unless the extension:

- (i) is modest in area and the change of use and associated domestic paraphernalia does not harm the rural character of the area; and
- (ii) is to a natural boundary or is a logical rounding off.

### Extensions, Alterations and Outbuildings

Extensions, alterations and outbuildings to existing dwellings will be permitted where:

- (i) they do not unreasonably harm the amenities of adjoining properties in terms of loss of light, massing or overlooking;
- (ii) they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling;

- (iii) they do not detract from the character and appearance of the wider street-scene, settlement or countryside location, as appropriate, in terms of built density, form and scale;
- (iv) they leave sufficient usable external private space for the occupiers of the dwelling in accordance with Policy HOU14;
- (v) they fully respect and are consistent with the character and qualities of historic buildings and areas, where appropriate;
- (vi) in the case of extensions and alterations, they are physically and visually subservient to the building, including its roof form, taking into account its original form and function and the cumulative impact of extensions; and
- (vii) in the case of outbuildings, they respect and respond positively to the character, appearance and setting of the main dwelling within its plot and the wider street-scene or general locality, through their siting, scale and massing, design and appearance and materials.

### Annexes

The creation of residential annexes will be considered in accordance with a sequential approach in the following order:

- (i) an extension to the dwelling;
- (ii) the conversion of an existing outbuilding within the residential curtilage that is located in close proximity to the dwelling; and
- (iii) a new building located within the residential curtilage in close proximity to the existing dwelling and with a demonstrable link to the main dwelling, such as shared vehicular access, communal parking and amenity spaces, where appropriate.

All proposals will be assessed against the criteria of Policy HOU17 to ensure that they are appropriate in terms of the existing dwelling, surrounding area and amenities of occupants of nearby properties.

In all cases, the occupation of the annexe shall be managed by planning condition or exceptionally a planning obligation to ensure that the accommodation is tied to the main dwelling, cannot be used as a separate dwelling and cannot be sold separately.



## Boundary Treatments

When planning permission is required for new or altered boundary treatments or other means of enclosure, including fences, walls, gates and gate piers and hedges it will be supported where:

- (i) the proposal does not involve the loss of existing boundary structures of historic or architectural interest; or
- (ii) the proposed boundary treatment, by virtue of design, height, and materials or species, is consistent with the character of the locality;
- (iii) in the rural areas, the proposal would not, by virtue of its siting or appearance, adversely impact on the undeveloped character of the countryside, nor, by virtue of its design and appearance, introduce a suburban or urban feature into the rural area; and
- (iv) the proposal is considered acceptable in terms of highway safety.

## Accesses and Drives

Proposals for new drives and accesses will be supported where:

- (i) they are considered acceptable in terms of highway safety, including for pedestrians and cyclists;
- (ii) by virtue of their location and design and materials (including any soft landscaping) they would maintain the character of the locality, particularly in the rural areas;
- (iii) they involve the relocation of an existing access, if there are highway benefits of relocating the existing access, and the existing access will be stopped up; and
- (iv) either, they are constructed of permeable materials, or appropriate drainage is included to manage surface water run-off in accordance with Policy ENV2.

## 24 Summary of Other Projects and Delivery Mechanisms

### Second Homes

- 24.1 As noted in Section 17 above, the Levelling Up and Regeneration Act (2023) has introduced a new discretionary power for local authorities to impose council tax premiums on second homes of up to 100% (double the normal council tax), although this has not yet come into force. If introduced at Rother, this could potentially discourage second home ownership in the district, with benefits to local housing availability and affordability for residents. This mechanism would be brought forward by the Council's Revenues and Benefits section.

This page is intentionally left blank



**Rother District Council**

Town Hall

London Road

Bexhill-on-Sea

East Sussex

TN39 3JX