

Rother District Council
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TN39 3JX

Rother Local Plan 2020 - 2040

Draft (Regulation 18) Version

April 2024



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

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1. Introduction

Why do we need a Local Plan?

- 1.1 The Local Plan contains the vision, strategies and policies to steer development decisions across the Rother District. It is the starting point for all decisions about new development and ensures that the planning system is plan-led.
- 1.2 The National Planning Policy Framework (NPPF)¹ requires local planning authorities to have an up-to-date plan that covers a period of at least 15 years from the date it is adopted.
- 1.3 The Council is committed to delivering a new Local Plan that links closely to the Corporate Plan and other important Council strategy documents.

What will the Local Plan deliver?

- 1.4 This is the Regulation 18² public consultation version of the Rother District Local Plan. Once adopted, it will replace Rother's Core Strategy (2014) and Development and Site Allocations (2019) Plans.
- 1.5 The primary purpose of this new Local Plan is to set out the long-term strategy and planning policies for Rother District to 2040. The Local Plan includes a vision for the district, which describes what the Plan is aiming to achieve and what the district should look like by 2040.
- 1.6 The Local Plan's vision has emerged from the key issues that have been identified in the evidence base and through early engagement and informal consultation. The Council recognises the key role that the Local Plan plays in responding to the Council's declared Climate Emergency; delivering the Council's housing, economic, community

¹ National Planning Policy Framework, December 2023

² From the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

and infrastructure needs; and protecting the special landscapes, habitats and heritage of the district. It is important that the Local Plan strikes the right balance in the best interests of the district's residents and businesses.

- 1.7 The plan sets twin overall priorities ('Green to the Core' and 'Live Well Locally') to meet that vision, which are important to the overall delivery of the plan, along with ten strategic objectives that the plan seeks to deliver.
- 1.8 This leads to the creation of the Local Plan's development strategy for both the whole district and five sub-areas within it. It proposes a distinct strategy focussed on networks and clusters of towns and villages to respond to our twin priorities.
- 1.9 The Local Plan will be supported at the local level by Neighbourhood Plans, which give communities the power to develop a shared vision for their local area and set specific policies within the context of the Local Plan's strategic policies. Seven³ Neighbourhood Plans have been made (adopted) and details of these can be found on the Council's Neighbourhood Planning [webpage](#). The Council will work closely with neighbourhood planning groups in the drafting of this Plan and will continue to support Neighbourhood Plans alongside the Local Plan review.
- 1.10 A wide range of evidence base documents are being prepared to support the development of the Local Plan. This version of the Plan takes into account evidence that is available at this stage. The scope and detail of the supporting evidence base is set out in Background Topic Papers and this can be found on the Local Plan Review [webpage](#).
- 1.11 The Council has already undertaken some informal engagement on the Local Plan in the lead up to the publication of this consultation version. This involved specific stakeholders⁴ and Rother's Councillors, and is summarised on the Council's Local Plan Review [webpage](#). This period of early engagement has resulted in the development and

³ Battle, Burwash, Crowhurst, Rye, Salehurst & Robertsbridge, Sedlescombe, and Ticehurst.

⁴ Statutory organisations, neighbouring local planning authorities, infrastructure bodies and other prescribed bodies for the purposes of the Duty to Cooperate.

understanding of the Local Plan's Overall Priorities, objectives, and strategic and non-strategic policies⁵.

What is the Regulation 18 Version of the Local Plan?

- 1.12 We are required by law to consult on our draft plan. This consultation offers the chance to respond to, and comment on, this draft document.
- 1.13 At the end of the consultation, we will look at every one of the comments received. The comments will help us pull together the 'Submission Version' of the Local Plan.
- 1.14 The Submission Version of the Plan will also go through a formal consultation process, known as 'Regulation 19', which we expect to take place in early 2025. The submission version of this plan will then be submitted to the Planning Inspectorate for an 'Examination in Public'.
- 1.15 This draft plan seeks to be ambitious and bold in its response to the climate, biodiversity, health and wellbeing, and housing affordability challenges that we face.
- 1.16 It proposes full policy wording and explanatory text where there is a clear and evidenced policy direction that the Council wishes to take. Where the Council's evidence base is still in development, proposed policy approaches are set out.
- 1.17 'Regulation 18 commentary', relevant to this version of the Local Plan, is provided to assist understanding of the policies and policy approaches set out.
- 1.18 In most sections of the Plan, specific consultation questions related to the policy areas and themes are asked. The questions seek to gather feedback and assist policy development. While we would welcome specific feedback on these areas, any other comments can be made on this Local Plan by referencing the Section heading, paragraph number, page number etc in your representation.

⁵ Strategic and non-strategic policies are listed in Appendix 1.

What National Policy, Strategies and Plans need to be considered?

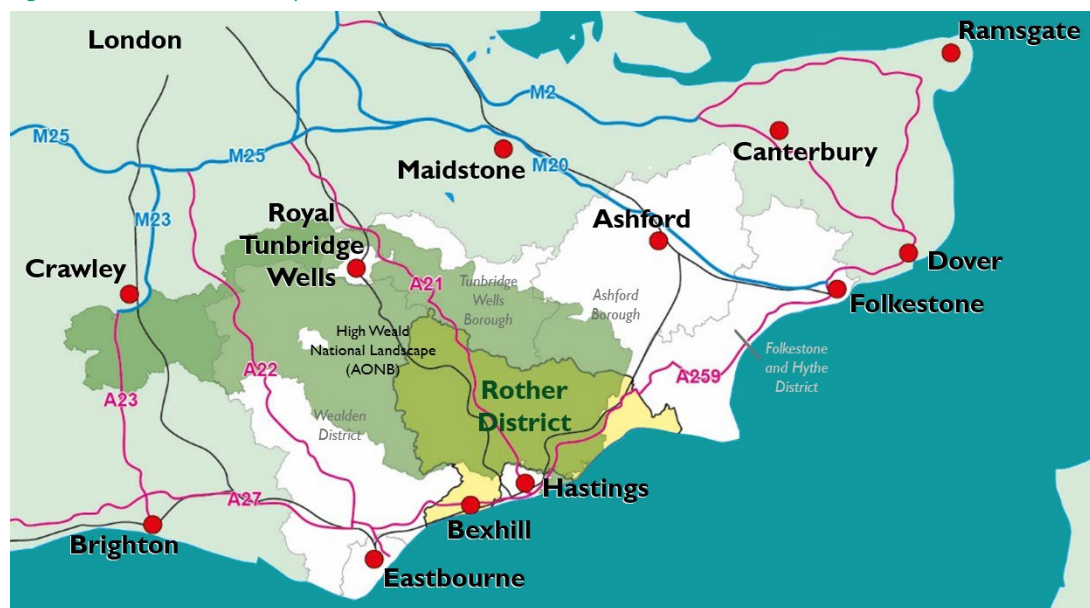
- 1.19 The NPPF sets out the overarching planning policy requirements which the Local Plan must meet, including a justification for the level of development proposed. This seeks to balance local housing and economic development needs against heritage, landscape and environmental protections.
- 1.20 The Local Plan must take account of current Planning Practice Guidance (PPG) from the Government. Alongside this, the Local Plan takes account of other national policy guidance from statutory organisations⁶ such as the Marine Management Organisation, Natural England, National Highways and the Environment Agency. Other relevant policies, plans and programmes which may impact on the Local Plan have been taken into account and assessed through the [Sustainability Appraisal/Strategic Environmental Assessment \(SA/SEA\) Scoping Report](#).
- 1.21 The Local Plan should not merely repeat national planning policy. Instead, it must set out strategic and non-strategic policies which are important to Rother's local context. Where it is relevant to adopt national standards or national policy approaches, the Local Plan identifies this in each relevant section.

⁶ This list is by no means exhaustive, and various guidance has been considered where referenced in the Local Plan and supporting Background Papers.

The Geography and Population of Rother District

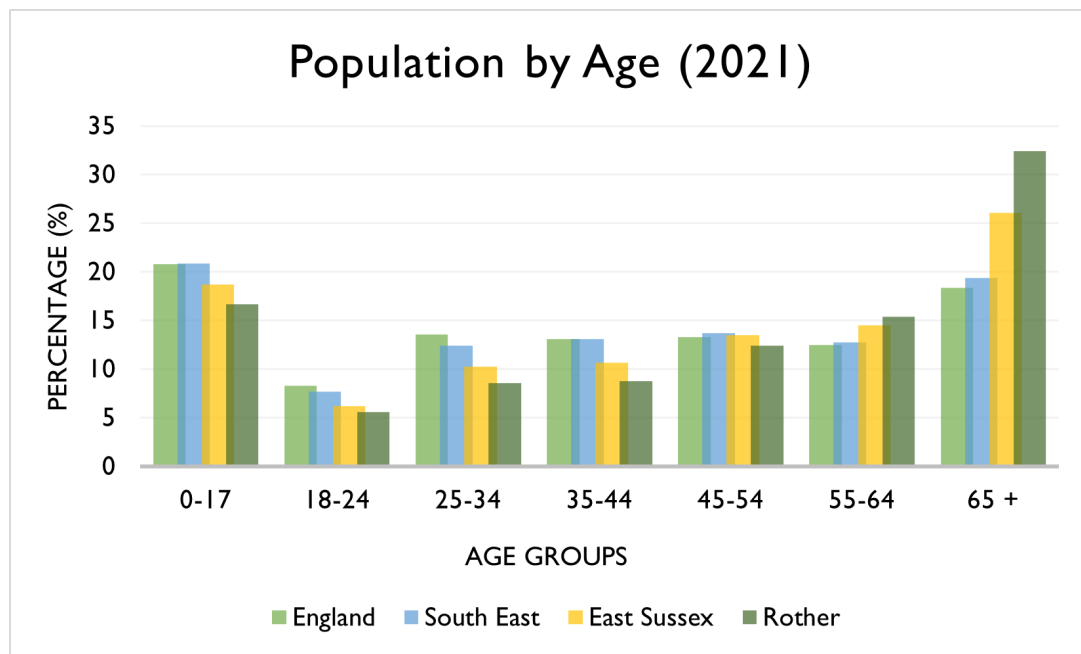
- 1.22 Rother District covers some 200 square miles.
- 1.23 Figure 1 shows Rother in a regional context, along with the district's neighbouring planning authorities and their geographical relationship with the High Weald National Landscape (NL) and main transport connections.

Figure 1: Rother context map



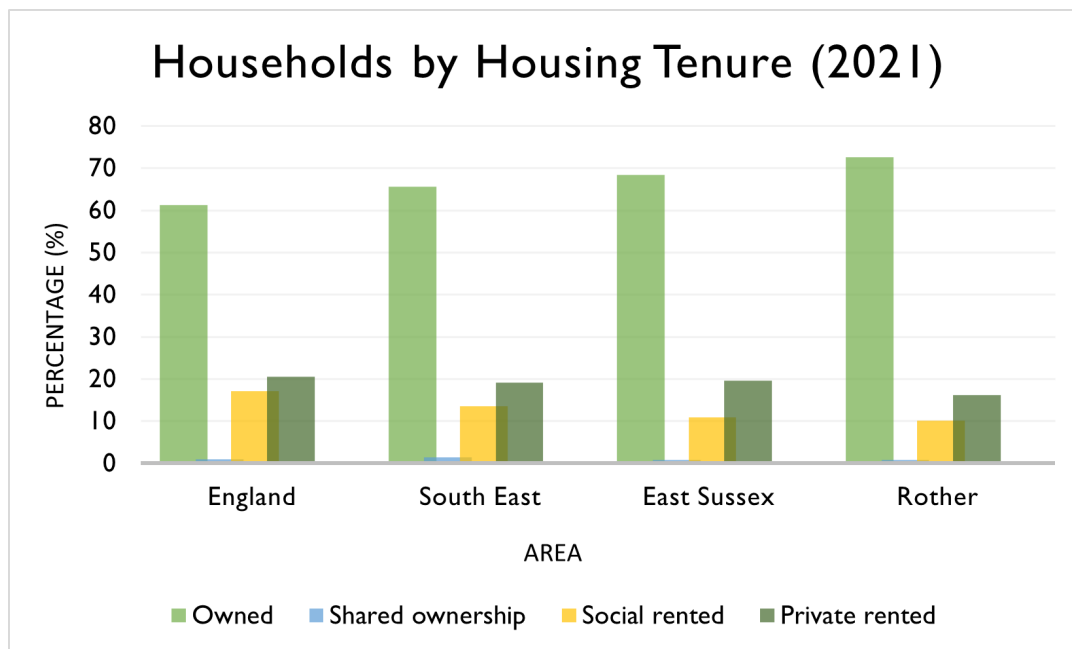
- 1.24 Some 93,111 people currently live in Rother ([ESiF](#), data from Census 2021), many dispersed across the rural area, but with nearly half living in Bexhill. The broad age structure of residents today is shown in Figure 2 below. There is a higher than average proportion of people 65 years old and over in Rother, especially in parts of Bexhill, and this proportion is predicted to increase in the future. The Council has joined the World Health Organisation's Global Network of Age-Friendly Cities and Communities, as part of its commitment to ensuring that Rother is a great place to grow old for all its residents.

Figure 2: Age structure of Rother residents (ESiF, 2021)



- 1.25 Rother wraps around Hastings' boundary from Bexhill in the west, to Fairlight in the east. Rother and Hastings are one [functional economic and housing market area](#), showing, in many ways, that those who live, work and visit here are part of the same community.
- 1.26 The 2019 Index of Multiple Deprivation gives an overall rank for Rother of 135 out of the 317 English local authorities, with the most deprived local authority ranked as 1. However, there is wide disparity between areas of the district that are affluent and those that are deprived.
- 1.27 Rother has a higher proportion of owner occupancy and a lower proportion of social housing compared to the national, regional and county averages.
- 1.28 Figure 3 shows from the 2021 Census data on [ESiF](#), in Rother, 72.7% of houses in Rother are owned and just 10.2% are social rented. Equivalent figures elsewhere are: England & Wales (61.3%/17.1%), South East (65.7%/13.6%) and East Sussex (68.4%/11.0%).

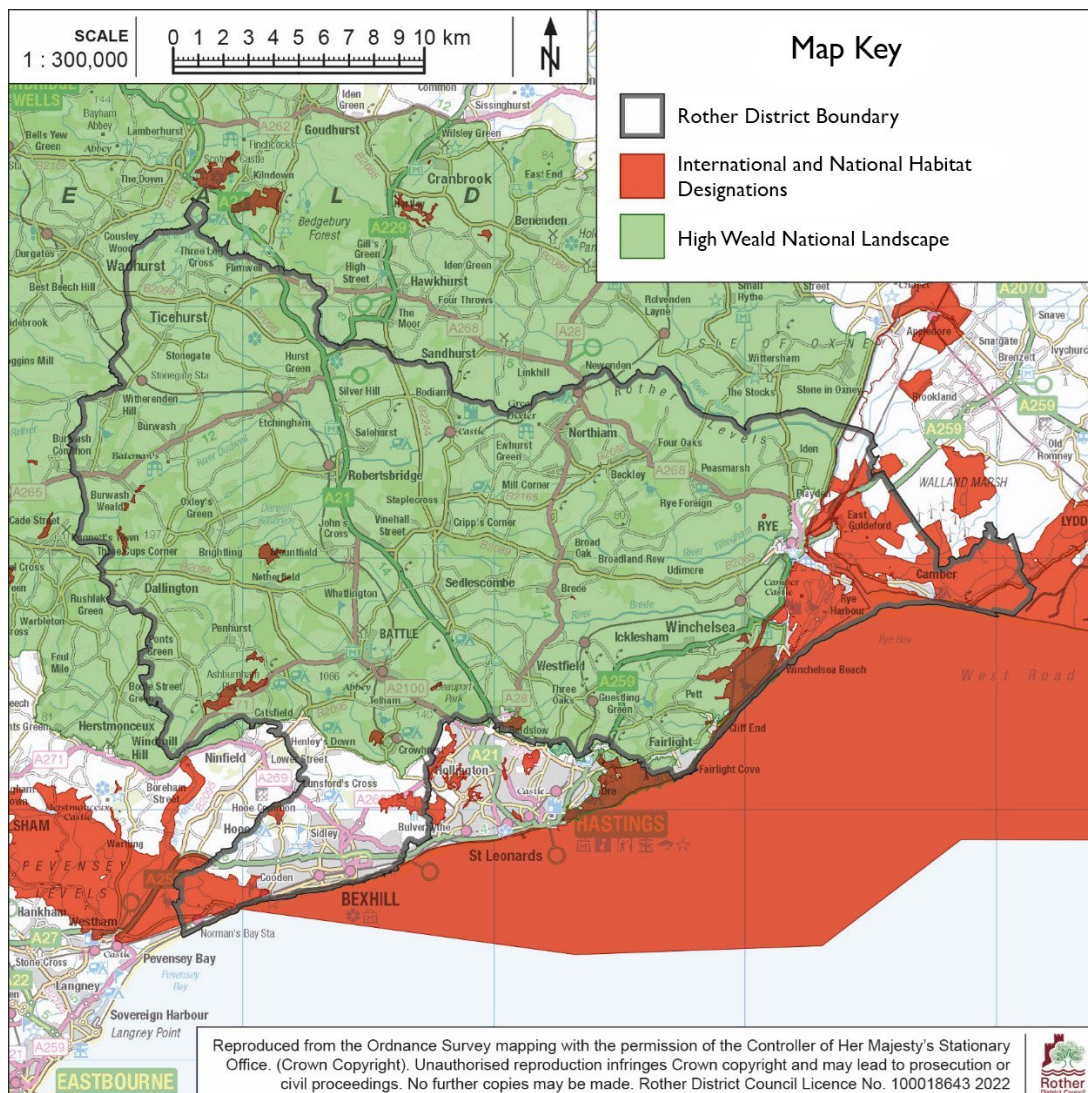
Figure 3: Households by Housing Tenure



- 1.29 Rother benefits from some of the most beautiful countryside and coastline in South East England and contains the historic market towns of Battle and Rye, the Victorian/Edwardian seaside town (and administrative centre) of Bexhill and many picturesque villages.
- 1.30 83% of the district is within the High Weald National Landscape (NL), a designated 'Area of Outstanding Natural Beauty'. The High Weald NL is one of the best remaining examples of a medieval landscape in Northern Europe consisting of woods, small fields, farmsteads and ancient routeways.
- 1.31 Rother's historic environment is highly valued, with statutory protection of over 2,000 listed buildings, ten Conservation Areas, a number of Scheduled Ancient Monuments and the 'Historic Battlefield' at Battle. There are also many other non-designated historic buildings – particularly farmsteads. Its recognised scenic beauty and heritage play a large part in attracting significant levels of tourism.

- 1.32 The Pevensey Levels, straddling the south-western boundary of the district, is a 'Ramsar' site, designated for its international importance as a wetland habitat and a Special Area of Conservation (SAC).
- 1.33 On the south-eastern boundary, the Dungeness Complex of Habitats Sites comprises three overlapping international designations – the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar Site and the Dungeness Special Area of Conservation (SAC). There are also many Sites of Special Scientific Interest (SSSIs) in Rother.
- 1.34 These habitat designations mean that in addition to the 83% of the district in the High Weald NL, a further 7% is either nationally or internationally protected for its habitat value.

Figure 4: Protected Landscape and Environmental designations



- 1.35 The extent of Ancient Woodland is also significant, covering 16% of the district – the greatest of any district in the South East (see the [Ancient Woodland Inventory 2010](#)). This is an irreplaceable habitat of ecological value for nature recovery as well as carbon sequestration and cultural and landscape importance.
- 1.36 The partly low-lying and coastal nature of the district, along with its intricate network of ridges and valleys, make it particularly vulnerable to flooding. The predominant flood risk comes from the sea, rivers and watercourses, although the district also suffers from surface water flooding. The majority of the coast benefits from flood defences.

[Flood risk areas](#) will be mapped and assessed in the Council's Strategic Flood Risk Assessment, which is currently in production.

Joint Statement agreed with Hastings Borough Council

Together, both Councils form a strongly defined Housing and Functional Economic Market Area. Hastings, as one of East Sussex's largest towns, provides a strong draw for many residents within Rother, with the inhabitants of many towns and villages visiting Hastings to access wider services and facilities.

The Councils understand these interactions and will continue to work closely to develop evidence bases in support of their respective Local Plans. We will continue to look for opportunities for joint studies and are working together to assess the impacts of our development strategies to ensure that the needs of the wider Housing and Functional Economic Market Area can be best met.

Both Councils will aim to shape development to radically reduce carbon emissions by aligning growth and infrastructure to enable our communities to live well locally, while enhancing the natural and built environment, and adapting to the effects of climate change.

- 1.37 Rother District Council (RDC) is working closely with Hastings Borough Council (HBC) because of their geographical and economic relationship. Through early engagement, both Councils have discussed opportunities for joint working, including joint approaches to each authority's evidence base and evolving development strategies.
- 1.38 The Councils are committed to continuing this joint working relationship as our respective Local Plans progress. The joint statement above reflects our clear intention to develop and action matters of cross-boundary importance and most importantly, explore joint opportunities to maximise housing delivery.

Using the Local Plan

- 1.39 The Local Plan is divided into specific chapters which help to present different themes and areas of importance of the Local Plan. The following table (Figure 5) helps explain how the Local Plan is structured.
- 1.40 Proposed policy wording and explanatory text is set out in this draft for chapters 1 to 12 where there is a clear and evidenced policy direction that the Council wishes to take. Individual site allocation policies will form chapter 13, but this is not part of this Regulation 18 consultation because we wish to consult on the development strategy and draft Housing and Employment Land Availability Assessment (HELAA) before final site selection and specific site allocation policies.

Figure 5: Structure of the Local Plan

Chapter	Description
1. Introduction (this chapter)	Explains why the Council is preparing a Local Plan, the Regulation 18 public consultation version and the district's geographical context.
2. Vision and Objectives	Sets out the Council's vision for the Local Plan, its twin Green to the Core and Live Well Locally overall priorities, and the key objectives that the Local Plan should deliver.
3. Green to the Core	Sets out policies relating to the climate emergency, biodiversity crisis and the High Weald National Landscape which meet the Local Plan's Green to the Core overall priority.
4. Live Well Locally	Sets out policies for compact development, facilities and services, active and public transport, the public realm and built form which meet the Local Plan's Live Well Locally overall priority.
5. Development Strategy and Principles	Presents the Council's proposed strategy for growth, with a consideration of alternatives, along with specific visions for five sub-areas. Sets out policies relating to general development principles, development boundaries, comprehensive development and strategic gaps.

Chapter	Description
6. Health and Wellbeing	Contains policies to improve the health and wellbeing of the community within the overall priority to Live Well Locally.
7. Infrastructure	Explains the importance of infrastructure delivery to support growth in the Local Plan in relation to transport, community facilities and green and blue infrastructure.
8. Housing	Contains policies relating to new residential development to ensure mixed and balanced communities and the delivery of affordable housing, and policies to guide existing householder applications.
9. Economy	Contains policies relating to commercial development, protecting the loss of commercial use, identifying retail and leisure need, and planning for tourism and rural industries.
10. Landscape Character	Contains policies relating to rural areas and their landscapes, trees and woodlands and dark skies.
11. Environmental Management	Contains policies relating to flooding and sustainable drainage, coastal issues, biodiversity, including designated sites and pollution.
12. Heritage	Sets out policies to preserve the historic built character across the district as well as policy for signs and advertisements.
13. Site Allocations	Will set out policies for individual site allocations for development, based on the proposed development strategy in chapter 5 and the draft Housing and Employment Land Availability Assessment (HELAA). This proposed chapter is not part of the Regulation 18 consultation because we wish to consult on the development strategy and draft HELAA before final site selection and specific site allocation policies.

2. Vision, Overall Priorities and Objectives

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 development⁷ 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.

⁷ Housing development where 10 or more homes is proposed, or the site has an area of 0.5 hectares or more. Non-residential development where additional floorspace of 1,000m² or more, is proposed or the site has an area of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 2.1 The Vision for Rother District is an important starting point for the Local Plan. The vision is ambitious but achievable. It sets an overarching picture for the Local Plan's priorities, strategies and policies to work towards.
- 2.2 RDC has declared a climate emergency and this is the defining issue of our times. Local planning authorities have a legal duty⁸ to ensure that planning policy contributes to the mitigation of, and adaption to, climate change.
- 2.3 Our complex challenges require bold solutions. The Plan must seek to maximise housing delivery in a manner that is appropriate for the protected national landscape and habitat areas which form much of its context. The Plan must also futureproof policy to build in flexibility as national policy and the economy changes.

Question Box

Q1. What are your views on the Council's Vision?

⁸ Section 19 of the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008; Climate Change Act 2008, Environmental Assessment Regulations 2004

Overall Priorities

- 2.4 The Planning and Compulsory Purchase Act 2004⁹ sets out that each local planning authority must identify their strategic priorities and have policies to address these in their Local Plan (taken as a whole).
- 2.5 Twin Overall Priorities have been identified to meet the Local Plan's vision and create clear concepts against which the Plan's strategies and policies – and decision-making – can be tested.

Overall Priority 1 – Green to the Core

What does Green to the Core mean?

Being Green to the Core means considering the impact of all planning decisions on the climate emergency, the biodiversity crisis and the High Weald Area National Landscape.

It means:

- contributing to the radical reduction in carbon emissions required by national planning policy through planning for sustainable transport, net zero housing and renewable energy; and
- playing a key role in the UK's nature recovery and carbon sequestration through enhancing our landscape and environmental assets.

- 2.6 Paragraph 157 of the NPPF states that the planning system *'should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse*

⁹ Section 19(1B)-(1E) of the Planning and Compulsory Purchase Act 2004

of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure’.

- 2.7 The Council declared a Climate Emergency in September 2019. Our adopted Climate Strategy 2023 sets out how the Council will use its powers and influence to make the district climate-resilient, and reduce emissions to net zero, by 2030. This recognises the role of the Local Plan in mitigating future emissions.
- 2.8 In tandem with the Climate Emergency, there is a biodiversity crisis. The [Environment Act 2021](#) includes a target to halt the decline of nature by 2030, and mandates [Biodiversity Net Gain](#) for developments. Rother’s rural landscape and coastal environment can play a key role in the nation’s nature recovery. It also makes a strong contribution to carbon sequestration.

Overall Priority 2 – Live Well Locally

What does Live Well Locally mean?

The Live Well Locally concept means considering, when making all planning decisions, the goal of creating:

Healthy, sustainable and inclusive communities that support residents across the age spectrum in terms of housing, access to jobs, services and facilities.

‘Connected and compact neighbourhoods’ in our towns with ‘village clusters’ in our rural locations, where people can meet most of their daily needs within a reasonable distance of their home, with the option to walk, wheel, cycle (active travel) or use public transport.

New development that creates places that are not just visually appealing, but also inspire and foster a sense of belonging, identity, and shared experience.

- 2.9 Live Well Locally promotes the idea that residents of all ages, abilities and backgrounds should be able to access their daily needs (housing, work, food, health, education and culture and leisure) as locally as possible and have the option to do this by walking, wheeling, cycling or by public transport.
- 2.10 Creating connected communities can enable people to Live Well Locally and improve health and wellbeing through better air quality, more physical activity, greater nature connection and social interaction.
- 2.11 As a predominantly rural district, where there is a high reliance on the private car, decarbonisation of our transport emissions will be assisted if there is a pattern of development which makes it quicker and easier to travel by sustainable means; efficient

use of infrastructure networks; and more public and active travel.

- 2.12 The Local Plan contains two chapters on Green to the Core and Live Well Locally which build on these descriptions and present planning policies under each of the two overall priorities.

Key Planning Issues

- 2.13 Under its 'Green to the Core' and 'Live Well Locally' Overall Priorities, the Local Plan will seek to address the following key planning issues, which directly feed into the objectives identified at the end of this chapter:
- delivering carbon reduction and adaptation to climate change, and responding to the locally declared 'Climate Emergency';
 - meeting the overall local demand and need for housing (including affordable and specialist need) and associated growth – taking a landscape and sustainability led approach across the district;
 - securing economic improvement in a challenging local and national economic cycle that requires ongoing flexibility;
 - providing better access to jobs, services and facilities across the district, and specifically supporting rural economies and communities, making them more sustainable, through meeting the needs of residents and visitors;
 - conserving and enhancing the significant landscape and environmental quality across the district, particularly the High Weald National Landscape, Pevensey Levels and Dungeness Complex of Habitats Sites alongside delivering biodiversity gains and improvements to green infrastructure;
 - delivering district-wide and neighbourhood infrastructure to support growth, and strengthening the sustainability of settlements and communities;
 - planning for physical and mental health and wellbeing by supporting strong, safe and sustainable communities, with a community-led focus, promoting healthier lifestyles, reducing inequality and deprivation;
 - planning for an ageing population, responding to the needs for adaptable homes and a range of accommodation needs;

- providing better facilities for sports, leisure, culture and tourism to meet the needs of the local community and those visiting the area; and
- managing uncertainties and contingency planning, including long-term climate change resilience.

Strategic Spatial Objectives

- 2.14 The Council has developed ten key objectives which stem directly from the Vision for the Plan and link to the Council's two Overall Priorities. Figure 6 below provides a list of the objectives, linked to the chapters within the Local Plan, and provides a summary of how the objectives can be achieved through the development of policies in the Local Plan.

Question Box

- Q2. What are your views on proposed twin Overall Priorities to be 'Green to the Core' and 'Live Well Locally'?**
- Q3. What are your views on the key issues (listed at paragraph 2.13) that have been identified and is there anything significant missing?**

Figure 6: Rother Local Plan Strategic Spatial Objectives

Spatial Objective	How can we achieve this?
1. Deliver net zero carbon ambitions through effective and supportive planning policies.	<ul style="list-style-type: none"> • Direct development to sustainable locations, with services and transport options. • Develop planning policy that contributes to the radical reductions in emissions required nationally, whilst still making development viable. • 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.
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.	<ul style="list-style-type: none"> • 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 Land Availability Assessment (HELAA) and the Settlement Study). • Deliver the ambitions and policy direction of the High Weald National Landscape Management Plan and Design Guide.
3. Promote high quality design and protect and enhance Rother's built and natural heritage, while providing opportunities for recreation and tourism.	<ul style="list-style-type: none"> • Provide policies that promote high quality design for new development. • Provide policies which protect and enhance our natural and built heritage. • Provide supportive policies for tourism and recreation uses within urban and rural areas, where appropriate and not in conflict with environmental designations and constraints.

Spatial Objective	How can we achieve this?
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.	<ul style="list-style-type: none"> • Maximise the potential opportunities for residential development in sustainable and deliverable locations. • Help deliver affordable housing, specialist housing for older people, custom and self-build housing and gypsy and traveller sites. • Ensure development is viable and supports growth in the district by providing certainty for developers through site allocations and clear planning policies.
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.	<ul style="list-style-type: none"> • The HELAA assesses the suitability of sites to identify potential site allocations. • The development strategy will direct development to the most appropriate and sustainable locations. • Local Plan Transport Assessment will provide evidence for key strategic improvements required to the transport network around Bexhill/Hastings. • The Council will work closely with HBC to deliver a shared vision including cross-boundary strategic infrastructure and consideration of growth options.
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.	<ul style="list-style-type: none"> • Allocate sites and provide supportive policies for economic growth (for specific needs). • Provide a flexible approach in planning policy to react to changing economic needs. • Work with other departments and external partners to improve the local employment offer, especially in relation to rural communities.

Spatial Objective	How can we achieve this?
7. Focus growth in sustainable locations across the district, or places that can be made sustainable through supporting infrastructure and community facilities.	<ul style="list-style-type: none"> • The Settlement Study provides a greater understanding of the sustainability, form and function of towns and villages. • The HELAA helps identify potential sites for development and provides evidence for site allocations. • The Infrastructure Delivery Plan (IDP) will assist in directing and prioritising strategic and local infrastructure needs.
8. Enhance the sustainability and connectivity of local communities through sustainable transport measures and improved internet network coverage.	<ul style="list-style-type: none"> • The Settlement Study provides a greater understanding of the sustainability, form and function of towns and villages. • The Local Plan Transport Assessment will look at ways to enhance sustainable transport options across the district. • Liaise with infrastructure providers (including broadband providers) as part of the IDP.
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.	<ul style="list-style-type: none"> • Elevate the priority of health matters in Local Plan policy and work with East Sussex County Council's (ESCC) Healthy Places team within Public Health to develop supportive planning policies. • The Settlement Study provides a greater understanding of the sustainability, services and facilities within towns and villages and their accessibility.
10. Balance strategic planning with the opportunities for local delivery through neighbourhood planning.	<ul style="list-style-type: none"> • 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.

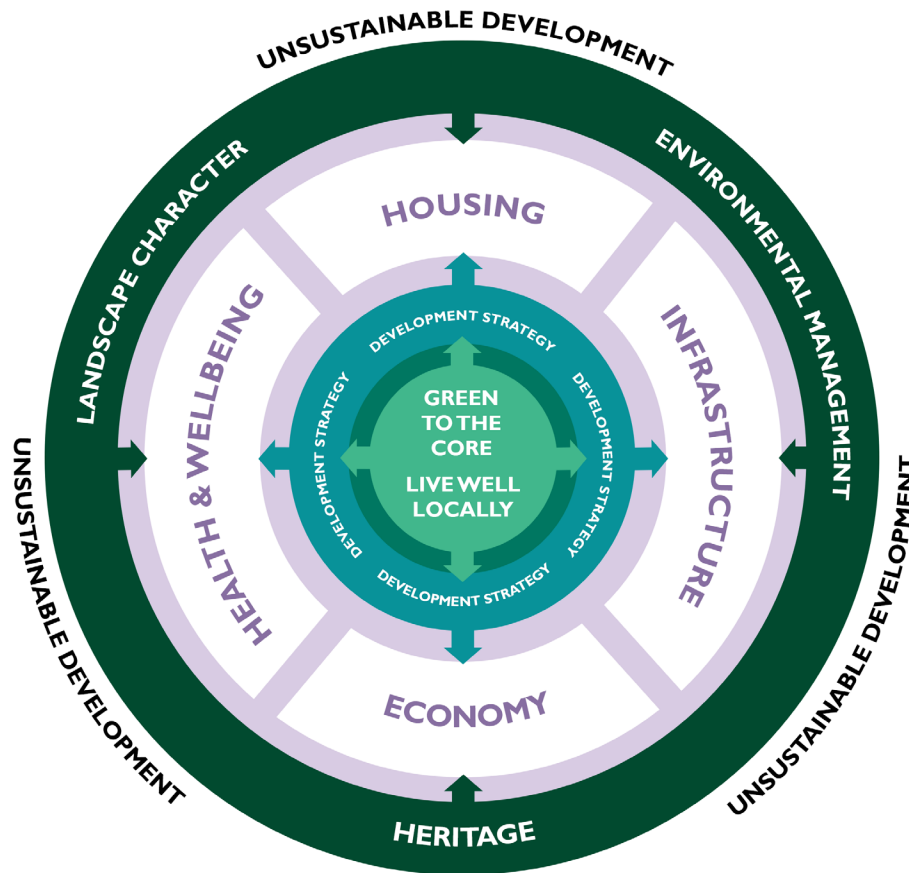
- 2.15 The following diagram (Figure 7) provides a pictorial representation of how the overall priorities concept and key themes work together to support and deliver sustainable development. The two overall priorities of 'Green to the Core' and 'Live Well Locally'

sit at the centre and are instrumental in helping shape the district's development strategy. This then determines the housing, economic, infrastructure and health and wellbeing policies. These are set within the confines of the district's landscape character, environmental designations and built heritage. These areas of planning policy ensure that development is appropriate and sustainable and that everything that sits outside is unsustainable.

Question Box

- Q4. What are your views on the Council's objectives for the Local Plan?**
- Q5. Are there any alternatives or additional objectives and/or the ways to achieve the objectives the Council should be considering?**

Figure 7: Delivering sustainable development through the Local Plan



Strategic and Non-Strategic Policies

- 2.16 The Local Plan contains both **strategic** and **non-strategic** policies. **Strategic** policies set out the overall strategy for the pattern, scale and design quality of places and make sufficient provision, in line with the presumption in favour of sustainable development. **Non-strategic** policies set out more detailed policies for specific areas and types of development, including site allocations. The Local Plan policies are defined as ‘strategic’ or ‘non-strategic’ as set out in Appendix 1.

3. Green to the Core

Addressing the Climate Emergency

- 3.1 The Local Plan has an 'Overall Priority' to be Green to the Core. This includes ensuring that planning decisions mitigate and adapt to the Climate Emergency to fully support the transition to a net zero and resilient future in a changing climate.
- 3.2 Local planning authorities have a legal duty¹⁰ to ensure that planning policy contributes to the mitigation of, and adaption to, climate change. This means that local plans must set out the district's baseline carbon dioxide emissions and the actions needed to reduce emissions over time.
- 3.3 National guidance¹¹ requires policies and decisions to be in line with the Climate Change Act 2008. NPPF paragraph 157 expects the planning system to '*shape places in ways that contribute to radical reductions in greenhouse gas emissions*'.
- 3.4 The Council's Climate Strategy 2023 states that Rother will use its powers and influence to make the district climate-resilient, and reduce emissions to net zero, by 2030.
- 3.5 The Royal Town Planning Institute (RTPI) has published research on both strategic planning for climate change and the urgency of net zero transport measures (*Strategic Planning for Climate Resilience*¹² and *Net Zero Transport: the role of spatial planning and place-based solutions*¹³) which form key evidence for policy formulation. A guide for local authorities on planning for the climate crisis¹⁴ (jointly produced by the RTPI and

¹⁰ Section 19 of the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008; Climate Change Act 2008, Environmental Assessment Regulations 2004

¹¹ Paragraph 157 of the NPPF, December 2023; climate change section of the PPG; Climate Change Act (2050 Target Amendment) Order 2019

¹² Strategic Planning For Climate Resilience, November 2020, RTPI,

¹³ Net Zero Transport, January 2021, RTPI

¹⁴ The Climate Crisis – A guide for Local Authorities on Planning for Climate Change, 4th edition, TCPA/RTPI, January 2023

the Town and Country Planning Association) has been a valid reference document, especially the six steps for successful plan-making in response to the climate crisis.

Regulation 18 commentary

- 3.6 This section sets out, for consultation, ambitious proposals to respond to the Climate Emergency based on Ove Arup and Partners' [Rother Climate Change Study - Net Zero Carbon Evidence Base Report \(2023\)](#). As this is a relatively new topic nationally for Local Plan policy, it is anticipated that these draft policies will evolve as government and other policy, advice and guidance (such as the Low Energy Transformation Initiative – LETI) comes forward.

Proposed Policy GTC1: Net Zero Building Standards

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Operational Energy

(A) All new development proposals must demonstrate, through an energy statement, how the following building performance standards for operational energy use and carbon emissions will be met using the energy hierarchy in the design, construction, and operation phases. This includes prioritising fabric first and orientation in order to minimise energy demand for heating, lighting and cooling; and considering opportunities to provide solar PV and energy storage and connecting with district heat networks, where possible, and decentralised electricity networks.

(i) Residential development should achieve:

- a) LETI¹⁵ Total Energy Use Intensity (TEUI) Target for Operational Energy of 35 kWh/m²/year (GIA).
- b) For new buildings, a 4-star Home Quality Mark (HQM) score; or for conversions to residential development, a Building Research Establishment Environmental Assessment Method (BREEAM) 'Excellent' standard as minimum.
- c) A maximum space heating demand for new buildings (small scale housing) of 15 kWh/m² per year.

¹⁵ The Low Energy Transformation Initiative established in 2017 to support the transition to net zero, originally in London.

- d) If LETI, Home Quality Mark or BREEAM is updated or replaced during the plan period the equivalent replacement requirements will be applied.

To demonstrate compliance, a Building Research Establishment (BRE) Home Quality Mark post-construction assessment or similar must be undertaken at practical completion.

- (ii) Non-residential development (including building conversions) should achieve:
- a) A LETI TEUI Target for Operational Energy of:
 - for offices - 55 kWh/m²/year (GIA);
 - for light industrial - 65 kWh/m²/year (GIA); and
 - for industrial units (including warehouses), a feasibility statement to evidence a practicable TEUI Target.
 - b) A BREEAM 'Outstanding' standard as a minimum.

Embodied Carbon

- (B) All new development proposals must demonstrate, through an energy statement, how the following embodied carbon standards will be met:
- (i) All residential development must achieve a LETI C rating for embodied carbon emissions, equating to 600 kgCO₂/m² upfront embodied carbon and 970 kgCO₂/m² total embodied carbon.
From 1 January 2030, a LETI A rating must be achieved, equating to 300 kgCO₂/m² upfront embodied carbon and 450 kgCO₂/m² total embodied carbon.
 - (ii) All office development should achieve a LETI C rating for office development, equating to 600 kgCO₂/m² upfront embodied carbon and 970 kgCO₂/m² total embodied carbon.

From 1 January 2030, a LETI A rating must be achieved, equating to 350 kgCO₂/m² upfront embodied carbon and 530 kgCO₂/m² total embodied carbon.

Whole Life Carbon

(C) Development proposals of 10 or more dwellings or 1,000 sqm or more of non-residential floorspace, must demonstrate that whole life carbon analysis has been applied in designing the scheme, including optimising operational and embodied carbon and energy, as well as integrating circular economy principles (following current LETI and RIBA guidance). Opportunities for reuse should be set through the provision of a whole life carbon statement.

Explanatory Text:

- 3.7 The UK Climate Change Act commits the UK Government by law to ensuring that the UK's greenhouse gas emissions for the year 2050 are at least 100% lower than the 1990 baseline (net zero). Dwellings are a significant contributor to greenhouse gas emissions, responsible for 16% of the UK's total emissions in 2020, and unlike other sectors such as business and transport, residential homes saw emission levels rise between 2017 and 2020¹⁶.
- 3.8 The introduction of a new Future Home Standard by Government by 2025 will help towards meeting the net zero goal, with an interim uplift to Building Regulations already in place from June 2022. However, because the Standards continue to measure carbon emissions, rather than energy use, it will not result in low energy homes. Both LETI and the UK Green Building Council recommend that energy use intensity targets should be used to ensure an improvement in energy efficiency and reduce grid demand.
- 3.9 This policy introduces Total Energy Use Intensity (TEUI) targets for operational energy. This approach is tied to our wider ambition of contributing to the radical

¹⁶ [2020 UK final greenhouse gas emissions statistics: one page summary \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925212/2020-UK-final-greenhouse-gas-emissions-statistics-one-page-summary.pdf)

reductions in carbon dioxide emissions required nationally. The TEUI approach measures operational performance and requires the use of the energy hierarchy (prioritising carbon savings from optimal fabric efficiency standards, renewable heat supply and on-site renewable energy) to minimise energy use.

- 3.10 In order for new dwellings to demonstrate compliance with the proposals set out in an approved energy statement, a BRE Home Quality Mark post-construction assessment or similar will be required to be submitted at practical completion.

- 3.11 Non-residential TEUI targets are set for light industrial and office buildings. To achieve these targets, it is likely that rooftop and/or on-site ground solar PV systems will need to be installed.

- 3.12 For industrial buildings, including warehouses, the target is flexible. A feasibility statement should demonstrate that the best energy efficiency outcomes have been achieved to serve the proposal, by maximising opportunities for on-site solar PV systems and optimising building fabric performance, heating and ventilation.

- 3.13 Embodied carbon (the carbon associated with both building materials and the construction and maintenance of a building throughout its whole lifecycle) is a significant contributor to carbon emissions and is likely to amount to as much as 50% of total emissions over a building's lifetime as operational emissions reduce. Arup's Rother Climate Change Study (2023) advises that, based on the joint Embodied Carbon Target Alignment guidance from LETI, RIBA and other industry organisations, current average building design achieves an E rating on the LETI carbon rating system, equating to 950 kgCO₂ /m² upfront embodied carbon and 1400 kgCO₂ /m² total embodied carbon. While the policy aim should be to achieve the LETI A rating for both residential and non-residential buildings, Arup's carbon specialists advise that the construction industry is not yet capable of meeting this. Therefore, a staggered approach is proposed to transition towards meeting the LETI A rating target from 2030.

- 3.14 The policy requires applicants for major development to submit a whole life carbon statement demonstrating an understanding of the emissions of a project holistically

over its lifespan. As an example, the LETI Whole Life Carbon one pager sets out how to do this.

- 3.15 In relation to waste, the emerging ESCC Waste and Minerals Local Plan (proposed submission version, September 2021) requires proposals to minimise the quantities of aggregates used in construction and prioritise the use of recycled and secondary aggregate over virgin aggregate. It supports the promotion of sustainable aggregate use policies within Local Plans.

Regulation 18 commentary

- 3.16 On 13 December 2023, a Written Ministerial Statement was made that advised that while the plans of some local authorities have sought to go further than national standards in terms of efficiency for new-build properties, the Government wants to strike the best balance between making progress on improving the efficiency and performance of homes while still ensuring that sufficient numbers of housing are built.
- 3.17 The Statement advises that the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. It advises that *“any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*
- *That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
 - *The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).”*
- 3.18 This draft policy would require energy efficiency standards above current building regulations, through an approach that focuses on achieving low energy homes rather than a carbon emission rate. The draft policy does not meet the requirements of the Ministerial Statement. Nevertheless, the Council is consulting on this proposed policy

at Regulation 18 stage, to ascertain local opinion and will then consider the best policy approach for submission at Regulation 19 stage.

Question Box

- Q6. What are your views on the Council's proposed policy for net zero standards and which parts of the policy do you support?**
- Q7. How important is it for Rother to seek to set high standards?**
- Q8. Are there any alternatives or additional points the Council should be considering?**

Proposed Policy GTC2: Net Zero Retrofit Standards

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Significant weight will be given to proposals which result in considerable improvements to the energy efficiency, reduction of carbon emissions and/or general suitability, condition and longevity of existing buildings will be supported.

All proposed retrofit schemes must:

- (i) Provide an Energy Statement which aligns with the six principles for best practice in LETI's Climate Emergency Retrofit Guide.
- (ii) Meet BREEAM Domestic Refurbishment Excellent standard, as a minimum, when delivering 10 dwellings or more.

In relation to statutorily and non-statutorily protected historic buildings or Conservation Areas, Policy HER1 will apply, guided by Historic England advice on climate change and historic building adaptation.

Explanatory Text:

- 3.19 It is widely accepted that retrofitting all existing buildings is essential if we are to achieve net zero. A substantial amount of our annual CO2 emissions comes from existing homes - homes that are likely to be in use in 2050. If we retrofit them well, we can enjoy a host of environmental, social and economic benefits.
- 3.20 Retrofit is not only about reducing carbon emissions. A best practice retrofit should reduce fuel bills, reduce fuel poverty and also improve health and wellbeing.

- 3.21 LETI's Climate Emergency Retrofit Guide underpins the Local Plan retrofit policy, setting out what good retrofit looks like for existing homes, and targets energy consumption reductions of 60-80% for the average home.
- 3.22 LETI best practice for retrofit is led by the following principles, which must be addressed in a submitted Retrofit Plan, setting out building information, key works, and a plan for monitoring and consumption:
1. Reduce energy consumption.
 2. Prioritise occupant and building health.
 3. Have a whole building Retrofit Plan.
 4. Measure the performance.
 5. Think big!
 6. Consider impact on embodied carbon.

Question Box

Q9. What are your views on the Council's proposed policy for net zero refurbishment standards?

Q10. Are there any alternatives or additional points the Council should be considering?

Proposed Policy GTC3: Construction Materials and Waste

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Development proposals will be required to demonstrate how they have implemented the principles and requirements set out below.

- (i) Reuse land and buildings wherever feasible and consistent with maintaining and enhancing local character and distinctiveness.
- (ii) Reuse and recycle materials that arise through demolition and refurbishment, including the reuse of excavated soil and hardcore within the site. When appropriate, undertake a BRE pre-demolition audit, or similar, to determine products and materials for re-use prior to demolition or major retrofit.
- (iii) Implement the Design for Disassembly approach on all schemes over ten dwellings or 1,000 sqm of non-residential floorspace, understanding the life-span of every building from the design stage and making provision for the re-use of its parts.
- (iv) Space is provided and appropriately designed to foster greater levels of recycling of domestic and commercial waste.

Explanatory text:

- 3.23 There is a lack of valid, robust data analysis in relation to construction waste across the UK. This means that understanding the volume of waste produced and the associated environmental and carbon cost is not possible. The Local Plan seeks to ensure that the sustainability of development includes the construction stage.
- 3.24 Construction processes, such as BRE's pre-demolition audit and Design for Disassembly, ensure that every stage of the development process from design to demolition has been considered in terms of embodied and operational carbon and waste.
- 3.25 The pre-demolition audit provides advice about the products and materials that can be re-used or re-cycled prior to demolition or refurbishment tender documents to ensure best practice in resource efficiency is adopted by the contractor. The process enables the construction industry to manage waste sustainably and at a high value, with outcomes based upon accurate data.
- 3.26 The 'design for disassembly' concept aims to preserve resources and address concerns regarding power consumption. The key principle is that the buildings are made specifically for material recovery and value retention. Buildings designed according to the principle of design for disassembly are enduring and constructed in a way that envisions they will never be demolished, but layered in such a way that ensures that they will be one day taken apart for re-use.

Question Box

Q11. What are your views on the Council's proposed policy for construction material and waste?

Q12. Are there any alternatives or additional points the Council should be considering?

Proposed Policy GTC4: Water Efficiency

Policy Status:	Non-strategic
New Policy?	No. Updated version of DaSA Policy DRM1
Overall Priorities:	Green to the Core

Policy Wording:

All new dwellings must be designed to achieve the Optional Technical Housing Standard of no more than 110 litres per person per day for water efficiency as described in Building Regulation G2.

The extent to which a proposal can demonstrate being water efficient will be a factor weighing in favour of a proposed development (where appropriate when accounting for design, heritage and safety considerations).

New development, including residential extensions and alterations, should minimise its impact on water resources. As such, rainwater and/or grey-water storage and recycling measures, green roofs and walls, and other water efficiency measures are encouraged.

Explanatory Text:

- 3.27 Rother is within a serious water stressed area as determined by the Environment Agency. In line with the Environment Agency's guidance, this classification can be used as evidence to support the tighter standards set out in Building Regulations for water usage of 110 litres per person per day via a condition of the development being approved.
- 3.28 Both South East Water and Southern Water have company-wide Water Resource Management Plans. These set out how the water companies will secure water supplies into the future. These plans have fed into the region-wide Water Resources South East

plan which has brought together all the water companies in the region. Based on the published plans, the water companies currently state that they will be able to meet the demand for water. However, this needs to be assessed against the planned development in this Local Plan. Engagement will be undertaken with the relevant water companies as the Local Plan progresses.

- 3.29 New development must comply with Part G2 of Schedule 1 and regulation 36 to the Building Regulations 2010 (as amended) in relation to water efficiency. The water usage (from mains supply) is calculated from the sanitary appliances and white goods provided and installed. Applicants can calculate the estimated use with the methodology in the Water Efficiency Calculator in Appendix A, or Table 2.2 which sets out the maximum fittings consumption levels, both within Building Regulations Part G 2015.

Regulation 18 commentary:

- 3.30 This policy goes further than only requiring the tighter standards in Building Regulations by giving weight to development proposals which take opportunities to reduce water consumption. This includes measures such as rainwater storage and recycling which can reduce reliance on freshwater supplies.
- 3.31 In December 2023, the Secretary of State for Department for Levelling Up, Housing and Communities (DLUHC) [announced](#) a review of the Building Regulations 2010 (Part G) in spring 2024 to allow local planning authorities to introduce tighter water efficiency standards in new homes. The Council will monitor this.

Question Box

Q13. What are your views on the proposed policy for water efficiency?

Q14. Are there any alternatives or additional points the Council should be considering?

Proposed Policy GTC5: Heat Networks

Policy Status:	Non-Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

The Council will support district heat networks where feasible and where one exists, new development will be expected to connect to it.

All proposals of 10 dwellings or more or 1,000 sqm or more of non-residential floorspace in Bexhill-on-Sea and all non-residential floorspace of 1,000sqm or more in Rye Harbour are required to make developer contributions towards the establishment of district heat networks.

Explanatory text:

- 3.32 For residential developments, the most favourable opportunities for establishing new district heat networks are in Bexhill-on-Sea because of existing building heat density and the presence of large, non-residential buildings with sufficient heat demand to act as anchor loads.
- 3.33 The most favourable opportunities for large non-residential developments are in Bexhill-on-Sea and Rye Harbour. If district heat networks are established, all development proposals within the named settlements should connect to the network, or an extension to that network.

Question Box:

- Q15. What are your views on the Council's proposed policy for heat networks?**
- Q16. What would be your preferred approach to carry forward in the Local Plan?**

Proposed Policy GTC6: Renewable and Low Carbon Energy

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

(A) Proposals for renewable and low energy generation will be supported and encouraged, subject to other Local Plan policies, where:

- i) They will not result in significant adverse impacts on landscape character that cannot be satisfactorily mitigated, including the High Weald National Landscape; trees, woodland and hedgerows; agricultural land use and local heritage.
- ii) They will avoid unacceptable visual impact from the effect of glint and glare on the landscape, on neighbouring uses and aircraft safety.
- iii) They have a direct benefit to the local community.
- iv) Proposals for community led initiatives, including those proposed through Neighbourhood Planning should be supported.

In addition, the following criteria will be used to assess specific generation types:

Solar

(B) Proposals for roof-mounted solar energy supply infrastructure will be supported and encouraged wherever possible, subject to other policies and Policy HER1 (Heritage Management) in particular. Stand-alone ground mounted installations will be supported, subject to other policies, on

previously developed land or where evidence of community support can be demonstrated.

Wind

(C) Proposals for wind energy supply infrastructure will be supported, subject to other policies, where they are in a 'broad location' identified on the Policies Map, or in a made Neighbourhood Plan, and where evidence of community support can be demonstrated.

Energy Storage

(D) Proposals for energy storage will be supported. Subject to other policies, where it is co-located with an existing or proposed renewable energy development or can be shown to alleviate grid constraints.

Explanatory text:

- 3.34 Planning policy has a fundamental role to play in the implementation of successful and long-term sustainable energy solutions, and this can be delivered with the support of other agencies and stakeholders.
- 3.35 Roof-top solar is strongly supported. Stand-alone ground mounted solar installation opportunities are limited within the district, however a policy that supports suitable schemes in appropriate sustainable locations, with community support is necessary.
- 3.36 The opportunity for the development of wind turbines within the district, is extremely limited and is not appropriate in, or within the setting of, the High Weald National Landscape. Broad locations, identified on the proposals map, or in a made neighbourhood plan, will act as 'areas of search'; where the Council will consider granting planning permission in line with national policy and this local plan policy.

Regulation 18 commentary:

- 3.37 Site allocations for ground mounted solar farms may be included in the Regulation 19 Local Plan consultation, where there is community support and subject to this and other policies. Our Climate Change Study corroborated the findings of RDC's Renewable Energy Background Paper (2016) with Catsfield and Crowhurst found to be the parishes with the most favourable spatial conditions for wind turbines, suggesting four wind turbines in total being feasible in these locations. This would be subject to further investigations regarding wind speed data as well as community responses to this consultation, before considering where to identify any 'broad locations'. No broad locations are identified on a policies map at this regulation 18 stage.

Question Box

- Q17. What are your views on the Council's proposed policy for Renewable and Low Carbon Energy?**
- Q18. What are your views on identifying broad locations for wind development?**
- Q19. Are there any alternatives or additional points the Council should be considering?**

Biodiversity Crisis

Proposed Policy GTC7: Local Nature Recovery Areas

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

All development must meet the objectives of the East Sussex (including Brighton & Hove) Local Nature Recovery Strategy, taking opportunities to deliver ecological networks and green infrastructure.

Development will need to demonstrate that:

- i) it will not harm or adversely affect an area or areas identified as being of importance for biodiversity or as areas that could become of importance for biodiversity (opportunities for nature recovery);
- ii) it will maximise opportunities to improve these areas; and
- iii) it directs Biodiversity Net Gain to where it can be of most benefit.

Explanatory Text:

- 3.38 For many decades nature conservation in England has been founded in large part upon the identification and protection of key areas of habitat deemed our most important for nature conservation. At the core of this effort has been the notification of Sites of Special Scientific Interest, covering more than a million hectares or over eight per cent of England. Many are further protected through additional legal safeguards operated under European Union Directives.

- 3.39 The application of controls to protect this network of key areas is vital in safeguarding many of our best wildlife and geological areas and Policy ENV5: Habitats and Species sets these criteria in this plan. However, as repeated surveys have revealed, including the State of Nature, this is not enough to see nature thrive and to meet the needs of society.
- 3.40 The Environment Act places a duty on Local Authorities to have regard to its Local Nature Recovery Strategy – to create more, bigger, better and connected areas of wildlife-rich habitat benefiting nature and people. In Rother’s case, this is the East Sussex (including Brighton & Hove) Local Nature Recovery Strategy.
- 3.41 The Government’s ambition is that Local Nature Recovery Strategies will become the new focal point for a broad range of land use and management activity, and in so doing deliver a step-change in the effectiveness of the action we are taking for nature’s recovery and associated environmental improvement.
- 3.42 The Local Nature Recovery Strategy must be considered in all planning applications.

Regulation 18 commentary:

- 3.43 Government announced the formal launch of the Local Nature Recovery Strategy (LNRS) processes country-wide in July 2023. The process in Sussex has started in earnest with West and East Sussex County Councils (the two responsible authorities, who will each be producing a LNRS) working closely together as well as with the Sussex Nature Partnership. RDC is a Supporting Authority, as defined under The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023. It is anticipated that the East Sussex LNRS will be published in Summer 2025.
- 3.44 An interim document that draws together Rother’s biodiversity data into one report is being prepared for Rother, which will assist in guiding decisions relating to biodiversity until the formal LNRS is published.

Question Box

Q20. What are your views on the Council's proposed policy for Local Nature Recovery Areas?

Q21. Are there any alternatives or additional points the Council should be considering?

Proposed Policy GTC8: Biodiversity Net Gain

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

All qualifying development proposals must deliver at least a 20% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Defra's Statutory Biodiversity Metric.

Biodiversity net gain must be provided on-site wherever possible. Off-site provision will only be considered where it can be demonstrated that, after following the biodiversity gain hierarchy, all reasonable opportunities to achieve measurable (and where possible significant net gains) on-site have been exhausted or where greater gains can be delivered off-site where the improvements can be demonstrated to be deliverable and are consistent with the Local Nature Recovery Strategy.

Development will need to demonstrate through a Biodiversity Gain Plan that measurable and meaningful net gains for biodiversity will be achieved and will be secured and managed appropriately.

Proposals for biodiversity net gain will also need to be in accordance with Policies GTC7: Local Nature Recovery Strategies; ENV5: Habitats and Species and HWB5: Green and Blue Infrastructure.

Explanatory Text:

- 3.45 Biodiversity Net Gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand. BNG can be achieved on site, off-site or through a combination of both measures. In principle, on-site gains should be considered first unless it would be beneficial to deliver gains off-site, for instance through the enhancement of a nearby Local Wildlife Site. BNG should aim to support gains that are 'strategically significant', to be defined at the local level. If off-site, it should be delivered as close to the impact as possible, and within Rother District or the same Natural Character Area.
- 3.46 Mandatory BNG, which is a statutory requirement is set out in the [Environment Act 2021](#). The Act sets out the following key components:
- Minimum 10% gain required calculated using Biodiversity Metric and approval of a net gain plan.
 - Significant BNG secured for at least 30 years via obligations/ conservation covenant.
 - Habitat can be delivered on-site, off-site or via statutory biodiversity credits.
 - There will be a national register for net gain delivery sites.
 - The mitigation hierarchy of avoidance, mitigation and compensation for biodiversity loss still applies.
 - Does not change existing legal environmental and wildlife protections.
- 3.47 The health of our society and economy is directly linked to the health of the natural environment. Therefore, the severe, indicative decline in biodiversity over recent decades demands a strong and effective response.
- 3.48 The Environment Act 2021 proposes a minimum 10% BNG, but a minimum 20% BNG will be required within the district using the Statutory Metric. This higher level is justified because opportunities to deliver this off-site, if necessary, are available locally. The viability of development is unlikely to be unduly impacted in most cases.

Regulation 18 commentary:

- 3.49 The evidence base to justify going above the 10% mandatory requirement is being collated by the district, in collaboration with the Sussex Nature Partnership and neighbouring local planning authorities.

Question Box

- Q22. What are your views on the Council's proposed policy for Biodiversity Net Gain?**
- Q23. What are your views on the Council going above the national minimum requirement of 10%?**
- Q24. Are there any alternatives or additional points the Council should be considering?**

High Weald National Landscape

Proposed Policy GTC9: High Weald National Landscape (AONB)

Policy Status:	Strategic
New Policy?	Yes, incorporating elements of DaSA Policies DEN1 – Maintaining Landscape Character and DEN2 – The High Weald AONB
Overall Priorities:	Green to the Core

Policy Wording:

All development within or affecting the setting of the High Weald National Landscape (AONB) shall conserve and enhance its distinctive landscape character, ecological features, settlement pattern and scenic beauty, having particular regard to the impacts on its character components, as set out in the latest version of the High Weald AONB Management Plan.

Development within the High Weald National Landscape should be small-scale, in keeping with the landscape and settlement pattern, and designed in a way that reflects its nationally-designated status as landscape of the highest quality, following the guidance in the High Weald AONB Housing Design Guide and Colour Study. Major development should not take place in the AONB save in exceptional circumstances as outlined at paragraph 183 of the NPPF.

Explanatory Text

- 3.50 RDC is predominantly rural in nature, with 83% of the district being located within the High Weald Area National Landscape (NL), which is a designated Area of Outstanding Natural Beauty (AONB). An Area of Outstanding Natural Beauty (AONB) is an area of land protected by the Countryside and Rights of Way Act 2000 for its outstanding natural beauty. The statutory purpose of the landscape designation is to conserve and enhance the natural beauty of the area, and AONBs have the highest status of protection nationally in relation to landscape and scenic beauty. The remainder of the rural areas lie within the southern coastal belt, around Bexhill (some of which is Pevensey Levels) and Rye (some of which are the Romney Marshes).
- 3.51 It should also be noted that developments for housing, commercial, renewable energy, health and well-being and tourism uses are the subject of separate policies in the Local Plan, with the emphasis on locations outside of the High Weald National Landscape and, where appropriate, within them on a small scale.

Regulation 18 Commentary:

- 3.52 From 22 November 2023, all AONBs are known as National Landscapes. This change is endorsed by Natural England. The High Weald National Landscape is the new name for this protected landscape. The High Weald National Landscape remains an Area of Outstanding Natural Beauty insofar as all policy, legislation and guidance applies to the designated landscape. The statutory purpose of the designated landscape 'to conserve and enhance the natural beauty of the designated landscape' remains unchanged.

Description of the High Weald National Landscape character and key issues

- 3.53 The High Weald National Landscape (NL) is characterised by being one of the best surviving, medieval landscapes in Northern Europe. It is a well wooded landscape that rises above the Low Weald and contains distinctive and scattered sandstone outcrops. Main roads and settlements across the High Weald NL are sited along prominent ridgelines, with a further network of small winding lanes connecting scattered villages,

hamlets and farms. The legacy of the early iron industry has resulted in extensive areas of coppice woodland and hammer ponds. Trees and vegetation have different characteristics in high forest, small woods and copses. Historic field boundaries are defined by a network of hedges and assarts (land created for arable use by clearing woodland).

- 3.54 The area's heavy clay soils have reduced the impact of agricultural change, in which mixed farming predominates a quiet, small-scale pastoral landscape. The cultivation of fruit and hops together with the associated distinctive oast houses help define the area. Particularly locally distinctive building typologies and features include long sweeping cat-slide roofs, oast houses, timber-framed barns and other agricultural buildings associated with local historic farming practices. The built form deploys a limited palette of materials associated with the local High Weald geology, including clay tile, brick, local stone and timber in construction, and often includes hung tiles and/or white weatherboarding. Suburbanisation of landscape character, including through conversion of farmstead buildings, new roads and highways works, and inappropriate edge of settlement development, is eroding the distinctive local style in many places.
- 3.55 A key challenge in the High Weald NL is to balance the importance of growth and development of settlements and rural economies, with the conserving and enhancing the natural beauty of the High Weald, including impacts on landscape and settlement character and features. However, small-scale more sensitive development, can, if located in the right places, improve the sustainability of settlements and clusters of settlements through the delivery of new services and facilities closer to where people live.
- 3.56 The Council have comprehensively reviewed the potential impacts of development on the landscape features of the High Weald NL in settlements across the district through the Settlement Study and the HELAA process. This has been based on the Council's existing evidence base on landscape character. Where further work to determine the impact in certain areas is required, this will be undertaken in advance of the completion of the HELAA and the identification of potential development sites in the Local Plan.

- 3.57 The Local Plan is supported by two important guidance documents produced by the High Weald National Landscape Team, which assist in the consideration and determination of planning applications. The High Weald AONB Management Plan covers a range of Local Authorities functions, and in particular can be used to guide environmental land management, climate change strategies, and is a material consideration in the planning process, including plan-making, site allocations, and assessing the impact of development proposals or other changes on the High Weald National Landscape.
- 3.58 Within the Management Plan, the High Weald AONB Statement of Significance sets out a number of components that comprise the natural beauty of the High Weald, and the Management Plan sets out specific objectives and actions for each component. The whole of the AONB is designated for its outstanding natural beauty, and all the AONB is important; any areas perceived as 'degraded' landscape characters should be seen as opportunities for the enhancement of natural beauty, contributing positively to the objectives of the Management Plan.
- 3.59 Meanwhile the High Weald AONB Housing Design Guide was prepared by the High Weald AONB Partnership, which includes the 15 local authorities with land in the AONB, to support the objectives of High Weald AONB Management Plan. The guide aims to give succinct, practical and consistent advice to set clear design expectations for new housing development within the High Weald National Landscape, to help to ensure higher quality and landscape-led design that reflects intrinsic High Weald character, and is embedded with a true sense of place, without stifling innovation and creativity. Importantly, the guide is not solely focused on the appearance or style of individual buildings, but rather about creating successful places in terms of layout, grain and massing of development.
- 3.60 The guide is broadly based on 'Building For Life 12' and takes into account the design guidance in the National Planning Policy Framework and Guidance and the National Design Guide 2019. This Guide explains how these design principles should be applied in the specific context and distinctive character of the High Weald AONB.

- 3.61 The guide is therefore in line with the Live Well Locally policies in this local plan which reflects Building for a Healthy Life (BHL). BHL has updated Building For Life 12, retaining the twelve point structure and underlying principles.

Policy approaches to protect and enhance landscape character in the High Weald National Landscape

- 3.62 The characteristics of relevant Landscape Character Areas and, where appropriate, the High Weald character components, provide a clear assessment framework for evaluating the siting, layout and design (including materials) of new development. Existing landscape features that are important to local character should be retained, while new features should be typical of the locality, fit naturally into the landscape and complement existing features.
- 3.63 National policy states that the highest status of protection should be afforded to the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and great weight given to their conservation and enhancement. The NPPF specifically states that the scale and extent of development within an AONB should be limited and advises that planning applications for major development should be refused other than in exceptional circumstances. It sets out that proposals for major development should include an assessment of the need for the development, the potential to meet it outside the protected landscape or in another way and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 3.64 The Council's proposed development strategy will identify in principle the types of development and locations that will be prioritised for growth, with the conclusion of the HELAA and further landscape assessment work helping to determine the amount of development that is capable of being accommodated satisfactorily and sustainably in and around the towns and villages within the High Weald NL. To support the integrity and importance of the High Weald NL and conserve and enhance its important landscape and scenic beauty the following policy approaches have been explored:

Question Box

- Q25. What are your views on the Council's proposed policy for the High Weald National Landscape?**
- Q26. Are there any alternatives or additional points the Council should be considering?**

4. Live Well Locally

- 4.1 The 'Live Well Locally' concept as an overall priority of the Local Plan underscores Rother's dedication to cultivating healthy, sustainable, and inclusive communities that support residents across the age spectrum. Live Well Locally aims to create an environment where individuals of all ages can live, work, and play with dignity and independence. Rother seeks to foster a dynamic and vibrant community that values diversity and intergenerational connections.
- 4.2 This overall priority envisions a network of mixed-use and adaptable places which promote happiness, health and wellbeing, foster social interaction, reduce health inequalities, encourage active living, and enhance overall quality of life. They will be resilient to the effects of climate change while respecting the unique context and character of our district.
- 4.3 The approach is to create inclusive 'connected and compact neighbourhoods' in our towns, and 'village clusters' in our rural locations, with inspiring public spaces where people can meet most of their daily needs within a reasonable distance of their home, preferably by walking, wheeling, cycling (active travel), or using public transport options.
- 4.4 To minimise carbon emissions, new development will be guided to locations that help to reduce the overall need to travel, offer the best opportunity for active travel, and for the use of public transport. This will help to maximise opportunities for sustainable travel and reduce the reliance on and for minimal use of private motor vehicles.
- 4.5 By integrating design-led approaches and placemaking principles into all aspects of community planning and development, the Live Well Locally concept aims to create neighbourhoods that are not just physically appealing, but also capitalise upon a local community's assets, inspiration and potential to foster a sense of belonging, identity, and shared experience.

- 4.6 The Live Well Locally policies have utilised the following national guidelines to create bespoke policies to meet Rother's situation:

'Building for a Healthy Life' (BHL) (June 2020) is the new name and edition of 'Building for Life 12', a Government-endorsed industry standard for well-designed places. Written in partnership with Homes England, NHS England and NHS Improvement, BHL consists of a series of considerations designed to help structure discussions between local communities, local planning authorities, developers and other stakeholders, and to help local planning authorities assess the quality of proposed and completed developments.

'ATE Planning Application Assessment Toolkit' (May 2023) was published by Active Travel England. It helps to assess the active travel merits – walking, wheeling and cycling – of a development proposal. Active Travel England's has an overall objective for half of all journeys in towns and cities to be cycled or walked by 2030, transforming the role that walking and cycling play in England's transport system and making it a great walking and cycling nation.

'Active Design' (May 2023) was published by Sport England with support from Active Travel England and the Office for Health Improvement and Disparities. It encourages the creation of environments that enable individuals and communities to lead active and healthy lifestyles. It shows how good design and place-making can make active choices easy and attractive.

- 4.7 The design of new development must therefore address both strategic placemaking (spatial patterns of growth, location of development) as well as site specific placemaking by reference to detailed design considerations at a site, development and building level.

- 4.8 In assessing the suitability of a particular location for development, when both allocating land for development and determining planning applications, sites and/or proposals must accord with the relevant policies of this Local Plan and meet the following strategic placemaking policies:
- Facilities and Services (Policy LWL2)
 - Walking, Wheeling, Cycling & Public Transport (outside the site) (Policy LWL3)
- 4.9 All development proposals for more than one dwelling or 100sqm of floorspace, must accord with the relevant policies of this Local Plan and must meet the following site-specific placemaking policies:
- Compact Development (LWL1)
 - Walking, Wheeling, Cycling & Public Transport (within the site) (Policy LWL4)
 - Distinctive Places (Policy LWL5)
 - Built Form (Policy LWL6)
 - Streets for All (Policy LWL7)
 - Multimodal Parking (Policy LWL8)

Proposed Policy LWL1: Compact Development

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

Proposals for new residential development must contribute to achieving well-designed, attractive, and healthy places that make efficient use of land and deliver appropriate densities. The following density ranges, expressed as dwellings per hectare (dph), will apply to different area types, as defined by Rother's Density Study:

- a. Urban areas in Bexhill, Battle and Rye: 60-90+ dph, with higher densities around transport hubs and town and district centres.
- b. Suburban areas in Bexhill, Battle, Hasting Fringes and Rye: 45-75 dph.
- c. Live well locally areas: 45-60 dph.
- d. Village areas (with development boundaries): 25-45 dph.
- e. Countryside areas (including villages and hamlets without development boundaries): in the instances where residential development is supported by policies in this plan, the density should reflect the existing character of the area.

Development proposals must meet the minimum density in the ranges above, unless there are overriding reasons concerning townscape, landscape character, design, and environmental impact. This will support a critical mass for multiple local services/facilities and the viability of public transport including Demand Responsive Transport (DRT), shuttle bus services and car clubs.

Densities more than the maximum will be encouraged within these zones where the development is the result of a robust high-quality design-led approach; there is good access to shops, services and public transport connections; and/or the proposals are in accordance with a neighbourhood plan, design code or other adopted policy guidance.

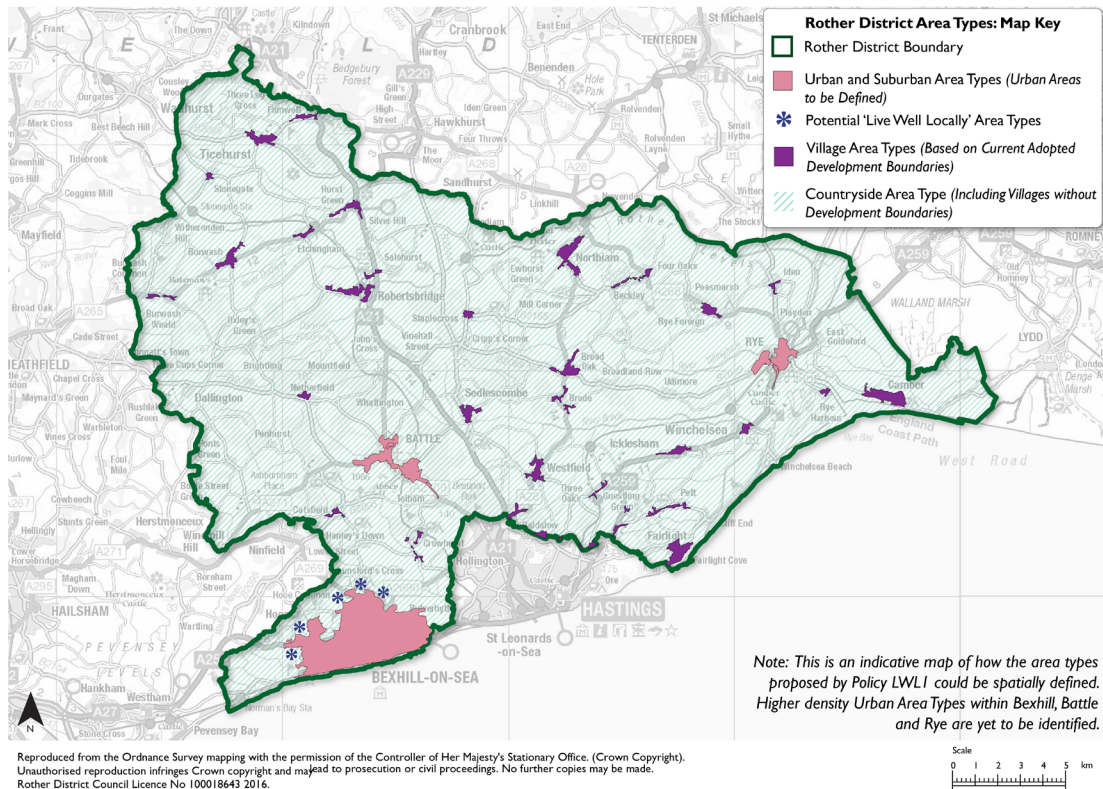
Explanatory Text:

4.10 In preparing the new local plan, our approach has been to divide Rother into area types. These area types are areas of similar character that allow elements of policy to be set out depending upon which area type a development is within. While most local plan policies will apply to the entire district, some elements of policy will apply to types of area, for example all villages with development boundaries, or all suburbs. The area types identified in Rother are:

- Urban areas
- Suburban areas
- Live well locally areas
- Village areas (with development boundaries)
- Countryside areas (including villages and hamlets without development boundaries)

4.11 Figure 8 shows the distribution of the area types throughout the district. The settings for each of the area types has been based on an analysis of the existing character of these areas and a visioning exercise. The aim of the local plan policies is to work towards a future enhanced vision of what each area type needs to be.

Figure 8: Proposed Density Areas



- 4.12 Efficient use of land is a key aspect of well-designed new developments and a requirement of the NPPF¹⁷. A compact form of development is more likely to accommodate enough people to support shops, local facilities, and viable public transport, maximise social interaction in a local area, and make it feel a safe, lively, and attractive place. This can help to promote active travel to local facilities and services, reducing dependence on the private car.
- 4.13 Density is one indicator for how compact a development or place will be and how intensively it will be developed. Ranges of density allow for local variations in density, which may be desirable to create a variety of identity without harming local character as set out in Historic England guidance. Additionally, compact development has several benefits such as minimising traffic, supporting transit, improving air quality, preserving open space, supporting economic vitality, creating walkable communities, and providing a range of housing options.

¹⁷ Paragraph 128, NPPF Dec 2023

Regulation 18 Commentary:

- 4.14 Figure 8 is an indicative map of how the area types proposed by Policy LWL1 could be spatially defined. Higher density Urban area types within Bexhill, Battle and Rye are yet to be identified. 'Live Well Locally' area types will be defined through local plan site allocations and are likely to relate to the proposed growth areas identified in the development strategy. These areas are in West and North Bexhill.
- 4.15 The identification of the Suburban and Urban area type boundaries within Bexhill, Battle and Rye will be defined following further work, through a combination of characterisation studies, Geographic Information System (GIS) analysis, the experience of planning officials, local communities, and responses to consultation.

Question Box

- Q27. What are your views on the Council's proposed policy on compact development?**
- Q28. What are your views on the area types and densities proposed as a key driver to Live Well Locally?**
- Q29. Are there any alternatives or additional points the Council should be considering?**

Proposed Policy LWL2: Facilities & Services

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

(A) All development proposals for one or more new dwellings must meet the following criteria:

i) **Accessible Centres.**

In Urban, Suburban and 'Live Well Locally' Area types, be located within an 800m safe, usable walking distance of a mix of local amenities (either within the site or outside but accessed via an accessible walking network) appropriate to the development proposed. Examples of local amenities include:

- a. A food shop which sells fresh fruit and vegetables.
- b. A park or green space.
- c. An indoor meeting place (pub, cafe, community centre, place of worship)
- d. A primary school
- e. A post office or bank
- f. A GP surgery

In Village and Countryside Area Types be located within an acceptable safe, useable walking or cycling distance of the listed mix of local amenities. This may be more than 800m.

Where a mix of local amenities are not accessible by walking and cycling, development must be located on safe, useable walking routes, that are an appropriate distance to a suitable bus stop facility, served by an

appropriate public transport service(s), which connects to destination(s) in a site's respective sub-area that contains the remaining local amenities.

- ii) **Public Squares and Spaces.** Provide, or contribute to, a connected and accessible network of safe, attractive, varied public squares and open spaces with paths and other routes into and through, places to rest and interact e.g. benches and other types of seating and provide good signage and wayfinding that is accessible to all. This should form part of a wider connected accessible Green Infrastructure network which includes food growing opportunities (allotments and community gardens) and prioritises locally native plant species.
 - iii) **Play, Sports, Food Growing Opportunities and Recreational Facilities.** Provide, or contribute to, play, sports, food growing opportunities and other recreational facilities that must not be hidden away within developments but located in prominent safe, secure, overlooked locations that can help encourage new and existing residents of all ages and abilities to share a space. Whether public or privately managed there must be well considered management arrangements and a long-term maintenance plan.
- (B) All development proposals of 150 dwellings or more must meet the following criteria:
- (i) **Indoor Meeting Place.** Either by upgrading existing facilities, such as school or village halls, or by contributing to a new facility, provide a digitally connected, flexible and multifunctional indoor place that meets the needs of the community and is suitable for co-working, hosting events such as markets, training and to supports social prescribing.

Explanatory Text:

- 4.16 Live well locally is a variation of the 20-minute neighbourhood concept that adapts to Rother's local context, including its dispersed settlement pattern. The 20-minute neighbourhood concept suggests that people of all ages and abilities should be able to reach their daily needs (such as housing, work, food, health, education and culture and leisure) within a 20-minute walk or bike ride, to reduce reliance on the car. This concept is also known as complete, compact, and connected communities.
- 4.17 Live well locally seeks to build upon existing transport networks (where they exist), such as bus and rail services, demand responsive solutions, social care, education, and community transport. It promotes new and emerging modes such as community car and bike share, offering alternatives to car ownership.
- 4.18 Many communities in Rother have community and church halls, shops, village squares, healthcare facilities, pubs, and other amenities. These can all help provide focus for the live well locally community concept by becoming 'neighbourhood activity centres' and/or 'mobility hubs', providing information services and infrastructure as well as wider community-based services in an indoor meeting place.
- 4.19 The more rural parts of Rother, many people face difficulties in reaching essential services and opportunities. We recognise that rural communities have different needs and preferences for connecting to surrounding places and car use can be necessary.
- 4.20 This policy, and the live well locally concept, aims, over the lifetime of the plan, to connect dispersed healthcare, retail, education, and leisure facilities so that more people of all ages and abilities have easier access, as well as to improve connectivity to local jobs and the higher-level services that are only available in the larger towns.

Question Box

- Q30. What are your views on the Council's proposed policy on facilities and services?**
- Q31. Are there any alternatives or additional points the Council should be considering?**
- Q32. Specifically, what are your views on the proposed mix of local amenities and the requirement, within certain area types, for new development to be located within an 800m walk of these amenities?**

Proposed Policy LWL3: Walking, Wheeling, Cycling and Public Transport (Outside the Site)

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

(A) All major development proposals for new dwellings must meet the following criteria:

- i) **Access and Provision of Public Transport.** Be located on sites that have access to effective and convenient public transport, particularly in relation to scheduled bus routes to train stations, but also through, Demand Responsive Transport (DRT) or shuttle bus services. This must be either through proximity to existing routes or through the provision of new or extended routes, within a 400m walking distance of all properties.
- ii) **Active Travel Infrastructure.** Provide or financially contribute to the delivery of walking, wheeling and cycling (active travel) infrastructure, integrating with any applicable Local Cycling and Walking Infrastructure Plans and the East Sussex Local Transport Plan, evidenced through the submission of a Transport Assessment that:
 - a. Provides a quantitative analysis of the multi-modal trip generation of the development, considering the routing of these trips to inform further considerations about the impacts and quality of existing routes within and outside the development.
 - b. Provides qualitative analysis of the accessibility of the site for all users particularly those most vulnerable e.g. older people, young and disabled and highlight deficiencies and opportunities in surrounding

walking, wheeling, and cycling infrastructure through consideration of policy and guidance provided in CIHT 'Planning for Walking' 2015, LTN 1/20¹⁸ and Active Travel England's active travel design tools. Development should consider new guidance and tools, as issued by Active Travel England as they become available.

- c. Provides detail and justification of proposed improvements to infrastructure and any other supporting strategies which seek to enable an increase in walking, wheeling, and cycling rates for all users particularly the most vulnerable.

Facilities at bus stops and rail stations must already exist (or be provided) that enable ease of access by active travel modes, for all users, to public transport so as to create mobility hubs, including:

- a. Secure and overlooked cycle parking and facilities (including hire).
- b. Seating provision.
- c. Lighting.
- d. Adequate shelter to accommodate likely demand.
- e. Service information (including RTI).
- f. Raised kerb and dropped kerb access at bus stops.
- g. Appropriate signage and wayfinding.
- h. Electric charging.
- i. Parcel collection.

- iii) **Coastal Access.** Public access to the coast must be retained and improved where possible (e.g., through the creation of new path links). The King Charles III England Coast Path National Trail must be protected and opportunities taken to enhance the route (e.g., re-aligning the trail closer to the sea).

¹⁸ A local transport note (LTN), published in July 2020, that provides guidance to local authorities on delivering high quality, cycle infrastructure.

(B) All development proposals of more than 50 homes must meet the following criteria:

- i) **High-quality Walking and Wheeling Routes.** Provide (if they do not already exist) a high-quality walking and wheeling route from the site to:
 - a. A transport node (a regular public transport service which enables people to carry out daily duties such as employment and education);
 - b. A primary school (if applicable);
 - c. A shop selling mostly essential goods or services which benefit the community e.g., medical services; and
 - d. Open green or blue space.

Reference should be made to the latest version of 'Manual for Streets' (DfT) and 'Designing for Walking' (Chartered Institution of Highways & Transportation) and Active Travel England's active travel design tools for details but, as a minimum, a route must:

- a. Be 2m wide (with limited pinch points of 1.5m due to street furniture) and localised widening to accommodate peak usage.
- b. Step-free.
- c. Have a smooth, even surface.
- d. Have street lighting in line with the Institution of Lighting Professionals Towards a Dark Sky Standard.
- e. Include appropriate crossings in compliance with standards set out in LTN 1/20 and Inclusive mobility.
- f. Have frequent seating provision.
- g. Have navigable features for those with visual, mobility or other limitations.
- h. Routes incorporating 'Greenways', 'Quietways' and upgrades to existing or the provision of new Public Rights of Way (PROW) will be supported and encouraged.

- ii) **Cycle Routes to Key Destinations.** Provide off-site routes that consider compliance with LTN 1/20 and Active Travel England's active travel design tools to relevant destinations such as schools, local centres, employment centres, railway stations and the existing cycling network. All new or improved off site routes must be safe for cyclists of all abilities, ages, and mobility needs.

Explanatory Text:

- 4.22 Locating development to enable people to live and work locally can encourage economic participation and improve health and wellbeing through better air quality, more physical activity, and social interaction, which will be particularly beneficial for Rother's ageing population.
- 4.23 As a predominantly rural district, where there is a high reliance on the private car, creating a pattern of development which contributes to residents being able to travel less between homes, services, and jobs, makes efficient use of existing networks, promotes active travel, increases opportunities for those without or unable to use a car, improves mental and physical health and can also support decarbonisation. Some people will still need to drive, but the focus will be on reducing reliance on the car and supporting the transition to ultra-low and zero-emission vehicles through the provision of suitable refuelling and charging infrastructure.
- 4.24 New development should exploit existing (or planned) public transport hubs, such as train stations and bus interchanges, walking and cycling routes, to build at higher densities and channel a higher percentage of journeys to public transport.
- 4.25 Opportunities for enhanced sustainable transport measures are being considered through the Transport Assessment and Infrastructure Delivery Statement for the Local Plan. This will help to identify wider solutions and appropriate mitigation for development and look comprehensively at a package of measures that could be delivered to support the Council's emerging growth strategy and the ambitions of the

Climate Strategy 2023. As the Royal Town Planning Institute (RTPI) Net Zero Transport research paper mentions, in the longer term, further collaboration between the transport and land-use planning sectors will help to achieve carbon reduction/net zero targets and benefit the health and wellbeing of residents.

- 4.26 Public transport must be accessible within a 400m walking distance of all properties either through proximity to existing routes or through the provision of new or extended routes. On developments of 50 homes or more or 500sqm or more of non-residential floorspace, at least one public transport service must be fully operational on the first day of occupation or in accordance with the phasing of the development. (Including Demand Responsive Transport (DRT) or shuttle bus services).
- 4.27 The highway authority produces Local Cycling and Walking Infrastructure Plans (see NPPF, paragraph 110d). If there is an existing protected cycle network, new development should connect to it. Alternatively, large new development should begin a new one by building or funding routes to key destinations.
- 4.28 Opportunities to deliver mobility hubs, as referred to in ESCC's Local Transport Plan 4 (LTP4)¹⁹, should be considered in Transport Assessments. Appropriate facilities would depend on whether the hub is a large transport interchanges (i.e. rail or bus stations) or a bus stop or a town or village centres.
- 4.29 Wheeling is a term that refers to a type of mobility that is equivalent to walking, but uses wheeled devices such as wheelchairs, mobility scooters, or other aids. Wheeling does not include cycling unless the cycle is used as a mobility aid by someone who cannot walk or push their cycle. Wheeling covers modes that use pavement space at a similar speed to walking.
- 4.30 Short trips of up to three miles, can be easily made on foot or bicycle if the right infrastructure is in place, helping to improve public health and wellbeing and air quality

¹⁹ The draft Local Transport Plan 2024-2050 (also known as LTP4) was at consultation stage at the time of publication of this draft.

whilst also reducing local congestion and carbon emissions and increasing opportunities for all to access key services, employment, and education. The National Travel Survey of 2018 identified the average number of cycle trips made per person was 17, with average total miles cycled per person 58. So, the average journey is 3.4 miles.

- 4.31 All new development must ensure access for all and help make walking and cycling feel like the natural choice for everyone undertaking short journeys (such as the school run or older generations accessing local facilities and services) or as part of longer journeys.

Question Box

- Q33. What are your views on the Council's proposed policy on walking, wheeling, cycling and public transport (outside the site)?**
- Q34. Are there any alternatives or additional points the Council should be considering?**
- Q35. Specifically, what are your views on the requirements set regarding public transport, such as the 400m walking distance proximity requirement?**

**Proposed Policy LWL4: Walking, Wheeling, Cycling & Public Transport
(Within the Site)**

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

All development proposals for one new dwelling or more must meet the following criteria:

- i) **Connecting Beyond the Site.** Anticipate and respond to pedestrian and cycle 'desire lines' (the preferred route a person would take to travel from A-to-B). This may include the improvement of existing public rights of way.
- ii) **Connected Streets, Paths, and Routes.**
 - a. Use simple street patterns based on formal or more relaxed grid patterns.
 - b. Use straight or nearly straight streets to make pedestrian and cycle routes as direct as possible.
 - c. Continuous streets (with public access) along the edges of a development. Cul de sacs will not be supported where there are opportunities to create connections.
- iii) **Site Permeability.** Routes for walking, wheeling and cycling that are shorter and more direct than the equivalent by car. This could be achieved by 'filtered permeability'.
- iv) **Walking, Wheeling and Cycling Access.** Maximise all opportunities for safe, step-free, fully accessible walking, wheeling, and cycling site

access points and be greater in number than the number of access points for motor vehicles (except where additional accesses would provide no benefit to people walking, wheeling, or cycling). A motor vehicle access point with safe provision for both walking, wheeling and cycling counts as a walking, wheeling and cycling access point.

- v) **Safe Routes Accessible to All.** Walking, wheeling and cycling routes which are fully accessible to all users and:
 - a. Prioritise safety by being overlooked wherever possible and be adequately lit at night in accordance with LTN 1/20 and Active Travel England's active travel design tools.
 - b. Provide frequent benches along all pedestrian routes to help those with mobility difficulties walk more easily between places.
 - c. Provide navigable features for those with visual, mobility or other limitations.
- vi) **Through Traffic.** Site accesses arranged to prevent private vehicle drivers from using the site as a shortcut while undertaking a longer journey. This is best achieved through filtered permeability, or by ensuring all general traffic accesses are taken from the same main road.
- vii) **Safety At Junctions.** All new or improved on-site junctions (including the site access) LTN 1/20 compliant, adhering to Active Travel England's active travel design tools and designed in line with the movement hierarchy: pedestrians, followed by cyclists, public transport users and private motor vehicles.
- viii) **Crossings.** The appropriate crossing type (signalised / zebra / uncontrolled / continuous footway) provided along forecasted desire lines and compliant with standards set out in LTN 1/20, Inclusive Mobility and Active Travel England's active travel design tools.

- ix) **Shared Use Routes.** Protected cycle ways provided along busy streets. Shared use routes (i.e., a path or surface which is available for use by both pedestrians and cyclists) avoided along all new or improved streets with the site, unless they fit in the limited acceptable situations listed in LTN 1/20.
- x) **Future Expansion.** Enable and propose the adoption of walking, wheeling and cycling routes up to the site boundary to provide direct connections to existing or future development where sites are either anticipated, planned, proposed, or allocated through the local plan.
- xi) **Shared Mobility.** Integrate provision of infrastructure for Demand Responsive Transport, car clubs and car shares as well as Park and Ride schemes, if introduced.
- xii) **Zero Emission Vehicles.** Integrate provision of infrastructure for rapidly advancing electric car and other zero emission technology.

Explanatory Text:

- 4.32 Streets and routes must connect people to places and public transport services in the most direct way, making car-free travel more attractive, safe, and convenient and accessible for all.
- 4.33 Streets and routes must pass in front of people's homes rather than to the back of them creating a well overlooked public realm.
- 4.34 "Filtered permeability" is a concept that relates to the ease with which different modes of transportation (e.g., walking, cycling, wheeling, public transport, and driving) can move through and access different parts of an area. It refers to the idea of selectively allowing or promoting certain types of transportation while discouraging or hindering others in a way that supports sustainable and efficient mobility.

- 4.35 Filtered permeability encourages and prioritises sustainable modes of transportation, such as walking and cycling. This means designing places that make it easy and safe for pedestrians and cyclists to move through the environment.
- 4.36 The goal of filtered permeability is to create a more sustainable and efficient transportation system by making sustainable modes of transportation more attractive and car use less convenient, especially in areas where people live, work, shop and go to school. This approach can help reduce traffic congestion, lower emissions, and improve quality of life.

Question Box

- Q36. What are your views on the Council's proposed policy on walking, wheeling, cycling and public transport (within the site)?**
- Q37. Are there any alternatives or additional points the Council should be considering?**
- Q38. Specifically, what are your views on the provision of Demand Responsive Transport, car clubs and car shares?**

Proposed Policy LWL5: Distinctive Places

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

All development proposals for one or more new dwelling must meet the following criteria:

- i) **Response To Site, Character and Landscape Context.**
Demonstrate a clear understanding of the context and landscape character (including townscape) of the site and beyond. New development must conserve, enhance, and draw inspiration from this context and character in either a traditional or contemporary style. The use of standard building or house types that take no account of local character, bad imitation of traditional design or simply replicate generic or mediocre design in the locality will not be acceptable.
- ii) **Design Concept.** Be visually attractive and be informed by a clear rationale and strong design concept developed in response to an understanding of the context and landscape character (including townscape). The design concept must also inform a consistent choice of high-quality materials, finishes, detailing and landscape design. Generally, unprepossessing late twentieth century and twenty-first century development in the area should not be used as precedents for material and finishes choices in new development.
- iii) **High Weald National Landscape.** All development within or affecting the setting of the High Weald National Landscape shall conserve and enhance its distinctive landscape character, ecological

features, settlement pattern and scenic beauty, having particular regard to the impacts on its character components, as set out in relevant policies in this plan, the latest version of the High Weald National Landscape Management Plan and the High Weald AONB Design Guide and Colour Study.

- iv) **Material Banks for Future Development.** Building materials are valuable resources to be conserved and reused. All development must incorporate design for disassembly principles, allowing for the efficient removal and recovery of materials when a building is no longer needed.
- v) **Bioregional Design.** All development must be produced in a way that suits the local area and its resources. We strongly encourage the use of low carbon materials, such as local and certified well-managed wood, for building structures, cladding and external works.
- vi) **Existing Assets.** Use existing assets as anchor features, such as mature trees and capitalise on other existing features such as key views on or beyond a site.
- iv) **Futureproofing and Safeguarding.** Ensure that land is reused/used efficiently, effectively, and must not prejudice existing and future development and connectivity to and from adjoining sites. Where such potential may exist, development must progress within a comprehensive design masterplan framework or enable a co-ordinated approach to be adopted towards the development of adjoining sites in the future.
- v) **Stewardship.** Demonstrate how they will achieve long-term stewardship of places (streets and spaces), community assets and green infrastructure by producing a Stewardship Plan that:
 - a. Includes a clear management plan that sets out the vision, objectives, standards, and actions for the delivery and maintenance of places,

community assets and green infrastructure, and how they will contribute to the social, economic, and environmental well-being of the community.

- b. Includes a clear participation strategy that sets out how the community will be involved in the design and management of places, community assets and green infrastructure, including the use of participatory methods, co-design, co-production, and co-management.

The Council will support proposals that adopt community stewardship models of governance, such as informal community management groups, neighbourhood planning groups, community management of public spaces, community management of buildings and facilities, community management of local energy networks, community land trusts and community housing such as cooperatives and co-housing, that give the community a key role and stake in the ownership and management of community assets and green infrastructure. The Council will also support proposals that reinvest the surplus generated by community assets and green infrastructure into the community, such as through community funds, grants, or dividends.

- vii) **Residential Assessment Frameworks.** All residential development must address the 12 considerations of “Building for a Healthy Life”, and its companion ‘Streets for a Healthy Life’, written in partnership with Homes England, NHS England, and NHS Improvement.

- viii) **All Development Assessment Framework.** All development must address the ten principles of “Active Design”, as published by Sport England and supported by Public Health England.

Explanatory Text:

- 4.37 New development should create places that are memorable, with a locally inspired or otherwise distinctive character.
- 4.38 If distinctive local characteristics exist, new development should delve deeper than architectural style and details. Where the local context is poor or generic, this should not be used as a justification for more of the same. Inspiration may be found in local history and culture.
- 4.39 Positive local character comes from: streets, blocks, and plots ('urban grain'), green and blue infrastructure, land uses, building form, massing, and materials. These characteristics often underpin the essence of the distinctive character of settlements rather than architectural style and details.
- 4.40 Using a local materials palette (where appropriate) can be a particularly effective way to connect a development to a place. This is often more achievable and credible than mimicking traditional architectural detailing which can be dependent on lost crafts.
- 4.41 Brownfield sites can offer sources of inspiration for new development. Greenfield and edge of settlement locations often require more creativity and inspiration to avoid creating places that lack a sense of local or otherwise distinctive character.
- 4.42 Character can also be created through the social life of public spaces. New development should create the physical conditions for activity to happen and bring places to life.
- 4.43 The pattern of development should protect and enhance the High Weald National Landscape, open countryside and protected ecological habitats.
- 4.44 Rother recognises the significance of promoting circular and sustainable practices in the construction and demolition industry. To reduce waste, preserve valuable resources, and contribute to a more sustainable environment, Rother encourages the design and

construction of buildings with the potential to serve as material banks for future development projects. This will promote the reuse and recycling of building materials and reduce the environmental footprint of the construction sector. To meet this criterion, all development proposals of 50 dwellings or more or 500sqm or more of non-residential floorspace must submit a material recovery plan, as part of their planning application, outlining how materials will be disassembled, recovered, and stored for future reuse.

- 4.45 Bioregional design seeks to align development with the ecological and natural systems of the region, fostering a harmonious relationship between the built environment and the surrounding ecosystem. To meet this criterion, all development proposals of 50 homes or more or 500sqm or more of non-residential floorspace must submit a bioregional assessment, as part of their planning application, to optimise resource use and minimise waste through strategies such as sustainable water management, energy conservation, and the use of locally sourced materials.
- 4.46 Well-designed places sustain their beauty over the long term. They add to the quality of life of their users, and as a result, people are more likely to care for them over their lifespan. They have an emphasis on quality and simplicity. Places designed for long-term stewardship are robust and easy to look after, enable their users to establish a sense of ownership, adapt to changing needs and are well maintained.
- 4.47 Management and maintenance of places incorporate the processes associated with preserving their quality or condition. Good management and maintenance contribute to the resilience and attractiveness of a place and allows communities to have pride in their area.
- 4.48 Long term management plans for new development might include individual residents and businesses managing private space, adoption by a public authority, the use of management companies or management by the community.

- 4.49 Processes of participation, consultation and co-design improve transparency, help to build trust, allow for valuable local knowledge to be gained, increase a sense of ownership over the completed development and help to build community cohesion.
- 4.50 Community management is the management of a common resource by the people who use it through the collective action of volunteers and stakeholders. The community management of neighbourhoods is a valuable way of engendering a sense of ownership and responsibility as well as building social cohesion.
- 4.51 Residential development proposals will be expected to show evidence of how their development performs against the Building for a Healthy Life considerations. There is no obligation on applicants to use an external or independent consultant to complete an assessment, but they are free to do so if they so wish.

Question Box

- Q39. What are your views on the Council's proposed policy on distinctive places?**
- Q40. Are there any alternatives or additional points the Council should be considering?**
- Q41. Specifically, what are your views on using the considerations in Building for a Healthy Life and Streets for a Healthy Life as a framework for assessing residential development?**

Proposed Policy LWL6: Built Form

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

(A) All development proposals for one or more new dwellings must meet the following criteria:

- i) **Landscape Strategy.** The landscape strategy must help determine the capacity of the site and hence the appropriate developable area for the development. All layout or landscape plans for multiple unit or large building developments must have accurate contour plans and information about surface water flows. Single dwelling proposals must have levels on the site and contours for the site context clearly shown on relevant plans.
- ii) **Orientation.** Provide evidence of how the orientation of buildings and streets has taken account of:
 - a. What is locally characteristic; (through an analysis of the existing site, context and landscape character, including townscape).
 - b. Microclimate.
 - c. Opportunities to maximise passive solar gain and roof-mounted energy collection, while ensuring against excessive internal heat gains in warmer seasons. New buildings and streets must prioritise southern exposure for passive heat gain, while minimising east-west orientation, (unless there are overriding reasons concerning context and landscape character).
 - d. Key views and vistas.
 - e. Topography and significant existing features.

f. The need for natural surveillance.

iv) **Legibility and Street Hierarchy.** Promote good legibility in the following ways:

- a. Clear route hierarchy.
- b. Strong and logical building layout and massing.
- c. Consistent choice of materials.
- d. Use local landmarks and key views.
- e. Retention of key distinctive features.

v) **Perimeter Blocks.** Aim to respect existing or achieve new perimeter block layouts unless not feasible or not locally characteristic. Utilise cohesive building compositions that define appropriate building lines and create consistent, visually harmonious street edges to enhance the pedestrian experience.

Non-residential developments that are delivered as a series of individual parcels with their own surface level car parks set back from the street will not be supported.

vi) **Active Frontage.** Streets must have active frontages with dual aspect homes on street corners with windows serving habitable rooms. Street corners with blank or largely blank sided buildings and/or driveways, street edges with garages or back garden spaces enclosed by long stretches of fencing or wall must be avoided. Windows must be clear along the ground floor of non-residential buildings (avoid obscure windows).

vii) **Transitions.** Transitions between existing and new development must be sensitive and well considered so that building heights, typologies and tenures sit comfortably next to each other.

viii) **Edges.** New settlement edges must look both ways, responding to the countryside while also knitting into the existing fabric of a settlement. Where possible, new development should address the countryside directly and not turn its back onto it, unless this is not locally characteristic.

(B) All major housing developments must have 50% of dwellings have a **form factor** of 1.7 or less to ensure that housing is designed to be energy-efficient and environmentally sustainable.

Explanatory Text:

- 4.52 Solar orientation has a critical role in creating energy-efficient and sustainable environments that are aligned with their climatic conditions. Integrating solar orientation principles into perimeter block design will maximize passive heat gain, enhance occupant comfort, and reduce energy consumption. By aligning building layouts with the sun's path, we can create resilient and energy-conscious communities.
- 4.53 The following generic principles for optimum solar orientation and form should be followed:
- Wide fronted units facing north or south should have a primary aspect within 30° of due south.
 - East and west facing units should be within 30° of the north/south axis such that gabled roof profiles can present a major roof pitch to the south.
 - Anticipating the need for electric vehicle charging, parking structures with roofs of 5° - 7° pitches can be used if aligned on the north/south axis and 30° pitch if aligned to face south.
 - Use plot disposition and building placement to support solar gain from the South, and to minimise left over space.
 - For optimising intelligent solar design, use of wide fronted dwelling typologies are appropriate when aligned to east-west oriented roads whereas narrower and deeper plans may be appropriate to line north-south oriented roads.

- For optimising intelligent solar design, primary roof pitches to face within 30° of due south and special care is needed to avoid overshadowing from other buildings and vegetation (bear in mind growth over time).
- Simple roof forms allow for maximising energy collection whereas use of hips, valleys and dormers tend to limit this potential.

4.54 A building's form factor is the ratio of its external surface area (i.e., the parts of the building exposed to outdoor conditions) to the internal floor area. The greater the ratio, the less efficient the building and the greater the energy demand. Detached dwellings will have a high form factor, whereas apartment blocks will have a much lower form factor and thus will tend to be more energy efficient. The Climate Emergency Guide by LETI contains a list of typical form factors associated with different design configurations.

- Bungalow house: 3.0
- Detached house: 2.5
- Semi-detached house: 2.1
- Mid terrace house: 1.7
- End mid-floor apartment: 0.8

4.55 This means that half of the dwellings in new developments [over 10 dwellings] must be provided as terraces or flats. As an example, a 10 dwellings scheme might comprise a row of 5 terraced homes, a pair of 2 semi-detached dwellings and 1 detached residence. Such a mix would also be characteristic of the High Weald National Landscape where a typical grouping would contain a mixture of terraces, a detached cottage, and semi-detached dwellings.

Question Box

- Q42. What are your views on the Council's proposed policy on built form?**
- Q43. Are there any alternatives or additional points the Council should be considering?**
- Q44. Specifically, what are your views on prioritising solar orientation and form factor when designing new developments?**

Proposed Policy LWL7: Streets for All

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

(A) All development proposals must meet the following criteria:

- i) **Design Speed of New Streets.** New or improved streets designed (no centre line, horizontal deflection, narrow width) and signed for vehicles to travel at a max speed of 20mph.
- ii) **Shared Streets.** Street space shared fairly between pedestrians, cyclists, and motor vehicles (See Manual for Streets User hierarchy) and be inclusively designed so that people with visual, mobility or other limitations will be able to use the street confidently and safely.
Incorporate a variety of street furniture (e.g., benches, places to sit, rest and interact), sensitively and appropriately located at regular intervals, along with good signage and wayfinding that is accessible to all to encourage walking and prioritise vulnerable users.

They must be adopted, managed, and resourced as public open space rather than as public highway with its conventional emphasis upon motorised traffic movement.
- iii) **Dementia Friendly District.** Streets and spaces designed to adhere to best practice 'designing for dementia' principles, to contribute towards making Rother's outdoor environments more age and dementia-friendly.

- iv) **Use Buildings to Define Streets & Spaces.** Well defined new streets and spaces enclosed by buildings or landscape elements, particularly street trees, and boundary structures.
- v) **Tree Lined Streets.** For cooling and carbon capture, with appropriate native and climate resilient trees that are in the public realm rather than on private property, have a wider canopy form for cooling and shade, have sufficient space to grow above and below ground and have long term management arrangements in place.
- vi) **Animated Streets.** Create animated streets, incorporating public art, cultural installations, street furniture and heritage features to enrich the visual appeal and cultural identity of public spaces.
- vii) **Landscaping.** Provide landscape layers that add sensory richness to a place – visual, scent and sound and help settle parked cars into the street. With frontage parking, the space equivalent to a parking space must be given over to green relief (for instance every four bays). Areas identified as suitable for growing fruit and vegetables within the curtilage of the street or public courtyards will be supported.
- viii) **Sustainable Drainage Systems.** Incorporate sustainable drainage systems (SuDS), such as swales, rain gardens or ditches as well as infiltration zones such as grass verges, into streets.
- ix) **Services.** Incorporate all underground surfaces into shared trenches with common ducting where possible. This must be considered at an early stage in the design layout and be designed to be compatible with Green Infrastructure and Sustainable Drainage Systems (SuDS). Landscape elements such as street trees must not be prejudiced by lighting columns or underground ducting.

- x) **Reducing Street Clutter.** Streamline the placement of signage, street furniture, and other elements in public spaces to reduce street clutter. Benches and bins must be consistent with the design concept for the site/development.
 - xi) **Healthy Streets.** Address the ten 'Healthy Streets' indicators of the "Healthy Streets Toolkit," as endorsed by the East Sussex LTP4.
 - xii) **Historic Streets.** Address the guidance in "Streets for All: Advice for Highway and Public Realm Works in Historic Places," as published by Historic England, where relevant to the context.
- (B) All development of 150 dwellings or more or 15,000sqm or more of non-residential floorspace must meet the following criteria:
- i) **Meaningful Variation Between Street Types.** Use a street hierarchy to help people find their way around a place. For instance, principal streets can be made different to more minor streets using different spatial characteristics, building typologies, building to street relationships, landscape strategies and boundary and surface treatments.

Explanatory Text:

- 4.56 Streets are different to roads. Streets are places where the need to accommodate the movement of motor vehicles is balanced alongside the need for people to move along and cross streets with ease. Activity in the street is an essential part of a successful public realm.
- 4.57 Streets should be designed to meet the needs of the whole community, be attractive, create a sense of place, pride and enable healthy lifestyles. A strong framework of connected healthy streets improve people's physical and mental health. Encouraging walking, cycling, outdoor play and streets where it is safe for younger children to cycle

(or scooter) to school can create opportunities for social interaction and street life bringing wider social benefits. It is important to avoid streets that are just designed as routes for motor vehicles to pass through and for cars to park within.

- 4.58 Front doors, balconies, terraces, front gardens, and bay windows provide active frontages and are a good way to enliven and add interest to the street and create a more human scale to larger buildings such as apartments and supported living accommodation.
- 4.59 As the Royal Town Planning Institute (RTPI) Dementia and Town Planning research paper mentions, well planned, enabling local environments can have a substantial impact on the quality of life for someone living with dementia, helping them to live well in their community for longer. An overriding principle of this advice is that if you get an area right for people with dementia, you can also get it right for older people, for young disabled people, for families with small children, and ultimately for everyone. Dementia-friendly environments are spaces that are designed to support the needs and preferences of people living with dementia. They aim to promote independence, wellbeing, safety, comfort, and meaningful activities for people with dementia and their carers. Easy access and wayfinding can help people with dementia to navigate an environment without getting lost or confused. This can include clear and consistent signage, landmarks, lighting, and contrast. Safety, security, and comfort helps people with dementia feel relaxed and calm in an environment. There are many resources and guidelines available that can help to design and evaluate dementia-friendly environments.
- 4.60 Different street types, along with buildings, spaces, non-residential uses, landscape, water, and other features can help people create a 'mental map' of a place. Streets with clearly different characters are effective in helping people grasp whether they are on a principal or secondary street. For larger sites, it will be necessary to use streets and spaces with different characters to help people to find their way around.
- 4.61 Large gaps in the street create 'leakage' of space and diminish sense of enclosure which may not be appropriate in more urban areas or in village centres. The opposite may

apply, with large green gaps between buildings, in more rural locations where this is the established street character.

- 4.62 Sustainable drainage systems, commonly referred to as SuDS, provide an improved approach to the management of surface water runoff from hard surfaces such as roofs and car parks by replicating natural processes. Compared with traditional engineered drainage systems, SuDs can maximise the additional benefits that can be achieved by reducing site-based, local, and catchment-wide flood events. They allow ground water recharge which reduces water pollution, enhance biodiversity, and provide landscape amenity enhancement.
- 4.63 All development proposals must create animated streets. Where development proposals are for more than 50 dwellings or 500 sqm of non-residential floorspace, streets must provide places to sit, space to chat or play within new streets, as well as allow for temporary closures to maximise a streets multipurpose potential for other uses e.g., markets, festivals, parades etc.
- 4.64 While signage, street furniture, and other structures are vital to the successful design of public spaces, poor design leads to clutter which can have a detrimental impact on the environment. All development proposals must demonstrate how they avoid street clutter. Where development of 50 dwellings or more or 500sqm or more of non-residential floorspace. is proposed, it is recommended that the following approach is taken:
- a. Conduct a comprehensive inventory of all existing street clutter, including signage, utility poles, street furniture, and other elements that obstruct public spaces.
 - b. Develop clear design standards and guidelines for street furniture, signage, and other streetscape elements that are consistent with the developments design concept.
 - c. Consolidate and rationalize signage to reduce duplication and ensure that signs are clear, legible, and necessary.
 - d. Encourage the undergrounding of utility lines where feasible to eliminate overhead clutter.

- e. Ensure the design and materials of bin storage areas, structures and pick up locations are well integrated secure, safe and overlooked.
- f. Ensure all services and access covers are integrated into the overall landscape design and not fitted as afterthoughts.
- g. Implement clear and consistent wayfinding systems that guide pedestrians and motorists without the need for excessive signage.

Question Box

Q45. What are your views on the Council's proposed policy on streets for all?

Q46. Are there any alternatives or additional points the Council should be considering?

Q47. Specifically, what are your views on using the ten 'Healthy Streets' indicators of the 'Healthy Streets Toolkit' when designing new streets?

Proposed Policy LWL8: Multimodal Parking

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy wording:

All development proposals must meet the following criteria:

- i) **Cycle Parking.** Provide cycle parking ensuring all users feel safe, consistent with the overall design concept for the site/development and provided in line with Table 11.1/Table 11.2 of LTN 1/20 (inc. requirement of 5% of spaces to be accessible for larger cycles).
 - a. **Residential Cycle Parking.** Secure, covered, well-lit cycle storage for all new dwellings, including flats, 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.
 - b. **Non-residential cycle Parking.** Secure, overlooked, well-maintained, well-lit cycle parking must be located closer to the entrance of schools, economic, leisure and community facilities than car parking spaces or car drop off bays, except for blue badge spaces. Facilities must be suitable for a range of cycle types including electric bikes, cargo bikes, tandems, and tricycles. Where appropriate, secure external cycle parking must be provided where off-street parking does not exist.
- ii) **Car Parking Layout.** The proposed street design and parking management strategy demonstrably and physically discourage the

blockage of footways, crossing points, sightlines, and cycle routes on and off site by indiscriminate and obstructive car parking.

iii) **On Street Parking.**

- a. Well integrated car parking design, with good landscape treatment avoiding a public realm dominated by cars, hard standing, too many materials and associated clutter. A parking strategy must inform the design layout from an early stage.
- b. Landscape-led design with layout and materials responding to the landscape character of the place.
- c. Maximise opportunities for enhancing green infrastructure and sustainable drainage.
- d. Minimise opportunities for anti-social car parking on pavements and green spaces.
- e. Be safe, conveniently located for the dwellings they serve, overlooked and accessible for all.

- iv) **In Curtilage Garages.** Use limited on multi home developments. Repeated garages taking a large proportion of the ground floor frontage of a street avoided as this leads to a lack of fenestration and street animation. Garages which are designed to accommodate bicycles should meet minimum dimensions to ensure they can be accessed without the need to remove vehicles.

v) **In Curtilage Parking.**

- a. Where in-curtilage parking for individual houses is to be used, car spaces must be to the side of the main building and at least 5.5m behind the building's front edge to prevent the vehicle protruding.
- b. In-curtilage parking in front of narrow-fronted properties should be avoided if better alternatives are available and where unavoidable

must be restricted to two adjoining properties to reduce the visual impact of parked vehicles on the street scene.

- c. Drive widths must be at least 3.2m when also serving as the main pathway to the property.
 - d. Private car spaces and drives visible from the street should be surfaced in small unit permeable pavers, or other materials (such as gravel) which will allow sustainable drainage, raising the environmental quality of the scheme.
- vi) **Car Parking Courts.** Rear car parking courts serving houses must be avoided where possible.
- vii) **Allocations.** Where possible, street, and shared court car parking should not be allocated to individual properties as this is a much more efficient use of space.
- viii) **Parking Squares.** Parking squares designed with robust materials to function as attractive public spaces which also accommodate parked cars. This can be achieved with generous and appropriate green infrastructure, surfaces other than tarmac and appropriate street furniture. Parking squares should aspire to also be attractive areas of multi-functional public space, providing opportunities for communal activities such as market stalls, ceremonies, events, the annual Christmas tree.
- ix) **Communal 'Remote' Car Parking.**
- a. Car parking can be partly or wholly located in well-designed communal blocks, such as car barns or car ports, preferably still with some natural surveillance.
 - b. These communal blocks must be located within a short and convenient walking distance of the buildings it serves.

- c. Where 'remote' car solutions are used, streets and spaces closer to homes must be designed to make uncontrolled car parking less easy, to discourage antisocial car parking behaviour.
 - d. Provision for disabled drivers, activities such as dropping off passengers and shopping and access for emergency vehicles, waste collection, bulky deliveries and removals to homes will still need to be fully considered.
- x) **Green Infrastructure.** Most car parking solutions will require generous green infrastructure, such as trees or rain gardens, to mitigate the visual impacts, maximise opportunities to enhance wildlife and provide shade. Too many materials, colour changes and small areas of kerbing and planting leads to an over busy result. Simple palettes and layouts are generally encouraged.
- xi) **Rural Car Parking.**
- a. The design of car parks in the countryside or on the settlement edge must ensure they integrate into the surrounding landscape and avoid unwelcome visual impacts and suburban character.
 - b. The layout, scale, materials, and mitigation measures using green infrastructure must be landscape-led and aim to enhance local character.
 - c. Over-large car parks should be avoided where possible as they will conflict with local character and their visual impacts are more difficult to mitigate.
 - d. Simple materials, based on what is locally characteristic, an absence of highway elements such as kerbs and clutter and locally appropriate planting represent the best approach in most locations.
- xii) **Other Parking.** Provide safe, secure parking to support the use of powered two-wheelers. Facilities, with an electricity supply, must be suitable for a range of types including mopeds, scooters, and motorbikes.

For specialist accommodation for older people and for people with disabilities, secure storage space under cover, with an electricity supply, is also required for powered wheelchairs or mobility scooters.

Explanatory Text:

- 4.65 Well-designed developments will make it more attractive for people to choose to walk or cycle for short trips helping to improve levels of physical activity, air quality, local congestion, and the quality of the street scene. Well-designed streets will also provide sufficient and well-integrated car parking.
- 4.66 Cycle parking in residential development should be designed to make it at least as convenient and attractive for residents to use cycles as a car when making local journeys. Storage should be as near to the street as possible. This could be integrated into the main building, in garages or in bespoke standalone storage, if located discreetly.
- 4.67 The most traditional car parking method is to provide unallocated spaces parallel with the street. This enables every space to be used by anyone and to its greatest efficiency. It often allows residents to see their car from the front of their house and contributes to an active street and traffic calming, while keeping most vehicular activity on the public side of buildings.
- 4.68 Parking bays which are perpendicular to, or at an angle to the street direction, can accommodate more cars than parallel parking spaces, but they increase the width of the road, they are potentially more dangerous (due to the need to reverse into traffic), and, if adjacent to homes, car lights can have a negative impact on the ground floor windows of habitable rooms at night.
- 4.69 Many modern residential developments provide in curtilage parking. This may provide the car-owner with greater security and ease of access, but it is a less efficient use of space than unallocated parking and prevents parking in the street across the access to the property.

- 4.70 Particularly when plot widths are narrow (below 6m) the parked car will usually visually dominate the front of the house. This effect will be magnified if this method is repeated at regular intervals in a street.
- 4.71 Garages are a very inefficient way of accommodating cars as research shows that only around half are used for that purpose.
- 4.72 Locating car parking at the rear of houses can lead to inactive frontages, discourage neighbourliness, walking and cycling and create safety and security problems both on the street and within the parking courtyards or unobserved garages. Furthermore, rear parking courts use land very inefficiently, often resulting in small gardens, reduced privacy, and parking by those without allocated rear spaces in inappropriate places.
- 4.73 Small squares can add interest and provide parking in a traffic calmed environment.
- 4.74 Car barns or car ports can effectively allow a low car, or even a car-free environment with all the benefits that can bring, particularly for residential areas. They are much more likely to be used than garages and can be a good way to integrate groups of cars into a landscape.
- 4.75 Rather than designing in car parking space that could become redundant as society evolves and possibly levels of car ownership drop, communal parking areas can easily be adapted to other uses in the future, if less space is required for private cars.
- 4.76 A combination of car parking approaches nearly always creates more capacity, visual interest, and a more successful place.
- 4.77 Some developments such as for economic, community or multi-residential uses will normally require significant car parking areas. These areas will need generous visual mitigation to reduce the impact of large numbers of vehicles and hard surfacing, but they also serve as significant opportunities to provide visual, functional, and ecological enhancements through generous green infrastructure (GI), including multifunctional sustainable drainage.

Question Box

- Q48. What are your views on the Council's proposed policy on multimodal parking?**
- Q49. Are there any alternatives or additional points the Council should be considering?**
- Q50. Specifically, what are your views on communal 'remote' car parking?**

5. Development Strategy and Principles

- 5.1 The NPPF requires all local plans to promote a sustainable pattern of development that seeks to:
- meet the development needs of their area;
 - align growth and infrastructure;
 - improve the environment;
 - reduce the overall need to travel and maximise opportunities for sustainable travel;
 - mitigate climate change (including by making effective use of land in urban areas); and
 - adapt to its effects.
- 5.2 It also requires strategic policies to, as a minimum, provide for objectively assessed needs for residential and non-residential uses. This should include, if possible, meeting any development needs that cannot be met within neighbouring authority areas. These should be met unless the protection of areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the district; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.3 The 2014 Core Strategy planned for a growth level of at least 5,700 dwellings between 2011 and 2028 which works out at 335 homes per year. The actual number of houses built each year since has averaged 219 (net additional dwellings per year). By contrast, Rother's minimum local housing need (LHN) figure, defined using the national standard method calculation is 733 dwellings per year (2023 Base date). It is the role of the Local Plan to identify the number that can appropriately be accommodated, and it is this "appropriate" growth that this development strategy plans for. The aim is to meet the needs of the district, including the need for affordable housing.
- 5.4 The planning period for this Local Plan is 2020-2040. It is important that the Council has a 15-year plan from its adoption date. The planning period overlaps with the Core

Strategy period (2011-2028). This Local Plan therefore reconsiders and updates planned-for growth to 2028²⁰ as well as considering growth beyond this to 2040, to create a development strategy for the planning period.

5.5 While the challenges of creating sustainable settlements in Rother are high, change and growth is required to meet the community's needs including:

- providing appropriate housing and job opportunities;
- improving local access to services and facilities;
- ensuring a mix of house sizes across the district, including for those in affordable housing need; and
- utilising change and growth to enable people to live locally and reduce the need to travel, particularly by private car.

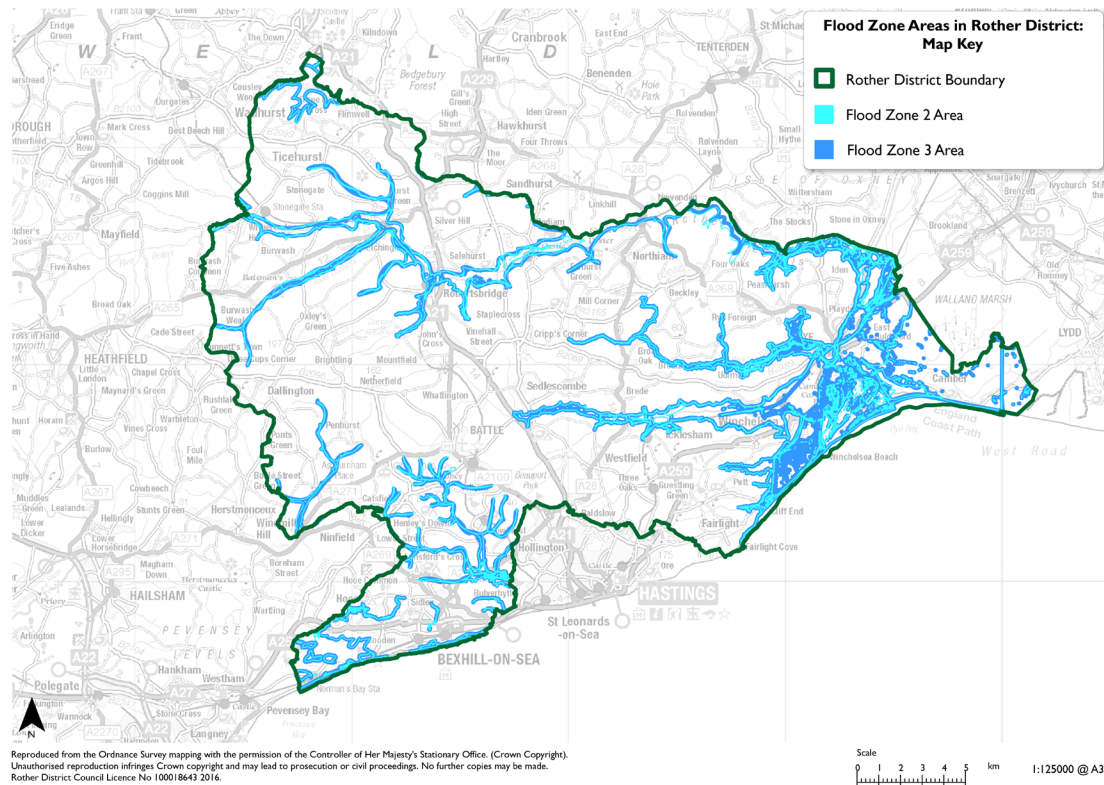
5.6 The Council has planned positively by undertaking a comprehensive assessment of development potential through its Housing and Employment Land Availability Assessment (HELAA) and the Settlement Study, to establish whether housing growth could be significantly increased. Over 200 sites have been put forward through a Call for Sites. To 'leave no stone unturned', the Council has identified and assessed nearly 800 additional sites, which include sites currently allocated or with planning permission.

5.7 Development will only be acceptable where it does not have an adverse impact on the natural environment. There are many constraints across the district which impact on the overall suitability of land. Development will need to be steered away from areas of high flood risk, designated habitats sites and other areas with important high landscape value. With regards to flooding, in line with the NPPF, the development strategy will take a sequential development approach to ensure that suitable land is identified in lower risk areas before development in areas at higher risk of flooding from all sources is considered, with any appropriate mitigation. This will be informed by the Council's Strategic Flood Risk Assessment (SFRA) which is currently being developed. The

²⁰ Sites allocated in the DaSA and Neighbourhood Plans to meet growth up to 2028, which have not yet been developed.

Council will use this approach to inform decisions on the potential sites for development and any subsequent site allocations, at the next stage of the Local Plan. Figure 9 indicates the locations of areas within Flood Zones 2 and 3 across the district.

Figure 9: Flood Risk Areas in Rother District



- 5.8 In line with the NPPF, all available spatial development options have been considered in principle, including options such as new settlements and proportional (by size and population) growth of existing settlements. The Development Strategy background paper explains the process that was undertaken and the justification for the proposed development strategy, which is further supported by a sustainability appraisal.

Preferred Spatial Development Options:

The Council has considered a series of potential spatial development options (SDOs), and these have been individually assessed through the Sustainability

Appraisal process. These 'alternatives' are detailed in the Development Strategy Background Paper. Through this process, the Council has considered all reasonable opportunities to accommodate growth, and these have varying degrees of impact on overall sustainability principles.

The Background Paper provides the analysis of why specific spatial development options are proposed to form part of the development strategy, and the reason others have been discounted. An important consideration has been the alignment of the development strategy with the Council's twin Overall Priorities - 'Green to the Core' and 'Live Well Locally' to ensure that growth is truly sustainable.

The background paper concludes that the most appropriate spatial development options to take forward as Rother's proposed development strategy is a combination of the following options:

- Brownfield intensification and redevelopment within sustainable settlements (Option reference SDO6).
- Bexhill greenfield growth on the northern and western edges of the built-up area of Bexhill to create new compact, connected communities (SDO3A)
- Hastings Fringes urban growth (SDO5)
- Radial settlement network connected to Bexhill and Hastings (SDO2)
- Village clusters centred around Rye and Battle (SDO1)
- Sustainable settlement growth (SDO4) with longer term, a focus on the A21 Corridor (SDO10).

Question Box

- Q51. What are your views on the Council's preferred spatial development options?**
- Q52. Do you have any comments on the merits of the alternative Spatial Development Options, that do not form part of the preferred development options – as explained in the background paper?**
- Q53. Are there any other development options that the Council should consider as part of its Local Plan?**

Proposed Strategy: Overall Spatial Development Strategy

Strategy Wording:

The Council will meet the local need for all forms of housing, jobs, facilities and services by strengthening Rother's pattern of development through a landscape-led spatial development strategy that focuses on the 'Live Well Locally' concept. To achieve this, a minimum of [5,158 to 7,287]* dwellings, at an average rate of [258 to 364]* per year and a minimum of 74,189sqm* additional employment floorspace will be constructed by the end of the Plan period in 2040.

Bexhill will continue to be a town that acts as a main transport and community hub. A network of settlements surrounding both Bexhill and Hastings (outside the local authority) will be able to access the two towns' wider services and facilities by sustainable modes of transport.

Rye and Battle will be the centre of clusters of settlements that collectively provide what most residents need for their daily lives. Rye and Battle will continue to be key transport and community hubs, with improved active and public transport, better connecting the cluster of settlements to the towns. There are opportunities for sensitive growth in these clusters alongside new facilities and services for both new and existing residents to benefit from.

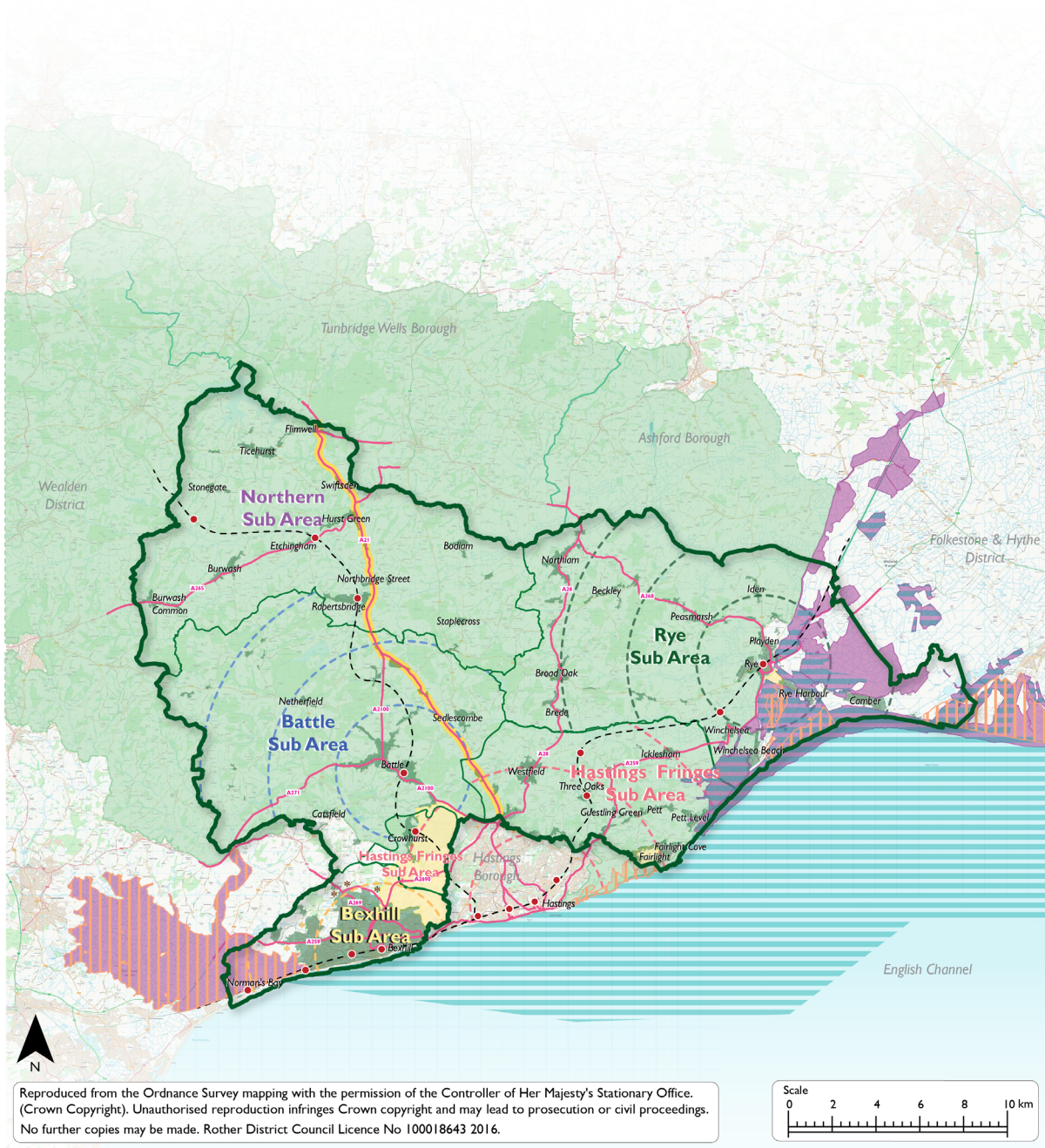
Based on these principles, the focus for growth will be in the following broad locations:

- West and North Bexhill to consolidate Bexhill as the most sustainable town, within the capacities of the existing transport network;
- clusters of villages based around the towns of Battle and Rye which act as key transport hubs;
- settlements on radial routes connected to the main urban areas of Bexhill and Hastings, allowing sensitive development in locations that rely on the larger towns for services and facilities;
- development at Hastings Fringes, providing sensitive growth;

- urban intensification and redevelopment across the district in appropriate and sustainable brownfield site locations;
- sensitive development in other rural settlements of the district; and
- in the longer-term, sensitive growth along the A21 Corridor.

**The final housing and employment target will be minimum figures. For the Regulation 18 consultation, the overall housing and employment figures are presented as a range, with the lower figure representing the totals of the “identified sites” (current allocations and sites with planning permission), and the upper figure representing the identified sites plus the total capacity of “potential additional sites” (sites identified in the draft HELAA as being potentially suitable, available and achievable for development during the Local Plan period). Therefore, the range is subject to change (either by an increase or reduction). The stated employment target in this box is the employment need figure in the HEDNA 2024. The employment figures presented as a range for each sub-area represent the employment supply – which is higher than the need figure.*

Figure 10: Rother Development Strategy – Key Diagram – a pictorial representation of the development strategy



- | | | | |
|--------------------------------------|-------------------------|--|---|
| Rother District Boundary | Ramsar Site | A21 Corridor | Immediate Neighbouring Authority Boundary |
| Areas of Built Form | Special Protection Area | Sub Area Boundary | <3km from a Train Station* |
| High Weald National Landscape (AONB) | Rail Stations | West Bexhill Potential Development Growth | *Every dashed concentric circle line represents a further 3km from each of the train stations of Bexhill, Hastings, Battle and Rye.
Yellow - Bexhill, Pink - Hastings, Blue - Battle, Green - Rye. |
| Strategic Gaps | Rail Line | North Bexhill Potential Development Growth | |
| Special Area of Conservation | A Roads | | |

Explanatory Text:

- 5.9 The proposed spatial development strategy seeks to maximise development opportunities while also delivering the Local Plan's vision and objectives. Growth will be directed to settlements and locations in line with the proposed strategy above, and this will be informed by the overall sustainability of the settlement (as assessed in the Settlement Study), physical and environmental constraints, and the number of sites within or around settlements that have been assessed as 'identified' or 'potential additional' sites in the Council's draft HELAA.
- 5.10 Sites that have been categorised at this stage as 'potentially developable' are those where the Council requires confirmation from the landowner that a site is available, or where there are outstanding issues relating to site suitability and achievability. As such, a development range is presented to reflect the potential variance in the quantum of development that has been assessed as being able to be accommodated.
- 5.11 The rural setting of the district comprises differing landscapes from the network of villages and hamlets within the High Weald NL; to the coastal areas connected to the main towns. The Council is committed to supporting the growth of rural communities in a way that promotes improvements to sustainable transport options allowing residents access to neighbouring communities to share facilities and services. While the district currently has many isolated dwellings, farmsteads and commercial activities within the countryside outside of defined settlement areas, the Council will prioritise growth within or on the edge of existing well defined built-up areas with good access to services, in order to facilitate sustainable development. In line with national policy, where opportunities for appropriate and policy compliant brownfield redevelopment arise these will be considered favourably. This will allow for windfall development to come forward on a site-by-site basis.
- 5.12 It is difficult for settlements in rural areas to function as highly sustainable locations, with organisations such as the Campaign for Rural England (CPRE) and Rural Services Network publishing reports seeking to highlight key issues and solutions. RTPI Cymru

recently published a Discussion Paper exploring the role the planning system can play in supporting more sustainable, local living in Wales and the Scottish Government has stated that its new spatial strategy will apply the concept of 20-minute neighbourhoods throughout Scotland with a new emphasis on how living locally could work across Scotland, including remote rural communities.

- 5.13 The isolated and small-scale nature of some rural communities means that they often lack access to jobs, retail, health and care services and schools and community facilities leading to many residents having to travel to access them, mainly by private car. In addition, housing can be unaffordable and digital coverage is sometimes a challenge. This being said, home delivery for retail needs and other services is generally increasing throughout the district, including in rural areas. More positively, rural areas can offer a sense of community, sustainable food production, access to nature, nature recovery areas and local tourism. While cycling and walking can be difficult to encourage if there are few pavements and no street-lighting, initiatives like Quiet Lanes and Slow Ways could address these issues positively.
- 5.14 Key issues for rural communities which have been highlighted through early engagement on the Local Plan include:
- The ability for economic growth in rural locations to support agricultural uses alongside smaller rural based businesses.
 - Providing sustainable transport options and greater accessibility to serve the facilities and services within rural towns and villages and consider the need for sufficient parking provision.
 - The challenge of enabling all generations to stay in rural communities for their lifetime, and particularly enabling older people to downsize and younger generations to not be priced out of the area.
- 5.15 The spatial strategy views our rural communities as ‘clusters’ of settlements that cooperate like an eco-system, rather than separate places.

- 5.16 By making our rural communities more attractive, we can help retain young people locally, provide more opportunities for existing communities, build community cohesion and interaction, and reduce social isolation. Creating community pride and connection to places benefits health and wellbeing and can help rebalance local economies.
- 5.17 The employment need figure of 74,189sqm applies to the whole district. The Rother and Hastings joint Housing and Economic Development Needs Assessment ([HEDNA \(2024\)](#)) does not identify a separate figure for the rural areas. While the delivery of floorspace in rural areas over the past decade indicates that they will have a continued role in meeting overall future needs, including providing some flexibility to meet changing market demand particularly in the small-scale office market, there is no clear evidence that a specific employment floorspace requirement needs to be identified.
- 5.18 Despite a relatively high increase of floorspace in rural areas during this time, the continuation of these trends, without a substantial delivery of the existing pipeline in urban areas, would meet only a very small proportion of the overall need figure. Moreover, patterns of demand and supply should be considered primarily as part of the FEMA total. Instead of establishing a need figure for the rural areas, the approach of the Local Plan is to support diversification and allow rural businesses to respond to external factors, including changing markets and climate change.
- 5.19 The need figure (from the HEDNA, 2024) in this overall spatial development strategy is lower than the existing pipeline of employment floorspace throughout the district, that consists of existing Local Plan allocations, sites with planning permission, as well as sites with expired permission that have been identified as developable in principle. The employment need figures and the current supply of employment floorspace are set out in Figure 11 below.

Figure 11: Demand vs supply balance, employment floorspace (sqm)

Employment Typology	Need (HEDNA, 2024)	Current Supply	Balance
Office	22,776	47,970	25,194
Light Industrial & Industrial	18,991	47,970	28,979
Storage & Distribution	32,422	10,660	-21,762
Total	74,189	106,600	32,411

- 5.20 With the exception of storage and distribution, Rother's current pipeline of employment floorspace exceeds its future requirement in this plan period. Consequently, the delivery of existing allocations and other commitments remains a priority. The deficit in the balance of storage and distribution floorspace is a concern, though it is considered that the surplus of commitments of industrial floorspace provides a justification for a flexible approach for taking forward existing site allocations.
- 5.21 At the same time, the delivery of existing commitments is by no means certain, and therefore the surplus identified above is not considered to constitute an oversupply of floorspace. The HEDNA (2024) identifies that continued public sector interventions will be required to ensure that existing allocations are delivered, including those in Bexhill which form a large proportion of the committed supply pipeline. Moreover, the HEDNA emphasises the uncertainty in forecasting future need, given the macroeconomic and technological factors identified above. This requires an economic strategy that is flexible enough to respond to a changing economic climate.
- 5.22 The Local Plan will meet this target, both through direct intervention in the form of flexible site allocations, as well as a policy approach that supports sustainable economic development that comes through the market. Local Plan policies must also reflect the substantially different geographies within the district; economic issues and challenges in rural areas are often different from those in urban areas, necessitating a unique set of policies relating to rural development.

- 5.23 It should be noted that employment floorspace does not include all sectors that employ people. For instance, other significant employers in Rother, include the education, healthcare, community, visitor accommodation, retail, leisure and agriculture sectors which for planning purposes do not comprise 'employment uses'. Policies in relation to all these sectors are set out in this plan.

Regulation 18 Commentary:

- 5.24 The Council is specifically interested in the views of stakeholders and the local community on the concepts and principles of development that are identified within the development strategy.
- 5.25 It is important to note that the housing and employment figures are indicative and provide 'potential' numbers based on the sites identified in the draft Housing and Economic Land Availability Assessment (HELAA). It is recognised that many of the potential sites, listed in the draft HELAA, require more detailed consideration of their impacts, including cumulative impacts. It is also possible that additional sites will be identified through this consultation.
- 5.26 In seeking to maximise its potential supply the Council wish to be transparent about this process and receive feedback through this consultation on the opportunities for development that are proposed including the potentially developable sites identified in the HELAA, and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.
- 5.27 The position on the developability of sites will change in response to feedback and as the Council progresses the plan. The HELAA will be updated to reflect this as the plan progresses. Further testing will also be undertaken after the Regulation 18 consultation stage, such as transport modelling.

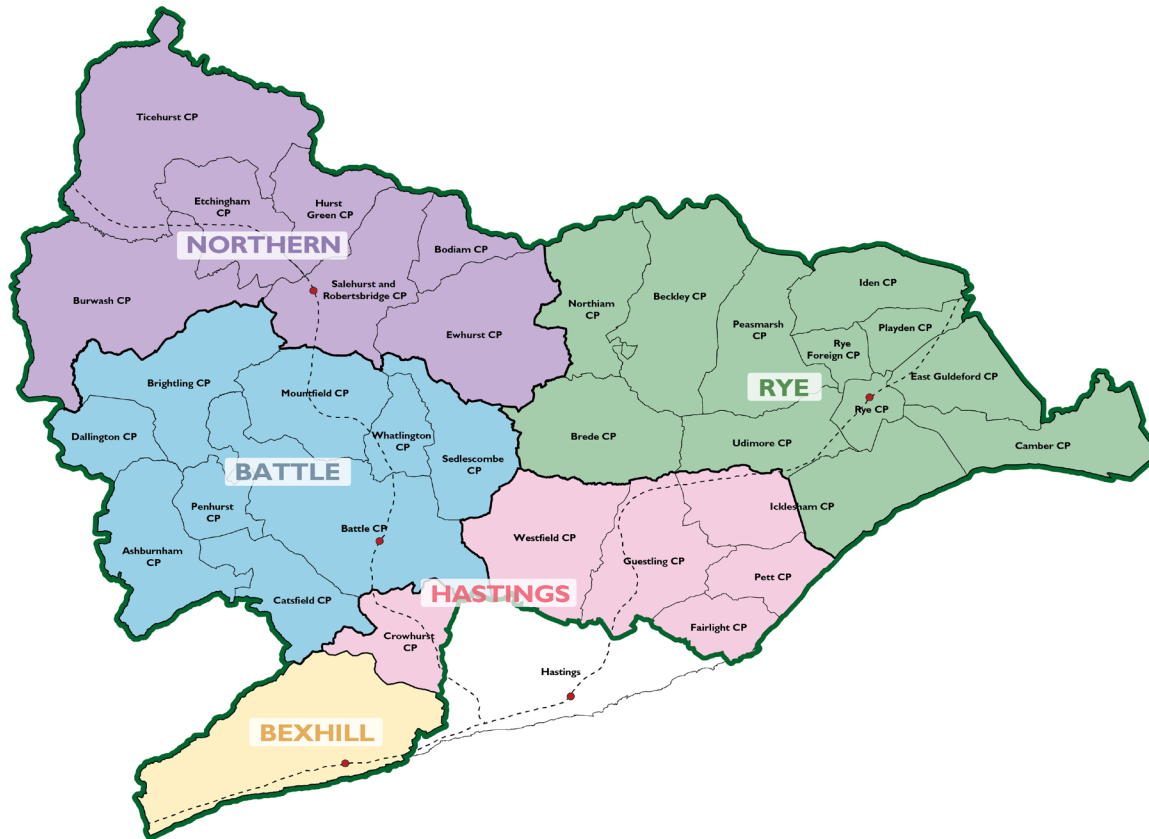
Question Box

- Q54. What are your views on the Council's proposed spatial development strategy and proposed minimum targets for housing and employment growth?**
- Q55. Are there any alternatives or additional points the Council should be considering?**

Delivering the Spatial Development Strategy

- 5.28 Rother's proposed development strategy has been split into five spatial sub-areas, Figure 12, which align with the principles and focus areas of growth presented above. Each of these spatial sub-areas has their own vision statement and identified distribution of development, which follows in the remainder of this chapter. The five sub-areas comprise:
- Bexhill;
 - Hastings Fringes and settlements that radially link to Hastings;
 - Battle and its cluster of connected settlements;
 - Rye and its cluster of connected settlements; and
 - Northern Rother – the settlements in the north-east of the district.
- 5.29 While the development strategy has been split into five areas, it is recognised that residents will utilise services and facilities in multiple major towns, villages and rural areas within and outside the district, to enable them to live well locally. While there is overlap, for clarity, settlements (and their identified growth potential) have been presented in only one of the five sub-areas.
- 5.30 In all five sub-areas there is open countryside, which has its own vision in this chapter. It relates to those areas outside of villages with development boundaries and includes farmland, woodland, hamlets and scattered development.

Figure 12: Rother District split into the Five Sub-Areas of the Development Strategy



Vision for Bexhill

Bexhill will be the key focus for sustainable residential and commercial growth, within the urban area on brownfield sites and at its edges through 'live well locally' urban extensions on greenfield sites. There is potential to deliver a minimum of [2,163-3,398] dwellings and [39,572-59,256] sqm of employment floorspace across the Bexhill sub-area.

Supporting infrastructure will be delivered to serve the growing local and wider communities that live, work, and visit the area. Development opportunities will be realised across the town, and development densities will be maximised especially within the main town centre.

The 'broad locations' of west and north Bexhill will continue to grow as 'live well locally' urban extensions sensitively and at higher densities where sustainable to do so. Development will be well connected to the main urban areas, local neighbourhoods through sustainable transport options, including pedestrian and cycle routes (a Bexhill Cycle Network connected to the National cycle network) as well as by car. Growth will only occur in areas that are well connected to the existing transport network, and this will help deliver improvements to the junctions and design of the existing A259 and other key routes.

Connections and accessibility to settlements that are in close proximity to Bexhill will be enhanced through improved public transport, active travel and road networks. This will ensure that wider services and facilities can continue to be accessed, enabling residents to live well locally.

A strong green strategic gap will be retained between Bexhill and Hastings, with the Combe Valley Countryside Park forming an important area for recreation and biodiversity. This will avoid coalescence, ensuring that both larger settlements maintain their identities and landscape character at their edges.

Where development is within the hydrological catchment area of the Pevensey Levels, higher standards of sustainable drainage systems will be delivered to avoid negative impacts on the water management of the sensitive environmental area.

- 5.31 Figure 13 and Figure 14 below illustrate a potential development strategy for Bexhill, in terms of the numbers of dwellings and the amount of employment floorspace that could potentially be delivered over the plan period.
- 5.32 The figures are divided into 'identified' growth and 'potential additional' growth. Identified growth includes those sites which are allocated for development, or which have an extant planning permission or a current planning application which has a resolution to grant, subject to a legal agreement. Potential additional growth includes those sites which may be suitable, available and achievable for development over the plan period (as listed in the draft HELAA), subject to further assessment work and the result of the Regulation 18 consultation. The potential additional growth does not include those sites listed in the draft HELAA where the availability is currently unknown. Therefore, the potential figures may be subject to change as the Local Plan consultation progresses, as sites are discounted, or alternatively, as additional sites are found to be suitable, available and achievable. This work will be undertaken through the ongoing HELAA. It should be noted that the Employment figures listed in the tables below may differ from those within the draft HELAA, as the HELAA also considers other economic uses including retail floorspace.

Figure 13: Bexhill Development Strategy: Housing: Summary

Settlement		Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Bexhill	North	1,557	540	2,097
Bexhill	West	308	640	948
Bexhill	Urban	298	55	353
Total Growth		2,163	1,235	3,398

Figure 14: Bexhill Development Strategy: Employment: Summary

Settlement		Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth	Total Potential Employment Growth (Identified + Additional) (sqm floorspace)
Bexhill	North	37,547	14,200	51,747
Bexhill	West	2,025	4,000	6,025
Bexhill	Urban	0	1,484	1,484
Total Growth		39,572	19,684	59,256

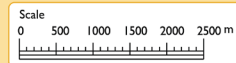
Sustainability Coding for Settlements

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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Figure 15: Bexhill sub-area



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- | | | | |
|----------------------------------|---------------------|---|---|
| Rother District Boundary | Areas of Built Form | A Road | District Centre |
| Sub Area Boundary | Rail Line | Other Roads | Town Centre |
| Bexhill (Sub Area) | Rail Stations | West Bexhill Potential Development Growth Area | <3km from Bexhill Station* |
| Rother District | Bus Routes | North Bexhill Potential Development Growth Area | <i>*Each white dashed concentric circle line represents a further 3km from Bexhill Station.</i> |
| Areas Outside of Rother District | Bus Route Number | Cycle Path | |
| Combe Valley Countryside Park | | | |

5.33 Figure 16 below individually lists the 'identified' development sites in Bexhill. Equivalent tables are provided for each of the spatial sub-areas within this chapter. For detail on the 'potential additional' sites, please refer to the draft HELAA.

5.34 Identified development sites are either:

- allocated for development within the Rother Local Plan or a made Neighbourhood Plan;
- subject to an extant planning permission; or
- subject to a current planning application which is has been resolved to grant permission subject to completion of a legal agreement.

5.35 Where a site is subject to both an allocation and a planning permission (or resolution to grant), and the site capacity differs between the allocation and permission, the capacity indicated in the more recent of the two is shown in the table.

Figure 16: Bexhill Development Strategy: Development Sites - Identified

**Note: Sites highlighted orange are sites currently allocated in the DaSA; sites highlighted yellow are sites currently allocated in Neighbourhood Plans; sites which are not highlighted are unallocated sites with planning permission, or which are subject to a current planning application with a resolution to grant subject to the completion of a legal agreement.*

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
RR/2022/2364/P, DaSA allocation Policy BEX3a	Kiteye Farm and adjoining land	Bexhill North	250	0
RR/2022/1584/P, DaSA allocation Policy BEX3b	Land west of Watermill Lane	Bexhill North	130	0
DaSA allocation Policy BEX3c	Land east of Watermill Lane	Bexhill North	150	0
DaSA allocation Policy BEX6	Land adjacent to 276 Turkey Road, Bexhill	Bexhill North	30	0

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
RR/2023/1527/P, DaSA allocation Policy BEX7	Land at Moleynes Mead, Fryatts Way, Bexhill	Bexhill North	26	0
RR/2018/2790/P, DaSA allocation Policy BEX1	Land at Levetts Wood and Oaktree Farm, Sidley, Bexhill	Bexhill North	0	33,500
RR/2017/963/P	Bexhill Enterprise Park – Escarpment Site B – south of Glovers End, Bexhill	Bexhill North	0	3,275
RR/2022/1233/P	Cemetery Lodge, 250 Turkey Road, Bexhill	Bexhill North	6	0
RR/2021/2545/P	Land west of Watermill Lane, Bexhill	Bexhill North	80	0
RR/2015/1760/P	Worsham Farm Site B, Land West of Mount View Street	Bexhill North	47	540
RR/2015/1760/P	Worsham Farm Site D, Land East of Mount View Street	Bexhill North	447	232
RR/2015/1760/P	Worsham Farm Site E, Land South of Worsham Lane	Bexhill North	370	0
RR/2022/2719/P	Ardath House, Hastings Road, Bexhill, TN40 2HJ	Bexhill North	21	0
		Totals:	1,557	37,547
RR/2017/1705/P, DaSA allocation Policy BEX9	Land off Spindlewood Drive, Bexhill	Bexhill West	160	0
RR/2020/1410/P	Land south of Barnhorn Road & West of Ashridge Court, Barnhorn Road, Bexhill on Sea	Bexhill West	29	0
RR/2020/2260/P	Land at Clavering Walk, Bexhill on Sea	Bexhill West	70	0
RR/2022/3018/P	Land at Barnhorn Green, Bexhill on Sea	Bexhill West	0	2,025
RR/2023/926/P	Barn at Beeches Farm, Sandhurst Lane, Bexhill	Bexhill West	5	0
RR/2021/1621/P	49 Cooden Sea Road, Cooden	Bexhill West	9	0

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
RR/2022/2570/P	41A, 41 & 43 Barnhorn Road, Bexhill	Bexhill West	35	0
		Totals:	308	2,025
DaSA allocation Policy BEX8	Land south of Terminus Road	Bexhill Urban	10	0
RR/2020/155/P	2a Sackville Road	Bexhill Urban	6	0
RR/2019/430/P, DaSA allocation Policy BEX4	Land at Former High School Site, Down Road, Bexhill	Bexhill Urban	52	0
RR/2020/577/P	30 Dorset Road, Bexhill	Bexhill Urban	8	0
RR/2021/1656/P	Land west of Fryatts Way, Bexhill	Bexhill Urban	210	0
RR/2021/1519/P	81 Cooden Drive, Bexhill	Bexhill Urban	5	0
RR/2023/1949/PN3 & RR/2023/2466/P	1 Burnside Mews, London Road, Bexhill	Bexhill Urban	5	0
		Totals:	298	0

Explanatory Text:

- 5.36 The vision for Bexhill reflects how the town is intended to grow and develop over the next 20 years up to 2040. Bexhill is the most sustainable settlement for growth. The construction of the Bexhill-Hastings Link Road (Combe Valley Way) and associated roads connecting with the north and north-east of Bexhill have opened up development opportunities including a sustainable new urban extension with housing, business parks, a primary school and green space at North-East Bexhill (under construction) and housing and employment growth to support Sidley (North Bexhill) (allocated for development in the Development and Site Allocations Local Plan which was adopted in 2019). Other larger sites in the western part of Bexhill have planning permissions. The Council's HELAA has assessed the development potential of a number of sites within the urban area (Bexhill central broad location) and adjoining or beyond the edge of the existing development boundary with a particular emphasis on opportunities for growth in north-east and west Bexhill.

- 5.37 The Council is exploring the opportunity for further development at west Bexhill as that area provides land opportunities that are outside the High Weald NL. It is considered that the east of Bexhill has reached its development limit without expanding into areas of high flood risk, the Combe Valley Countryside Park, or Sites of Special Scientific Interest (SSSI).
- 5.38 In west Bexhill there are other constraints in relation to the proximity to the environmental sensitivity area of the Pevensey Levels. This places higher importance on sustainable drainage measures within the identified hydrological catchment area. There are known capacity constraints on the A259 western route into Bexhill via Little Common and at the Little Common roundabout in particular where delays and congestion are currently experienced. In order to open up opportunities for development in West Bexhill, junction improvements and significant interventions, such as roundabout redesign, will be required to both alleviate road capacity and prioritise shared and active transport options on the existing network.
- 5.39 The Council has commissioned a discrete piece of work as part of a wider County Transport Assessment to assess the feasibility of a new transport corridor connecting the A259, west of Little Common roundabout, with Ninfield Road being delivered through the new Local Plan. The conclusion of the assessment is that there is no reasonable prospect of the delivery of a new road or 'multi-modal corridor' in the West Bexhill area, because the extent of new development is not sufficient to justify the cost. As such only sites that can access the existing road transport network are appropriate for consideration within the timeframe of this Local Plan. Any development in this area should focus on providing sustainable, active travel options, helping shift travel patterns and contributing to better connectivity between west Bexhill and the Town Centre, providing sustainable transport routes.
- 5.40 Development on greenfield land will be necessary to meet local needs due to the lack of available brownfield sites. It will be essential to ensure that any greenfield growth forming urban extensions are not isolated standalone developments or settlement

areas, and that they form part of well-connected and sustainable communities that contribute to radically reducing carbon emissions.

- 5.41 The gap between Bexhill and Hastings/St Leonards is a valuable green lung between the towns. In this location approximately 600 hectares is designated as the Combe Valley Countryside Park to respond to a green infrastructure deficit in the area and provide a key area for leisure, recreation and biodiversity. While the landfill site which is central to the park has ceased to operate, there is continued use for waste collection and these sites are excluded from the Countryside Park in line with ESCC's Waste and Minerals Local Plan.
- 5.42 Any development will need to offer enhancements and biodiversity net gain, while being sensitive to historic landscape character. There are clear opportunities to improve the nature, landscape and recreation value of adjoining greenfield land to development sites (which is not suitable for building on) to help mitigate the loss of some open land.
- 5.43 There are neighbouring smaller settlements surrounding Bexhill that rely on services and facilities within Bexhill and/or Hastings and Battle to help meet local needs. While the majority of residents in nearby Crowhurst, Lunsford Cross, Normans Bay and Catsfield may travel by car to access services and facilities there is potential to strengthen overall public transport opportunities and build on these connections, including outside the local authority boundary such as Ninfield in Wealden. The settlements of Crowhurst and Catsfield have not been included as part of the Bexhill spatial sub-area, but are included in the Hastings and Battle sub-areas, so that identified growth is only accounted for once.
- 5.44 Growth in Bexhill provides a clear opportunity to:
- enable strategic planning matters such as the delivery of strategic infrastructure to be resolved through continuous cross-boundary joint working between RDC and HBC;
 - increase the supply of housing and jobs;

- contribute to the enhancement of the Combe Valley Countryside Park by improving access to the countryside, support biodiversity net gain and the maintenance of the water network;
- improve the provision of sustainable bus services, cycling, wheeling and walking opportunities and connections across Bexhill as a whole, and to its neighbouring villages and settlements; and
- improve services and facilities within Bexhill, delivering important infrastructure alongside new development to ensure growth is sustainable and has wider benefits to the whole of the town.

Regulation 18 commentary:

- 5.45 It is important to note that at this moment in time, the housing and employment figures are indicative and provide ‘potential’ numbers based on the sites identified in the draft HELAA.
- 5.46 It is recognised that many of the potential additional sites require more detailed consideration of their impacts, including cumulative impacts. In Bexhill, a master-planning and design coding approach will be required to ensure that connected communities that meet our Live Well Locally concept are created, particularly in the broad areas for development identified in west and north Bexhill. This work, together with specific allocation policies will be developed after the Regulation 18 consultation stage. In seeking to maximise its potential supply, the Council wish to receive feedback through this Regulation 18 consultation on the opportunities for development that are proposed, and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.

Question Box

- Q56. What are your views on the vision for Bexhill?**
- Q57. What are your views on the two broad locations for growth (west Bexhill and north Bexhill) and their growth potential in the Bexhill strategy area in figures 13, 14 & 15?**
- Q58. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Bexhill?**

Vision for Hastings Fringes and Radial Settlements

A small level of sensitive development will be delivered in the Hastings Fringes where it is well connected to the urban fabric of Hastings, to public and active transport routes, and to key services and facilities. Development will be sensitively designed and will sit appropriately in the landscape setting of the High Weald NL which wraps around the urban edge of Hastings.

Connections and accessibility to settlements that are linked radially to Hastings will be enhanced through improved public transport, active travel, and highway improvements. This will ensure that wider services and facilities can continue to be accessed, enabling residents to live well locally and have healthy lifestyles. Sensitive small-scale development will be delivered in villages surrounding Hastings, at densities consistent with the surrounding area, where it is sustainable to do so and does not negatively impact the setting of the High Weald NL.

Where greater opportunities for development arise in larger more sustainable villages, residential development will enable enhancement to public realm and community facilities. Growth will also help support existing facilities and services in the village, ensuring health and wellbeing and community cohesion is maintained and improved.

- 5.47 Figure 17 and Figure 18 below illustrate a potential development strategy for Hastings Fringes and Surrounding Settlements in terms of the numbers of dwellings and the amount of employment floorspace that could potentially be delivered over the Plan period. Please see paragraph 5.32 above for an explanation of the meaning of identified and potential additional growth.

Figure 17: Hastings Fringes and Radial Settlements Development Strategy: Housing: Summary

Settlement Areas	Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Rock Lane and Austen Way (Guestling parish)	0	20	20
Westfield	50	50	100
Woodlands Way and Parkwood Road (Westfield parish)	40	0	40
Crowhurst	30	12	42
Icklesham	0	15	15
Fairlight Cove	0	35	35
Guestling Green	0	14	14
Total Growth	120	146	266

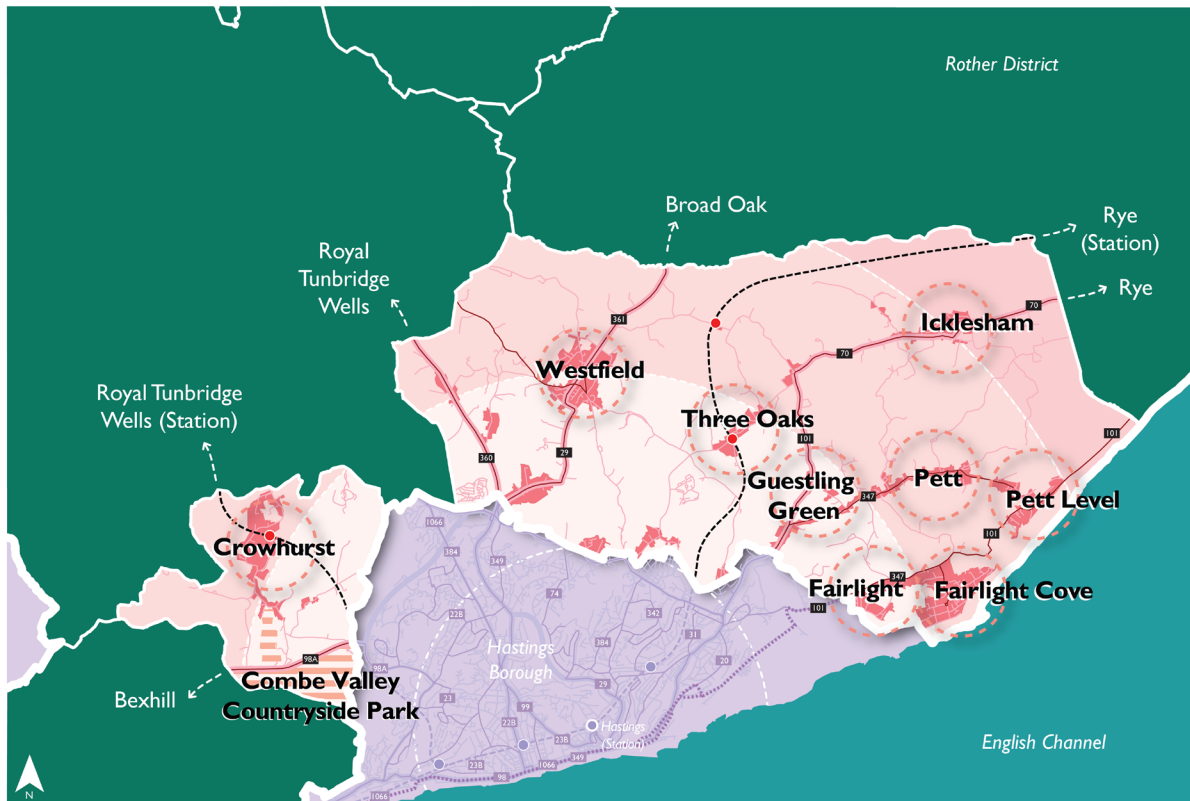
Figure 18: Hastings Fringes and Radial Settlements Development Strategy: Employment floorspace: Summary

Settlement Areas	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth (sqm floorspace)	Total Potential Employment Growth (Identified + Additional) (sqm floorspace)
Rock Lane and Austen Way (Guestling parish)	6,600	0	6,600
Westfield	0	0	0
Woodlands Way and Parkwood Road (Westfield parish)	0	0	0
Crowhurst	0	0	0
Icklesham	0	0	0
Fairlight Cove	0	0	0
Guestling Green	0	0	0
Total Growth	6,600	0	6,600

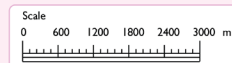
Sustainability Coding

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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Figure 19: Hastings Fringes and radially connected settlements



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<ul style="list-style-type: none"> Rother District Boundary Sub Area Boundary Hastings Fringes (Sub Area) Rother District Areas Outside of Rother District Combe Valley Countryside Park 	<ul style="list-style-type: none"> Areas of Built Form Rail Line Rail Stations Bus Route Number Bus Routes Population 0 - 3500 	<ul style="list-style-type: none"> A Road Other Roads <3km from Hastings Station* Rail Line (Hastings) Rail Stations (Hastings) Bus Routes (Hastings) 	<ul style="list-style-type: none"> Bus Route Number (Hastings) A Road (Hastings) Other Roads (Hastings) Cycle Path (Hastings)
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*Each white dashed concentric circle line represents a further 3km from Hastings Station.

5.48 Figure 20 below individually lists the ‘identified’ development sites for this sub-area. Please see paragraph 5.32 above for an explanation of identified sites. For detail on the ‘potential additional’ sites, please refer to the draft HELAA.

Figure 20: Hastings Fringes and Radial Settlements: Development Sites - Identified

**Note: Sites highlighted orange are sites currently allocated in the DaSA; sites highlighted yellow are sites currently allocated in Neighbourhood Plans; sites which are not highlighted are unallocated sites with planning permission.*

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
Crowhurst Neighbourhood Plan allocation CH1	Land at Station Road/Forewood Lane, Crowhurst	Crowhurst	12	0
Crowhurst Neighbourhood Plan allocation CH3	Land adjacent to Station Car Park, Crowhurst	Crowhurst	6	0
Crowhurst Neighbourhood Plan allocation CH2	Land south of Forewood Rise, Crowhurst	Crowhurst	12	0
DaSA allocation Policy HAS3	Land north of A265, Ivyhouse Lane, Hastings	Guestling	0	1,800
RR/2017/1829/P	Land at Burgess Road, Ivyhouse Lane Industrial Estate, Hastings	Guestling	0	4,800
DaSA allocation Policy HAS2	Land at Michael Tyler Furniture, Woodlands Way, Hastings	Westfield	40	0
DaSA allocation Policy WES2	Land at the former Moorhurst Care Home, Westfield	Westfield	40 ²¹	0
DaSA allocation Policy WES3	Land south-east of Goulds Drive, Westfield	Westfield	10	0

²¹ Although note that there is currently a planning application (RR/2021/3010/P) for a 64-bed care home on the site.

Explanatory Text:

- 5.49 The built-up area of Hastings extends, for the most part, up to the administrative boundary with its peripheral areas extending into Rother District. For the purposes of this Local Plan these areas are defined as 'Hastings Fringes', and these areas are contiguous with the built-up area boundary of Hastings. This encompasses areas along Westfield Lane, Beany's Lane, Woodlands Way, Parkwood Road, Sandhurst Gardens, Stonestile Lane, Chowns Hill, Ivyhouse Lane, Rock Lane and Batchelor's Bump.
- 5.50 A high proportion of the areas within the Hastings Fringes are within the High Weald NL, and some areas relate more to their rural surroundings than to the urban centre of Hastings. The topography and landscape setting of some of these areas mean that it is important that most land remains as countryside. There are, however, opportunities for well-designed and sensitive development which will be well connected to the urban edge of Hastings.
- 5.51 As well as areas defined within Hastings Fringes, there are also neighbouring settlements to Hastings that are well connected and depend on the larger town for access to key services and facilities. There are strong radial links with Hastings and the settlements of Westfield, Crowhurst, Three Oaks, Guesting Green, Pett, Icklesham and Fairlight within Rother, and as such a sensitive level of growth may be accommodated in some of these smaller settlements in locations that are considered sustainable.

Regulation 18 commentary:

- 5.52 It is important to note that the housing and employment figures are indicative and provide 'potential' numbers based on the sites identified in the draft HELAA.
- 5.53 It is recognised that many of the potential additional sites require more detailed consideration of their impacts, including cumulative impacts. This work, together with specific allocation policies will be developed after the Regulation 18 consultation stage.

In seeking to maximise its potential supply, the Council wish to receive feedback through this Regulation 18 consultation on the opportunities for development that are proposed, and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.

Question Box

- Q59. What are your views on the vision for Hastings Fringes and surrounding settlements?**
- Q60. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 17, 18 & 19?**
- Q61. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Hastings Fringes and surrounding settlements?**

Vision for Battle and Surrounding Settlements

Battle will retain its historical character at its core and preserve its local distinctiveness and important setting within the High Weald NL. Employment opportunities will be enhanced through sensitive higher density commercial development within the town and in surrounding commercial areas. Opportunities for brownfield residential development within the urban areas of Battle will be realised with higher densities achieved in sustainable locations.

A greater amount of sensitive growth will take place south of North Trade Road and west of Hastings Road with linked opportunities for habitat creation, restoration, enhancement and community access.

Sensitive small-scale development will be delivered in villages surrounding Battle, at densities consistent with the surrounding area, where it is sustainable and does not negatively impact the setting of the High Weald NL. A small level of growth will help support improving the overall sustainability and vitality of the cluster of villages around Battle, through supporting existing services and facilities as well as delivering developer contributions for wider community benefit. This will ensure that health and wellbeing and community cohesion is maintained and improved.

- 5.54 Figure 21 and Figure 22 below illustrate a potential development strategy for Battle and surrounding settlements in terms of the numbers of dwellings and the amount of employment floorspace that could potentially be delivered over the Plan period. Please see paragraph 5.32 above for an explanation of the meaning of identified and potential additional growth.

Figure 21: Battle and Surrounding Settlements Development Strategy: Housing: Summary

Settlement Area	Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Battle	260	225	485
Sedlescombe	75	15	90
Catsfield	35	25	60
Netherfield	33	0	33
Brightling (Parish)	0	0	0
Total Growth	403	265	668

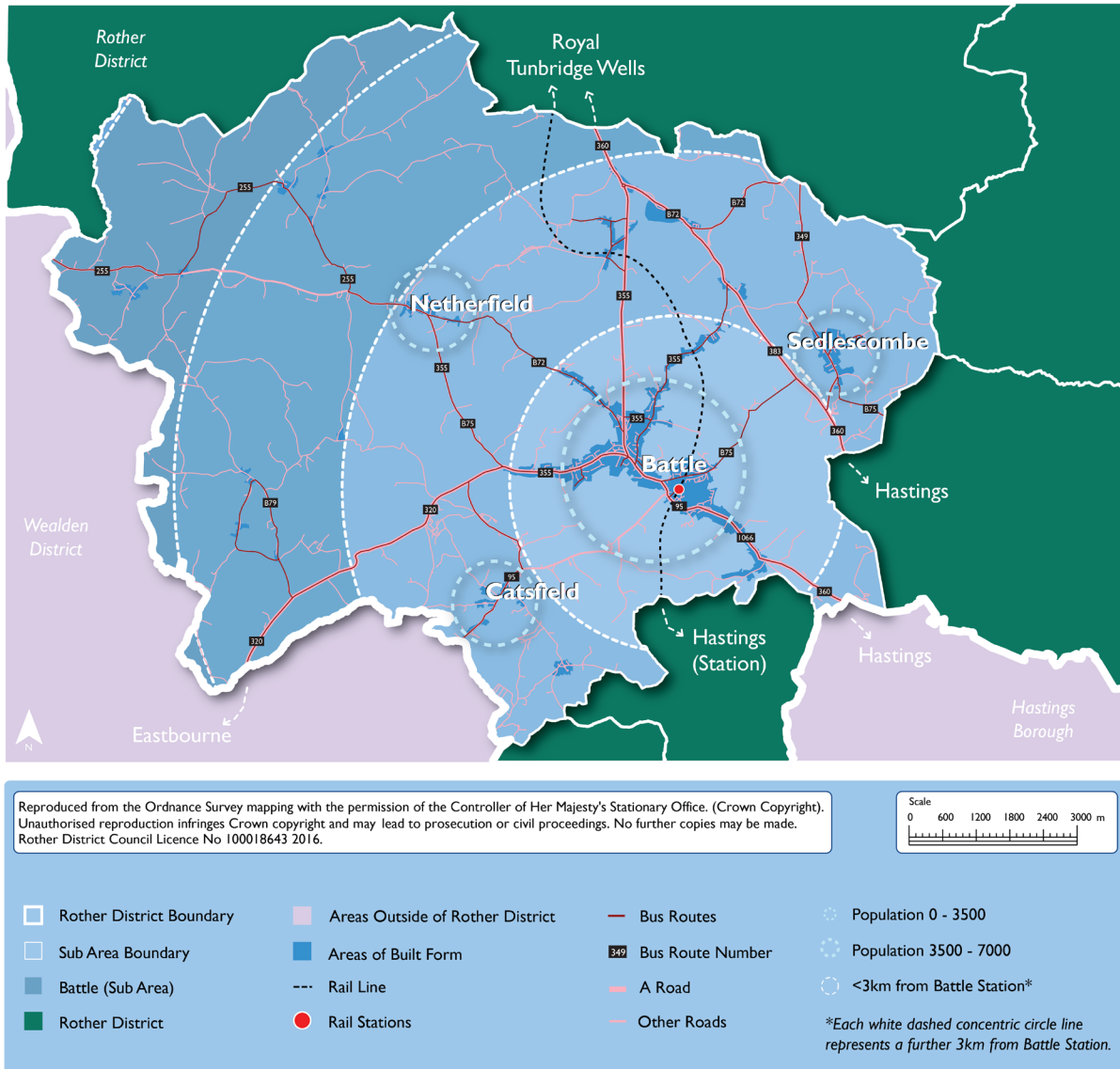
Figure 22: Battle and Surrounding Settlements Development Strategy: Employment: Summary

Settlement Area	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth (sqm floorspace)	Total Potential Employment Growth (Identified + Additional) (sqm floorspace)
Battle	1,895	2,700	4,595
Sedlescombe	6,515	0	6,515
Catsfield	0	0	0
Netherfield	0	0	0
Brightling (Parish)	1,861	0	1,861
Total Growth	10,271	2,700	12,971

Sustainability Coding

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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Figure 23: Battle and Surrounding Settlements Development Strategy



5.55 Figure 24 below individually lists the 'identified' development sites. Please see paragraph 5.32 above for an explanation of identified sites. For detail on the 'potential additional' sites, please refer to the draft HELAA.

Figure 24: Battle and Surrounding Settlements: Development Sites - Identified

**Note: Sites highlighted orange are sites currently allocated in the DaSA; sites highlighted yellow are sites currently allocated in Neighbourhood Plans; sites which are not highlighted are unallocated sites with planning permission, or which are subject to a current planning application with a resolution to grant subject to the completion of a legal agreement.*

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Commercial Employment Floorspace (sq m)
RR/2020/2307/P	Land at Blackfriars, Battle	Battle	220	0
RR/2021/1754/P	Land at Whitelands Cottage, North Trade Road, Battle	Battle	20	0
RR/2022/1765/P	Beech Farm, Battle	Battle	0	1,895
Battle Neighbourhood Plan allocation site NE05	Swallow Barn, Netherfield	Battle	10	0
Battle Neighbourhood Plan allocation site NE06a	White House Poultry Farm, Netherfield	Battle	23	0
Battle Neighbourhood Plan allocation site BA36a	Land at Calbec House, Calbec Hill, Battle	Battle	5	0
Battle Neighbourhood Plan allocation site BA31a	Land to the east of Glengorse, Battle	Battle	15	0
DaSA allocation Policy CAT1	Land west of B2204, Catsfield	Catsfield	35	0
Sedlescombe Neighbourhood Plan allocation Policy 2	Land at Sunningdale	Sedlescombe	8	0
Sedlescombe	Land at Church Hill Farm,	Sedlescombe	12	0

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Commercial Employment Floorspace (sq m)
Plan allocation Policy 4				
Sedlescombe Neighbourhood Plan allocation Policy 5	Land at Sedlescombe Sawmills	Sedlescombe	8	1,115
Sedlescombe Neighbourhood Plan allocation Policy 6	Land adjacent to St John the Baptist Church	Sedlescombe	8	0
Sedlescombe Neighbourhood Plan allocation Policy 7	Land at Gate Cottage	Sedlescombe	8	0
Sedlescombe Neighbourhood Plan allocation Policy 8	Land at Church Hill Farm	Sedlescombe	10	0
RR/2022/2619/P	Street Farm, Sedlescombe	Sedlescombe	21	0
RR/2006/3467/P	Marley Lane Business Park, Marley Lane, Battle	Sedlescombe	0	2,400
DaSA allocation Policy MAR1	Land at Felon's Field, Marley Lane	Sedlescombe	0	3,000
RR/2018/480/P	Coldharbour Farm Estate, Battle Road, Brightling	Brightling	0	1,861

Explanatory Text:

- 5.56 Battle is a small, historic market town. Populated by around 5,330²² people, it provides an important local centre role for its residents and those of surrounding villages, and as such it has a town centre designation. In addition, Battle is a popular tourist destination for domestic and foreign visitors. The town has a train station, but suffers from congestion on its roads, particularly in the peak summer tourist season, as traffic is channelled along narrow roads through the historic town centre.

²² 2021 census – town and civic parish

- 5.57 The whole town of Battle and the immediate surrounding countryside is within the High Weald National Landscape (NL). The town centre, the historic Battle Abbey and the designated battlefield form the historic core, which was first designated as a Conservation Area in 1971 and reviewed in 2006. Due to the way Battle has developed over the centuries in a linear fashion along one of the principal High Weald east-west ridges, it is in places visually exposed in the landscape.
- 5.58 Due to the combination of Battle sitting within the High Weald NL, and its historic core and accessibility limitations, growth is constrained. However, there is a need to support the town's role and economic vitality, through sensitive residential (including affordable housing) and commercial developments to increase opportunities for employment locally. There are potential opportunities for development south of North Trade Road and west of Hastings Road, as well as brownfield redevelopment if land becomes available.
- 5.59 The cluster of communities of Catsfield, Whatlington, Mountfield, Brightling, John's Cross, Netherfield and Sedlescombe are near Battle and depend on the larger town for access to key services and facilities. A smaller and sensitive amount of residential and commercial development could be accommodated in some of these settlements.

Regulation 18 commentary:

- 5.60 It is important to note that the housing and employment figures are indicative and provide 'potential' numbers based on the sites identified in the draft HELAA.
- 5.61 It is recognised that many of the potential additional sites require more detailed consideration of their impacts, including cumulative impacts. This work, together with specific allocation policies (where the parishes are not designated Neighbourhood Plan areas) will be developed after the Regulation 18 consultation stage. In seeking to maximise its potential supply, the Council wish to receive feedback through this Regulation 18 consultation on the opportunities for development that are proposed,

and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.

Question Box

- Q62. What are your views on the vision for Battle and surrounding settlements?**
- Q63. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 21, 22 & 23?**
- Q64. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Battle and surrounding settlements?**

Vision for Rye and the Eastern Settlements Cluster

The important historical character of Rye will be preserved and enhanced, maintaining a strong retail and services core with access to sustainable green tourism and leisure opportunities. Areas at risk from flooding and sensitive environmental areas will be protected from inappropriate development and the high-quality biodiversity and landscape designations will be sensitively managed and enhanced, including community access, through biodiversity net gains from development.

The key employment areas within Rye Harbour will be retained, along with other commercial areas across the town. This includes maintaining the viability of the Port of Rye as a working harbour, while having regard to protecting the integrity of internationally designated habitats. Key tourism areas such as Camber will be promoted through improved accessibility to reduce the dependency on the car, including better utilisation of existing cycle and pedestrian routes.

The eastern cluster of settlements will be better connected by sustainable transport infrastructure, with Rye acting as a key transport hub, and local economies will continue to grow, respecting the historic development pattern of rural communities over time. The strengthened connections to Rye as a sustainable market town, will allow for sensitive development in adjoining villages.

- 5.62 Figure 25 and Figure 26 below illustrate a potential development strategy for Rye and the eastern settlements cluster in terms of the numbers of dwellings and the amount of employment floorspace that could potentially be delivered over the Plan period. Please see paragraph 5.32 above for an explanation of the meaning of identified and potential additional growth.

Figure 25: Rye and the Eastern Settlements Cluster Development Strategy: Housing: Summary

Settlement Area	Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Rye	166	34	200
Camber	10	5	15
Northiam	6	0	6
Rye Hill	34 ²³	0	34
Broad Oak	52	11	63
Rye Harbour	40	0	40
Peasmarsh	50	47	97
Poppyfield (Playden parish)	0	10	10
Beckley	20	12	32
Brede	0	5	5
Iden	12	13	25
Total Growth	390	137	527

²³ This relates to a single site with an extant planning permission for a care home (C2 use) and is the residential C3 planning use equivalent figure, calculated from the number of permitted care beds, in accordance with the Planning Practice Guidance.

Figure 26: Rye and the Eastern Settlements Cluster Development Strategy: Employment: Summary

Settlement Area	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth ²⁴	Total Potential Employment Growth (Identified + Additional)
Rye	1,675 ²⁵	0	1,675
Camber	0	0	0
Northiam	0	0	0
Rye Hill	0	0	0
Broad Oak	0	0	0
Rye Harbour	11,925	0	11,925
Peasmarsh	0	500	500
Poppyfield (Playden parish)	0	0	0
Beckley	0	0	0
Brede	0	0	0
Iden	0	0	0
Total Growth	13,600	500	14,100

Sustainability Coding

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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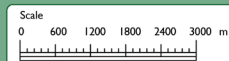
²⁴ Note that this figure could increase if potential sites which are currently not known to be “available” for development come forward. All potential sites, including those where the availability is unknown, are listed in the draft HELAA.

²⁵ This figure is an estimate, as the Neighbourhood Plan allocations do not include specific figures for employment floorspace.

Figure 27: Rye and the Eastern Settlements Cluster



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- | | | |
|----------------------------------|---------------------|------------------------|
| Rother District Boundary | Areas of Built Form | Bus Route Number |
| Sub Area Boundary | Rail Line | A Road |
| Rye (Sub Area) | Rail Stations | Other Roads |
| Rother District | Cycle Path | Population 0 - 3500 |
| Areas Outside of Rother District | Bus Routes | Population 3500 - 7000 |

<3km from Rye Station*

*Each white dashed concentric circle line represents a further 3km from Rye Station.

5.63 Figure 28 below individually lists the ‘identified’ development sites. Please see paragraph 5.32 above for an explanation of identified sites. For detail on the ‘potential additional’ sites, please refer to the draft HELAA.

Figure 28: Rye and the Eastern Settlements Cluster Development Strategy: Development Sites - Identified

**Note: Sites highlighted orange are sites currently allocated in the DaSA; sites highlighted yellow are sites currently allocated in Neighbourhood Plans; sites which are not highlighted are unallocated sites with planning permission, or which are subject to a current planning application with a resolution to grant subject to the completion of a legal agreement.*

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sqm)
Rye Neighbourhood Plan allocation Policy H3	Former Tilling Green School	Rye	20	0
Rye Neighbourhood Plan allocation Policy H5	Winchelsea Road (East Side)	Rye	10	500
Rye Neighbourhood Plan allocation Policy H6	Winchelsea Road (West Side)	Rye	20	1,000
Rye Neighbourhood Plan allocation Policy H7	Rye Creative Centre (Former Freda Gardham School Site), New Road, Rye	Rye	30	0
Rye Neighbourhood Plan allocation Policy H4	Rock Channel Site A - Rye	Rye	30	0
Rye Neighbourhood Plan allocation Policy H8	Former Lower School Site, off Ferry Road, Rye	Rye	50	0
RR/2017/2217/P	17 - 19 Tower Street, Rye	Rye	6	175

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sqm)
RR/2017/2097/P	Land south-west of Rye Hospital, Rye Road	Rye Foreign	34 ²⁶	0
DaSA allocation Policy RHA1	Land at Stoneworks Cottages, Rye Harbour	Icklesham	40	0
RR/2018/905/P, RR/2018/925/P, RR/2019/1841/P	Old Mears, Harbour Road, Rye Harbour	Icklesham	0	3,063
RR/2019/2850/P	Land at Churchfields Industrial Estate, Harbour Road, Rye Harbour	Icklesham	0	4,238
RR/2022/1157/P	The Atlas Business Park, Harbour Road, Rye Harbour	Icklesham	0	3,380
RR/2022/625/P	The Saltings - Site B, Harbour Road	Icklesham	0	1,244
DaSA allocation Policy IDE1	Land south of Elmsmead, Iden	Iden	12	0
DaSA allocation Policy PEA1	Land south of Main Street, Peasmarsch	Peasmarsch	45	0
Peasmarsch Neighbourhood Plan allocation Policy S1	Land east of Orchard Way, Peasmarsch	Peasmarsch	5	0
DaSA allocation Policy NOR1	Land south of Northiam Church of England Primary School, Northiam	Northiam	6	0
DaSA allocation Policy BEC2	Land South of Buddens Green, Beckley Four Oaks	Beckley	6	0
DaSA allocation Policy BEC1	Land East of Hobbs Lane, Beckley, Four Oaks, East Sussex	Beckley	14	0
DaSA allocation Policy BRO1	Land west of the A28, Northiam Road, Broad Oak	Brede	40	0
DaSA allocation Policy BRO2	Land south of the Broad Oak public house, Broad Oak	Brede	12	0

²⁶ This site has an extant planning permission for a care home (C2 use) and is the residential C3 planning use equivalent figure, calculated from the number of permitted care beds, in accordance with the Planning Practice Guidance.

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sqm)
RR/2021/2947/P DaSA allocation Policy CAM1	Land at the Former Putting Green Site, Old Lydd Road, Camber	Camber	10	0

Explanatory Text:

- 5.64 Rye is a historic market town in the eastern half of the district near the Kent border. The town is the main service and employment centre in eastern Rother. Rye Harbour (within Icklesham parish) is a satellite village to Rye and is located to the southeast of the town. The area surrounding Rye is heavily constrained physically. The population of Rye Parish is recorded as being 4,480²⁷ in 2021. Some parts of Rye's built-up areas encroach into other adjacent parishes (Rye Foreign and Playden) and the population figure rises to over 5,064.
- 5.65 Rye is a successful market town attracting significant number of visitors in the summer months. As a Cinque Port town, the town centre around and including the ancient Citadel, forms the historic core, designated as a Conservation Area in 1969, and reviewed in 2006. The town centre is of very high architectural value, with a predominantly medieval street layout and building stock, while equally important is the town's visual appearance in the landscape, with the Citadel on a sandstone outcrop rising like an island above the low-lying surrounding salt marshes and tidal waters. The local economy of Rye and the surrounding areas is dominated by local tourism. Rye enjoys an abundance of hotels and guest houses located within the town itself.
- 5.66 The countryside surrounding Rye is subject to environmental designations, signifying its landscape character and conservation importance. Dungeness, Romney Marsh and Rye Bay are designated as a Special Protection Area (SPA) and wetland of international importance known as a 'Ramsar site'. In addition, much of the surrounding area to the

²⁷ 2021 census

north and west is classed as the High Weald NL, and there are several Ancient Woodlands.

- 5.67 The settlements within the eastern part of the district depend on Rye for wider facilities and services. Rye also functions as a key transport hub for travel outside of the district. While some of these settlements link radially to Rye, there is also a network of settlements which form a cluster, see **Figure 27** above, with Rye as a key destination. This cluster is supported by existing bus services that could be enhanced through the development strategy of the Local Plan.
- 5.68 A sensitive and small-scale level of growth can potentially be delivered in the cluster of settlements that connect to Rye as a main transport hub. Associated sustainability improvements will be required to local services and facilities, as well as active travel measures.

Regulation 18 commentary:

- 5.69 It is important to note that at this moment in time, the housing and employment figures are indicative and provide 'potential' numbers based on the sites identified in the draft HELAA.
- 5.70 It is recognised that many of the potential additional sites require more detailed consideration of their impacts, including cumulative impacts. This work, together with specific allocation policies (where the parishes are not designated Neighbourhood Plan areas) will be developed after the Regulation 18 consultation stage. In seeking to maximise its potential supply, the Council wish to receive feedback through this Regulation 18 consultation on the opportunities for development that are proposed, and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.

Question Box

- Q65. What are your views on the vision for Rye and the eastern network settlements?**
- Q66. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 25, 26 & 27?**
- Q67. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Rye and the eastern network settlements?**

Vision for Northern Rother

Northern Rother's rural settlements and communities will continue to thrive, through small-scale sensitive residential development and growth in villages to create sustainable forms of development and protect and enhance the landscape character and scenic beauty of the High Weald National Landscape. This will ensure that health and wellbeing and community cohesion is maintained and improved.

While inevitably most rural residents have no choice but to travel primarily by car, connectivity between rural settlements and the Hastings-London rail line will be enhanced through promoting and improving sustainable and active transport infrastructure including walking, wheeling and cycling, enabling communities to lead healthy and active lifestyles.

The two stations at Etchingham and Robertsbridge will continue to act as transport hubs for wider villages in Northern Rother. There are opportunities for sensitive development in the short term, where sustainable and related to an existing settlement. Also, the area will continue to be served by the smaller Stonegate station.

Longer term (over a 30-year timeframe), the delivery of significant improvements to create a sustainable transport corridor, including bypasses to Flimwell and Hurst Green could open up opportunities for future development along the A21 corridor.

- 5.71 Figure 29 and Figure 30 below illustrate a potential development strategy for Northern Rother in terms of the numbers of dwellings and the amount of employment floorspace that could potentially be delivered over the Plan period. Please see paragraph 5.32 above for an explanation of the meaning of identified and potential additional growth.

Figure 29: Northern Rother Settlements Development Strategy: Housing: Summary

Settlement Area	Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Etchingham	0	16	16
Robertsbridge	178	127	305
Ticehurst	15	26	41
Burwash	37	6	43
Flimwell	9	108	117
Hurst Green	26	38	64
Staplecross	0	16	16
Burwash Common	12	9	21
Total Growth	277	346	623

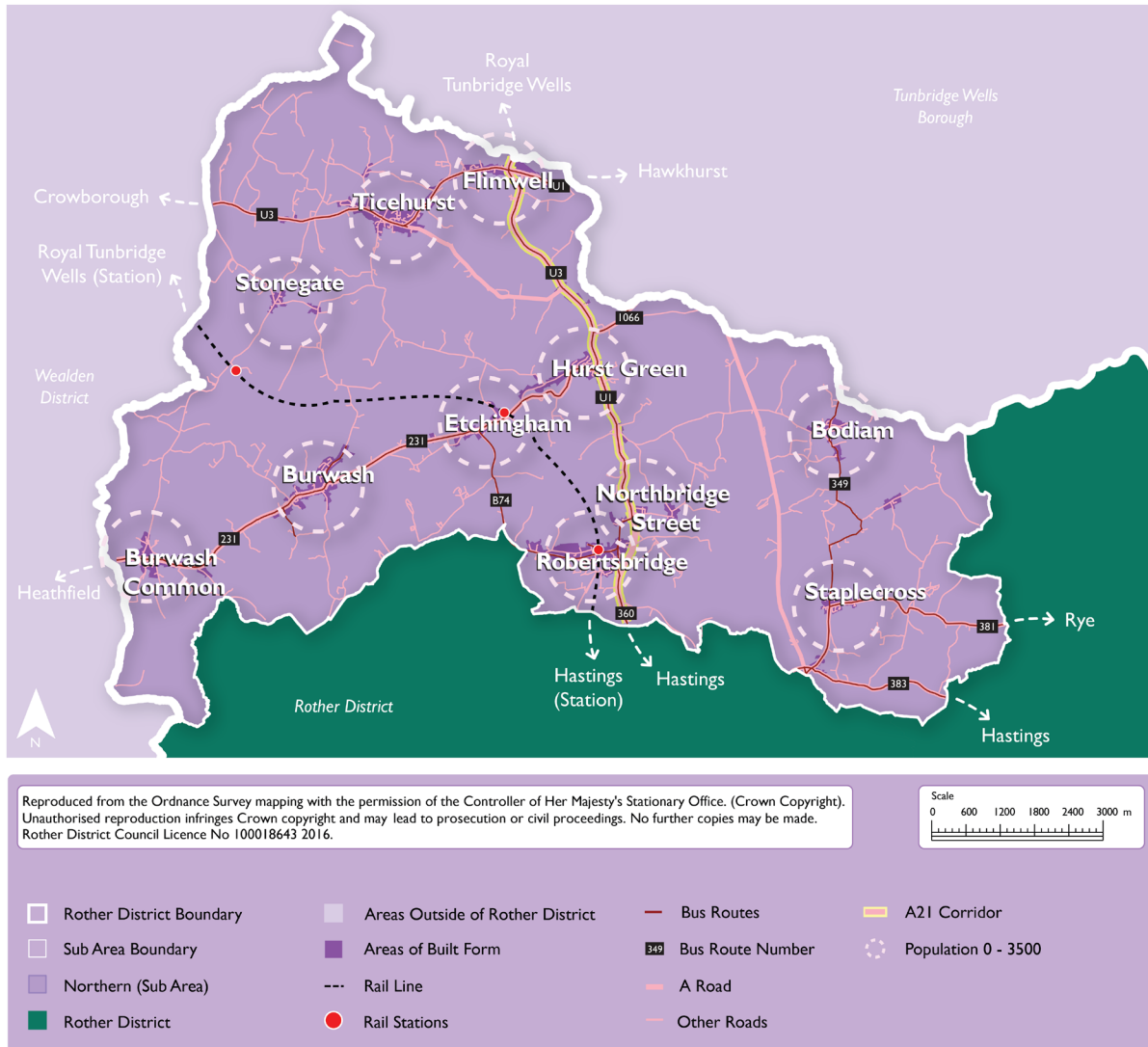
Figure 30: Northern Rother Settlements Development Strategy: Employment: Summary

Settlement Area	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth	Total Potential Employment Growth (Identified + Additional)
Etchingham	0	0	0
Robertsbridge	1,200	0	1,200
Ticehurst	0	0	0
Burwash	0	0	0
Flimwell	0	2,850	2,850
Hurst Green	0	0	0
Burwash Common	0	500	500
Ewhurst (parish)	987	0	987
Total Growth	2,187	3,350	5,537

Sustainability Coding

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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Figure 31: Northern Rother Settlements Development Strategy



5.72 Figure 32 below individually lists the ‘identified’ development sites. Please see paragraph 5.32 above for an explanation of identified sites.

Figure 32: Northern Rother Settlements Development Strategy: Development Sites - Identified

**Note: The site highlighted orange is currently allocated in the Rother Local Plan (2006); sites highlighted yellow are sites currently allocated in Neighbourhood Plans; sites which are not highlighted are unallocated sites with planning permission, or which are subject to a current planning application with a resolution to grant subject to the completion of a legal agreement.*

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
RR/2017/582/P, Rother Local Plan allocation Policy VL1	Land South West of Strand Meadow, Burwash	Burwash	30	0
RR/2021/1608/P	Ashwood Nursing Home, Fir Tree Bank	Burwash	12	0
RR/2021/431/P	Oakleys Garage, Burwash	Burwash	7	0
RR/2021/825/P	Land at Compass Park, Junction Road, Ewhurst	Ewhurst	0	987
RR/2021/2798/P	Land South of Lodge Farm, Hurst Green	Hurst Green	26	0
Salehurst and Robertsbridge Neighbourhood Plan allocation Policy HO2	Land to the south east of Heathfield Gardens, Robertsbridge	Salehurst & Robertsbridge	40	0
Salehurst and Robertsbridge Neighbourhood Plan allocation Policy HO2	Vicarage Land, Land south of the western end of Fair Lane, Robertsbridge	Salehurst & Robertsbridge	10	0
RR/2017/382/P, Salehurst and Robertsbridge Neighbourhood Plan allocation Policy HO2	Hodson's Mill, Northbridge Street, Robertsbridge	Salehurst & Robertsbridge	96	1,200
RR/2022/1850/P, RR/2022/283/P	Grove Farm, Robertsbridge, Site A	Salehurst & Robertsbridge	32	0

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
Salehurst and Robertsbridge Neighbourhood Plan allocation Policy HO2				
Ticehurst Neighbourhood Plan allocation Policy H2	Orchard Farm, Ticehurst Village	Ticehurst	5	0
Ticehurst Neighbourhood Plan allocation Policy H2	Singehurst, Pashley Road, Ticehurst Village	Ticehurst	10	0
Ticehurst Neighbourhood Plan allocation Policy H2	Wardsdown House, Flimwell	Ticehurst	9	0

Explanatory Text:

- 5.73 For the purposes of the development strategy, the parishes which form part of Northern Rother comprise Bodiam, Burwash, Dallington, Etchingham, Ewhurst, Hurst Green, Salehurst and Robertsbridge, and Ticehurst. Residents within these parishes and settlements are likely to use services and facilities outside of the district to the north in Tunbridge Wells Borough and the west in Wealden District.
- 5.74 Northern Rother is rural in its nature, with the largest villages being Ticehurst, Robertsbridge, Burwash and Hurst Green. Robertsbridge, along with Etchingham, have railway stations utilised for commuting and general travel south to Hastings and north to Tunbridge Wells and to London. They are more sustainable locations for sensitive growth, however this is dependent on there being appropriate sites available, having regard to the constraints of the area including in terms of landscape and flood risk.

- 5.75 The A21 provides road connections between the villages north and south. In the long-term, the A21 could become a sustainable travel corridor with busses given priority, linked to walking, cycling and wheeling routes. The Transport for the South-East (TfSE) Strategic Investment Plan identifies bypasses on the A21 at Flimwell and Hurst Green as necessary transport interventions to decarbonise transport in the south-east by 2050. This presents an opportunity for a longer-term vision (30 years or more) for the area, which may open up opportunities for development in the future beyond the plan period for this Local Plan.
- 5.76 Northern Rother experiences issues which are typical of rural communities, where some areas are isolated from services and facilities, and therefore there is a higher dependency on the private car for travel. There are opportunities for growth, albeit limited, in Northern Rother in settlements with brownfield sites and appropriate greenfield sites on the edge of villages. This must be balanced against the need to protect the strong landscape character of the wider area, as it is completely within the High Weald NL.
- 5.77 There is a clear need to support the rural economy and farming, and as such opportunities for growth, intensification, and redevelopment of commercial areas along with the diversification of farming will be supported where they are sensitive to landscape character. This can ensure that local businesses remain viable and job opportunities are available for local people.
- 5.78 It is important for the Local Plan to contain a clear vision for the rural communities of Northern Rother, ensuring that policies developed within the Local Plan reflect the Council's objectives and aspirations for the residents and businesses within rural communities, including farming communities.

Regulation 18 commentary:

- 5.79 It is important to note that the housing and employment figures are indicative and provide 'potential' numbers based on the sites identified in the draft HELAA.

- 5.80 It is recognised that many of the potential additional sites require more detailed consideration of their impacts, including cumulative impacts. This work, together with specific allocation policies (where the parishes are not designated Neighbourhood Plan areas) will be developed after the Regulation 18 consultation stage. In seeking to maximise its potential supply, the Council wish to receive feedback through this Regulation 18 consultation on the opportunities for development that are proposed, and to develop its evidence base to support the most suitable and sustainable sites coming forward for development.

Question Box

- Q68. What are your views on the vision for Northern Rother?**
- Q69. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 29, 30 & 31?**
- Q70. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Northern Rother?**
- Q71. What are your views on a potential 30-year vision for the A21 transport corridor?**

Summary of Growth for Opportunities for Sub-Areas

5.81 The following table (Figure 33) provides a summary of the growth opportunities in each of the sub-areas that were presented earlier in this chapter.

Figure 33: Summary of Growth Opportunities for Sub-Areas

Sub Area – Total Growth	Identified Level of Housing Growth	Potential Additional Level of Housing Growth	Total Potential Housing Growth (Identified + Additional)
Bexhill	2,163	1,235	3,398
Hastings Fringes	120	146	266
Battle and surrounding settlements	403	265	668
Rye and the eastern settlements	390	137	527
Northern Rother settlements	277	346	623
TOTALS	3,353	2,129	5,482

Sub Area	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth	Total Potential Employment Growth (Identified + Additional) (sqm floorspace)
Total Growth - Bexhill	39,572	19,684	59,256
Total Growth – Hastings Fringes	6,600	0	6,600
Battle and surrounding settlements	10,271	2,700	12,971
Rye and the eastern settlements	13,600	500	14,100
Northern Rother settlements	2,187	3,350	5,537
TOTALS	72,230	26,234	98,464

Vision for the Countryside

New development will be strictly limited to that which supports local agricultural, economic, tourism or housing needs (especially for affordable housing) and maintains or improves the rural character.

Local rural economies and farming will continue to grow sensitively over time, including through diversification, while respecting the historic development pattern of rural communities, enabling and supporting healthy food production and eating.

The countryside and coast will have improved access and recreational and leisure facilities, compatible with the rural character of the area.

Explanatory Text:

- 5.82 The term 'countryside' is used here for those areas outside of villages and includes not only farmland and woodland but also scattered development outside the main confines of villages. There are areas of countryside within all five sub-areas set out in the preceding sections.
- 5.83 The countryside of Rother district is a defining characteristic. The countryside is a productive landscape, and the prime function of the countryside is agriculture and the production of food.
- 5.84 The countryside, including the undeveloped coast, also has high intrinsic amenity value, and is an important resource for nature conservation, leisure and tourism.
- 5.85 The vision for the Countryside seeks to balance the many diverse pressures and competing demands on the countryside, whilst ensuring the maintenance of its farming capacity and of its attractive landscape character, to create a living, working countryside.

Question Box

Q72. What are your views on the vision for Rother's countryside?

Q73. Are there any alternatives or additional points the Council should be considering?

Proposed Strategy: Sites for Gypsies, Travellers and Travelling Showpeople

Strategy Wording:

Provision will be made for 23 permanent pitches within Rother for Gypsies and Travellers between 2021 and 2040. These will be delivered as follows:

2021-2026: 9 pitches (14 pitches minus 5 pitches delivered since April 2021)
2026-2031: 4 pitches
2031-2036: 5 pitches
2036-2040: 5 pitches

Sites will be allocated in the Local Plan to provide for this number of pitches, taking into account any pitches granted permission in the interim.

Site selection will take into account the Local Plan objectives, the future needs of occupiers and the likely availability of sites for the intended occupiers. Sites should meet the criteria set in Policy HOU11 of the Local Plan.

Explanatory Text

- 5.86 The District Council has worked with the other East Sussex local authorities to commission a joint [Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment \(GTAA\) \(2022\)](#). This study provides a summary of permanent and transit accommodation needs for gypsies, travellers and travelling showpeople across the county, and also across each district and borough, over the period 2021 to 2040.
- 5.87 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 within the national Planning Policy for Traveller Sites (PPTS) (August 2015), which excluded those people who would have usually met the

definition but who had permanently ceased to travel (for reasons such as ill health or old age, etc). Since the completion of the GTAA report the Government has amended the definition within the PPTS and it now aligns with the “ethnic” definition used in the PPTS. It should be noted that both the Human Rights Act 1998 and Equalities Act 2010 protect gypsies and travellers’ cultural and ethnic way of life, including living in a caravan.

Permanent site provision

- 5.88 Further to the above, it is appropriate for the Local Plan to seek to meet the accommodation needs of gypsies and travellers in the district who meet the “ethnic” definition. The GTAA (2022) calculated this need in Rother as: 14 permanent pitches between 2021 and 2026, a further four pitches to 2031, and a further five pitches in each of the 5-year periods 2031-36 and 2036-40 (total need 2021-2040: 28 pitches).
- 5.89 The GTAA 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 a psychological aversion to living in a house.
- 5.90 There may also be accommodation need arising for other reasons including new families moving into the area although this is difficult to quantify.
- 5.91 Currently, there is one County Council-owned gypsy and traveller site within Rother, at Robertsbridge, which consists of eight permanent pitches, each with its own amenity building. Pitches on this site are rented to gypsy and traveller households by the County Council. There are also five privately-owned gypsy and traveller sites providing a total of 15 pitches with permanent planning permission, and a further two sites

(providing three pitches) with temporary planning permission²⁸. Five of the pitches with permanent permission have been approved since the base date of the GTAA²⁹ and consequently, this figure has been deducted from the pitch requirement for 2021-2026. The resulting requirement, of nine additional pitches to 2026, is set out in the proposed policy above.

- 5.92 Sites identified to meet the need must be deliverable, either through being (or proposed to be) publicly owned, owned by gypsies/ travellers, have a willing landowner or, possibly, be part of a comprehensive development scheme that addresses a wider range of housing need.

Transit site provision

- 5.93 Transit sites provide temporary accommodation for gypsy and traveller households travelling through the area. 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. The GTAA (2022) found that 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. 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. This is covered by proposed Policy HOU11, which updates Core Strategy Policy LHN6 to include criteria relevant to transit sites.
- 5.94 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

²⁸ As at November 2023

²⁹ 1 April 2021

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 provision

- 5.95 There are no travelling showpeople yards in the district. The GTAA found 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, but a criteria-based policy (HOU11) will deal within any proposals for windfall sites (either permanent or transit) that do come forward.

Boat dweller provision

- 5.96 The GTAA also considered the accommodation needs of boat-dwellers. It found that there is a lack of navigable waterways within East Sussex and few suitable locations for moorings. Consultation with stakeholders suggests that there is accommodation need for boat dwellers, however, a lack of evidence means that it is difficult to quantify the need. As such, the GTAA recommends that accommodation need for boat dwellers is met as it arises and considered on a case-by-case basis. There is very little history of proposals for boat dwellers' accommodation in the district and as such, a specific Local Plan policy is not necessary. Any proposals would be determined in accordance with the Local Plan as a whole.

Question Box

- Q74. What are your views on the proposed policy for Sites for Gypsies, Travellers and Travelling Showpeople?**
- Q75. Are there any alternatives or additional points the Council should be considering?**

Development Potential and Targets

- 5.97 The total amount of development in the 20-year (2020-2040) planning period of the Local Plan, *as considered in this Regulation 18 version*, comprises:
- development that has been constructed between 1 April 2020 and 31 March 2023;
 - known completions and commencements on larger sites since 1 April 2023, where the sites are no longer considered through the HELAA;
 - development with planning permission (or a resolution to grant permission subject to the signing of a legal agreement);
 - sites that are currently allocated, but without planning permission, in the DaSA of a Neighbourhood Plan;
 - sites identified for housing and employment in the HELAA that are known to be potentially available; and
 - a windfall projection, indicating the number of houses which may be built on small sites (1-4 dwellings) not allocated or considered in the HELAA.
- 5.98 A windfall projection has been calculated for the district, based on recent data. This indicates that 39 dwellings can be delivered on small (1-4 dwelling) windfall sites per annum. This can be added to the total from the 2023/2024 monitoring year onwards. This adds 663 dwellings to the potential land supply.
- 5.99 In accordance with paragraph 5.96, Figure 34 provides a summary of the total amount of development potential in the district, at this Regulation 18 stage. The lower of the total range figures represents the number of dwellings or total floorspace on sites which have more planning certainty (are constructed, have planning permission, are allocated or are windfall projections). The higher figure represents the overall potential including additional HELAA sites known to be potentially available. This range in potential is also presented at a parish level in Figure 36.

Figure 34: District-wide development potential in the Local Plan

	Total dwellings	Total employment floorspace (sq. m.)
Constructed 1 April 2020 – 31 March 2023	802	5,927
Known completions and commencements on large sites since 1 April 2023 ³⁰	340	0
With Planning Permission ³¹	1,693	39,440
DaSA and Neighbourhood Plan allocations without permission brought forward	1,660	32,790
Additional HELAA potential sites ³²	2,129	26,234
Windfall projection (across the district)	663	0
Total Range	5,158-7,287	78,165-104,399

5.100 Based on the overall sustainability of settlements³³ and the development opportunities identified through the HELAA process, it is possible at this stage to identify the areas of the district where growth can be supported in principle. Figure 35, provides a summary of the level of housing growth opportunities by parish area. There are a number of parishes that have existing allocations for development (in either the Development and Site Allocations Plan or in Neighbourhood Plans). Any undeveloped allocated sites will be taken account of in the overall level of development proposed for settlements and parishes.

³⁰ where the sites are no longer considered through the HELAA.

³¹ As at time of publication. Excludes sites completed after 31 March 2023.

³² Includes sites which are understood to be available for development, but not suitable sites that are not known to be available.

³³ Rother's Settlement Study provides a detailed assessment of the overall sustainability of settlements across the district

Figure 35: Opportunities for housing growth by Parish area

Greater opportunities for growth	Medium growth opportunities	Low growth opportunities	Limited growth opportunities
Battle*	Brede	Beckley	Ashburnham & Penhurst
Bexhill	Burwash*	Camber	Bodiam
Rye*	Catsfield	Crowhurst*	Brightling
Salehurst & Robertsbridge*	Hurst Green*	Etchingam*	Dallington
Ticehurst*	Icklesham	Ewhurst	East Guldeford
Westfield	Peasmarsh*	Fairlight	Mountfield
	Sedlescombe*	Guestling	Pett
		Iden	Udimore
		Northiam	Whatlington
		Playden	
		Rye Foreign	

*These parishes have either adopted or are preparing Neighbourhood Plans

- 5.101 The overall development potential in the district is presented below in Figure 36 at a parish level. A range is provided, where the higher figure includes potential sites identified through the HELAA process which are known to be available (subject to final confirmation). Relevant areas of built form in each parish area are presented under each parish.

Figure 36: Proposed growth in each parish

Parish Area(s)	Areas of Built form within the parish	Level of Housing Growth (Range of Dwellings)	Level of Employment Growth (Range of sqm floorspace)
Ashburnham and Penhurst		0	0
Battle	Total	293-518	1,895-4,595
	Battle	260-485	1,895-4,595
	Netherfield	33	0
Beckley	Total	20-32	0
	Beckley	0-12	0
	King's Bank	0	0
	Four Oaks	20	0
Bexhill	Total	2,163-3,398	39,572-59,256
	Bexhill	2,163-3,398	39,572-59,256

Parish Area(s)	Areas of Built form within the parish	Level of Housing Growth (Range of Dwellings)	Level of Employment Growth (Range of sqm floorspace)
	Lunsford Cross	0	0
	Norman's Bay	0	0
Bodiam	Bodiam	0	0
Brede	Total	52-68	0
	Brede	0-5	0
	Broad Oak	52-63	0
	Cackle Street	0	0
Brightling		0	1,861
Burwash	Total	49-64	0-500
	Burwash	37-43	0
	Burwash Common	12-21	0-500
	Burwash Weald	0	0
Camber	Camber	10-15	0
Catsfield	Total	35-60	0
	Catsfield	35-60	0
	Catsfield Stream	0	0
Crowhurst	Crowhurst	30-42	0
Dallington	Total	0	0
	Dallington	0	0
	Wood's Corner	0	0
East Guldeford	East Guldeford	0	0
Etchingham	Etchingham	0-16	0
Ewhurst	Total	0-16	987
	Staplecross	0-16	987
	Cripp's Corner	0	0
Fairlight	Total	0-35	0
	Fairlight	0	0
	Fairlight Cove	0-35	0
Guestling	Total	0-34	1,600
	Guestling Green	0-14	0
	Friar's Hill	0	0
	Three Oaks	0	0
	Hastings Fringes	0-20	1,600
Hurst Green	Total	26-64	0
	Hurst Green	26-64	0
	Swiftsden	0	0
	Silver Hill	0	0
Icklesham	Total	40-55	11,925
	Icklesham	0-15	0
	Winchelsea	0	0

Development Strategy and Principles

Parish Area(s)	Areas of Built form within the parish	Level of Housing Growth (Range of Dwellings)	Level of Employment Growth (Range of sqm floorspace)
	Winchelsea Beach	0	0
	Rye Harbour	40	11,925
Iden	Iden	12-25	0
Mountfield	Mountfield	0	0
Northiam	Total	6	0
	Northiam	6	0
	Mill Corner	0	0
Peasmarsh	Total	50-97	0-500
	Peasmarsh	50-97	0-500
	Flackley Ash	0	0
Pett	Total	0	0
	Pett	0	0
	Pett Level	0	0
Playden	Total	0-10	0
	Playden	0	0
	Saltbarn Lane	0	0
	Poppyfield	0-10	0
	Houghton Green	0	0
Rye	Rye	166-200	1,675
Rye Foreign	Rye Hill	34	0
Salehurst and	Total	178-305	1,200
Robertsbridge	Robertsbridge	82-209	0
	Northbridge Street	96	1,200
Sedlescombe	Sedlescombe	75-90	6,515
Ticehurst	Total	24-134	0-2,850
	Ticehurst	15-26	0
	Dale Hill	0	0
	Flimwell	9-108	0-2,850
	Stonegate	0	0
	Cottenden	0	0
	Three Leg Cross	0	0
Westfield	Total	90-140	0
	Westfield	50-100	0
	Westfield Lane	0	0
	Hastings Fringes	40	0
Whatlington	Whatlington	0	0
Udimore	Udimore	0	0

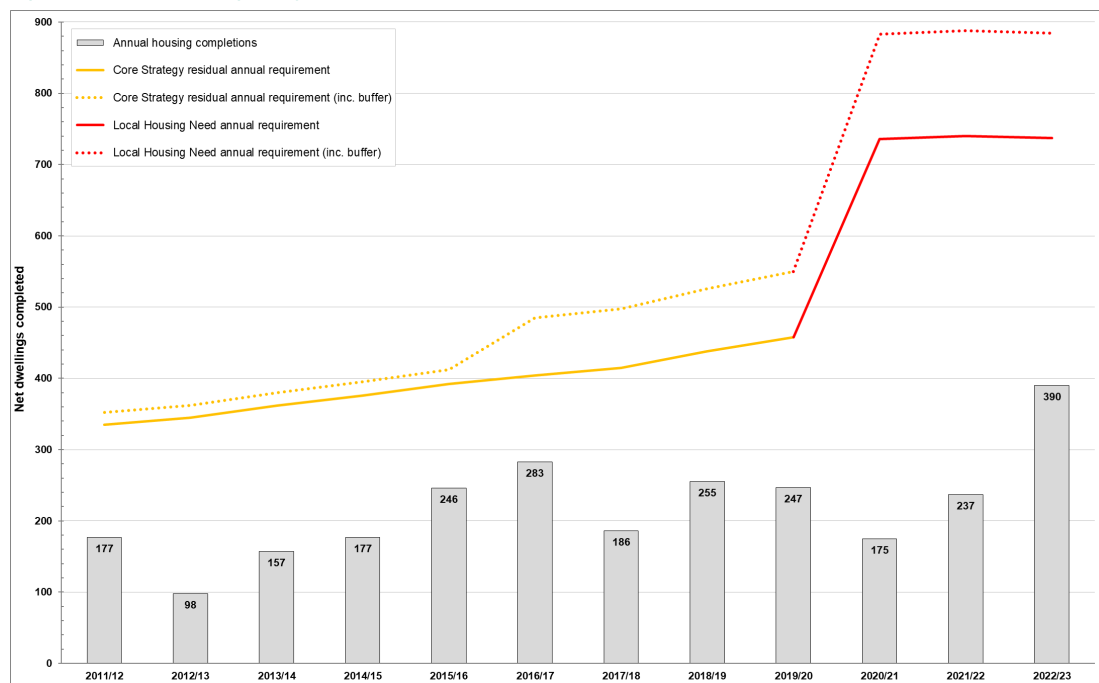
Question Box

Q76. What are your views on the district-wide development potential for the Local Plan up to 2040 which is presented in 4, 35 and 36?

Housing trajectory – Stepped delivery

5.102 The Council would require a considerable step change in housing delivery in order to deliver a significant uplift compared to current and historic delivery rates over the last ten years. Figure 37 provides a summary of the amount of residential development that has been delivered over the last 10 years. The Council’s monitoring reports have indicated that delivery rates have been significantly impacted by the economy and local market, which has been further impacted by economic impacts of the coronavirus pandemic. While a number of current allocated sites have been permitted there have been significant delays in the build out of sites.

Figure 37: Net dwelling completions to 2022/2023



5.103 The Council will be undertaking a full viability assessment of the Local Plan along with some further local market analysis to support the existing Housing and Economic Development Needs Assessment. This will look to support the Council’s intention to deliver a stepped increase in housing delivery with a greater amount of development coming forward towards the end of the planning period.

Question Box

Q77. Do you agree with the principal identified by the Council of achieving a stepped housing delivery with greater levels of delivery planned for later in the plan period?

Development Principles

- 5.104 The remaining sections of this chapter focus on principles, setting out policies which will influence development that comes forward. This includes proposed policies related to general development considerations, comprehensive development and masterplanning, small sites delivery, windfall delivery, development boundaries and strategic green gaps.

Proposed Policy DEV1: General Development Considerations

Policy Status:	Strategic
New Policy?	No. Review of Policy OSS4 of the Core Strategy
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

In addition to considerations set out by other policies, all development should meet the following criteria:

- 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;
- iii) It respects and does not detract from the character and appearance of the locality; and
- iv) It is compatible with both the existing and planned use of adjacent land, and takes full account of previous use of the site.

Explanatory text:

- 5.105 All development should be capable of accommodating the reasonable expectations of likely occupiers, including the provision of indoor and outdoor space, personal safety and to not be unduly affected by adjacent intrusive uses and buildings. Development should also cater for practical needs, such as parking and access, refuse and recycling facilities and open space. These matters will also be covered in policies within the housing chapter of the Local Plan.
- 5.106 At the same time, the amenities of neighbouring properties need to be protected, in terms of loss of light and privacy, avoiding an overbearing presence and otherwise causing intrusion such as through noise, activity at unsocial hours and lighting for instance.
- 5.107 Environmental impacts need to be carefully addressed, such that landscape character is conserved, inappropriate fragmentation of the countryside avoided, important trees, woodlands and hedgerows retained, and where appropriate, supplemented by new landscaping, and wildlife habitats protected and encouraged. These requirements will also be supported by other environmental policies in the Green to the Core, landscape character and environmental management chapters of the Local Plan.
- 5.108 The need to ensure that infrastructure and facilities required to serve development will be provided is addressed in the infrastructure chapter of the Local Plan.

Question Box

Q78. What are your views on the Council's proposed policy on general development considerations?

Q79. Are there any alternatives or additional points the Council should be considering?

Proposed Policy DEV2: Comprehensive Development and Masterplanning

Policy Status:	Strategic
New Policy?	No. Review of Policy DIM1 of the DaSA
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Planning applications (whether in outline or full format) must relate to an entire development site to ensure a comprehensive approach, including where sites are in multiple ownerships.

When an outline application is submitted, a masterplan defining key parameters for the entire site must be submitted by the applicant to indicate how the overall development of the site can be achieved.

In circumstances, where it would speed up delivery, a planning application for part of a larger site may be permitted, but only where it demonstrably has regard to, and facilitates, an integrated scheme for development of the entire site through, a masterplan defining key parameters for the entire site as above.

In applying this policy, regard will be had to all relevant policies in this Local Plan to ensure appropriate provision, across the entire development site, of land uses, affordable housing, sustainable transport and access, green infrastructure (including biodiversity net gain and sustainable drainage) and other infrastructure (secured directly or through funding contributions).

Explanatory text:

- 5.109 The NPPF underlines the purpose of the planning system in achieve sustainable development. Development should be compatible with both the existing and planned use of adjacent land. This may involve bringing together land in different ownerships to ensure that the range of needs are met effectively within a logical overall area, or it may involve bringing together a mix of uses for an appropriate and sustainable approach to

site development (for example commercial, community or recreational uses in addition to residential development). Mixed use developments are promoted in the NPPF, including as a means of supporting community facilities, new habitat creation or improved public access to the countryside.

- 5.110 Where a site comprises separate land ownerships, the expectation is that developers and landowners should work positively together to achieve wider goals of sustainable development and the full benefits for the local community. The need to demonstrate that proposals will secure the provision of infrastructure to serve a whole site is promoted by the proposed policy above. The approach to land-use mix should ensure the overall viability of proposals, while also ensuring that socially, economically and/or environmentally important elements, that will typically be less commercially attractive, are not “isolated”. Hence, they may be required to be effectively cross-funded, normally by residential or other commercial elements, to enable the delivery of development that is sustainable and acceptable in planning terms.
- 5.111 The policy is to be applied in all cases where a comprehensive approach to development is necessary for the proper planning of an area. This will include site allocations and “windfall” sites that come forward for planning permission.
- 5.112 To ensure a comprehensive approach, a masterplan for the entire development site must be submitted where outline planning permission is applied for. This must set the vision and implementation strategy for the entire site and propose parameters relating to the scale and layout of development, mix of uses, affordable housing, sustainable transport and access; green infrastructure (including sustainable drainage and biodiversity net gain) and other infrastructure (secured directly or through funding contributions). This is to ensure that development meets the expectations of our Green to the Core and Live Well Locally Overall Priorities and the policies of this Local Plan.
- 5.113 Where the planning application does not relate to the entire site, it must be demonstrated that sub-division is necessary to speed up housing delivery.

Question Box

Q80. What are your views on the Council's proposed policy on comprehensive development and masterplanning?

Q81. Are there any alternatives or additional points the Council should be considering?

Proposed Policy DEV3: Development Boundaries

Policy Status:	Strategic
New Policy?	Yes.
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Development boundaries define the area within sustainable settlements where development will be permitted, provided it is consistent with this Local Plan.

Priority shall be given to reuse of brownfield sites, in order to make efficient use of previously developed land in sustainable settlements. Some greenfield development will be necessary in order to deliver housing and employment need, but this will be limited to inside development boundaries.

In the countryside (that is, outside of defined development boundaries), development shall be limited to that which accords with specific Local Plan policies or that for which a countryside location is demonstrated to be necessary. Brownfield development will be prioritised, in order to make efficient and sustainable use of previously developed land.

Explanatory Text:

- 5.114 Development boundaries differentiate between areas of built-up form within sustainable towns and villages, where further development³⁴, will be acceptable in principle, and the countryside.
- 5.115 Development boundaries are a key tool to positively focus growth on sustainable settlements and the networks and clusters of villages identified in the development strategy. This approach protects the surrounding countryside around them from unnecessary and intrusive development. The substantial High Weald National

³⁴ including redevelopment or intensification

Landscape coverage of the district is a further key justification for carefully managing development in the countryside.

- 5.116 Within development boundaries, development will principally be on allocated and identified sites, together with other sites where proposals accord with relevant Local Plan policies. There is a presumption that infilling, redevelopment and changes of use will be acceptable subject to other policies of the Local Plan. This process of ‘gentle densification’ will help to support sustainable communities and Live Well Locally. Proposals within development boundaries are still subject to other policies to ensure that development does not adversely impact on other interests of acknowledged importance.
- 5.117 While land outside development boundaries is regarded as ‘countryside’ for planning policy purposes, it does include some villages, hamlets and farmsteads. A countryside location does not prevent appropriate development. The potential for development outside development boundaries to support vital rural communities and also conserve or enhance its intrinsic qualities is recognised. There are specific policies to promote a sustainable rural economy, including farming, tourism and to meet recognised local needs for facilities or affordable housing both in other policies of the Local Plan.
- 5.118 Development boundaries form policy lines and they do not necessarily represent the exact edge of settlements as such. While development boundaries will normally follow physical boundaries, on occasion, the full depth of property curtilages may be excluded to make clear a policy statement that back land or in-depth development is unacceptable, often because of its additional visual or amenity impact. This approach is consistent with the National Planning Policy Framework, which highlights the need to recognise ‘the intrinsic character and beauty of the countryside’ and the need to manage patterns of growth to realise opportunities for walking, cycling and use of public transport, with significant development focused on locations which are or can be made sustainable.

Regulation 18 commentary

- 5.119 Previous local plans and Neighbourhood Plans have defined the settlements and the extent of their development boundaries. This Local Plan will review each settlement's boundary, especially in relation to potential allocation sites. For the purposes of the Regulation 18 version, where we are consulting on potential sites, it is not possible to identify the settlements in which development boundaries may change. Figure 38 provides a table which shows the settlements which are expected to have development boundaries. All these settlements have designated development boundaries within the DaSA or Neighbourhood Plans, with the exception of Playden.
- 5.120 Development boundaries will be identified through the Local Plan, except where it is identified that Neighbourhood Plans are being progressed or reviewed.

Figure 38: Settlements with Development Boundaries

Development Boundaries in Local Plan	Development Boundaries in Neighbourhood Plans
Bexhill	Battle
Hastings Fringes	Rye
Beckley	Burwash
Brede & Cackle Street	Burwash Common
Broad Oak	Burwash Weald
Camber	Crowhurst
Catsfield	Etchingham
Guestling Green	Flimwell
Fairlight Cove	Netherfield
Icklesham	Hurst Green
Iden	Peasmarsh
Northiam	Robertsbridge
Pett	Sedlescombe
Playden	Stonegate
Rye Harbour	Ticehurst
Staplecross	
Three Oaks	
Westfield	

The amber cell denotes a new settlement proposed for a development boundary

Question Box

- Q82. What are your views on the Council's approach to development boundaries?**
- Q83. Are there any alternatives or additional points the Council should be considering?**

Proposed Policy DEV4: Retention of Sites of Community or Economic Value

Policy Status:	Strategic
New Policy?	No. Updated version of DaSA Policy DCO1
Overall Priorities:	Live Well Locally

Policy Wording:

Proposals that involve the loss or diminution of sites of community or economic value*, including those last in such use, must demonstrate that there is no reasonable prospect of a continued use, backed by:

- i) Evidence of a comprehensive and sustained marketing campaign, which clearly indicates a lack of demand for the existing use (or as an alternative economic use where the existing use is economic, or alternative community use in the case of an existing community facility), based on marketing, normally at least 18 months, that offers the land or unit/s for sale, or rental, at a realistic valuation of the site/premises for that use; and
- ii) An independent viability assessment that clearly demonstrates that the unit is not or is not capable of being financially viable, including alternative economic or community facilities, where appropriate.

Proposals should not result in the loss of facilities or features which may undermine the viability of its use, including, but not limited to, car parks, gardens and function rooms.

**This includes a community facility, public house, local shops, tourist accommodation or attractions, and an employment use.*

Explanatory Text:

- 5.121 The principle of the retention of sites for uses that require protection through the Local Plan is established through Policy HWB4 for sites of community use including local shops, services and facilities; Policy ECO2 in respect of employment uses; and Policy ECO5 for tourism activities, facilities and visitor accommodation. Main town centre uses within Town and District Centres, including retail uses, are protected separately through Policies ECO3 and ECO4. Collectively, these policies establish that sites of community and economic value, as defined by their respective policies, are normally retained, and their loss resisted unless it is evident that they cannot be maintained or that their continued use would perpetuate real harm to local amenities in some way. This policy sits alongside the above strategic policies by setting out the requisite marketing and viability evidence required to properly decide what constitutes no reasonable prospect of continued use.
- 5.122 To satisfy the policy test a comprehensive, sustained marketing campaign must be undertaken, offering the premises for sale or for rent, at a realistic valuation of the premises for the permitted use. Ordinarily, the marketing campaign should run for a period of at least 18 months before the planning application is submitted, with the premises offered for sale locally and regionally in appropriate publications including through trade agents. Details must accompany relevant planning applications, including a minimum of two independent valuations of the building in its current condition/state.
- 5.123 Sites must be advertised with the option of an alternative commercial or community facility, appropriate to the site and in line with other policies in the Local Plan. Where applications relate to a public house, the property must be advertised free of tie and restrictive covenant. Applications must also have full regard to the provisions set out in the Campaign for Real Ale (CAMRA) Public House Viability Test.
- 5.124 In terms of financial viability evidence, the Council will ordinarily require submission of trading accounts for the last three full years in which the business was operating on a full-time basis. In schemes affecting tourism accommodation, consideration will also be

given to the adequacy of marketing measures to attract holiday lettings. Where an applicant wishes to make a case that a site is not, or is not capable of being financially viable, evidence must demonstrate the viability of alternative commercial or community facilities, where appropriate. The Council will normally obtain independent verification of the viability evidence submitted, to be undertaken at the developer's expense. Applications must also be accompanied with supporting information to demonstrate how the applicant has brought forward measures to improve viability of the business over the short/medium/long-term. The Council's National and Local List of Planning Application Requirements expands on the evidence to be supplied in support of a proposal under this policy.

- 5.125 In order that the sustainability of a community or economic use is not prejudiced, the above policy highlights the need to retain adequate amenity space (internal and external) and parking where their loss would threaten to undermine retention of a community or economic use. Areas such as gardens, car parks and function rooms attached to public houses and community facilities in particular can be subject to residential redevelopment pressures.
- 5.126 Development proposals that result in the loss of sites or premises currently or last used for community purposes are not subject to the requirements of this policy where they accord with Criterion (i) of Policy HWB4, whereby:
- alternative provision of equivalent or better quality is available in the local area, or;
 - 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, will not be required to also meet the requirements of this policy.

Regulation 18 commentary:

- 5.127 Community facilities, local shops, employment sites and premises, tourist attractions and accommodation, holiday sites and leisure facilities all play an important social and

economic role within the district, making a positive contribution to maintaining and developing sustainable communities.

- 5.128 At the same time, commercial pressure for such sites and premises to change to alternative higher-value uses, notably housing, is strong. This often leads to local objections about the loss of facilities, particularly local shops and public houses, and the lack of sufficient job opportunities, especially for young people, when proposals come forward to convert or redevelop such sites for other purposes. These issues may be additionally compounded through the increase in population associated with changes of use to residential. The erosion of sustainable communities is at the heart of concerns.
- 5.129 Existing Local Plan policies DEC3 and DCO1 function to resist commercial pressures that result in the loss of sites of economic value, and indeed they have been successful in doing so, including where applications have gone to Appeal. Consequently, it is considered that this policy, and the overall approach in combination with DEC3, are to be taken forward into the new Local Plan.

Question Box

Q84. What are your views on the Council's proposed policy on the retention of sites of community and commercial value?

Q85. Are there any alternatives or additional points the Council should be considering?

Q86. What are your views on the range of uses that are covered by this policy?

Proposed Policy DEV5: Development on Small Sites and Windfall Development

Policy Status:	Strategic
New Policy?	Yes.
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

A target of 20% of housing delivery will be delivered on small/medium sites (less than one hectare in size) across the district in each year throughout the plan period. This is supported by evidence of historic windfall³⁵ delivery of small sites (one to four dwellings) coming forward, and the identification of medium sized sites (five to ten dwellings) (this comprises sites that can accommodate five or more dwellings, but on a site size less than one hectare) in the HELAA.

There is clear potential for small/medium sites to be delivered through the neighbourhood planning process, evidenced by site availability in the HELAA. These sites will be an important source of residential growth within sustainable settlements.

A windfall development projection of 39 dwellings per annum has been projected for the plan period.

³⁵ Unplanned development that is not allocated or identified in the Local Plan, typically on smaller sites.

Explanatory Text:

- 5.130 The NPPF³⁶ is clear that the delivery of small and medium sized residential sites (of less than one hectare) is valuable to ensure a variety in housing land supply and has set a requirement for local authorities to meet 10% of its housing delivery on these types of sites. The proposed development strategy outlines that the Council will allocate a specific amount of residential development to settlements within Parish and Town Councils areas, which could then come forward as part of Neighbourhood Plans. These numbers are informed by the HELAA and the overall sustainability of settlements. Several potential sites that are identified to come forward, especially in the rural areas are on small and medium sized sites, especially those within locations in the High Weald National Landscape.
- 5.131 The importance of delivery on small sites is highlighted in the Council's Housing Land Supply Position Statement (December 2023) which demonstrates that 24% of housing delivery over the last 10 years has been on sites accommodating one to five dwellings, many of which are classified as windfall development. The Council is aware through its monitoring processes that windfall development forms an important part of its housing land supply and the Council will continue to rely on windfall development as part of its development strategy.
- 5.132 It is also likely that future Neighbourhood Plans will be able to identify smaller sites with no site size threshold to help meet this overall need. The Council will continue to develop a clear target for windfall delivery in support of its development strategy at the next stage of the Local Plan. Whilst the Council can project potential windfall delivery on smaller sites, it would still support larger windfall sites coming forward in accordance with other policies in the Local Plan.

³⁶ Para. 70 (December 2023 NPPF)

Question Box

- Q87. What are your views on the Council's strategy approaches to small sites and windfall development?**
- Q88. Are there any alternatives or additional points the Council should be considering?**
- Q89. What are your views on the Council, based on evidence, targeting a greater percentage of housing to come from smaller sites than the expected 10%?**

Proposed Policy DEV6: Strategic Green Gaps

Policy Status:	Strategic
New Policy?	Revision to Policy DEN3 of the DaSA
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Within Strategic Green Gaps, development will be carefully controlled. Developments will only be permitted where they are unobtrusive and do not detract from the openness of the area having regard to the specific objectives of the gaps, as follows:

- i) to maintain the separate identity and distinctiveness between settlements;
- ii) to maintain the strategic settlement pattern; and
- iii) to prevent the coalescence of settlements.

Enhancement of the gaps through effective landscape management which strengthens and reinforces their significance as protected landscape areas will be supported.

The extent of each of the five strategic gap areas is described below:

Bexhill and Hastings/St Leonards Strategic Green Gap

The Gap between the two towns is relatively small, being particularly narrow along the A259 corridor, and hence any encroachment would be significant. It's location and accessibility means that it is highly vulnerable to development pressure. The accessibility of the Gap between Bexhill and Hastings has changed with the construction of Combe Valley Way, which increases the vulnerability of the countryside between Bexhill and Hastings/St Leonards. The Gap includes the Combe Haven valley and its tributary valleys in order to protect this open landscape between the two settlements.

Crowhurst and Hastings/St Leonards Strategic Green Gap

The construction of Combe Valley Way has increased the vulnerability of the Gap between Hastings/St Leonards and the village of Crowhurst. The area between the built-up edge of Crowhurst and the Hastings to London railway line is also included as it contributes to the open area between the settlements.

Battle and Hastings/St Leonards Strategic Green Gap

The Gap between Battle and Hastings/St Leonards provides an important function in maintaining the separate identities of Battle and the built-up area of Hastings/St Leonards. The break in the ribbon development between the edge of Telham and the Hastings Borough boundary at Breadsell Farm is highly vulnerable to change particularly in more open areas and the higher ground and ridges.

Fairlight and Hastings Strategic Green Gap

The Gap between the Hastings Borough boundary and the edge of Fairlight Cove provides an important function in protecting the general openness of the area between the Hastings Country Park and the edge of the settlements of Fairlight and Fairlight Cove. The area south of Battery Hill and Hill Road and to the east of Coastguard Lane, including The Close, is vulnerable to incremental change and infill development; hence, it is also included to conserve the area's open character.

Rye and Rye Harbour Strategic Green Gap

The open Gap between Rye citadel and Harbour Road industrial area/Rye Harbour village provides an important function in retaining their distinct identities. The area is fragile and vulnerable to encroaching development, as well as incremental changes in landscape management. The retention and protection of this Gap is important to the conservation and enhancement of local landscape character and views, notably with regard to the setting of the Citadel. The Gap

also incorporates the sensitive riverside margin adjacent to the River Brede and River Rother.

Explanatory text:

5.133 Strategic Gaps are regarded to be of significant importance in terms of guiding the location of development. The particular objectives of the Gaps are:

- to maintain the separate identity and distinctiveness between settlements;
- to maintain the strategic settlement pattern; and
- to prevent the coalescence of settlements.

5.134 The protection of important areas of open space through local plans is an established policy tool. Development within these gaps is strictly limited to maintain their openness, although it does allow for agricultural buildings, conversions and the replacement of an existing building.

Question Box

Q90. What are your views on the Council's approach to strategic gaps and those that are identified?

Q91. Are there any other areas of the district that the Council should be considering, and if so, what evidence is available?

6. Health and Wellbeing

Proposed Policy HWB1: Supporting Health and Wellbeing

Policy Status:	Strategic
New Policy?	Yes, but incorporating CS Policy CO2
Overall Priorities:	Live Well Locally

Policy Wording:

New or improved physical health, mental health and other wellbeing facilities and services which meet population needs and are accessible will be supported, and will be addressed through development site allocations, planning permissions and/or developer contributions in accordance with the latest Rother Infrastructure Delivery Plan.

The design and function of new development must help to create healthy, inclusive and safe places which reduce health inequalities, support and address the health and wellbeing needs in Rother as identified in the Joint Strategic Needs Assessment.

In order to maximise opportunities to enable healthy lifestyles and equality for all, new development must demonstrate how it will:

- i) Meet the principles of high quality design that is safe and secure and support Rother's Overall Priority to 'Live Well Locally' through ensuring, accessible and inclusive layout and design which uses appropriate materials and ensures community safety and cohesion;
- ii) Avoid or mitigate unacceptable harmful impacts and health risks from all forms of pollution;
- iii) Maximise opportunities for physical activity through the creation and improvement of high quality open space, play and recreation and incorporate biodiversity and green and blue infrastructure to enable climate change resilience (in line with Policies HWB5 and ENV5);

- iv) Be supported by necessary infrastructure provision, including prioritising the use of accessible sustainable and active transport measures which improve access and link developments to key services and facilities
- v) reducing social isolation, enabling active lifestyles and improving social cohesion and connectivity; and
- vi) Provide space for food growing both within in community gardens, allotments and/or private gardens to ensure food security.

Explanatory Text:

- 6.1 The need for good accessibility to healthcare facilities and support systems which meet all society's needs is a critically important component of Live Well Locally.
- 6.2 The COVID-19 pandemic and the climate emergency have highlighted three important health and wellbeing concerns regarding 'places and people':
- That those who live in more deprived urban and rural areas are more susceptible to their effects.
 - The importance of the built environment and the relationship we have with it.
 - The importance of nature as essential to our continued wellbeing and the impact of restricted access to it.
- 6.3 These issues are not new, and over the long term (during the timeframe of the Local Plan and beyond) it is important for planning policies to support the improvement in health and wellbeing of local residents. There are clear opportunities for development to help deliver this, addressing the demographic composition and health inequalities across the district. Rother's residents generally have a higher life expectancy than the national average and the 2011 and 2021 censuses show an increase in those reporting 'very good' health.
- 6.4 The 2021 census also highlights that Rother has an ageing population, with a median age of 53 (the second highest in England and three higher than 2011), far older than the

English median of 40. There are also pockets of deprivation across the district, and health inequalities in particular areas such as Bexhill Sackville and Sidley wards, and areas of Rye. The aim of the policy is therefore to ensure equality for all and narrow the gap in deprivation and health characteristics.

Regulation 18 commentary:

- 6.5 The ESCC's Public Health Healthy Places team has been working with all Local Planning Authorities within East Sussex to deliver the County Council's statutory public health responsibilities. They will be a key advisor on health and wellbeing issues.
- 6.6 The Council is also working closely with its other partners to adopt a clearly defined set of priorities and an integrated approach to planning for health, wellbeing and the environment. This will be an active dialogue throughout the production of the Local Plan. This starts with local representative bodies of the health system to ensure that their respective delivery plans and strategies are aligned. In working together, joint statements or plans can be developed. Early engagement has taken place with some of the relevant bodies, and further engagement is required as the Integrated Care System and Board becomes more established. Internally, the Council has published an Anti-Poverty Strategy and a Health and Wellbeing Strategy which helps to address the health inequalities in Rother District and supports the live well locally concept of the Local Plan.

Question Box

Q92. What are your views on the Council's proposed policy on supporting health and wellbeing?

Q93. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HWB2: Health Impact Assessments

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy Wording:

A Health Impact Assessment must be submitted with applications for development (including change of use) equal to or exceeding:

- i) 100 dwellings;
- ii) 2,000sqm of non-residential floorspace; or
- iii) A site of 5 hectares.

A Health Impact Assessment screening will be required for all applications related to major development in wards of the district that are within the 20% most deprived nationally in the Index of Multiple Deprivation³⁷. Major development is defined as that classed under the Development Management Procedure Order (and any subsequent amendments). This screening process will ensure that localised health and wellbeing issues are addressed.

A Health Impact Assessment will need to demonstrate both the individual and cumulative impacts of the proposal as set out in the supporting text to this policy.

³⁷ Currently these are the four wards of Bexhill Central, Bexhill Sidley, Eastern Rother, and Rye & Winchelsea. This may change over the lifetime of the Local Plan as the Indices of Multiple Deprivation is updated.

Explanatory Text:

- 6.7 Health Impact Assessments (HIAs) identify the unintended health consequences of a plan or project and the potential health impacts that it might have on the local population. They consider whether development maximises the positive impacts and minimises the negative impacts, while addressing health inequalities. By bringing health considerations to the fore, HIAs add value to all projects, proposals, policy and strategy and put people and their health at the heart of the planning process.
- 6.8 An HIA must be undertaken at the initial stages of the development to inform the proposal and as such the use of the Council's pre-application service is recommended to provide input at an early stage and to add value and benefit to the application. An HIA should not be conducted after a planning application has been formally submitted as this leaves less room for changes to be made to a proposal and may lead to an application being refused.
- 6.9 The thresholds over which an HIA is required are of an appropriate scale to consider the wider impacts on health and wellbeing. These thresholds have been proposed in consultation and engagement with ESCC's Public Health Healthy Places team and strike an appropriate balance at which input can be given.
- 6.10 All applications for major development³⁸ that fall within the 20% most deprived wards nationally will require a screening process to ascertain whether a proposal is likely to have a major impact on health and wellbeing. This will determine, on a case-by-case basis, if the specific proposal requires a full HIA.
- 6.11 There is a wide disparity between areas of the district that are affluent and those that are deprived. The 2019 Index of Multiple Deprivation identifies that in Rother, six³⁹ lower super output areas (LSOAs) fall within the 20% most deprived nationally. These six small scale areas primarily fall within four wards. To make the implementation of

³⁸ as defined in Annex 2 of the NPPF.

³⁹ These are in three LSOAs within Sidley ward, one in Central ward, one in the Tilling Green area of Rye and Winchelsea ward and one covering the Camber, East Guldeford and Iden area of Eastern Rother ward.

HIAs easier, it is the Ward level that will determine if an HIA is required in deprived areas. These tend to be in built-up areas where development sites are often smaller and do not meet the HIA thresholds. However, research shows that housing quality must be improved to change relative deprivation in an area. As such, all applications for major development in these areas will require an HIA.

- 6.12 HIAs will be required to incorporate and address the considerations contained with the East Sussex HIA toolkit, which is currently under development.

Regulation 18 commentary:

- 6.13 HIAs are referenced directly in Planning Practice Guidance, and there are good examples of adopted policies from other local authorities. These act as a useful starting point, but a suitable policy for Rother needs to be considered in the context of our district, based on local health indicators and wellbeing evidence. As part of the early engagement on the Local Plan, the Council has been working with the ESCC Public Health team to prescribe the types of development that the Council would require an HIA for.

Question Box

- Q94. What are your views on the Council's proposed policy on requiring a Health Impact Assessment for certain applications?**
- Q95. Are there any other types of application, and/or different scales of development, the Council should be considering?**

Proposed Policy HWB3: Reducing Harmful Impacts on Health

Policy Status:	Strategic
New Policy?	Yes, but incorporating DaSA Policy BEX17's third paragraph
Overall Priorities:	Live Well Locally

Policy Wording:

Applications for new development or change of use for the following uses (currently defined as sui generis) will be required to demonstrate that the proposal would have no negative impact on the health and wellbeing of the local population. The potential proliferation (the number and percentage in a defined area) of these uses would also be a consideration in the decision-making process:

- i) Betting shops;
- ii) Casinos;
- iii) Pay day loan shops; and
- iv) Hot food takeaways.

In relation to hot food takeaways, applications within 400m of the boundary of a school or park will not be considered favourably, and opening times may need to be controlled (on a case-by-case basis via condition), where deemed reasonable and necessary.

Explanatory text:

- 6.14 The PPG on '*Healthy and safe communities*', reinforced by guidance from [Public Health England](#), promotes the ability for a Local Plan to limit the proliferation of particular uses where evidence demonstrates this is appropriate. The PPG does not distinguish or define the types of uses that a Local Plan could restrict.

- 6.15 As such, the Council has identified the uses that it does have planning control over where they also have a known negative impact on physical and mental health and wellbeing. This is evidenced in the Health and Wellbeing background paper.
- 6.16 The uses are all currently specifically excluded from classification into a use class and instead defined as sui generis, which means ‘unique in character’ and ‘a class of its own’. Planning permission is required for these uses.
- 6.17 Guidance from PHE also suggests limiting hot food takeaways around places that are often used by children and families through a 400m “exclusion zone” around these areas. A distance of 400m is recommended as this is considered to be a reasonable five-minute walk. The guidance is clear that each application must still be determined on its own merits and an outright blanket ban within the 400m zone is not recommended. The same guidance also recommends that a local planning authority can restrict, via condition, the opening hours of a takeaway to promote a healthier environment for children during school opening and closing times.
- 6.18 In addition to the health impact, a proliferation of hot food takeaway uses can also be harmful to the character and vibrancy of any given area/high street. Hot food takeaways may, for example, only open in the evenings leading to an impact on an area’s daytime function as a shopping area. External shutters can also make the area less attractive to visit. These potential impacts would be assessed through applying the Live Well Locally policies.

Regulation 18 commentary:

- 6.19 There are small scale commercial uses which have a potential for significant negative impacts on both physical and mental health and wellbeing and should be given specific attention in the planning process. Both the Council and the County Council wish these uses to be given proportionate consideration to meet the vision and objectives of the Local Plan. Uses identified in the policy will therefore need provide appropriate and proportionate evidence on the impact on health and wellbeing, including impact on

specific locations, proliferation of uses within the area and mitigation measures to minimise any harmful impacts.

- 6.20 The use classes that are defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), coupled with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) limits what sort of uses the Council has any planning control over under current legislation.
- 6.21 The policy approach responds to guidance on commercial uses that are known to potentially have a health and wellbeing impact and over which the Council does have planning controls. It seeks to ensure that these small developments, are given particular consideration in the decision-making process to protect health and wellbeing.

Question Box

Q96. What are your views on the proposed policy for reducing harmful impacts on health?

Q97. Is the Council considering the right types of commercial uses or should it be considering other uses?

Proposed Policy HWB4: Community Facilities and Services

Policy Status:	Strategic
New Policy?	No. Updated version of Core Strategy Policy CO1
Overall Priorities:	Live Well Locally

Policy Wording:

The provision or improvement of community facilities⁴⁰ and services to meet local needs will be achieved by:

- i) Permitting new, improved or replacement community and social facilities and services in appropriate accessible locations where they meet identified community needs, having regard to population characteristics and recognised standards of provision.
- ii) Facilitating the co-location of facilities to form community hubs and meet the evidenced needs of a broad a range of community activities, as far as reasonably practicable, particularly when considering new buildings.
- iii) Not permitting development that would result in the loss of sites or uses currently or last used as community and social facilities and services unless the proposal meets the tests of Policy DEV4 – Retention of Sites of Community or Economic Value.
- iv) Where deemed reasonable and necessary, the Council will remove certain permitted development rights via condition to restrict the ability of an approved use to change to one that does not function as a community facility or service.

⁴⁰ The definition of community facilities and services comprises medical, health and social services; local shops and halls, and a wide range of arts, culture, education, leisure, recreation, religious facilities (categorised as C2, E(d) – (f), F1, F2 as well as pubs, bingo halls, cinemas, concert halls, dance halls, night-clubs, theatres and venues for live music performance, as defined as sui generis in the current Use Classes Order).

Explanatory Text:

- 6.22 Participation in community and social activities, at community and village halls and places of worship, but also a wide range of arts, culture, leisure and recreation venues, has a key role to play in the vitality of settlements and makes a positive contribution to maintaining and developing sustainable communities. In addition, the services provided by local shops, medical, health and social services are vital.

- 6.23 These community facilities and services are located throughout the district, in both urban and rural areas. They play a particularly important role for both younger and older people, for educational and recreational purposes, for health and well-being and socialising, whether that be in a small rural community or within a larger urban area. This is especially relevant in the more deprived areas of the district.

- 6.24 Given the large, predominantly rural nature of Rother district with many small communities, the provision of community hubs for people to gather and interact, and the opportunity to form links across generations, should be available as locally as possible. As referenced in the Council's Anti-Poverty Strategy, these are important social and recreational venues for a range of local groups, such as nursery and pre-school groups and uniformed associations (such as scouts and guides) for example. They can also provide a focal point for support services and contribute to being able to Live Well Locally.

- 6.25 The policy approach is to strongly support the modernisation, improvement, co-location and, where appropriate, replacement of such facilities in order to create community hubs where community use is maintained and maximised. This recognises that new or improved community services and facilities will be required over time.

- 6.26 The loss of facilities that meet a local community need will be resisted, as this could have a significant impact upon the ability of residents to access services locally. Applications proposing a loss of community facilities will be tested against Policy DEV4 – Retention of Sites of Community or Economic Value, requiring a comprehensive, sustained marketing campaign at a realistic valuation.

- 6.27 Community facilities can be delivered at both a county and district level as well as at a parish and neighbourhood planning level. The Council has undertaken an assessment of the level of community facilities and services that are available to settlement areas as part of its Settlement Review evidence base for the Local Plan. This helps identify the sustainability of the settlements, and whether any additional services are required to improve the sustainability of settlements and support future growth.
- 6.28 The Council can in certain situations, as outlined in the NPPF, use conditions that are attached to a planning permission to restrict nationally defined permitted development rights. However, the reason for doing so must be clearly justified and therefore in the case of any new community uses being permitted this option will be considered on a case-by-case basis, looking at factors such as the location of the new development and its proximity to other similar uses.

Regulation 18 commentary:

- 6.29 Since the adoption of the Core Strategy in 2014 and DaSA in 2019, there have been changes to the various use classes that are defined by the Town and Country Planning (Use Classes) Order 1987 (as amended). This has been coupled with changes to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Taken together, this changed the types of development the Council currently has any planning control over under current legislation.
- 6.30 These changes provide greater protection for a local shop, community hall, an area for outdoor sport and recreation as well as a swimming pool or skating rink, by identifying them as Class F.2 'Local Community'. The changes also bring some of the old Class D1 uses, such as health centres and indoor sport facilities (except swimming pools and skating rinks), into the new Class E (Commercial, Business and Service) which is a broader use class, which also has certain permitted development rights to change from this use without the need for full planning permission.

- 6.31 The Council has defined all the current uses that this policy applies to, broadly covering the uses that are currently protected under adopted policy, to ensure that this policy is applied to the right types of development.

Question Box

- Q98. What are your views on the Council's proposed policy on community and social facilities and services?**
- Q99. Are there any alternative or additional points the Council should be considering?**
- Q100. What are your views on the range of uses that are covered by this policy?**

Proposed Policy HWB5: Green and Blue Infrastructure

Policy Status:	Strategic
New Policy?	No. Updated version of Core Strategy Policy CO3
Overall Priorities:	Live Well Locally and Green to the Core

Policy Wording:

The protection, enhancement and provision of green and blue infrastructure⁴¹, including sufficient, well-managed and accessible, sports and recreation spaces, both formal and informal, will be achieved by:

- i) Safeguarding existing green and blue infrastructure (designated through this Local Plan's Policies Map) from development, and only permitting its loss where it results in improved provision (in terms of quantity and quality) as part of a redevelopment or elsewhere within the locality.
- ii) Permitting proposals for the improvement of existing, or provision of new, green and blue infrastructure, in localities where deficits are identified.
- iii) Requiring development proposals to respond to and incorporate existing green and blue infrastructure, and integrate new, into design proposals, including providing links to existing green and blue infrastructure outside the development's boundaries. The quantum of green and blue infrastructure provided should be based on applying:
 - a. The recommendations of Rother's Playing Pitch and Built Facilities Strategy and Sport England's standards, across all relevant spaces within the district (and any successor or other documents as identified as relevant by the Council);
 - b. The Natural England Green Infrastructure Framework and its Principles and Standards;
 - c. Securing either direct provision of new or financial contributions towards improvements to existing green and blue infrastructure to ensure adopted standards are maintained within the locality;

⁴¹ Green infrastructure includes parks, open spaces, playing fields, woodlands – and also street trees, allotments, private gardens, green roofs and walls, sustainable drainage systems (SuDS) and soils. Blue infrastructure includes the coast, rivers, streams, canals and other water bodies.

- iv) Requiring developments of two hectares or more or 50 dwellings or more to produce a Green Infrastructure masterplan as part of their proposals.
- v) Requiring developments of 300 dwellings or more to provide playing pitches on site in line with the recommendations of Rother's Playing Pitch and Built Facilities Strategy and Sport England's standards.
- vi) Giving particular support for sensitive water-based recreation along the coast and in any other bodies of water, having due regard to biodiversity, environmental and amenity considerations. This includes any cross-border recreation activities that will benefit from waters within Rother which should be detailed in a cross-border management plan.

Explanatory Text:

- 6.32 Alongside community facilities and services, green and blue infrastructure provision plays a key role in boosting the vitality of communities and has a direct positive impact on their physical and mental health and wellbeing. Studies have shown that living in a greener environment can have significant positive impacts. People who have greater exposure to greenspace have a range of more favourable physiological outcomes, including better recovery from illness and managing poor health. Greener environments are also associated with better mental health and wellbeing outcomes, including reduced levels of depression, anxiety, and fatigue, and enhanced quality of life for both children and adults. Greenspace can help to bind communities together, reduce loneliness, and mitigate the negative effects of air pollution, excessive noise, heat, and flooding. Evidence shows that disadvantaged groups appear to gain a larger health benefit and have reduced socioeconomic-related inequalities in health when living in greener communities.
- 6.33 On top of the health and wellbeing aspects, green and blue infrastructure creates a network of natural spaces for biodiversity and environmental benefits. Furthermore, these spaces can help address the growing issues of climate change, particularly by providing shade and cooling to the users in an otherwise warming environment, reducing water run-off during flash flooding and storing carbon. Green and blue

infrastructure provision is therefore crucial to the success of this Local Plan's Green to the Core and Live Well Locally overall priorities.

- 6.34 Some of Rother's key recreational facilities come in the form of its waters, including the coast, and Bewl Water which crosses into both Tunbridge Wells Borough Council and Wealden District Council. All of Rother's water assets play a multi-functional role providing tourist attractions and positive impacts on health and wellbeing. However, this needs to be balanced with a need to protect the environment, particularly where these locations are also in places where there are statutorily protected sites for their habitats and/or species, expended on in Policy ENV5: Habitats and Species. As such, a sensitive approach is needed when considering the impacts of a proposed development, working with our neighbouring authorities where relevant.

Regulation 18 commentary:

- 6.35 The Council, jointly with HBC, has produced a Playing Pitch and Built Facilities Strategy 2023-2039 which is an evidence base document for this Local Plan. Produced in line with Sport England's latest guidance and in partnership with national sports bodies, it assesses current formal sports pitch and facilities provision and the need for improvement. The Strategy makes a number of recommendations, contained in Chapter C – Policy Recommendations, that the Council will pursue through this policy.
- 6.36 In 2023, Natural England published a Green Infrastructure Framework which seeks to provide a holistic appreciation and approach to support the growth of green and blue spaces nationally. The Council will use Natural England's GI Framework's Principles and Standards as a tool to review and update the 2006/7 Green Spaces, Sport and Recreation Study, 2011 Green Infrastructure Study and 2016 Addendum. This will be produced following consultation on this draft Local Plan. The intention is to designate green and blue infrastructure of the Local Plan' Policies Map.

Question Box

Q101. What are your views on the Council's proposed policy on green and blue infrastructure?

Q102. Are there any alternative or additional points the Council should be considering?

Q103. Do you feel that this policy is sufficient to protect open space?

Proposed Policy HWB6: Public Rights of Way

Policy Status:	Strategic
New Policy?	Yes.
Overall Priorities:	Live Well Locally & Green to the Core

Policy Wording:

New public rights of ways and any other public networks such as the National Cycle Network and greenways will be supported, subject to protecting habitats sensitive to recreational pressures (see Policy ENV6: Sustainable Access and Recreation Management Strategy) and other policies within this Local Plan.

They will be particularly welcome, where there is a local deficiency in terms of access or a lack of connectivity to settlements, visitor attractions and facilities and services or between rights of way.

Any current public rights of way will be protected by ensuring that development does not cause an adverse impact. Where any planning application involves a public right of way, or is in close proximity to one, proposals must demonstrate the measures taken to maintain, enhance and/or enable access to the existing public right of way network for all ages and abilities, including where a public right of way runs adjacent to the proposed site. This includes considering the character, quality, and public enjoyment of the network, as well as the specific needs of different users.

If any alterations to a public right of way are proposed, to demonstrate the overriding benefit of doing so. In the circumstances that an alteration is considered acceptable, the mitigation will involve at a minimum providing the same level and scale of access as was already existing. This will likely be secured through planning obligations/legal agreement.

Explanatory Text:

- 6.37 As a predominately rural district, Rother benefits from over 930km of Public Rights of Way (PRoW)⁴². In rural areas, these routes can offer a safer form of connection than would otherwise be had through walking, wheeling or cycling on roads and lanes. However, the PRoW are not just limited to rural areas, and are an important asset in our towns and villages (twittens for example) in promoting physical activity. PRoW include footpaths and bridleways, and for the purposes of this policy other networks, such as the National Cycle Network which currently is in the form of [National Cycle Network Route 2](#), are included.
- 6.38 The Council supports the creation of new PRoW throughout the district, particularly where these can improve walking, wheeling and cycling connections between settlements or to visitor attractions or if there is a gap in provision in the particular locality. This could include improving bridleways to create greenways, suitable for walking, wheeling, cycling and horse-riding.
- 6.39 The loss or harm to these networks through development must be avoided and access to the PRoW network enhanced as part of a development proposal. This policy seeks to ensure that any development where the site includes a public right of way, or is in close proximity to one, takes regard of the existing network. It should ensure that no harm would be caused to the use and enjoyment of that network for all its users.
- 6.40 In addition to this, no PROW should be removed and a development should only seek to directly alter a PRoW, if there is an overriding benefit in doing so. As a minimum, the level and type of access currently in place must be replicated as part of the new development. In practice, an improvement to the network being impacted is expected. Where development is adjacent to a PRoW, the Council would expect that access is provided to this network to enable the users of the new development to access the PRoW.

⁴² Public Rights of Way are managed by East Sussex County Council

- 6.41 It is important to emphasise that this policy does not apply to any private or permissive rights of way that may have been established and allowed over time, as these are in private ownership with the landowner able to restrict and remove the permissive right of way at any time. As such, it is not appropriate for the Council to imply any formalisation or protection of any permissive rights of way through this policy.
- 6.42 PRoW also encourage and enable access to the countryside. This must be balanced against the need to protect sensitive habitats from levels of tourism and recreation that could lead to biodiversity loss. There are some targeted policies contained within the Local Plan which seek to address this, particularly Policy ENV6 (Sustainable Access and Recreation Management Strategy) which covers the Dungeness Complex of internationally protected sites and seeks to manage recreational pressure and disturbance within the Strategy area.

Question Box

Q104. What are your views on the Council's proposed policy on public rights of way?

Q105. Are there any alternative or additional points the Council should be considering?

Proposed Policy HWB7: Combe Valley Countryside Park

Policy Status:	Non-strategic
New Policy?	No. Updated version of DaSA Policy HAS1
Overall Priorities:	Live Well Locally & Green to the Core

Policy Wording:

Land between Bexhill and St. Leonards, from Galley Hill and the coast in the south to Crowhurst to the north, as shown on the Policies Map, is allocated as the Combe Valley Countryside Park (CVCP).

The CVCP acts, in part, as a strategic gap between Hastings/St Leonards and Bexhill. It also increases access to the countryside for both the residents and visitors alike through improvements to, and promotion of, the rights of way network.

Within the CVCP, proposals will only be acceptable where they:

- i) Are small in scale and supported by the CVCP Community Interest Company and its strategy for the Park;
- ii) Support usage of the Park as a key open space for Bexhill and Hastings and their wider catchment;
- iii) Provide for the proper conservation and, where appropriate, management of the land-based and marine designations within it and create biodiversity net gains within the Park; and
- iv) Accord with the provisions set out in Policy DEV6 (Strategic Green Gaps).

- 6.43 The Gap between Bexhill and Hastings/St Leonards is a valuable 'green lung' between the towns. The Combe Valley Countryside Park is an area of approximately 600 hectares which provides access to the countryside and facilitates a range of appropriate recreational activities, while balancing the need to proactively manage wildlife habitats.

- 6.44 The Park includes a former landfill site, agricultural land, six woodlands, ten football pitches as part of Bulverhythe recreation ground, two reedbeds, two areas of fen and an area of vegetated shingle beach backed by sandstone cliffs.
- 6.45 The Countryside Park addresses the deficiency in green space for the towns of Hastings and Bexhill. Public access routes enable safe and controlled access to the Countryside Park. There are many protected sites within the Countryside Park, covering areas such as biodiversity and archaeology. These cover both the terrestrial and marine environments and due regard must be had to them when determining proposals within the Countryside Park.
- 6.46 While the former land-raise operation for waste management has long ceased, there is continued use of land within the locality for waste collection, in line with the waste planning authorities' Waste and Minerals Plan. It is important that such operations are contained and do not conflict with the aims and objectives of the Countryside Park.
- 6.47 The Park was jointly established by RDC, HBC and ESCC. In 2015, a Community Interest Company (CIC) was formed with a board of directors including representatives of the three councils, local businesses, landowners and stakeholders, including the Friends of Combe Valley Foundation (a group which was established by local residents).
- 6.48 Any proposals for development should be small in scale and relate.
- 6.49 As the Park has become established, it has helped take some of the pressure off the other sensitive leisure destinations in the area and has specifically helped to manage the recreational pressure on more sensitive habitats, most notably the international Habitat Site designations to the south-east and south-west of the district. Therefore, there is an added importance that the policy ensures that the vitality of the Countryside Park is maintained to ensure that it itself acts as an important open space whilst also allowing for a shift in recreational demand from other areas.

Question Box

- Q106. What are your views on the Council's proposed policy on the Combe Valley Countryside Park?**
- Q107. Are there any alternative or additional points the Council should be considering?**
- Q108. What are your views on the Countryside Park being something the Council should continue to support?**

7. Infrastructure

- 7.1 Infrastructure can be described as the supporting services, facilities and utilities that are necessary to support growth and development across the district. It can be strategic in nature, supporting growth across the whole or part of district, or it can be local in nature, supporting specific development sites. The term is wide reaching and comprises physical, social and green/blue infrastructure (open space and water), ranging from telecommunication facilities through to public transport measures and health facilities. A full list of all infrastructure types is included in the Council's Infrastructure Delivery Plan (IDP) which supports the Local Plan.
- 7.2 The Council's draft IDP is a critical part of the Local Plan evidence base. It is essential that development and resulting population growth is supported by the appropriate level of infrastructure to serve it. However, it is important to note that its delivery is not always in full control of the Council. It is dependent on partnership working between a variety of public, private and voluntary sector agencies known as 'infrastructure providers'. As such the Council is heavily reliant on the expertise and advice of these external providers to determine what is needed to support development in the plan and to deliver the required infrastructure. The Local Plan will play a key role in securing continued investment in infrastructure delivery and in aligning the programmes of the various providers with local need. This will help achieve the important concepts of live well locally and sustainable communities, which are at the heart of the Local Plan.
- 7.3 In helping achieve this, the Council has undertaken early engagement with key infrastructure providers and organisations to understand their various strategies and programmes and to start identifying the infrastructure required to support proposed development. Ongoing engagement will be required to ensure the effective delivery of infrastructure in the right place at the right time. Through this public consultation we will be seeking the views of infrastructure providers on the impacts of our development strategy on infrastructure needs for the district. Ongoing engagement with infrastructure providers will ensure that these needs are agreed and formalised for the next stage of the Local Plan.

- 7.4 There are many references to infrastructure within other chapters of the Local Plan, most notably open space provision and standards within 'Live Well Locally' and green and blue infrastructure within 'Health and Wellbeing'. This chapter presents the high-level infrastructure requirements for development, with more detail being provided under the specific supporting policies in other chapters.

Proposed Policy INF1: Strategic Infrastructure Requirements

Policy Status:	Strategic
New Policy?	No
Overall Priorities:	Live Well Locally

Policy Wording:

Where new or improved infrastructure, including community facilities, is needed to support development, appropriate provision or contributions will be required. This will be established in consultation with relevant infrastructure providers, and as set out in the Council's Infrastructure Delivery Plan.

The delivery of infrastructure will be secured by planning obligation or by condition attached to the planning permission, or by any other appropriate mechanism such as the Community Infrastructure Levy.

Timing and Delivery of Infrastructure

(A) Planning permission will only be granted where it can be demonstrated, through the submission of appropriate evidence, that there is, or will be, sufficient infrastructure capacity to meet all the necessary requirements arising from the development. Where new infrastructure capacity is required, it must be demonstrated that it can be delivered upfront or early in the development phasing.

Applications must set out all the infrastructure implications of a proposal and how they have engaged and worked with infrastructure providers. This includes infrastructure that is required to be delivered both on or off-site. If infrastructure cannot be delivered upfront or early in the development timescale, an agreed timetable, secured through planning condition or legal agreement will need to be in place so that the infrastructure can be delivered as soon as practically possible. Larger developments may need to be phased to ensure that infrastructure can be provided in a timely manner.

The design and layout of a development must ensure future access to utility infrastructure for maintenance and upgrading.

Where a proposal would be made unviable in light on infrastructure requirements, open book calculations verified by an independent consultant approved by the Council must be provided. All viability appraisals will be made publicly available and will be assessed with the assistance of an external

consultant at the developers cost to ensure the value of planning obligations has been maximised, having regard to development viability.

Safeguarding of Infrastructure

(B) It is important that existing infrastructure services, facilities and utilities are protected where they contribute to the needs of local communities. This is unless an equivalent replacement/improvement is provided or there is sufficient alternative provision of the same type in the local area, subject to requirements set out elsewhere in the Plan. Replacement facilities must be provided to at least the same standard which includes floorspace, volume, functionality and purpose.

Explanatory Text:

- 7.5 Infrastructure requirements will be set out in the Council's Infrastructure Delivery Plan which will be a 'live' document that is updated regularly. Essential infrastructure to support growth will be clearly identified, and future site allocations (in the next version of the Local Plan) will detail the specific infrastructure requirements that are required to make development acceptable and sustainable. The Council's annual Infrastructure Funding Statement will state the type of infrastructure for which development contributions will be sought and will detail overall spend and delivery of infrastructure at a district level. Parish Councils have their own duty to publish on their website details of their spend and delivery of infrastructure from Community Infrastructure Levy payments.
- 7.6 Future growth in the district together with projected population growth will place increased demand upon the capacity of infrastructure. Investment to improve existing infrastructure and the provision of new infrastructure and services will be necessary to support sustainable development. The Council expects developers to fund and provide the necessary investments in infrastructure so as to mitigate or compensate for the impact of their proposals. This will need to be undertaken in partnership with infrastructure providers at the earliest point in the development of the planning application for the scheme. Ultimately the delivery of infrastructure will be secured by a planning obligation or by a condition attached to the planning permission, which are both legally binding. In some cases, the current Community Infrastructure Levy will be

used to fund infrastructure, which will be agreed and secured through the Council's internal CIL governance arrangements and protocols.

- 7.7 It is critical that the Council safeguards existing infrastructure services, facilities and utilities where they important to the needs of local communities and the wider district. The proposed policy therefore references the need to protect infrastructure unless an equivalent replacement/improvement is provided or there is sufficient alternative provision of the same type in the local area. In line with other policies in the Plan this must accord with the Live well locally concept and policies, in that facilities and services must be located near to local communities. It is important that replacement provision must be provided to at least the same standard as the current facility's floorspace, volume, functionality and purpose.

Question Box

Q109. What are your views on the Council's proposed policy on strategic infrastructure requirements?

Q110. Are there any alternatives or additional points the Council should be considering?

Q111. Specifically, what are your views on requiring the submission of appropriate evidence to demonstrate that there is, or will be, sufficient infrastructure capacity to meet the demands of a new development?

Proposed Policy INF2: Digital Connectivity

Policy Status:	Strategic
New Policy?	Yes, building on Policy EC1 (vii) of the Core Strategy
Overall Priorities:	Live Well Locally

Policy Wording:

Major residential and non-residential development will be required to provide a Fibre to the Premise (FTTP) connection.

Where the applicant deems this to not be feasible, evidence will need to be provided to demonstrate this for the consideration of the Council. In circumstances where it is agreed that FTTP cannot be delivered, the next most feasible fastest broadband speed will be provided.

Explanatory Text:

- 7.8 Currently, Policy EC1(vii) of the Core Strategy states that economic activity and growth will be coordinated through “facilitating investment in high quality ICT connections, especially to business locations, new residential development and as part of infrastructure projects.” With the advances in broadband technology since the adoption of the Core Strategy in 2014, there is a need to have a stronger policy to ensure that good broadband is provided in new development for all uses, particularly in rural areas. Fibre to the premise (FTTP), fibre to the home (FTTH), or full fibre involves having a fibre optic cable be laid from the exchange via the cabinet all the way to the premise. This improves on fibre to the cabinet (FTTC) where a fibre cable will be used from the exchange to the local (often green) cabinet and then a copper cable is used to connect from the cabinet to the premise. It is considered that FTTP is the most appropriate solution for the Council as it is much faster and a reliable method of internet delivery. This is because it uses fibre optic cables throughout the connection, allowing for fast internet speeds that exceed 1000 megabits per second. This is coupled with the fact that it is a direct connection to the internet, so it is not impacted by peak periods of usage.

- 7.9 The need to improve internet connectivity across the district has been raised as part of early engagement on the Local Plan. Through undertaking the Settlement study in support of the Local Plan, it is clear that the level and speed of internet broadband differs significantly in settlements across the district. Improvements to internet speeds would significantly improve the overall sustainability of more rural locations of the district, which has significant economic benefits for commercial enterprises and enables residents greater accessibility to the internet to help with everyday life.

Question Box

Q112. What are your views on the Council's proposed policy on digital connectivity?

Q113. Are there any alternatives or additional points the Council should be considering?

8 Housing

- 8.1 Rother is an attractive and desirable place in which to live, reflected by its high house prices relative to average earnings. Given its significant environmental and other constraints, including the extent of the High Weald National Landscape, areas of flood risk, designated wildlife sites, ancient woodland, heritage designations, a limited strategic road and rail network and a widespread rural population, providing enough of the right type of new housing to meet the needs of its residents is a significant challenge.
- 8.2 A key aim of the NPPF is to achieve “sustainable development”, 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”.⁴³ The NPPF goes further, highlighting the need for Councils to assess, and reflect in planning policies, the size, type and tenure of housing needed for different groups in the community, including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 8.3 This chapter addresses the approach to meeting local housing need within the district, for both open market and affordable housing, for different groups. It also includes Development Management policies relevant to housing proposals, including works to existing dwellings. Proposed Policy HOU1 below updates Policy LHN1 of the Core Strategy and is relevant to all housing developments.

⁴³ NPPF (December 2023) paragraph 8.

Proposed Policy HOU1: Mixed and Balanced Communities

Policy Status:	Strategic
New Policy?	No – update to Core Strategy Policy LHN1
Overall Priorities:	Live Well Locally

Policy Wording:

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

- vii) affordable private rent homes (and maintained in perpetuity), as set out in the Planning Practice Guidance.

Explanatory Text

- 8.4 The RDC and HBC geographical areas form one Housing Market Area (HMA) due to the strong commuting links and migration flows between the two areas. Consequently, the two Councils have jointly commissioned a Housing and Economic Development Needs Assessment (HEDNA) (2024). The HEDNA considers population characteristics and expected growth and sets out recommendations for an overall housing mix over the Local Plan period for each Council area by tenure and number of bedrooms. The recommendations for Rother are detailed in Figure 39 below. The actual mix to be delivered in a development will be determined on a site-by-site basis.

Figure 39: Recommendations for Housing Mix by Tenure for Rother district (HEDNA 2024)

Housing Mix by need	1-bed	2-bed	3-bed	4+ bed
Owner occupied (market and private, overall average)	5%	25%	50%	20%
Affordable home ownership (based on private rented sector occupancy)	20%	45%	30%	5%
Affordable/ Social Rent (based on Housing Register)	50%	30%	15%	5%

- 8.5 The figure shows that going forward, there will be a need for all sizes of properties in the district. However, over the Local Plan period there is expected to be particular growth in the number of households aged over 75, and in smaller households (single people and couples). Evidence⁴⁴ shows that currently, many smaller, older households

⁴⁴ HEDNA (2024)

occupy larger (three-bedroom plus) properties. Three-bedroom properties are also the most popular sized dwelling for families aged under 65, with or without dependent children. While in the owner-occupied sector there will continue to be a significant demand for three-bedroom properties over the Plan period, providing more smaller properties could encourage some households to down-size. In the social rent and private rent sectors, more growth is expected in households requiring one- and two-bedroom properties.

- 8.6 The HEDNA recommends that the suggested proportions of one and two-bedroom market dwellings are considered a minimum, and higher proportions should be encouraged, where appropriate. This is likely to depend on the characteristics of individual sites including the scope for incorporating flats within developments. Higher proportions may be appropriate in those parts of the district with the greatest older populations.
- 8.7 Consequently, to meet the needs of the population over the Plan period, the policy requires a minimum of 30% market dwellings to be of one or two bedrooms. The benefits of providing smaller dwellings include improved affordability and enabling 'rightsizing' for older households. To protect the existing supply of small dwellings there is also a presumption against loss of dwelling numbers other than in exceptional circumstances. Examples of exceptional circumstances that could justify the loss of a dwelling could be where the proposal meets another specific Local Plan objective, for example, a change of use to a residential care home or tourist accommodation where a need exists, in accordance with Local Plan policy, or a proposal to create a HMO in accordance with Policy HOU6 (which is counted as a single dwelling, although it accommodates multiple households).
- 8.8 Additionally, while less affordable than smaller dwellings, a small proportion of 4+ bedroom properties will provide flexibility in terms of living space or opportunities for home-working, and could help free up existing even larger dwellings, some of which may be suitable to be sub-divided to provide a number of smaller dwellings in accordance with Policy HOU6.

- 8.9 In the social and affordable rented sector, the Council's Housing Register indicates a significant need for one-bedroom homes, particularly for older people, but also some family housing. Many older existing tenants wish to transfer to a small bungalow rather than a flat, so they can have a garden. The HEDNA (2024) recommends that the targets for this sector are applied flexibly to optimise the delivery of affordable housing.
- 8.10 For intermediate affordable housing for sale, the HEDNA recommends that two and three-bedroom dwellings are prioritised to meet the needs of young families. For First Homes, discussed further below, smaller dwellings are preferred due to the maximum price cap of these dwellings (£250,000) and the need to ensure that First Homes (a less "affordable" type of housing) do not prevent larger intermediate affordable dwellings for sale from coming forward (this being a tenure within the reach of a far wider range of household-incomes compared to First Homes).
- 8.11 Housing for a range of differing house types is required on larger developments, other than in exceptional circumstances where this is not appropriate or achievable, for example, where a proposal seeks to provide solely for older people. On larger schemes, particular consideration should be given to providing for different age ranges. This could include, for example, a proportion of ground floor dwellings to meet the needs of older residents, such as terraces of small bungalows with gardens, for which there is a demand, or flats to suit younger households including single professionals in appropriate locations.
- 8.12 Build-to-Rent (BTR) schemes are supported in principle in appropriate locations, in order to diversify the supply of housing and help meet demand for good quality, secure, private rented accommodation. BTR developments should comprise 20% affordable housing, in line with the Planning Practice Guidance.
- 8.13 It goes without saying that all new dwellings, including those arising from conversions and changes of use, will be required to provide a good standard of amenity for future occupiers in accordance with Policy DEV1 and to be constructed using sustainable methods and materials, incorporating low carbon and energy efficient design, and

renewable energy generation, in accordance with the Policies of the Green to the Core chapter.

Regulation 18 Commentary

- 8.14 Compared to the current Local Plan policy (Core Strategy Policy LHN1), proposed Policy HOU1 includes a number of differences. Reflecting the recommendations of the HEDNA, it is proposed that the current Local Plan policy requirement⁴⁵ for a minimum of 30% one and two bedroom properties as part of housing developments is retained, but widened out to cover all areas of the district, and to refer to market dwellings, to ensure that smaller dwellings are provided in this sector. Affordable housing is addressed separately through criteria (iii).
- 8.15 The existing Core Strategy policy requires developments of six or more houses to provide housing for a range of differing housing types. While this requirement remains appropriate, it is acknowledged that it is not always achievable, for example, where a proposal seeks to provide solely for older people, or for developments of flats, or an HMO. It is not the intention to resist these specialist forms of accommodation, for which there is a demonstrable need, and this is clarified in the new policy.
- 8.16 A further proposed addition to the policy sets out a presumption against a loss of dwelling numbers, other than in exceptional circumstances, for example, where it is proposed to convert flats into a single house. This is justified given the significant housing shortage in the district and the particular need for smaller dwellings.
- 8.17 The new policy also gives in-principle support for BTR schemes. BTR is a relatively new but increasingly popular mechanism for delivering homes in the private rented sector, although schemes have, to date, been focused largely in cities. It is distinct from other forms of private rented housing because BTR homes are designed and built for long-term renting, offering longer tenancies to occupiers. The private-rented sector is an increasingly important source of homes in Rother, particularly for younger age groups,

⁴⁵ Set out in Core Strategy Policy LHN1

given the high numbers of people unable to afford to purchase a property on the open market and the low level of social rented housing compared to the national average. However, the supply of private rental property is limited, and evidence⁴⁶ finds that the “high demand, low supply” challenge creates an environment where some landlords have no incentive to provide good quality accommodation and many tenants feel unable to complain about issues in their homes. The Council has developed its Housing, Homelessness and Rough Sleeping Strategy, to be implemented on a cross-departmental basis, which among other things, sets out priorities and actions to improve the quality and suitability of existing housing, including in the private rented sector.

Question Box

Q114. What are your views on the Council’s proposed policy on mixed and balanced communities?

Q115. Are there any alternatives or additional points the Council should be considering?

⁴⁶ Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

Affordable Housing

- 8.18 Affordable housing is defined in the NPPF as housing for sale or rent, for those whose needs are not met by the market. It can take several different forms, as explained in the NPPF glossary.
- 8.19 Where a need for affordable housing is identified, the NPPF requires Local Plans to set out policies to specify the type of affordable housing required. Where major development⁴⁷ involving the provision of housing is proposed, planning policies and decisions should usually expect at least 10% of the total number of homes to be available for affordable home ownership.
- 8.20 The HEDNA (2024) identifies a significant need for affordable housing in Rother in the Plan period. This is due to a high, and increasing, house-price to earnings (affordability) ratio, meaning that growth in house prices is significantly outstripping growth in wages, and housing is becoming less affordable for people who live, work, and retire within the district.
- 8.21 Affordability problems affect both households seeking to rent and to buy a property. The HEDNA finds that just under 44% of newly forming households in Rother earn less than the amount needed to afford to rent a lower quartile (LQ) property⁴⁸ on the open market, and 94% earn less than the amount needed to buy a LQ open market dwelling⁴⁹ (assuming a loan to income ratio of 3.5 and a mortgage deposit of 15%). In addition to the many households who cannot afford open market rent, there are a significant number of households who fall within the rent/buy “gap” of being able to afford to rent, but not to buy.

⁴⁷ Major development in this context is defined in the NPPF, for housing, as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

⁴⁸ Lower quartile rent means the rent that 25% of properties are at or below.

⁴⁹ Lower quartile house price means the price that 25% of properties are at or below. It provides an indication of the entry-level house price in a local market, typically those purchased by first-time buyers.

8.22 The HEDNA finds that these figures translate to a net need for 325 affordable homes per year from 2021 to 2044 in Rother, comprising 238 affordable dwellings for rent and 87 affordable dwellings for sale. This compares to an average of 71 affordable dwellings which have been built each year in Rother since 2011⁵⁰. Consequently, a significant increase in the delivery of affordable housing is needed in order to meet demand. Indeed, the number of affordable dwellings required annually actually exceeds the average number of *a//* dwellings delivered per year in Rother since 2011.

8.23 Traditionally, affordable housing has been delivered as a proportion of market housing on new developments, as required by planning policy. However, in recent years, viability issues arising in development schemes have often resulted in little or no affordable housing being delivered, even where there is a policy requirement. Alternative ways in which affordable housing can be delivered may become more significant, including:

- sites comprising 100% affordable housing, including those benefiting from funding from Homes England and other external agencies;
- sites delivered by the Council's own Development company, Rother DC Housing Company;
- allocating sites for 100% affordable housing through the Local Plan or a Neighbourhood Plan (subject to the availability of land and viability of such development);
- rural exception sites; and
- First Homes exception sites.

8.24 Given the significant need for affordable housing in Rother, it is appropriate to provide “in principle” policy support for development involving the provision of affordable housing, subject to compliance with other Local Plan policies. The following policies are relevant to developments on mixed-tenure housing sites or mixed-use developments; or developments comprised of 100% affordable housing.

⁵⁰ Rother District Council Housing Land Supply April 2022 position statement (published Oct 2022).

Proposed Policy HOU2: Affordable Housing

Policy Status:	Strategic
New Policy?	No – update to DaSA Policy DHG1
Overall Priorities:	Live Well Locally

Policy Wording:

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 provided⁵¹ 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 guidance and any relevant local Housing Need Assessment. The starting point for discussions will be based on the following mix:

⁵¹ 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.

- 25% First Homes (where required in accordance with national policy)⁵².
- 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-neutral⁵³ 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).

Explanatory Text

8.25 Policy HOU2 will set out the minimum percentages of affordable housing that will be required from developments in different parts of the district and will be informed by viability analysis, to be completed following the Regulation 18 Consultation on the Local Plan. The aim will be to prioritise meeting the affordable housing needs of the most vulnerable groups wherever possible, reflected in the policy requirement to

⁵² Where First Homes are not a requirement of a particular scheme (as set out in national policy), or in the event of the requirement for First Homes falling away from national policy, the starting point for discussions shall be: 73% Social/ Affordable Rented (with priority given to maximising social rent) and 27% Affordable Home Ownership, as evidenced in the HEDNA (2024).

⁵³ 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.”

maximising social rent. Policy HOU2 does not apply to 100% affordable housing developments within development boundaries as these are subject to Policy HOU3.

- 8.26 In line with the NPPF, affordable housing should be provided on site, in line with the thresholds set out in the policy. There may be exceptional cases where on-site provision is not possible, in which event, off-site provision or a financial contribution⁵⁴ equivalent to the increased value of the development without on-site provision will be required. On rare occasions it may be found, after planning permission has been granted, that the agreed affordable housing units cannot in fact be provided on site (for example, because an affordable housing provider cannot be secured). A clause will be included within all planning obligations relating to affordable housing to address such situations so that a financial contribution can be secured instead.
- 8.27 To meet the policy requirements, where the affordable housing requirement results in a unit number which is not a whole number, the number of units required on-site will be rounded down to the nearest whole figure. The 'unmet' proportion of a unit will be funded through an in-lieu contribution equivalent to the cost of providing that part unit on-site.
- 8.28 Where proposals are made for fewer than 10 dwellings outside the High Weald NL and fewer than six dwellings in the high Weald NL, the Council will have regard to whether the size of the site would make it capable of accommodating more than that number of dwellings, and hence, include affordable housing provision. In these instances, where appropriate, the Council will require applicants to justify that the proposed number of dwellings makes efficient use of land in accordance with the NPPF and other Local Plan policies. Proposals which do not make efficient use of land, having regard to other Local Plan policies, will be refused.
- 8.29 It is acknowledged that there may be occasions when it is not possible for developments to provide a policy compliant level of affordable housing for viability reasons. However, given the potential for viability to change over time and indeed,

⁵⁴ Financial contributions in-lieu of on-site provision will be required by S106 Agreement.

throughout a project, the policy requires any deviation from the required affordable housing contribution to be robustly justified and supported by a site-specific viability assessment. Any planning permission where a policy-compliant level of affordable housing is not achieved will be subject to a planning obligation which includes a review mechanism to require viability to be reassessed during the lifetime of a project in order to maximise affordable housing provision.

- 8.30 The policy sets out the indicative tenure mix for affordable housing. The starting point is that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes in accordance with national policy. The delivery of social and affordable rented property is then prioritised to address the significant need identified in evidence. The policy does not prescribe a split between social and affordable rented but confirms that social rent will be prioritised.
- 8.31 The delivery of other forms of affordable home ownership properties, such as shared ownership, will help meet the needs of young families in particular. The requirement for First Homes does not apply to certain types of development, as set out in national policy⁵⁵ and in these cases the starting point for discussions on an appropriate tenure mix for affordable housing shall be: 73% Social/ Affordable Rented (with priority given to maximising social rent) and 27% Affordable Home Ownership. This follows evidence in the HEDNA (2024).
- 8.32 In accordance with the National Design Guide, housing should be tenure-neutral, meaning that all affordable housing should be indistinguishable from market dwellings. There should be no segregation or difference in quality between the tenures (affordable rented, intermediate housing for sale, and open market), in terms of siting, accessibility, environmental conditions, external façade or materials. Homes of all tenures should be represented in equally attractive and beneficial locations, and there should be no differentiation in the positions of entrances. Shared open or play spaces should be accessible to all, regardless of tenure. Successfully integrating the affordable rented and shared ownership units provides a sustainable, balanced and mixed

⁵⁵ The Written Ministerial Statement on First Homes (24 May 2021) and NPPF (2023) paragraph 66 (d).

community which brings many social and economic benefits. To achieve this, where possible, affordable units should be apportioned individually (in smaller schemes) or, in larger schemes, in clusters of no more than 5% of the total housing on the site, up to a maximum cluster of five houses or 10 flats.

- 8.33 In accordance with Policy DEV2 (Comprehensive Development and Masterplanning), where a site comes forward as two or more separate planning applications, of which one or more falls below the appropriate threshold, the Council will seek an appropriate level of affordable housing on each part to match in total the provision that would have been required on the site as a whole.

Regulation 18 Commentary:

- 8.34 It is acknowledged that development viability remains a key consideration throughout the district and has worsened in recent years due to multiple factors including the rising cost of materials and interest rates, although this could be subject to change over the new Local Plan period. The Planning Practice Guidance is clear that Local Plans should set out the contributions expected from development, including the levels and types of affordable housing provision required, informed by evidence of affordable housing need, and a proportionate assessment of viability. Policies need to be realistic and deliverable.
- 8.35 Full viability assessment work will be undertaken to support the new Local Plan, which will take into account all relevant policies, local and national standards, and the cost implications of the Community Infrastructure Levy (CIL) and section 106. This will inform the affordable housing requirements. Subject to the outcome of this further work, it may be necessary to alter the affordable housing percentage requirements and geographical split, compared to the adopted Local Plan policy, to ensure that the new policy is realistic and achievable.
- 8.36 The policy sets out the tenure mix for affordable housing. The proportions are based on the district's needs set out in the HEDNA. The delivery of social and affordable

rented property is prioritised in line with the Council's Corporate Plan⁵⁶ which seeks to increase the availability of affordable rented homes and reduce the number of households on the Council's housing waiting list. In terms of the split of affordable rented housing, the HEDNA (2024) finds the need in Rother is for 56% affordable rent and 44% social rent. It does however note that as social rent is cheaper for occupants, it would meet both needs, but to deliver more would impact on scheme viability. Shared ownership properties will help meet the needs of those households falling within the rent/ buy gap as they are affordable to a far wider range of households than open market dwellings. For example, a shared ownership property with a 10% equity share (which could be increased by the purchaser over time) would require an average household income of £37,663 (far less than the £58,286 required to purchase a lower-quartile open market property)⁵⁷.

- 8.37 First Homes are affordable homes for sale which meet specific criteria, set out in national policy, including that they must be discounted by at least 30% against market value, sold to a first-time buyer with a household income not exceeding £80,000, and the first sale must be at a price no higher than £250,000. National policy allows local authorities to increase the percentage discount to 40% or 50% or set a lower price cap through the Local Plan, if this can be justified. Local authorities may also, on a case-by-case basis, apply local eligibility criteria to First Homes, such as a lower income cap, local connection test or criteria based on employment status.
- 8.38 The HEDNA (2024) found that while increasing the minimum discount for First Homes would make them affordable for more households, this would affect the overall viability of housing schemes and could result in the delivery of fewer affordable houses for rent (the need for which represents a far greater proportion of total affordable housing need, compared to First Homes). Consequently, to ensure the delivery of other forms of affordable housing is not adversely affected by the national requirement to provide First Homes, it is not proposed to increase the minimum discount from the standard 30%. Furthermore, given the high house prices throughout the district, it is not

⁵⁶ 2020-2027.

⁵⁷ HEDNA (2024)

appropriate to reduce the maximum sales price for First Homes below £250,000 as this would severely limit the size of homes provided. However, on occasion it may be appropriate to apply local eligibility criteria to First Homes, and this will be considered on a case-by-case basis.

Question Box

Q116. What are your views on the Council's proposed policy on affordable housing?

Q117. Are there any alternatives or additional points the Council should be considering?

Q118. Do you consider that prioritising affordable housing or the Community Infrastructure Levy is more important for Rother?

Proposed Policy HOU3: 100% Affordable Housing Developments

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy Wording:

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

- 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.

Explanatory Text

- 8.39 The HEDNA (2024) recommends that due to the significant need for affordable housing in Rother, the Council should strongly support opportunities for schemes proposing 100% provision of affordable housing. For sustainability reasons and to ensure appropriate access to services, developments comprising 100% affordable housing should usually be located in those settlements with a good level of services and access to public transport. Rural exception sites outside development boundaries are considered separately through Policy HOU5.
- 8.40 The lack of Community Infrastructure Levy (CIL) raised through 100% affordable housing (because affordable housing is not subject to CIL) will be a financial consideration in any proposal. However, it will usually be justified because of the significant need for affordable housing across the district.
- 8.41 To achieve mixed and balanced communities and to meet local needs, 100% affordable housing developments are required to include different affordable tenures, which should be tenure-neutral and apportioned in small clusters within the site. A specific tenure mix is not set out in the policy because evidence in the HEDNA (2024) suggests that this will depend heavily on individual scheme viability and access to funding. However, the HEDNA also makes clear (as noted previously in this chapter) that there is a greater need for social/ affordable rented housing in the district and a smaller need for dwellings for affordable home ownership.
- 8.42 Therefore, the starting point for discussions with the local authority on the mix should be to prioritise social and affordable rented accommodation where possible. At the same time, it is accepted that in some instances a higher proportion of dwellings for affordable home ownership may be appropriate where this can be justified on viability grounds or due to local circumstances (for example where there is an existing higher level of social/ affordable rented accommodation in the settlement). In accordance with the NPPF and PPG, 100% affordable schemes are not statutorily required to include 25% First Homes.

- 8.43 In addition to providing a mix of affordable housing tenures, 100% affordable housing proposals are also required to include a mix of housing sizes and types, and provide for a range of differing households in accordance with Policy HOU1. Proposals will be determined in accordance with the Local Plan as a whole, including in respect of the spatial strategy and design.

Regulation 18 Commentary:

- 8.44 Proposed Policy HOU3 is a new policy, relating specifically to proposals comprising 100% affordable housing. Homes England funding has resulted in several developments coming forward in recent years. It appears that such funding will continue, at least in the short term, and these schemes will remain an important source of affordable housing in the district. While proposals have, to date, been determined in accordance with current Local Plan policies (together with the Council's Technical Advice Note⁵⁸), it is now necessary to set out the precise policy requirements for 100% affordable housing schemes, including that they should provide an appropriate mix of affordable housing tenures, both to meet local needs and also provide for mixed and balanced communities.

Question Box

Q119. What are your views on the Council's proposed policy on 100% affordable housing developments?

Q120. Are there any alternatives or additional points the Council should be considering?

⁵⁸ Rother District Council 100% Affordable Housing TAN (January 2023)

Proposed Policy HOU4: Allocating Sites for Wholly or Substantially Affordable Housing

Policy Status:	Strategic
New Policy?	No – update to Core Strategy Policy LHN4
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text

- 8.45 To further encourage much needed affordable housing, on occasion, it may be appropriate to allocate land specifically for affordable housing through a Neighbourhood Plan, where this is viable and made possible through land being made available by a willing landowner.
- 8.46 Such allocations may also include a small amount of open market housing to incentivise development. It is considered that such an approach will encourage landowners to bring sites forward.
- 8.47 In line with the general strategy for considering allocations, sites should be either within development boundaries or otherwise close to local services, including public transport connections, in accordance with the Live Well Locally policies. In all other respects sites for allocation should accord with other Local Plan policies including those relating to protecting the character of the area and the local landscape.

Question Box

Q121. What are your views on the Council's proposed policy on allocating sites for wholly or substantially affordable housing?

Q122. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU5: Rural Exception Sites

Policy Status:	Strategic
New Policy?	No – update to DaSA Policy DHG2
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text

- 8.48 The NPPF encourages local planning authorities to support opportunities to bring forward “rural exception sites” to deliver affordable housing to meet identified local needs, in locations where sites would not normally be used for housing. In accordance with the PPG, it may be appropriate to allow a small proportion of market housing on rural exception sites where it is necessary to ensure the overall viability of the site. In line with national policy⁵⁹, First Homes are not a requirement of rural exception sites.
- 8.49 Rural exception sites are distinct from other sites proposed for 100% affordable housing (covered by Policy HOU3 above) due to their location outside development boundaries. To justify an “exception” to policy, rural exception sites must meet additional criteria as set out in the policy, including reflecting identified local need in terms of the development size and the tenure, mix and cost of the dwellings, and demonstrating meaningful community engagement.
- 8.50 In accordance with the PPG, First Homes Exception Sites (that is, an exception site that delivers primarily First Homes), cannot come forward in “designated rural areas”, which include Areas of Outstanding Natural Beauty. In those limited areas of the district where First Homes Exception Sites are not prohibited, planning permission may be granted for them in accordance with the provisions and criteria set out in the Written Ministerial Statement on First Homes⁶⁰ and the PPG, and subject to other Local Plan policies.

⁵⁹ The Written Ministerial Statement on First Homes (24 May 2021) and NPPF (2023) paragraph 66 (d).

⁶⁰ Dated 24 May 2021.

Regulation 18 Commentary:

- 8.51 Proposed Policy HOU5 takes forward Policy DHG2 of the DaSA Local Plan with some minor changes. The former requirement for schemes to be supported or initiated by the Parish Council is removed and replaced with criteria (iv), a requirement to demonstrate that there has been meaningful community engagement throughout the development process and the benefits of the development to the village/parish are clearly defined. This change will enable rural exception sites to be brought forward by a wider range of groups and individuals, supporting the delivery of more affordable homes in rural locations where these cannot be accommodated within development boundaries.

Question Box

Q123. What are your views on the Council's proposed policy on rural exception sites?

Q124. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU6: Sub-division of Dwellings, and Houses of Multiple Occupation (HMOs)

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy Wording:

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; and
- viii) Proposals involving the change of use of a non-residential use to a dwelling or HMO will be determined in accordance with Policy DEV4 as appropriate.

Explanatory Text

8.52 This policy supports the creation of smaller dwellings, or units of accommodation, either through the sub-division of a larger dwelling or the creation of a House of Multiple Occupation (HMO). The increased need for smaller dwellings is outlined at the beginning of this chapter. Rother has a relatively sizeable stock of large dwellings, with the proportions of four+ bedroom properties slightly exceeding the county and national averages (significantly so in many of the rural parishes)⁶¹, some of which could be appropriately sub-divided to increase the housing stock, both in the towns and villages. The draft High Weald National Landscape Management Plan⁶² identifies that the subdivision of larger homes into smaller ones and the efficient utilisation of the existing building stock and brownfield sites are ways in which the delivery and affordability of housing can be improved while minimising land take, to help deliver housing within the High Weald NL in a manner that can help conserve its character and beauty. Note that this policy relates to land within the development boundaries. The principle of the subdivision of existing residential buildings in the countryside is addressed by the NPPF.⁶³

⁶¹ The percentage of 4 and 5+ bedroom dwellings in Rother in 2011 was 15.3 and 6.2% respectively, compared to a county average of 15.2% and 5.6% and a national average of 14.4% and 4.6%. The proportions vary significantly between parishes in Rother and exceed the district averages in 26 of the 33 parishes. Source: 2011 Census, Office for National Statistics, published on East Sussex in Figures.

⁶² HW NL Management Plan 2024-2029, draft consultation version: Planning Principle 3

⁶³ Paragraph 84 (d), NPPF (December 2023)

- 8.53 Affordability issues in the private rental market has resulted in a growing demand for shared or communal living arrangements, such as HMOs, which tend to provide the most affordable accommodation options, particularly for young single households. Planning permission is not usually required to change the use of a single dwelling to a small HMO (up to six residents), although there is currently an “Article 4 Direction” in force in central Bexhill which restricts the conversion of dwellings to HMOs without express planning permission. This is not intended to prohibit such schemes but simply requires their effects to be fully considered through a planning application.
- 8.54 Therefore, Policy HOU6 sets out planning policy support for shared accommodation schemes which require planning permission, providing they contribute towards the provision of mixed and balanced communities (and do not result in an over-concentration in a particular area), schemes are well-managed and provide access to appropriate facilities (including amenity space).
- 8.55 What constitutes an over-concentration of HMOs in a particular area will vary depending on the character of the area and the extent to which any potential adverse effects are mitigated. Factors which may be considered include (but are not limited to): the availability of car parking, including on-street parking in the local area, whether the proposal would result in three or more HMOs being immediately adjacent to each other, and whether the proposal would result in a non-HMO dwelling being sandwiched between two HMOs. It is intended that evidence will be gathered following the Regulation 18 consultation on the Local Plan, to enable the definition of “over-concentration” to be further refined and detailed.
- 8.56 It should be noted that outside of the planning regime, all HMOs are required to be licensed by the Local Authority in accordance with the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended). Failure to obtain a license for a HMO is an offence which may be subject to prosecution. Further details on HMO licensing is available on the Council’s website.

- 8.57 In all developments involving sub-division, including HMOs, it will be essential that a good standard of amenity is provided for future occupants, including, for example, in relation to any noise that may be audible between properties. To protect against potential noise disturbance it will be necessary to consider the internal layout of dwellings as well as any necessary acoustic insulation in accordance with the Building Regulations. All developments will also be required to take the opportunity to improve the energy efficiency and sustainable construction of the host building, in accordance with the policies of the Green to the Core chapter.

Question Box

Q125. What are your views on the Council's proposed policy on the sub-division of dwellings, and Houses of Multiple Occupation?

Q126. Are there any alternatives or additional points the Council should be considering?

Access to Housing and Housing Standards

- 8.58 It is vital that new homes meet the needs of their occupiers, and future occupiers, in terms of the both the internal and external space available. Also, within the context of seeking balanced communities, it is important to acknowledge the generally ageing population and the need to build homes that are capable of meeting the needs of people who are less mobile or who may become less mobile.
- 8.59 This Section is made of three complementary parts to help ensure widespread access to housing, covering:
- (a) internal space standards;
 - (b) accessible and adaptable housing; and
 - (c) housing for older people.
- 8.60 The Planning Practice Guidance (PPG) sets out the approach for the setting of technical standards for new dwellings. These provide for ‘optional’ standards above the basic minimum set out in the Building Regulations to be applied in relation to matters including accessible and adaptable housing. Local authorities can “opt in”, through their local plan, to these optional standards, as well as to a nationally described internal space standard for residential dwellings.
- 8.61 The PPG indicates that the application of these ‘Optional Technical Standards’ requires the gathering of evidence to determine whether there is a local basis for setting them, as well as consideration of how the setting of optional standards affects viability and delivery of development. Evidence gathered in support of the DaSA Local Plan identified a local need to adopt the standards, and this has been reviewed, and the continuing need confirmed. Consequently, the proposed policies retain and update existing Local Plan policies.

Proposed Policy HOU7: Residential Internal Space Standards

Policy Status:	Strategic
New Policy?	No – update to DaSA Policy DHG3
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text

- 8.62 The Government’s internal space standards sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 8.63 Research undertaken to support DaSA Local Plan in 2018⁶⁴ found that while at that time there was a low compliance against every standard, many new dwellings were very close to meeting the standards. It was therefore considered necessary to adopt the Nationally Described Space Standards (NDSS) to ensure that new dwellings are built to ensure adequate living accommodation for residents.
- 8.64 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 be updated to support the new Local Plan, however it is not

⁶⁴ Rother District Council Space Standards Background Paper (October 2018)

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.

- 8.65 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.
- 8.66 The HEDNA (2024) notes that increased levels of home-working in some sectors may result in an increased desire for dedicated homeworking space within dwellings. It is necessary to ensure that such spaces within dwellings are not ultimately used as a sub-standard bedroom. Consequently, it is appropriate to require all rooms that could potentially be used as a bedroom to meet, as a minimum, the minimum internal space standards for single bedrooms. This applies, for example, to rooms intended for use as a study or home office. Note that Policy HOU7 does not apply to Houses of Multiple Occupation (HMOs) because minimum room sizes for HMOs are controlled through the licensing regime in accordance with separate legislation⁶⁵. Further details on HMO licensing are available on the Council's website.

Question Box

Q127. What are your views on the Council's proposed policy on residential internal Space Standards?

Q128. Are there any alternatives or additional points the Council should be considering?

⁶⁵ The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions (England) Regulations 2006 (as amended).

Proposed Policy HOU8: Access Standards

Policy Status:	Strategic
New Policy?	No – update to DaSA Policy DHG4
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text

- 8.67 The Government has introduced, through amendments to the Building Act 1984, a three-tier standard for accessibility⁶⁶ 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:
- a) Mandatory baseline - M4(1) – visitable dwellings.
 - b) Optional Standard - M4(2) – accessible and adaptable dwellings.
 - c) Optional Standard - M4(3) – wheelchair user dwellings. This standard is further divided into M4(3)(2)(a) - wheelchair adaptable dwellings, and M4(3)(2)(b) – wheelchair accessible dwellings.
- 8.68 It is for Local Planning Authorities to demonstrate whether there is a need for developments in their area to meet the optional standards (M4(2) and M4(3)), with reference to their housing needs assessment and other available datasets.
- 8.69 Significant numbers of Rother’s population are affected by a long-term health problem or disability, a proportion which increases as the population ages, affecting 55% of people aged 75-84 and 80% of people aged 85+. ⁶⁷ Nationally, around 20% of households whose accommodation needs are affected by disability require adaptations to make their accommodation suitable, and the proportion of wheelchair users in the social rented sector is significantly higher than that in owner occupied or private rented households. ⁶⁸ The continued ageing of Rother’s population, together with general population growth over the Plan period, will increase the number of households requiring home adaptations or a suitable accessible property. This includes a proportion of households who will require housing suitable for a wheelchair user.

⁶⁶ Note that currently, in relation to dwellings, the Building Regulations requirements relate only to newly built dwellings and not changes of use of existing buildings to dwellings.

⁶⁷ Census, 2011, Office for National Statistics, referenced in the HEDNA (2024)

⁶⁸ The English Housing Survey (EHS) (2019-2020), referenced in the HEDNA (2024)

- 8.70 In addition to the impacts of physical disabilities and poor health on accessibility requirements, the housing needs of people with dementia should also be considered. At the national level it is estimated that around 7% of older people live with dementia.⁶⁹ The Alzheimer's Society⁷⁰ strongly recommends the Optional Standards of M4(2) and M4(3) are considered in the design of all built environments in order to ensure buildings are accessible for people with dementia, as well as other conditions.
- 8.71 The requirements for all new dwellings in the district to be M4(2) compliant, and a proportion of affordable dwellings to meet M4(3) standards where a need exists are already established in local planning policy. On sites of 20 dwellings or more, Policy HOU8 additionally includes a requirement for 5% of new market housing to meet the "wheelchair adaptable dwellings" standard in Part M4(3)(2)(a). These policy expectations are justified by the district's ageing population and levels of disability, and the need for homes to appropriately meet the demands of occupiers throughout their lifetimes.
- 8.72 Only in circumstances where it can be robustly justified by the applicant that any part of the standards cannot be viably or practically achieved on a site, will a relaxation of the requirements be permitted. In cases where it is demonstrated that certain requirements of the standard(s) cannot be achieved (for example, the installation of a lift in flat conversions) but the remainder of the requirements are achievable (for example, approaches, routes, window levels, etc), developments will be required to comply with all parts of the standard(s) that can be practically and viably achieved.

⁶⁹ Dementia and Town Planning, RTPI Practice Advice, Royal Town Planning Institute (2020)

⁷⁰ Dementia-friendly Housing Guide, Alzheimer's Society (2020)

Regulation 18 Commentary

- 8.73 The DaSA Local Plan⁷¹ currently requires all new dwellings to be M4(2) compliant, and where there is a need on the housing register, 5% of total housing is required to meet M4(3) (wheelchair user dwellings) as part of the affordable housing requirement. Evidence⁷² supports the retention of these policy requirements, subject to viability. Furthermore, given unmet need and the projected additional need for wheelchair user dwellings, the HEDNA (2024) recommends that 5% of new market housing should be required to meet the “wheelchair adaptable dwellings” standard in Part M4(3)(2)(a), and up to 10% of affordable housing should be required to meet the “wheelchair user dwelling” standards of Part M4(3)(2)(b). Given the relatively low percentages involved and the potential impact on viability, the new policy proposes to limit these additional requirements to larger developments (20 dwellings or more).

Question Box

Q129. What are your views on the Council’s proposed policy on access standards?

Q130. Are there any alternatives or additional points the Council should be considering?

⁷¹ Policy DHG4

⁷² HEDNA (2024)

Proposed Policy HOU9: Specialist Housing for Older People

Policy Status:	Strategic
New Policy?	No – update to DaSA Policy DHG5 and Core Strategy Policy CO5 (ii)
Overall Priorities:	Live Well Locally

Policy Wording:

Schemes comprising of specialist housing for older people⁷³ 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 housing⁷⁴, 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.

⁷³ Specialist housing for older people is defined in the Planning Practice Guidance but for the purposes of this policy it excludes residential care homes and nursing homes, which are addressed separately through Policy HOU10.

⁷⁴ All as defined in the Planning Practice Guidance

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 HAPPI⁷⁵ principles and other recognised design standards and guidance relevant to older people’s housing⁷⁶.

Explanatory Text

- 8.74 Rother’s population profile is heavily weighted to the older end of the age spectrum. While nationally, the population is ageing, this trend is particularly acute in Rother. To ensure its older population is appropriately considered, the District Council has become a member of the World Health Organisations’ 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.
- 8.75 As required by the NPPF, the housing needs of different groups, including older people, need to be planned for. The health and lifestyles of older people will differ greatly, as will their housing needs, which can range from accessible and adaptable general needs housing, age-restricted market housing, retirement living and sheltered housing, extra-care housing and housing with care, to residential care homes and nursing homes.⁷⁷ The PPG notes that Local Plans should provide for specialist housing for older people where a need exists.

⁷⁵ The recommendations of the Housing our Ageing Population Panel for Innovation (HAPPI) Report (2009) and, as relevant, the additional ten rural-proofed HAPPI features set out in HAPPI 4 (April 2018).

⁷⁶ For example, Design Principles for Extra Care Housing published by the Housing Learning and Improvement Network (LIN) (2020).

⁷⁷ Planning Practice Guidance Paragraph: 010 Reference ID: 63-010-20190626.

8.76 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.⁷⁸

8.77 Evidence⁷⁹ identifies a need for all forms of older person's accommodation over the Plan period, but a particular increased need for extra-care housing or housing with care in the market sector (which currently has very low/ no provision in Rother).

8.78 The difficulties in delivering specialist schemes, including in terms of viability and minimum size are recognised. Consequently, to maximise delivery, the policy requires

⁷⁸ Source: Planning Practice Guidance

⁷⁹ HEDNA (2024)

all developments of more than 100 dwellings to include a proportion of specialist housing for older people (at least 10% of the total number of dwellings to be provided). It also allows, in exceptional circumstances, where sites are unavailable within development boundaries, for appropriate schemes outside development boundaries on sites that are well related to an existing settlement and its services and where the proposal accords with other Local Plan policies including in terms of protecting landscape character. This policy provision is intended to assist with scheme viability (and subsequent delivery) in situations where there is a particular need for specialist housing for older people in a rural area but where schemes cannot compete with general needs housing due to their differing development and operational models.

- 8.79 In all cases, including for sites outside the development boundary, proposals will need to demonstrate their “walkability” to services and public transport in their siting. Having access to local amenities and green space within easy and safe walking distances is recognised as contributing to older people, including those with dementia, being able to live independent and fulfilling lives for longer⁸⁰. Schemes will also be required to comply with the HAPPI principles⁸¹ or similar design standards appropriate to housing for older people. The HAPPI report (2009) makes ten main recommendations for the design of housing for older people which relate to matters including internal layout, natural light and ventilation, adaptability, multi-purpose and shared spaces, natural environment, storage and external surfaces. The HAPPI 4 report (2018) updates these to relate specifically to housing and care for older people in rural areas.
- 8.80 Affordable housing is required as part of all qualifying developments in accordance with Policy HOU2, ideally as on-site provision. It is, however, acknowledged that due to the differences between the development models of specialist housing for older people compared to general needs housing, off-site affordable housing provision or a financial contribution may sometimes be more appropriate and more easily achieved.

⁸⁰ RTPI Practice Advice: Dementia and Town Planning (September 2020)

⁸¹ The recommendations of the Housing our Ageing Population Panel for Innovation (HAPPI) Report (2009) and the additional ten rural-proofed HAPPI features set out in HAPPI 4 (April 2018)

Regulation 18 Commentary

- 8.81 The vast majority of people aged over 75 in Rother live in general needs, non-specialist, owner-occupied market housing, despite nearly half being “deprived” in terms of health or disability⁸². Interestingly, the proportion of older people who live in specialist older people’s housing in the social rented sector is much higher, although only a small percentage of the total 75+ population lives in this sector⁸³.
- 8.82 The PPG notes that many older people may not want or need specialist accommodation and instead wish to stay in or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs. Therefore, a range of housing is required to meet increasing needs. Local engagement has indicated there is a particular desire for smaller dwellings such as bungalows with small gardens throughout the district, suitable for older people to down-size (as well as smaller dwellings suitable for first-time buyers). To meet our Live Well Locally concept, these should be provided as terraces.
- 8.83 The provision of additional housing suitable for older people, including specialist housing, should also have resulting benefits to the supply of family housing as some older households will choose to move from a house they may be under-occupying. The 2021 census identified a high level of under-occupation of owner-occupied properties in Rother (i.e. dwellings which have more bedrooms than necessary to meet the needs of the occupiers). Levels of under-occupation increase with the age of the residents⁸⁴.
- 8.84 The HEDNA (2024) uses a model to calculate anticipated older people’s housing needs in Rother over the plan period. It considers factors including the existing level of specialist housing and recent growth rates in its provision, population characteristics including levels of poor health and disability, and people’s wishes and intentions regarding their future accommodation.

⁸² Source: Census, 2021, Office for National Statistics

⁸³ HEDNA (2024)

⁸⁴ HEDNA (2024)

- 8.85 The model identifies a need for all forms of older person's accommodation over the Plan period (care homes are assessed separately), but a particular increased need for *extra-care housing or housing with care* in the market sector (which currently has very low/no provision in Rother).
- 8.86 Interestingly, the HEDNA finds no need for additional *retirement living or sheltered housing* in the market sector due to the existing level of provision meeting the anticipated future need, although a need for additional social rented accommodation in both of these categories is identified. Relatively low levels of need for age-restricted general housing are identified (with a greater need in the social rented sector compared to the market sector).
- 8.87 The evidence suggests that policy support is needed for older people's housing, particularly to encourage schemes for older person's market *extra-care housing or housing with care*. The HEDNA (2024) recommends that consideration is given to allocating land for older persons housing, including as part of strategic allocations, however, it also acknowledges the difficulties in delivering allocations due to such uses being unable to compete with general market housing because of differing development and operational models. It suggests that allocations on strategic sites will often be delivered by the social housing sector. The proposed policy includes a requirement for strategic sites to include a proportion of specialist housing for older people.
- 8.88 The HEDNA also recommends an exceptions policy, which would allow for specialist older persons housing on unallocated sites in sustainable locations, including on the edge of settlements.
- 8.89 While the evidence suggests that policy support is needed for affordable housing across all forms of older people's housing, the HEDNA (2024) suggests a different approach could be considered compared to general market housing due to the differences between the development models. Off-site provision or contributions may be more appropriate and more easily achievable than on-site provision in some cases, and this is reflected in the proposed policy. Going forward, to support the final version of the

new Local Plan, it will be necessary to test the viability of affordable housing policies against all the different types of older persons' provision.

Question Box

Q131. What are your views on the Council's proposed policy on specialist housing for older people?

Q132. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU10: Residential Care Homes for Older People

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy Wording:

New residential care homes for older people⁸⁵ 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 standards⁸⁶.

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

- i) It is demonstrated that sufficient provision of the equivalent or better quality is available in the local area; or
- ii) 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
- iii) 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.

⁸⁵ This policy applies to residential care homes and nursing homes for older people. It does not apply to care or nursing homes for younger people which are considered under Policy HWB4 (Community Facilities and Services).

⁸⁶ Relevant standards include those set by the Care Quality Commission or Building Regulations, for example.

Explanatory Text:

- 8.90 Across East Sussex, the proportion of residents living in care homes (1.06% of the population) exceeds the average for England (0.57%), with Rother slightly exceeding the county average. Indeed, in 2021 East Sussex had the second-highest proportion of residents in care homes across all county and unitary authorities in England⁸⁷. However, the number of residents living in care homes across East Sussex has reduced since 2011, by 15.9%.
- 8.91 Given this downward trend, it is not appropriate to make specific land allocations for additional care homes for older people, but instead support such developments, if required, on a windfall basis, on suitable sites in sustainable locations. Extensions and alterations to existing care homes are also supported where they would result in a better standard of care or are required to meet current relevant standards, subject to other Plan policies.
- 8.92 At the same time, it is acknowledged that over the Plan period there are likely to be some closures of existing care homes, as older properties become outdated (for example those with shared bedrooms or shared washing facilities) and cannot viably be brought up to the required standards. Consequently, the change of use of care homes for older people may be accepted, subject to other Plan policies, where this is justified either through there being sufficient provision of the equivalent or better quality already available in the local area (i.e. an “oversupply” of care homes); or where alternative appropriate provision is to be provided in the local area (i.e. a replacement facility), or where the accommodation no longer meets relevant standards and it is not practicable or viable to improve it or adapt for alternative specialist accommodation.
- 8.93 The meaning of “local area” for the purposes of assessment will to an extent be dependent on the characteristics of the existing facility and of the area in which it is located. For example, for a standard residential care home in Bexhill it may be

⁸⁷ Source: Census (2021) Office for National Statistics, quoted by Research and Intelligence Team, East Sussex County Council

reasonable to consider a radius of a few kilometres from the site, but for a more specialist care home that serves a wider area, the radius may need to be larger. Residential care homes in villages and elsewhere in the rural area should consider any equivalent facilities within the same village or parish unless a wider radius can be robustly justified. Seeking to retain facilities within villages and rural clusters accords with our Live Well Locally objectives. Planning applications which seek to demonstrate compliance with one or more of these provisions will need to be accompanied by supporting evidence and documentation which will be subject to consultation with ESCC's Adult Services department and other relevant bodies.

Regulation 18 Commentary:

- 8.94 There is some uncertainty in terms of likely future needs for residential care home accommodation for older people in the district. Evidence in the HEDNA (2024) indicates that since 2011 there has been a reduction in the number of care beds required per 1000 persons aged 75+ ("the prevalence rate"). 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, 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. Consequently, the HEDNA finds it is not appropriate to make provision for higher levels of care home beds during the Plan period, and instead it recommends that such provision, if required, is supported through an exceptions policy. However, given the apparent lack of need, there is no justification to allow such developments outside the development boundaries and any such proposals will be determined in accordance with other Local Plan policies.
- 8.95 The HEDNA also anticipates there will be a loss of care homes over the Plan period as older properties become outdated. The need for the renewal of current stock should be recognised. In some instances, it may be appropriate to allow the change of use of older care homes to other uses, including residential, and this is reflected in the policy.

Question Box

Q133. What are your views on the Council's proposed policy on residential Care Homes for older people?

Q134. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU11: Gypsies, Travellers and Travelling Showpeople Criteria

Policy Status:	Non-Strategic
New Policy?	No – Update to Core Strategy Policy LHN6
Overall Priorities:	Live Well Locally

Policy Wording:

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 biodiversity⁸⁸ 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.

⁸⁸ Including sites subject to international, national and local designations as defined in the NPPF glossary.

- 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 Showpeople⁸⁹.

Explanatory Text

- 8.96 In accordance with national policy, the Council must provide location criteria for the development of sites for gypsies, travellers and travelling showpeople. In all cases, the location requirements of such sites will be similar to those for conventional housing sites. This criteria based policy will guide decisions on planning applications.
- 8.97 Identifying land for new gypsy and traveller sites can be challenging. The East Sussex Gypsy and Traveller Accommodation Assessment (GTAA) (2022) 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

⁸⁹ As defined in Annex 1 to the national Planning Policy for Traveller Sites (updated December 2023).

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.

- 8.98 Competition for land on the edge of settlements can result in private gypsy and traveller sites being located in the countryside where values are lower. While national policy⁹⁰ requires local planning authorities to very strictly limit new traveller sites in open countryside, it is recognised that it may be impractical to provide sites within existing settlements and as such an exceptions site approach to providing sites is adopted, allowing for sites within or close to existing settlements.
- 8.99 The policy relates to both permanent and transit sites for Gypsies and Travellers, and also Travelling Showpeople. In addition to appropriately addressing constraints, sites should be sustainably located, or in the case of transit sites, easily accessed from the strategic road network to serve the needs of households passing through the district. A limit on the size of new sites, of a maximum of ten pitches or plots, is defined, although experience shows that most sites coming forward in the district are far smaller than this. The GTAA (2022) found that smaller sites are preferred by gypsy and traveller communities due to their perceived better management. Smaller sites of this scale are also preferred by the County Council's Gypsy and Traveller Liaison Team. Multiple pitches on a single site often accommodate an extended family.
- 8.100 The GTAA suggests as a general guide, a family pitch should be capable of accommodating: an amenity building, a large static caravan or chalet and a touring caravan on hard-standings, parking space for two vehicles, a hard-standing for a storage shed and a small garden area. The minimum land area necessary for a single pitch is estimated at 325sqm although a larger pitch of at least 500sqm (0.05ha) would more comfortably accommodate necessary facilities. Plots for travelling showpeople are

⁹⁰ Planning Policy for Traveller Sites (PPTS)

necessarily larger due to the need to accommodate both living space and storage and maintenance space for large equipment.

Regulation 18 Commentary:

- 8.101 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. These factors are addressed through this policy.
- 8.102 Councils are required to assess the housing needs of gypsies, travellers and travelling showpeople as part of their Local Plan, and set pitch and plot targets which address their likely permanent and transit site accommodation needs.⁹¹ Local Plans must identify a supply of specific deliverable sites for gypsies, travellers and travelling showpeople, sufficient to provide five years' worth of sites against locally set targets, and also identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15.⁹² Once set, the five year supply must be updated annually.
- 8.103 These national requirements are implemented through the development strategy section of this Plan, which updates Core Strategy Policy LHN5. Note that the development strategy identifies a need to make provision for specific sites. The Council has begun a site identification process but this has not yet been completed although an interim site identification report is published with the Regulation 18 consultation.

⁹¹ Through the NPPF (December 2023) paragraph 63, and the national Planning Policy for Traveller Sites (2023)

⁹² As set out in the national Planning Policy for Traveller Sites (2023)

Question Box

Q135. What are your views on the Council's proposed policy on Gypsies, Travellers and Travelling Showpeople?

Q136. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU12: Self-Build and Custom Housebuilding

Policy Status:	Strategic
New Policy?	No – Update to DaSA Policy DHG6
Overall Priorities:	Live Well Locally

Policy Wording:

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; and
- d. Consists solely of the re-use or conversion of vacant buildings; or of flats.

Explanatory Text:

8.104 Self-Build and Custom-Build Housing (SCHB) is defined in the NPPF as: “*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*”. It covers 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’). A key consideration in determining whether a home is self-build or custom build is whether the initial owner of the home will have primary input into its final design and layout⁹³. Some community-led projects can also be defined as self-build. These can offer a form of housing which is generally more affordable and complements the supply of mainstream housing.

8.105 Neither policy or legislation separately defines self-build and custom housebuilding. Planning guidance published by the Right-to-Build Taskforce⁹⁴ outlines the differences:

Self-build: A self-build home is one built to the plans or specifications of the occupant on a single plot.

Custom-build: A custom build home is built to the plans or specifications of the occupant on a multi-plot site which is actively managed by a third-party enabler. There are two main variants:

- (a) Serviced Plot Model. The occupier purchases a serviced plot of land with planning permission to construct a new home designed within a set of pre-agreed parameters, often facilitated by a Design Code or similar design guide; and
- (b) Customisable Homes. The occupier customises a new pre-designed home, on a serviced plot. A design and build contract for the construction will often be in

⁹³ Source: Planning Practice Guidance

⁹⁴ Right to Build Task Force Custom and Self-Build Planning Guidance PG1: Defining self-build and custom housebuilding (March 2021: Version 2.0) Available at www.righttobuild.org.uk

place, with customer choice actively promoted as a positive part of the build process. Design choices are managed by a clearly defined menu of choices, with enough flexibility to enable the occupier to customise their home to suit their needs (customisation extends beyond second fix items such as kitchens and bathrooms). Homes are customisable in the following ways:

- Choice of plot and house type - these can include detached, semi-detached, terraces and apartments.
- Choice of exterior materials and the scope to make minor amendments to add extras such as balconies or car ports (where permissible).
- Choice of interior layouts.
- Choice of interior fit out/specification.

8.106 The Self-build and Custom Housebuilding (SCHB) Act 2015 places a duty on councils to keep a register of people and organisations interested in self-build or custom build projects in their area and have regard to it in planning for such projects. Councils must also give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.

8.107 The SCHB Register for Rother was set up in April 2016. The most popular locations for a SCHB plot are the rural areas outside the main towns, followed by Battle. The majority of individuals on the register have indicated that they would prefer a 3-4 bedroom detached house or bungalow on an individual plot⁹⁵. It is expected that these interests will largely be met by the market. However, just under a third of individuals indicated they may also be interested in a plot on a site with a group of other self/custom builders. Only 4% of those on the register have indicated they would prefer a terraced house or bungalow, and only 1% have expressed an interest for an apartment/flat (and it should be noted that individuals can select more than one option for their preferred property type).⁹⁶

⁹⁵ Source: Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022

⁹⁶ Source: Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022

- 8.108 To address the overall likely demand for self and custom build plots, Policy HOU12 gives in-principle policy support for SCHB projects, subject to compliance with other relevant Local Plan policies. This includes, where relevant, the Council's housing mix and affordable housing requirements set out under Policies HOU1 and HOU2. It is recognised that a sizeable proportion of the current demand for self-build plots is currently met by individuals identifying their own plot through the demolition and re-build of an existing dwelling and certifying the development as a self-build project, exempt from the Community Infrastructure Levy. Weight will be given to the benefits to self-build plot supply in determining planning applications for such proposals.
- 8.109 Policy HOU12 also requires, on development sites of 20 or more dwellings, for at least 5% of the total number of dwellings to be made available as serviced plots for self and custom housebuilders. In order to ensure that serviced plots identified for self or custom-build are delivered, the Council will secure their provision via conditions or a planning obligation associated with any planning permission. On larger sites where SCHB forms a small proportion of plots, the location of the SCHB plots will usually be indicated on an overall site layout plan but full details of the SCHB dwellings (elevations, internal and external layout, landscaping, etc) will be for approval through a further planning permission once the future occupier has chosen these details.
- 8.110 To ensure that self and custom housebuilding is of a high-quality design, attention is drawn to the requirements of our Live Well Locally policies. On sites with multiple serviced plots, it may be appropriate for the applicant to support their application with a Design Code. A Design Code should be prepared by the plot provider at the outline planning stage and should provide the Council as well as potential self and custom housebuilders with a clear set of design rules and parameters that future development will have to comply with. Design Codes will vary depending on the amount of development proposed and the context of the site.
- 8.111 Sites with self and custom housebuilding plots should make the serviced plots available and undertake a comprehensive and sustained marketing campaign, offering the plots for sale at a prevailing market price. The marketing campaign should run for a period of

at least 12 months, in appropriate publications including through appropriate trade agents.

Regulation 18 Commentary:

- 8.112 Policy HOU12 takes forward and amends Policy DHG6 of the DaSA Local Plan, giving in-principle support to SCHB developments, subject to other Local Plan policies. The policy also requires a proportion of SCHB plots on housing sites of 20+ dwellings. To date, the number of SCHB plots permissioned and delivered on these larger sites has been low, mainly because few qualifying sites have been granted detailed planning permission since its adoption. The limited evidence indicates that the preference of developers of larger sites is to provide plots for “customisable homes” within the definition of custom-build housing. Self-build and “serviced plot” style custom-build homes appear to be more likely to be delivered on smaller sites.
- 8.113 Many Councils adopt a higher threshold in terms of the size of developments which require a proportion of SCHB plots, for example, 50 or 100 dwellings (rather than 20). As the DaSA policy has had limited success in delivering plots, an increase in the threshold could be considered. However, outside the towns of Bexhill, Battle and Rye, sites of more than 20 dwellings are infrequent.⁹⁷ Therefore, raising the thresholds in these areas would likely further reduce the number of SCHB plots delivered. Additionally, the evidence shows that the majority of people on the SCHB register want a plot in the rural areas. Similarly, the number of 20+ dwellings schemes permitted in Rye and Battle has been limited, and Battle in particular is another area in demand by people on the SCHB register. Consequently, it is not considered appropriate to raise the threshold in these areas as it would further reduce the number of plots delivered.
- 8.114 Larger schemes are slightly more common in Bexhill, where, although the number of schemes permitted since 2020 has been low, there are a number of 50+ dwelling

⁹⁷ Since 2020 there have been only 4 planning permissions granted for schemes of more than 20 dwellings, and only one of these was for more than 50 dwellings (as at October 2023).

schemes currently subject to planning applications or allocations. Additionally, Bexhill is the area least in demand by people on the SCHB register. Therefore, raising the threshold in Bexhill could be considered. However, as the area of the district with the most opportunity for housing growth, Bexhill also offers the greatest opportunity for the delivery of SCHB plots. To raise the threshold beyond 20 dwellings would reduce the number of plots delivered. Consequently, no changes to the threshold are proposed.

- 8.115 The HEDNA (2024) notes that in addition to retaining DaSA Policy DHG6, it may be possible to further support delivery of SCHB 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. SCHB could take the form of affordable housing supported through Policy HOU5 (Rural Exception Sites). Policy HOU13 covers new dwellings in the countryside.
- 8.116 The HEDNA (2024) also notes that it may 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 (e.g. in the rural areas and Battle), subject to viability and site suitability. As noted above, the threshold is already low compared to other Councils and it is not considered appropriate to lower it even further. However, additional allocated sites to deliver SCHB plots will be considered through the site allocations process.
- 8.117 Evidence indicates that the delivery of SCHB plots have not been achieved on sites which wholly provide, for example, for specialist accommodation for a group of people with specialist needs (e.g. purpose-built flats for the elderly), or on brownfield sites involving the conversion of an existing building. Provision is also challenging on sites comprised wholly of affordable housing by a Registered Provider. Therefore, to support the delivery of these forms of residential development it is reasonable to amend the current policy to exempt these forms of development from the requirement to provide SCHB plots. This will not affect overall delivery of SCHB plots

because they are not being secured on these sites in any event. The policy also excludes developments consisting wholly of flats from the requirement, this can be justified due to the difficulties in providing custom-build flats but also the very low demand for this property type from entrants on the Council's SCHB register.

Question Box

Q137. What are your views on the Council's proposed policy on Self-Build and Custom Housebuilding?

Q138. Are there any alternatives or additional points the Council should be considering?

Q139. Specifically, what are your views on the threshold for developments to provide serviced plots for self and custom housebuilders?

Proposed Policy HOU13: New Dwellings in the Countryside

Policy Status:	Strategic
New Policy?	No – update to Core Strategy Policy RA3 (iii)
Overall Priorities:	Live Well Locally

Policy Wording:

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:
 - a. Demonstrate a clearly established functional need, relating to a full-time worker primarily employed in the farming and other land-based businesses.
 - b. Demonstrate the functional need cannot be fulfilled by other existing accommodation in the area.
 - c. Demonstrate the unit and the agricultural activity concerned are financially sound and have a clear prospect of remaining so.
 - d. 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; and
- 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.

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.

Explanatory Text:

- 8.118 Policy DEV3 sets out the proposed Local Plan strategy of focusing development within the defined development boundaries of the towns and villages. In the context of Policy HOU13, land outside the development boundaries is considered to be the countryside, where new development is strictly controlled. However, it is recognised that in some cases it may be appropriate to allow new dwellings outside the development boundaries.
- 8.119 The policy does not seek to duplicate or contradict the provisions in the NPPF for isolated homes in the countryside but should be read in addition to it, and is relevant to all proposals for dwellings outside development boundaries, not only those in isolated locations.

- 8.120 New dwellings may be essential in the countryside, including potentially in isolated locations, for the proper functioning of land-based businesses (i.e. farming, forestry and equine-related activities). Such businesses should be demonstrably ‘financially sound’, which normally means that permissions will initially be on a temporary basis. Permanent dwellings will normally require the agricultural unit and activity to have been established for at least three years, have been profitable for at least one of them, be currently financially sound and have a clear prospect of remaining so. Careful consideration should also be given to the siting, size and design, as well as access. The siting of new dwellings should be well-related to existing farm buildings or other dwellings, wherever practicable. To ensure that a dwelling remains available to meet the recognised need, occupancy conditions will be applied.
- 8.121 The approach to the conversion and re-use of traditional historic farm buildings for residential use is discussed in the Heritage chapter through Policy HER2. The conversion to residential use of modern or non-traditional farm buildings (normally considered to be post 1880) or of farm buildings requiring substantial or speculative reconstruction, would not serve to ensure the retention of features of acknowledged historic importance and value in landscape character. Therefore, this would not be an acceptable form of development in the countryside. The NPPF⁹⁸ also refers to other “heritage assets”, permitting their conversion to residential use in isolated locations where the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets. This could also be appropriate in other countryside locations.
- 8.122 Replacement dwellings in the countryside should not increase the visual prominence of the building in the countryside nor detract from the rural landscape character and local context of the area and should take every opportunity to improve any existing adverse landscape impact.
- 8.123 Limited development in smaller settlements can help support local services and enhance or maintain the vitality of rural communities. Therefore, Policy HOU13 allows

⁹⁸ Paragraph 84 (b), NPPF (December 2023)

for the development of single or pairs of dwellings either as “infilling” an undeveloped plot within an otherwise built-up frontage, or as a small extension on the edge of a built-up frontage. This will allow for limited residential development within small yet cohesive settlements, providing it is in character with the surrounding area and does not have an adverse impact on the natural and historic environment.

- 8.124 Such developments must be appropriate in terms of their impact on the landscape and character of the High Weald National Landscape. Where a development is proposed to fill in a gap which is significant to the rural setting of a settlement, for example because it allows views and a visual connection out to the countryside, this will not normally be permitted. In addition, to prevent new car-reliant development in unsustainable locations it is a requirement that such sites accord with policies within the Live Well Locally chapter and are close to local services including public transport connections. Such services and connections should be accessible from the site by wheeling, walking, cycling or public transport.
- 8.125 In all cases, to ensure that additional dwellings in the countryside permitted under this policy contribute to meeting local housing needs, it is necessary to restrict their occupation to use as a primary residence and to prevent their future use as a second home or as holiday accommodation. This will be implemented through a condition or planning obligation attached to the planning permission.
- 8.126 While the important contribution that tourism makes to the local economy is recognised, and tourism accommodation is supported through Policy ECO5, Rother has a significantly higher concentration of ‘holiday homes’ than other parts of the South-East, indeed, among all 309 lower-tier/unitary authority areas within England, Rother ranked the 19th highest⁹⁹. Areas where the concentration is particularly high include many of the rural parishes, particularly in the eastern part of the district.¹⁰⁰ The use of dwellings as second homes, in this way, has the effect of reducing the housing

⁹⁹ Source: Census (2021), Office for National Statistics. Rother has 13.1 holiday homes per 1000 dwellings compared to an average of 3.0 across the South East and 2.4 across England.

¹⁰⁰ Source: Census (2021), Office for National Statistics

supply and driving up the cost of housing¹⁰¹ and consequently, where additional housing is exceptionally permitted outside development boundaries under Policy HOU13, it is appropriate to limit its use to a primary dwelling, as detailed.

- 8.127 This requirement does not mean that proposals to change the use of existing holiday accommodation in the countryside to residential use will be supported. Indeed, such proposals are generally resisted under Policies DEV4 and ECO5 in order to protect the existing supply of tourist accommodation in support of the local economy.

Regulation 18 Commentary:

- 8.128 Core Strategy Policy RA3 takes a strict approach to dwellings in the countryside which is similar to that set out in the NPPF for isolated homes in the countryside¹⁰². However, it is recognised that there are many locations outside the development boundaries which are not “isolated” and in which a slightly different approach may be appropriate, in order to meet local housing need and allow for rural settlements to thrive. For example, limited amounts of housing within smaller settlements which do not have development boundaries, or on the edges of those settlements which do have development boundaries, may be appropriate in order to support local services and enhance or maintain the vitality of rural communities.

¹⁰¹ Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020)

¹⁰² NPPF (2023) paragraph 84

Question Box

- Q140. What are your views on the Council's proposed policy on new dwellings in the countryside?**
- Q141. Are there any alternatives or additional points the Council should be considering?**
- Q142. What are your views on the new criteria (vi) which would allow for single or pairs of small-scale dwellings as "in-fill" development outside development boundaries?**
- Q143. What are your views on the proposal to limit the occupation of all new dwellings permitted under this policy (other than replacement dwellings) to that of a primary residence (and prevent use as a second home or holiday accommodation)?**

Proposed Policy HOU14: External Residential Areas

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG7
Overall Priorities:	Live Well Locally

Policy Wording:

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 'Guidance for Parking at Non Residential Development and the Building Regulations requirements for EV charging.¹⁰³ 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.

¹⁰³ Approved document S: Infrastructure for the charging of electric vehicles.

- 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.

Explanatory Text:

- 8.129 In planning new residential developments, it is important to appreciate that schemes will provide the living environment for people for decades to come. Therefore, all new residential development should be capable of accommodating the reasonable expectations of likely occupiers, in accordance with Local Plan Policy DEV1. This applies to the external areas of dwellings, which should provide not only sufficient outdoor amenity space but also cater for practical needs, such as parking and refuse/recycling facilities.
- 8.130 The provision, layout and treatment of external areas should be seen as an integral part of the wider design approach to residential developments, which respects the character of its setting, whether urban or rural, and makes a positive contribution to reinforcing local distinctiveness. Key design principles are set out in the policies in the Live Well Locally chapter.
- 8.131 Gardens should be of an appropriate size to provide sufficient, useable amenity space. This will normally mean a minimum rear garden depth of 10 metres. This requirement has a dual purpose, as it also aids the achievement of appropriate separation distances

between dwellings to maintain levels of privacy and to prevent a cramped form of development that could otherwise adversely affect the amenity of existing and future residents. In relation to flat developments and complexes, private amenity space for each dwelling, could take the form of balconies, terraces and/or private gardens (including roof gardens). Balconies, terraces, and private gardens must be a minimum of 3sqm and have a minimum depth of 1.5m to count towards external amenity space requirements. External amenity space requirements could also include communal, landscaped amenity space.

- 8.132 The most important design factors to consider with both private and communal external amenity spaces are ease of accessibility, allowing for the provision of good levels of sunlight penetration, security, shelter from wind and other environmental factors, and access to good levels of passive surveillance. External amenity space should not be steeply sloping, awkwardly shaped or very narrow.
- 8.133 Communal external amenity spaces should be easily accessible for all residents of the development, regardless of tenure. Wherever possible, family homes in apartment blocks should be located with good access to communal external amenity space and should allow oversight of children playing outside.
- 8.134 The calculation of external amenity space should exclude footpaths, driveways, and areas for vehicle circulation and parking.
- 8.135 A number of considerations may affect garden size, including the relationship with adjacent properties and land uses. Where usability of external space is constrained, such as by sloping ground, orientation, the presence of large trees or where there is a strong, well-established spacious character, larger gardens are more appropriate. Overlooking towards and from neighbouring properties must also be considered.
- 8.136 In a limited number of cases, a rear garden of slightly less than 10m in depth may be accepted where either an appropriate and proportionate level of private amenity space is provided to the side or front of the dwelling or there are particular reasons why the

future occupiers of the dwelling(s) will have a lesser requirement for amenity space. In such cases, the overall layout of the site and separation distances between dwellings must be acceptable and not result in a cramped form of development.

- 8.137 ESCC's 'Guidance for Parking at New Residential Development' has been adopted for use by the Council in the assessment of parking provision in new development proposals. It is expected that car parking and cycle storage provision accords with the prevailing adopted standards in these documents. Moreover, parking provision should be wholly integrated into the layout and design of the proposed scheme and respect and be informed by the character of the locality.
- 8.138 Developments should not be dominated by hardstanding - especially extensive parking in front of terraced houses - or verge parking. The visual impact of parking on the character of the locality and on residential amenities should be mitigated by appropriate use of soft landscaping as part of the overall design.
- 8.139 It is now a requirement of the Building Regulations that every new dwelling, including flats, which has associated car-parking (whether a private allocated space or a space within a communal car park) must have its own Electric Vehicle (EV) charge point. There are also requirements for residential buildings undergoing major alterations, and for additional parking spaces. The siting of EV charge points will need to be considered as part of the overall layout and design of the vehicle parking arrangements for the development.
- 8.140 Cycle parking/storage facilities should be safe, secure and covered. They need to be conveniently located in relation to the dwelling so that they can be easily accessed by users, to encourage use of the bicycle to replace short car journeys. Appropriate cycle storage facilities, in the form of individual lockers or cycle stands within a lockable, covered enclosure, are particularly important in developments comprising flats, where otherwise people may seek to store cycles inappropriately in a communal hallway or outside in an insecure location.

- 8.141 For many developments there may also be additional storage needs for large personal items such as children's buggies, wheelchairs or mobility scooters. While there may sometimes be space within dwellings to store such items this will not always be the case, particularly for flats or smaller houses, and in these cases, additional external storage will be required. Specialist housing schemes, for example for older people, may also have additional requirements. The design and siting of such storage will be similar to that required for cycle storage, that is, it should be safe, secure, covered and conveniently located for users, within easy access of the dwellings.
- 8.142 Refuse and recycling storage and collection facilities should be considered at the beginning of the design process in new development to ensure that:
- Adequate refuse and recycling facilities are provided to serve the development.
 - Storage of wheelie bins, communal waste bins and refuse sacks do not detract from the street-scene, obstruct access or detract from residential amenity.
 - There is convenient access, both for occupiers of the properties and for the collection vehicles and workers.
- 8.143 Useful guidance for planners and developers on matters to consider in respect of waste and recycling provision for new developments has been produced on behalf of the East Sussex Waste Partnership and should be referred to. It is available to view or download at: <https://www.rother.gov.uk/rubbish-and-recycling/resources-and-information/our-service/>.

Question Box

Q144. What are your views on the Council's proposed policy on external residential areas?

Q145. Are there any alternatives or additional points the Council should be considering?

Q146. What are your views on the requirements for private external space and do you feel they are appropriately flexible?

Proposed Policy HOU15: Extensions to Residential Gardens

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG8
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text:

- 8.144 Proposed Policy HOU15 applies to all extensions to the external residential area in the countryside, whether for garden use or for ancillary purposes to the dwelling.
- 8.145 Some householders and other property owners, particularly in countryside locations, seek to enlarge the extent of land in residential use surrounding their dwelling either to accommodate outbuildings, parking or for use as garden.
- 8.146 While such extensions can be acceptable, a prime objective in rural areas is to conserve the intrinsic value and locally distinctive character of the countryside. In the High Weald Area of Outstanding Natural Beauty, great weight will be given to the conservation of its landscape and scenic beauty, including respect for historic field boundaries. The erosion of countryside character, albeit incrementally, and the potential suburbanising effect caused by the enlargement of garden areas should be avoided.

- 8.147 Hence, any extensions to gardens should be modest in scale (such as to provide sufficient outside area for the reasonable enjoyment of the dwelling or to accommodate essential services) and create a logical new boundary to a natural feature such as a hedgerow, watercourse or woodland or otherwise constitute a “rounding off”, which is acceptable in its impact on the rural character of the area.
- 8.148 Where a garden extension is acceptable, conditions will normally be attached to mitigate the visual impacts including, soft landscaping and, where the dwelling’s curtilage is extended, removal of permitted development rights for the erection of outbuildings and provision of hard surfaces.

Question Box

Q147. What are your views on the Council’s proposed policy on extensions to residential gardens?

Q148. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU16: Extensions, Alterations and Outbuildings

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG9
Overall Priorities:	Live Well Locally

Policy Wording:

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.

Explanatory Text:

- 8.149 Extensions and alterations to dwellings, including annexes and outbuildings, are often means of enabling people to better meet their housing needs without moving.
- 8.150 Smaller proposals often don't need planning permission (although generally require approval under the Building Regulations), but more significant proposals generally do require permission and will be considered in terms of:
- impact on the amenities of neighbouring properties;
 - relationship with the character and appearance of the principal building; and
 - compatibility with the general character of the locality.
- 8.151 The overall approach to these considerations is set out in Local Plan Policy DEV1, which requires all development to not unreasonably harm the amenities of adjoining properties and respect the character and appearance of the locality, and the policies within the Live Well Locally chapter which require high quality design, the policies in the Landscape Character chapter which require existing character to be retained and policies in the Green to the Core chapter which require the scenic beauty of the High Weald National Landscape to be conserved and enhanced.
- 8.152 Section DG7: Building Appearance, Local Details and Sustainable Design of the High Weald Design Guide contains detailed guidance on appropriate dwelling design.
- 8.153 This policy provides a practical, “checklist”-type, approach for proposals for extension, alterations and outbuildings to dwellings, without being overly prescriptive or detailed.

- 8.154 Extensions, alterations or new outbuildings can, through their height, size and location, harm the amenity of adjoining properties in terms of:
- a loss of sunlight or daylight through overshadowing of habitable rooms or gardens;
 - having an overbearing presence through their size and position (generally referred to as its “massing”); and
 - result in overlooking or loss of privacy.
- 8.155 In assessing proposals, the Council uses the Building Research Establishment’s principles in ‘Site Planning for Daylight and Sunlight: A Guide to Good Practice’. In relation to whether there is an overbearing massing, this tends to arise most commonly where two-storey rear extensions are proposed, particularly on narrow width terraced properties or closely-sited semi-detached properties.
- 8.156 Overlooking is most commonly an issue where windows to habitable rooms would directly face those in a neighbouring property, particularly when considering first floor side extensions, and should be avoided. In exceptional cases, obscured glazing may be considered where potential overlooking problems cannot be overcome, or windows should be set at an angle to avoid direct overlooking.
- 8.157 In considering these factors, regard should be given to any significant change in level between properties, as this may increase the impact of an extension on the amenity of neighbours’ homes.
- 8.158 To ensure that an extension or other building relates appropriately to the principal dwelling and will contribute positively to the character of its locality, the design approach should draw on an analysis of local character and distinctiveness, undertaken in line with the policies within the Live Well Locally chapter. Drawings (elevations and sections) should show proposals in the context of adjacent buildings.
- 8.159 Traditional or contemporary design approaches can be appropriate in a particular context; their success dependent on how well they are thought out and detailed.

Traditional designs will be expected to follow the distinctive vernacular characteristics of the host building - for example, simple building forms with relatively narrow roof spans, matching storey heights, a materials palette of brick, clay tile (including handmade clay tile in historic areas), timber weatherboarding, steeply pitched roofs, open eaves, small module windows, and traditional joinery styles. Meanwhile, contemporary designs will be expected to demonstrate design flair, a skilled handling of materials and crisp detailing.

- 8.160 In all cases, even where the existing building is architecturally unremarkable, proposals should demonstrate basic design principles of scale, form, massing, height and proportion in relation to the existing dwelling and the wider area.
- 8.161 A good general principle is to ensure that extensions, especially side extensions, do not dominate the existing dwelling but, rather, are “visually subservient”, such that they do not detract from the property’s architectural integrity or the character of the street or lane. This can often be achieved by a combination of an appropriate elevational width and scale in relation to the existing dwelling, the setting back of the extension from the front wall of the house, and stepping down of the roof ridge height. Particular care needs to be taken if an extension is proposed to only one side of a property to ensure that a visually balanced front elevation is created. Side extensions should normally seek to maintain external access to rear gardens.
- 8.162 In relation to side extensions, particular care should be taken to avoid infilling the gaps between detached or semi-detached houses where these are an important characteristic of the locality, creating a visual rhythm and density to the street, as it may result in a cramped, ‘terracing effect’ and detract from the character of the dwelling and the street scene.
- 8.163 Detailing and materials can be critical to a successful extension or other ancillary building. Every effort should be made to retain any distinctive architectural features and materials that contribute positively to the character of the building.

- 8.164 Retaining sufficient external private space to meet the continuing requirements of the dwelling is an important consideration in proposals for extensions and outbuildings, including the retention of usable and meaningful amenity/garden space and sufficient space for off-street parking and refuse/recycling facilities. This is covered specifically by Policy HOU14.
- 8.165 Alterations to roofs to create attic-level accommodation require careful design. Some roofs may not be suitable for conversion if their pitch is too shallow and sufficient headroom cannot be achieved without protruding above the ridgeline.
- 8.166 Successful dormer windows are achieved where they are appropriately positioned within the slope of the roof (and not on the hipped part of a roof) and have due regard to the arrangement and proportions of existing windows. This normally means aligning them over, or set slightly in from, windows in the elevations below, and being smaller sized than those below. Overly large or box-like dormers are inappropriate for the majority of domestic properties, as they give the house a top-heavy appearance. Several dormer windows in a roof slope may also be harmful in terms of design or character.
- 8.167 For historic and other vernacular buildings, and in historic areas, the design and details of extensions and alterations will be carefully scrutinised to ensure that they are consistent with the specific architectural character and form of the existing dwelling and the character and appearance of the area.
- 8.168 Converted traditional farm buildings, including barns and oasthouses, are particularly vulnerable to inappropriate extensions, garages, sheds and other outbuildings that undermine the intrinsic character of the building as an example of a particular building typology or would domesticate and detract from the character of the countryside setting.
- 8.169 Modest single storey outbuildings which are ancillary to the main dwelling and reflect its character and materials can contribute to the character of a locality. The siting of

outbuildings, including garages, needs careful consideration in terms of both the relationship with the main house - particularly if it is of heritage value – and the wider street-scene - avoiding cramping or cluttering the site or adversely affecting the amenities of neighbouring properties. Discreet siting is generally preferred, as siting buildings in front of the main house often dominates the plot frontage, detracting from the appearance of the dwelling in the street scene.

- 8.170 In rural areas, especially within the High Weald National Landscape, it is important that outbuildings conserve landscape character and qualities and do not ‘suburbanise’ this sensitive countryside.

Question Box

Q149. What are your views on the Council’s proposed policy on extensions, alterations and outbuildings?

Q150. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU17: Annexes

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG10
Overall Priorities:	Live Well Locally

Policy Wording:

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 HOU16 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.

Explanatory Text:

- 8.171 A residential annexe is defined as accommodation ancillary to the main dwelling within the residential curtilage that provides additional semi-independent accommodation for members of the same family, often older family members who may need assistance with health care. There are an increasing number of people who, although capable of living relatively independently, would benefit from living close to relatives or carers on whom they can rely for help and support. While this may sometimes be met through the purchase of a nearby property, in other situations residential annexes provide for the carer or relative to be on hand at short notice to provide care and support, including through shared facilities.
- 8.172 Where it is needed, the general principle is to support such accommodation in a way that enables it to be most effectively incorporated into the dwelling and site. An annexe can be provided in the form of an extension to the dwelling, the conversion of an existing outbuilding or in some cases a new detached building.
- 8.173 An extension to the dwelling is normally most appropriate, as this better integrates the annexe into the dwelling for use of shared facilities and providing ready access (including internal linkages), normally also minimising the impact on neighbours, and provides advantages for the longer-term use of the annexe, reducing pressure for future, inappropriate development. For this reason, a sequential approach is taken for proposals for annexes: firstly, looking at whether the required accommodation can be provided in the form of an extension to the dwelling; if not, considering whether an existing outbuilding within the residential curtilage could be converted; if not, then considering the potential for a new separate annexe building located in close proximity to the existing dwelling. Exceptions to this approach may be where the extension of an existing dwelling would not be appropriate; for example, in some cases relating to listed buildings, non-designated heritage assets or historic agricultural buildings.
- 8.174 In all locations, considerations of character, scale and design and amenity impacts will be similar to those set out for extensions, alterations and outbuildings above. The size

of the annexe will need to be demonstrated to be that necessary to meet the intended purpose, normally with a single bedroom only, and demonstrate that it will be capable of being incorporated into the use of the dwelling in the longer term.

Question Box

Q151. What are your views on the Council's proposed policy on annexes?

Q152. Are there any alternatives or additional points the Council should be considering?

Boundary Treatments, Accesses and Drives

- 8.175 Boundary treatments, as well as accesses and drives, play a significant role in defining the character and appearance of a locality. They can make a positive contribution to the successful integration of new development and to reinforcing local distinctiveness.

Proposed Policy HOU18: Boundary Treatments and Means of Enclosure

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG11
Overall Priorities:	Live Well Locally

Policy Wording:

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.

When is Planning Permission required?

Under current legislation, planning permission for new means of enclosure (or alterations to existing means of enclosure) is required if one or more of the scenarios below is met:

- The means of enclosure to be erected would be over 1.0 metre high and adjoining a highway used by vehicles, or over 2.0 metres high elsewhere.¹⁰⁴
- The means of enclosure is within the curtilage of a Listed Building.
- The means of enclosure is within a Conservation Area and is to be completely demolished, where it is over 1.0 metre high and next to a highway (including a public footpath or bridleway) or public open space; or over 2.0 metres high elsewhere.
- There is a condition attached to the planning permission for the property which restricts the erection of a means of enclosure, or a landscaping condition which requires the type of hedge or tree planting to be agreed by the Council prior to a development being started.

Explanatory Text:

- 8.176 The height of boundary treatments and means of enclosure, as well as any gates or gate piers, needs sensitive consideration. When on a boundary, they should be similar in height to the prevailing height of existing boundaries in the area. Also, where there is a repeated style of boundary treatments, for example low walls, railings or an open plan, boundary-free approach, then the Council will normally expect any development proposal to follow the predominant style in the vicinity and to maintain and strengthen the existing character of the street scene.
- 8.177 In terms of the forms of enclosure, close-boarded fencing provides screening for privacy and has less impact when used to enclose rear gardens not subject to public view, but is not always appropriate. Open post-and-rail fencing on frontages has the

¹⁰⁴ Different provisions apply to schools. For further detail see: The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 2, Class A

advantage of maintaining the natural and open character, while estate railing can also be an appropriate boundary treatment in certain rural areas. However, the predominant boundary type in the rural areas consists of mature trees, hedges and ditches, which are in keeping with the rural scene and provide a continuity of characteristic landscape. In contrast, the construction of close-boarded fences and walls along road frontages can punctuate and detract from the more natural and open character of rural areas and lanes, particularly in the High Weald National Landscape. The same may apply in urban areas where hedges predominate.

- 8.178 If a more solid enclosure is necessary, in some instances it may be appropriate for a fence or wall to be set back from the boundary with sufficient space for the planting and future maintenance of a hedge in front with sufficient room that, when mature, it will sit 'in-line' with any existing adjoining hedging or other boundary line. The future retention of the hedge would be subject to a planning condition.
- 8.179 More generally, hedges and trees that define historic field boundaries are regarded as important components of landscape character, especially within the High Weald National Landscape, as noted in the Environment Chapter; hence, their retention is normally expected. To reinforce local character, in specifying any new hedging, where a particular type of hedging or tree species is predominant, new planting should be of the same species. In the High Weald National Landscape and other rural areas, native species of planting, such as a traditional mixed hedge of hawthorn, field maple, beech, and hornbeam is characteristic, sometimes with trees such as oak, native cherry or ash. Meanwhile, in suburban, village and town centre areas, the Council would normally seek species such as laurel, hazel, holly, yew, box, hornbeam and beech.
- 8.180 Occasionally, there may be a stretch of historic brick or stone walling denoting an historic estate boundary; such boundaries should be retained and conserved.

Question Box

Q153. What are your views on the Council's proposed policy on boundary treatments?

Q154. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HOU19: Accesses and Drives

Policy Status:	Non-Strategic
New Policy?	No – Update to DaSA Policy DHG12
Overall Priorities:	Live Well Locally

Policy Wording:

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.

When is Planning Permission required?

Planning permission to form a new access, or to improve an existing access, is required if the access would be on to a classified road (A, B or C Class).

Permission is also likely to be required if the access drive would cross land which is in another use (for example a residential driveway across agricultural land) or if significant alterations in ground levels are required in order to construct the access or if the works also require the laying of hard-standing which is not permitted development.

Irrespective of the need for planning permission, any works to a Public Highway such as altering the verge or pavement or providing a dropped kerb will require a separate Crossover Licence from the County Highway Authority, or, for the A21 and the A259, consent from National Highways.

The Council will always advise applicants, where they believe planning permission isn't required, to apply for a Lawful Development Certificate for a Proposed Use or Development to ensure that this has been formally agreed by the Council.

Explanatory Text:

- 8.181 A key issue for consideration in proposals involving a new access or driveway is the effect on highway safety. As well as the effect on vehicle users, the effect on pedestrians and cyclists should also be considered. In some situations (usually for larger schemes) a site access may need to include a separate footway/cycleway.
- 8.182 A particular issue can arise where a new access or driveway or the required sight lines would result in the loss of some boundary feature, often a hedge, which contributes positively to the character of the street scene. This will require balancing of amenity, character and highway safety considerations. Careful siting is required to minimise the amount of any hedge loss and such loss would be expected to be mitigated by replanting with matching species behind the sight lines of the access. Consideration should also be given to the effect of removing any landscape features on biodiversity

and whether there are opportunities to improve the biodiversity value of the site, in accordance with (Policy ENV5).

- 8.183 Where a new access is to be created, care should also be taken in the design and choice of materials to match the character of the locality, for example in the width of the access and corner radii (subject to highway safety requirements), surfacing materials, provision or not of any kerbing materials, and treatment of verges, particularly to ensure that the works would not suburbanise the character of the rural areas. In urban areas, the hard surfacing of front gardens, especially small gardens, for vehicle parking can have a significant impact on the appearance of buildings and the wider landscape. Usually there will be a preference for the use of permeable surfacing but if this is not proposed, the inclusion of appropriate drainage to minimise water run-off onto the highway will be necessary, in accordance with Policy ENV2.

Question Box

Q155. What are your views on the Council's proposed policy on access and drives?

Q156. Are there any alternatives or additional points the Council should be considering?

9 Economy

- 9.1 This chapter of the Local Plan presents proposed policies related to economic development. Economic development comprises employment, retail and leisure uses as well as visitor accommodation and agriculture and forestry and there are policies relating to all of these sectors in this chapter. The continued economic prosperity within the towns and rural communities of Rother is necessary to ensure the vitality and sustainability of settlements across the district. Residents require employment, services to meet their needs, and leisure opportunities to promote health and wellbeing. These requirements are essential to the overall priority to Live Well Locally.
- 9.2 The NPPF establishes that the planning system plays a major role in assisting the building of a strong and competitive economy. Planning policies are required to help create the conditions in which businesses can invest, expand and adapt. The Local Plan is required to set out a clear economic vision and strategy which proactively encourages sustainable economic growth.
- 9.3 To this end, the Council, together with HBC, has jointly commissioned the Housing and Economic Development Needs Assessment (HEDNA) (2024) as the Local Plan's primary evidence base underpinning its economic strategy. The joint commission recognises that Rother's economy and employment needs form part of a larger 'Functional Economic Market Area' (FEMA), which includes Hastings. While there are of course commuting links between Hastings, Rother and other neighbouring authorities, namely Eastbourne, Wealden and Tunbridge Wells, the commuting links within and between Hastings and Rother are significantly stronger; and equate to an overall self-containment rate of 79%.
- 9.4 The HEDNA's analysis includes assessment of the key issues inherent within the district and the identified FEMA. Although it sits within the prosperous southeast region, the geography of the area presents a number of challenges that significantly impact on its economy in contrast with the wider region. The majority of the area is within the countryside, while the countryside contains some 40% of Rother District's population. At the same time, the two major towns, Hastings and Bexhill, are both

coastal communities which represent an economic typology that has long suffered economic challenges. Indeed, both towns have received funding as part of the Government's recent Levelling Up agenda.

- 9.5 Recent data shows that workforce qualification levels across the FEMA are lower than regional and national figures respectively, while the proportion of the workforce in Rother and Hastings with no qualifications is noticeably greater still. Skills availability is reported as constraining the local economy, and particularly at higher technical skill levels such as for manufacturing, general industry and construction. There are some areas within the district that feature relatively high levels of deprivation compared to national averages.
- 9.6 The national macroeconomic picture has also been factored into the HEDNA's analysis, and national forecasting models have been used to estimate future employment numbers in the district. In addition, the HEDNA specifically assesses the permanent recent shift towards hybrid working, as well as the long-term impacts of Brexit. It should be noted however, that while the recent trend towards hybrid working has been factored into the HEDNA's employment floorspace projections, evidence does not indicate that there is a specific demand for live-work units within the district. Working from home trends may result in an increased desire for dedicated homeworking space within residential units, which it is envisaged will be picked up through market demand for housing.
- 9.7 The HEDNA's forecasting models also include longer term factors that will have a significant impact on Rother's economy. The urgent need to decarbonise the economy, which is itself reflected in the Council's commitment to use its powers and influence to make the district climate-resilient, and reduce emissions to net zero, by 2030, will mean that certain economic sectors will emerge as significant to Rother's economy and will need to be prioritised through Local Plan policy. Ongoing technological advances, most notably including the recent application of Artificial Intelligence, have the potential to be highly innovative but also challenging economically. Ultimately, the long-term forecasts for the local economy in light of these broader economic impacts are

uncertain. A transitory economic climate will be a hallmark of the plan period up to 2040, and the Local Plan will need to reflect this.

- 9.8 Overall, the HEDNA projects an increase of some 3,800 jobs across all sectors, between now and 2040. A higher level of jobs growth is projected in accommodation and food services, and financial/professional services. Higher levels of employment growth are also projected in construction industries.
- 9.9 Following these growth projections, the HEDNA forecasts that the district will need an additional 74,189sqm of employment space. This figure is discussed in the development strategy chapter.

Proposed Policy ECO1: Supporting New Employment Development

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Proposals for new employment development, will be considered in accordance with the following criteria and subject to other Local Plan policies:

- i) Be of a scale and nature appropriate to the locality, and not have adverse impacts on any neighbouring residential amenity; and
- ii) Ensure that traffic generation can be satisfactorily accommodated by the existing or planned local road network, ensuring access arrangements are acceptable to the scale and type of development. Developments that would potentially generate a significant amount of movement must be suitably located and submit sufficient information to assess its likely transport impacts as well as how these impacts would be effectively mitigated and considered in a Transport Assessment.

Employment Development Outside Development Boundaries

Suitable employment opportunities in the countryside will be supported in limited circumstances, including through the sensitive, normally small-scale growth of existing business sites and premises, and by the conversion, for employment use, of farm buildings in accordance with Policy ECO8.

Explanatory Text:

- 9.10 In order to encourage employment and economic growth, this policy establishes broad support for new employment development, subject to other policies within the Plan. Given the changing and somewhat unpredictable economic environment that we face, it is considered that alongside site allocations, the supportive function of this policy is an important component in the Plan's ability to deliver its employment objectives.

- 9.11 The policy contains requirements to ensure that neighbouring amenities are protected in cases where employment development could create adverse impacts. A further consideration of the policy is to ensure that developments that may create higher levels of traffic are suitably located, or their transport impacts otherwise mitigated.
- 9.12 The policy also incorporates the requirements of the development strategy, insofar as it gives specific consideration to the scale and suitability of employment development that may be supported outside of Development Boundaries. This aims to provide in principle support for suitable forms of employment development in the rural areas.

Regulation 18 commentary:

- 9.13 Given the transitory nature of the economy as we move through the plan period up to 2040, it is considered now more than ever, that Local Plan policy should be flexible in order to encourage and support new employment development. At the same time, it is intended that the policy sets out sufficient detail as to what may be permitted in order to provide a level of certainty for prospective development.

Question Box

Q157. What are your views on the Council's proposed policy on supporting new employment development?

Q158. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO2: Protecting Existing Employment Sites and Premises

Policy Status:	Strategic
New Policy?	No. Updated version of DaSA Policy DEC3
Overall Priorities:	Live Well Locally

Policy Wording:

The effective use of existing employment sites will be secured by:

- (A) Land and floorspace currently (or last) in employment use, must be retained in such use unless it is demonstrated that there is no reasonable prospect of its continued use for employment purposes, or it would cause serious harm to local amenities.

Where the continued employment use of a site/premises is demonstrated not to be viable, complementary enabling development as part of an overall scheme to make most effective use of the property for employment purposes can be proposed.

The approach to demonstrating if there is a reasonable prospect of continued commercial use is set out in Policy DEV4.

If a mixed-use scheme is not viable, alternative uses will be considered in accordance with a sequential approach in the following order:

- i) Community uses;
- ii) 100% affordable housing (in accordance with Policy HOU3); and then
- iii) Housing (in accordance with Policies HOU1 and HOU2).

- (B) The intensification, conversion, redevelopment and/or extension of existing sites and premises, as well as access and environmental improvements, will be permitted where they accord with Policy ECO1 as well as other policies of the Plan.

Explanatory Text:

- 9.14 Retaining land and premises currently in employment use is essential. However, it is a known feature of today's economic climate that there is commercial pressure for sites to change to alternative higher value uses, notably to housing, which can have an adverse impact on the long-term sustainability of existing and future communities. The above policy establishes the strategic approach that prioritises the retention of existing sites in their employment use unless it is demonstrated to be unviable, which is defined as there being no reasonable prospect of its continued use. The approach by which viability is determined is set out in Policy DEV4.
- 9.15 In cases where sites or premises are demonstrated not to be viable in their existing permitted use, the policy sets out a hierarchy of alternative uses that may be permitted. First, suitable enabling development may be permitted as part of a mixed-use scheme, in order to ensure the effective use of the site for employment purposes. Where this is not possible, community uses may be permitted, followed by 100% affordable housing, before finally regular market housing (in line with affordable housing policy).
- 9.16 In order to ensure the effective use of existing sites and premises, the policy also permits, in principle and subject to other policies in the Plan, the intensification and extension of existing sites, as well as their redevelopment or conversion. Where appropriate, the policy also permits access or environmental improvements to existing sites and premises.

Question Box

Q159. What are your views on the Council's proposed policy on protecting existing employment sites and premises?

Q160. Are there any alternatives or additional points the Council should be considering?

Retail and Leisure Need

- 9.17 The growth in online shopping has diversified the retail market away from 'physical shopping'. This trend has also been driven by long term increases in business rates and the recent COVID-19 pandemic, resulting in widespread online shopping across the district. On top of this, the country is currently in the midst of a 'cost of living crisis', due to a sharp upturn in consumer inflation since the end of the pandemic and the subsequent decision of the Bank of England to increase the cost of borrowing. These factors have had major implications for retailers' space requirements and are changing the retail landscape of our towns and cities.
- 9.18 Rother's Retail and Town Centre Uses Study 2023, considers the district's retail and leisure needs for the whole plan period, however the Study recommends that Local Plan policy should place a greater emphasis on retail and leisure forecasts over the next 10 years. This recommendation reflects the Government's Planning Practice Guidance, which states that long-term retail trends and consumer behaviour are inherently difficult to forecast, and therefore recommends that while the whole lifetime of Local Plans needs to be taken into account, assessment of need and planning for this need may require a focus on a more limited period of time and be regularly reviewed. As a minimum, the NPPF requires the Local Plan to identify need and make sufficient provision for retail and town centre uses at least ten years ahead.

Retail

- 9.19 The below table (Figure 40) sets out forecasts for new convenience goods floorspace capacity, primarily relating to grocery shopping, throughout the plan period and across the district.

Figure 40: Forecast Capacity in Rother for New Convenience Retail Floorspace (sqm)

Retail Location	2027	2032	2037	2039
Bexhill Town Centre	56	101	135	141
Rye Town Centre	66	113	144	151
Battle Town Centre	69	132	193	212
Little Common District Centre	5	8	11	11
Sidley District Centre	30	53	67	69
Villages and Local Shops	4	6	7	6
Edge and Out of Centre	3	5	6	7
Total Rother District	233	418	563	597

- 9.20 Given current trends, the Town Centre and Retail Study identifies a capacity for 597sqm of convenience floorspace within the whole district for the plan period up to 2039. However, the 2032 figure of 418sqm is a more important figure for the Council to plan for, bearing in mind the inherent unreliability of longer-term retail forecasts. At the same time, and given the local nature of retail needs, district-wide figures are less significant than more local figures as there is no location for a single allocation that would cover the needs for the whole district.
- 9.21 Overall, the level of capacity identified for the three town centres of Bexhill, Rye and Battle, could only support a small new convenience store in each, and would not particularly add to improving convenience offer in the town centres. Therefore, there is no need to identify additional future growth in any of the centres. It is considered that this limited need of 418sqm can be accommodated within the existing premises within these Centres, including currently vacant premises.
- 9.22 In terms of comparison goods retail, which relates to retail trade for goods that are usually more expensive than comparison goods, while being bought more infrequently, the Town Centre and Retail Study forecasts either nil or negative capacity.

Leisure

- 9.23 Leisure forms a diverse range of use categories, and forecasting for new leisure uses is more problematic than for retailing, being highly complex and dynamic. Consequently, no overall floorspace need is identified as it has been for convenience and comparison retail. That said, the Study identifies a number of sectors forming leisure uses that are identified as having potential for growth within the district.
- 9.24 In terms of theatre, music and the performing arts, improvements to the De La Warr Pavilion in Bexhill have the potential to claw back demand that is currently lost through trips to Central London and regional venues. This will in turn help to stimulate trade to other businesses within the leisure sector that would benefit from linked trade, such as food and beverage outlets and potentially increase demand for overnight visitor accommodation.
- 9.25 Market analysis in the Study identifies a demand for an improved active leisure and fitness provision within the district. This includes demand for facilities in different areas within the district, while there is potential for a new leisure centre that offers affordable access to both wet and dry-based facilities under one roof. It is noted that this could be supported by investment from the public sector and is one specific area where Local Plan policy could have a facilitating role.
- 9.26 Ultimately demand for leisure uses will change and will also face competition for advances in technologies that may draw potential customers to remain at home. Given the complexity of this sector, as well as the problematic nature of forecasting for future leisure capacity, it is proposed that applications for new retail and leisure development will be determined in accordance with Policies ECO3 and ECO4. The Local Plan will promote the district's leisure offer through supportive and flexible policy that allows for development to come forward according to market demand, where such development is considered acceptable.

Proposed Policy ECO3: Designated Town Centres

Policy Status:	Strategic
New Policy?	No. Update of Core Strategy Policy EC7, DaSA Policies BEX12, BEX13 & BEX17, Rye NP Policy B1-B3, Battle NP Policy HD8
Overall Priorities:	Live Well Locally

Policy Wording:Town Centres Areas

The following designated Town and District Centre Areas, as defined on the maps in Appendix 2, will be the focus for main town centre uses*:

- Bexhill Town Centre
- Rye Town Centre
- Battle Town Centre

District Centre Areas

- Sidley District Centre
- Little Common District Centre

In these areas, new main town centre uses will be granted planning permission, subject to compatibility with other Local Plan policies. The loss of such uses will be resisted where such losses are not permitted through the General Permitted Development Order 2015.

Primary Shopping Areas

Primary Shopping Areas, as set out below and on the Policy Maps, will give priority to retail and associated services and seek to protect the predominant shopping role and character of the area by controlling the loss of such units where possible:

- Bexhill Primary Shopping Area
- Rye Primary Shopping Area
- Battle Primary Shopping Area

Planning permission will be granted for the introduction of new shops and the expansion or refurbishment of existing premises, subject to compatibility with other Plan policies.

*Main Town Centre uses are defined in the NPPF as: retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Explanatory Text:

- 9.27 Town Centre Designations serve to focus town centre uses through the sequential test set out in the NPPF. The sequential test requires that applications for main town centre uses (excluding retail uses) be directed first to designated town centre, followed by edge of centre locations¹⁰⁵, before other locations may be permitted.
- 9.28 In the same way, Primary Shopping Areas also function to focus retail uses to these designated areas through the sequential test.
- 9.29 The established urban centres around the district will continue to be designated as Town and District Centres, with smaller Primary Shopping Areas delineated within them. These areas constitute the designated areas in the policy above.
- 9.30 No other areas outside of the towns of Bexhill, Rye or Battle have the potential to be promoted to 'District Centre' status. According to the Study, the market share of retail uses in the rural village centres in the remainder of the district is limited. They serve immediate day to day needs and are often served by a convenience store and a small number of other retail uses.

¹⁰⁵ NPPF December 2023 definition: a location within 300 metres of a town centre boundary.

Regulation 18 commentary:

- 9.31 It is principal objective of national policy to ensure the vitality of town centres and the roles that town centres have at the heart of local communities. It requires that Local Plans should define a network and hierarchy of town centres, in order that these locations are prioritised for town centre uses.
- 9.32 At the same time town centres and highstreets will need to evolve in a way that they can adapt to this new retail environment, through a diversification of uses within town centres away from a traditional focus on retail. Important mixes of uses within Rother District include leisure, entertainment and recreation use, offices and arts, culture and tourism development, creating a strong retail mix, supporting service uses, and managing the nighttime economy.
- 9.33 Changes to the Use Class Order in 2020 have been designed in part to facilitate the diversification of the high street. These changes include the assimilation of a number of formerly separate main town centre uses including retail, restaurants and cafes, offices, leisure and health uses under Use Class E, therefore enabling town centres to adapt to economic changes without the need for planning permission.
- 9.34 In addition, national legislation has also come to recognise the role that housing development has in maintaining the vitality and viability of town centres. General Permitted Development Rights (GPDR) Class MA permits a range of uses under Use Class E to change to residential use without the need for planning permission.¹⁰⁶
- 9.35 While these recent changes to legislation may assist the high street to adapt to a transitioning economy, by removing the need for planning permission they limit the role of the planning system to ensure the vitality of high streets.

¹⁰⁶ Change of use of Use Class E to Residential under GPDR Class MA is not permitted with the High Weald National Landscape or to listed buildings.

- 9.36 With reference to the existing designations, Battle and Bexhill Town Centres¹⁰⁷ as well as Sidley and Little Common District Centres are unmodified. Rye Town Centre, as proposed, connects the main body of the town centre to the designated areas around Landgate and The Strand.
- 9.37 New Primary Shopping Areas are proposed to form part of Rye and Battle Town Centres. In Bexhill, a contraction of the Bexhill Primary Shopping Area is proposed to exclude St Leonards Road, Sea Road, and the south-eastern end of Sackville Road, due to a fragmentation of retail uses, with other town centre uses being significant. These designations are delineated through Local Plan policy rather than through their respective Neighbourhood Plans, given their strategic importance to the district.

Question Box

Q161. What are your views on the Council's proposed policy on designated town centres?

Q162. Are there any alternatives or additional points the Council should be considering?

Q163. Are there any other areas of the district that the Council should be considering, and if so, what evidence is available?

¹⁰⁷ There are very minor changes to the edge of Bexhill town centre at the south end of Eversley Road.

Proposed Policy ECO4: Retail and Leisure Impact Assessments

Policy Status:	Strategic
New Policy?	No – carries forward and updates CS Policy EC7(iv)
Overall Priorities:	Live Well Locally

Policy Wording:

Retail & Leisure Impact Assessments are required:

- i) for new retail development of 280sqm or more, outside of designated Primary Shopping Areas; and,
- ii) for new leisure development of 280sqm or more, outside of designated Town Centres.

Explanatory Text:

9.38 In accordance with the NPPF, Retail and Leisure Impact Assessments should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres (including Primary Shopping Areas) in the catchment area of the proposal; and
- the impact of the proposal on Town and District Centre, and Primary Shopping Area vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

9.39 The NPPF advises that development should be refused where it is likely to have a significant adverse impact.

Regulation 18 commentary:

- 9.40 The NPPF permits Local Plans develop a locally set floorspace threshold, above which Retail and Leisure Impact Assessments are required. In contrast with the national 'default' floorspace threshold of 2,500sqm, Rother's current Local Plan sets the threshold at 500sqm, which reflects the smaller size of retail units within its town centre areas.
- 9.41 For Rother's new Local Plan, the Retail & Town Centre Uses Study recommends that the floorspace threshold should be reduced to 280sqm. This is based on current market trends that see the main grocery operators focusing on smaller convenience stores (i.e. Sainsbury's Local, Tesco Express, etc), which tend to have a minimum gross floorspace of between 280sqm and 372sqm. Stores below 280sqm are exempt from Sunday trading restrictions, while those above 280sqm are defined as 'large shops' according to the Sunday Trading Act. The Act intends to protect smaller stores from competition from the larger supermarket operators. It is therefore considered that stores of over 280sqm are unlikely to be a purely local facility, and may draw trade from outside their immediate area and potentially impact on existing stores and centres.

Question Box

Q164. What are your views on the Council's proposed policy on retail and leisure impact assessments?

Q165. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO5: Tourism Activities, Facilities and Accommodation

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Proposals relating to tourism activities, facilities and accommodation will be encouraged where they accord with the following considerations, as appropriate:

- i) It provides for the enhancement of existing attractions or accommodation to meet customer expectations;
- ii) It supports active use along the coast, consistent with environmental and amenity factors;
- iii) It develops markets for local produce, particularly that which supports land-based industries and cultural assets; and,
- iv) It increases the supply of quality services and self-catering accommodation.

Land of premises currently (or last) in tourism activities, attractions, and visitor accommodation uses, must be retained in those uses unless it is demonstrated that there is no reasonable prospect of their continued use. The approach to demonstrating if there is no reasonable prospect of their continued use is set out in Policy DEV4.

Appropriate controls will be put in place that restrict occupancy to that for holiday/leisure purposes, whilst not unduly restricting operators from extending their season (subject to visual impact and flood risk considerations, where applicable).

Explanatory Text:

- 9.42 This sets out the Plan's overarching strategy for tourism development, including visitor accommodation.
- 9.43 It is appreciated that Rother's tourism offer coincides with the preservation of its natural and built heritage, and a significant proportion the market will be focussed on the rural areas. Consequently, while the Plan is supportive of new tourism and accommodation development, the overall approach is selective, being focused on higher quality markets and those that are related to, and support, the area's high environmental qualities.
- 9.44 It is also recognised that there can be commercial pressures for tourism facilities, in particular visitor accommodation, to change to higher value uses. For this reason, the policy restricts the loss of tourism activities, attractions and visitor accommodation, unless it can be demonstrated that there is no reasonable prospect of its continued use subject to the requirements set out in Policy DEV4. Additionally, new visitor accommodation will also be subject to appropriate controls that restrict occupancy to that for holiday/leisure purposes.

Regulation 18 commentary:

- 9.45 Given its broad access to the coast, its beautiful and often remote landscapes, its unrivalled historic assets and settlements, and its relative proximity to London, it is no surprise that the visitor economy is a fundamental component of the district's economy. The Sussex Visitor Economy Baseline Report (July 2021) records Rother with the second highest number of tourist day visits amongst authorities in the County (after Brighton) and the highest proportion of tourism visits per resident (65).
- 9.46 A Study¹⁰⁸ of the economic impacts of tourism within Rother recorded that in 2019, 6.3 million tourist trips to Rother were undertaken, with £287.3 million spent in the

¹⁰⁸ The Economic Impact of Tourism on Rother District 2019, Tourism South East Research Unit.

local area as a result of tourism (taking account of multiplier effects). The study estimated that 7,234 jobs were directly supported by tourism, while also supporting 1,219 non-tourism related jobs. Overall, 30.1% of Rother's population employed as a result of tourism within the district.

- 9.47 Tourism also forms an important component of rural economies. In addition to the district's three main town of Bexhill, Battle and Rye, Rother's villages are popular tourist destinations due to the presence of cultural activities and attractions such as Bodiam Castle, Batemans at Burwash, Great Dixter, the Kent and East Sussex Railway and the medieval town of Winchelsea. Tourism is an influential factor in the diversification of the rural economy, including the growing market for local produce and viticulture.
- 9.48 Of particular significance is the coastal resort of Camber. With its golden sands, it has long been a popular tourist destination for people from across the wider region and its summer population swells considerably. The eastern end has become increasingly popular for extreme sports, particularly kite surfing. Camber has the potential to enhance its tourism offer and expand its role as a modern all year-round leisure and tourist destination.
- 9.49 Most visits to the district are day trips (with 5.8 million being recorded in 2019), although there is a considerable level of staying trips as well, with demand for both serviced and self-catered accommodation. It is envisaged that climate change related issues, including the growing unsustainability of overseas transit, will equate to a steady trend towards domestic 'staycation' holidaying. This represents a growing opportunity for Rother to diversify its tourism offer, extending beyond traditional day trips towards an increasing emphasis on multi-day visits. It is therefore essential for its tourism sector that Local Plan policy promotes a broad range of visitor accommodation, including higher-quality, sustainable accommodation, both in urban and rural areas.
- 9.50 The development of new online platforms, most notably Airbnb, has led to a rise in the number of short-term holidays lets in some areas of the country, particularly coastal towns. This is conspicuously the case in certain areas of Rother including Rye and

Camber. There is a growing awareness that higher concentrations of short-term lets can adversely impact on the availability and affordability of homes for local people, as well as the overall sustainability of communities.

- 9.51 While Policy ECO5 has no specific approach to short-term holiday lets, the Government has recently consulted on proposals that would create a new use class for short-term holiday lets. It is proposed that a change of use from residential to a short-term holiday let would be Permitted Development, however, the use of Article 4 Directions would allow Local Authorities to remove this right of Permitted Development in areas where short-term holiday lets are concentrated and having an adverse impact on the availability of housing. Until such time as these changes are in place, Local Planning Authorities are generally unable to intervene.

Question Box

Q166. What are your views on the Council's proposed policy on tourism activities, facilities and accommodation.

Q167. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO6: Holiday Sites

Policy Status:	Non - strategic
New Policy?	No – carries forward DaSA Policy DEC2
Overall Priorities:	Live Well Locally

Policy Wording:

All proposals for camping, caravan and purpose-built holiday accommodation must accord with all other appropriate policies in this Plan and:

- i) Safeguard intrinsic and distinctive landscape character and amenities, 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;
- ii) Not significantly detract from the needs of agriculture;
- iii) Not unreasonably harm amenities of residents in nearby dwellings; and
- iv) Not be 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.

Proposals for static caravan, chalet or lodge accommodation must also:

- v) Be of a modest scale for low-key, high-quality accommodation that requires only limited ancillary facilities; or
- vi) Comprise a limited amount of accommodation to enhance an existing countryside recreational use and be wholly ancillary to that use; or
- vii) Where within an existing site, either:
 - a. result in a significant improvement to the appearance and quality of accommodation of that site, or
 - b. be a limited extension of that site to a natural boundary and make a significant improvement to the appearance and quality of accommodation.

Touring caravan or tented camping proposals should be of a small scale appropriate to the area. Where the temporary use of land is permitted, any ancillary facilities necessary to serve the site will only be permitted on a similar temporary basis or, if of a permanent nature, where they are compatible with the local character of the area.

For all proposals, in order to prevent the residential use of holiday accommodation, their use will be restricted to holiday/leisure purposes only and will be subject to occupancy conditions relevant to the site, in accordance with Policy ECO5.

Explanatory Text:

- 9.52 The overarching policy approach set through Policy ECO6, is to support tourism activities and facilities, including by increasing the supply of quality serviced and self-contained accommodation, while ensuring compatibility with other policies, especially those that protect environmental character and amenities.
- 9.53 This additional policy for holiday accommodation is necessary because it makes up a significant and dynamic part of the tourism sector, being historically concentrated on static caravan sites situated near the coast but now taking more varied forms and being more dispersed.
- 9.54 Care must be taken in the siting, scale and form of holiday sites, as they can impact adversely on the special character of the countryside, particularly on an otherwise undeveloped coastline, much of which is designated as being of ecological importance, or in the High Weald National Landscape, which are the very assets that makes the district attractive to visitors. In addition, coastal areas are also most often vulnerable to flood risk.
- 9.55 Given these environmental constraints, the provision of new holiday centres or large static caravan/chalet sites would be most unlikely to be satisfactorily accommodated locally.

- 9.56 The upgrading of existing holiday sites, for example replacing static caravans with chalet or lodge-style units, can be positive in terms of better meeting customer needs so long as the impact on the wider landscape is unaffected. This may, exceptionally, involve a sensitive, limited expansion.
- 9.57 Changing leisure patterns bring other demands, including for short stay breaks in low key, high quality, self-catering accommodation. Such accommodation may take the form of small lodges or more unusual structures such as shepherd huts or tree houses. Where a scheme involves limited ancillary facilities and generates minimal traffic, as well as not detracting from its setting, these may also be accommodated.
- 9.58 In addition, visitor accommodation serving other countryside uses, for example existing fishing lakes or equestrian facilities, may also be considered where any new buildings can be assimilated into the landscape and the accommodation is wholly ancillary to and an integral part of the principal leisure use.
- 9.59 Relative to static holiday accommodation, there is more scope for further seasonal touring caravan and camping pitches for holiday use on temporary small-scale sites in the summer months, including new forms of camping, as seen in the rise of 'glamping' and the use of yurts for example.
- 9.60 The siting of such developments should be visually contained within the rural landscape, not adversely impact on the particular characteristics of the High Weald NL or sensitive ecological areas and have no unacceptable impacts in terms of traffic, access and other environmental impacts.
- 9.61 There is a need to give careful consideration to tourism accommodation proposals, including ones to upgrade or extend existing permanent and seasonal sites, as well as new sites, where this is likely to generate increased recreational pressure on the Dungeness Complex¹⁰⁹ of Habitats Sites. This will be most relevant to proposals in the Camber, Rye Harbour and Winchelsea Beach areas, where otherwise suitable

¹⁰⁹ This comprises the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar site, and the Dungeness Special Area of Conservation (SAC).

proposals must also maintain the integrity of the ecological interest of the Complex; this may involve restricting the scale, length of season, the provision/retention of recreational space and provision of guidance about the sensitivity of sites.¹¹⁰

- 9.62 Some significant areas of the district are at risk from coastal and/or fluvial flooding. For both permanent and seasonal accommodation, the provision/extension of sites, or extension of occupancy periods, is will not be agreed in undefended areas of high flood risk unless a Flood Risk Assessment has satisfactorily demonstrated that the appropriate standard of flood defence will be provided and the development would not impede flood flows or otherwise prejudice floodplain storage.
- 9.63 Fluvial flooding from rivers can occur at any time of the year and therefore highly vulnerable uses such as touring and static caravans and tents should normally be located outside the floodplain or be adequately defended, with any residual flood risk mitigated for on the site. Flood Risk Assessments will also be required for applications in flood risk areas, included those with flood defences, to assess any residual flood risk to the site. These should have regard to the impact of hard-standings and other impermeable surface treatments. To safeguard people, restrictions on occupation will be imposed where there is a high risk of flooding.
- 9.64 While there has been a trend to move away from seasonal controls on permanent sites to allow all-year-round use, it is essential that holiday sites remain available as tourist accommodation and do not develop, or become seen, as low-cost homes to be purchased or occupied by persons without a permanent residence elsewhere. As well as the loss to the tourism economy, permanent residential occupation has infrastructure impacts, notably on highways and local services, including schools.
- 9.65 On sites with static units established practice is to impose conditions on any new permissions to the effect that any unit is only occupied for holiday purposes and not as any person's sole or main place of residence; also, that the owners/operators of the

¹¹⁰ For further information see Dungeness Complex – Sustainable Access and Recreation Management Strategy (SARMS) (Oct 2017)

site should maintain an up-to-date register of the names and main home addresses of all occupiers of the units and make this available to the Council.

- 9.66 Seasonal sites will be limited to holiday use and the occupation period will be restricted to prevent use all year round (normally to between April and October).
- 9.67 The Living Well Locally Overall Priority requires proposals, including holiday site development to demonstrate that they have had sufficient regard to matters of sustainability, including sustainable and active transport where possible.

Regulation 18 commentary:

- 9.68 This policy takes forward DaSA Policy DEC2 into the new Local Plan, subject to several minor updates. Holiday sites development remains a significant part of the district's tourism offer, and this policy goes into some detail to ensure that such development does not adversely impact on Rother's landscape and environment.
- 9.69 Updates to the policy include specific updated references to align with the NPPF and the other policies in this Plan.

Question Box

Q168. What are your views on the Council's proposed policy on holiday sites?

Q169. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO7: Agriculture Development and Forestry

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

For new buildings

New agricultural buildings and other non-domestic buildings (also including the conversion, replacement and extension of existing sites and premises, reasonably necessary to support agriculture and forestry, that are not permitted development) will be supported, provided that:

- i) New development serves a need that is directly related to the enterprise, and is of the minimum scale required to meet that need;
- ii) Wherever possible, development should re-use or be on the footprint of an existing agricultural building, otherwise it should be related physically and functionally to existing buildings associated with the enterprise, unless it can be demonstrated that there are exceptional circumstances relating to the needs of agriculture or forestry that require a more isolated location;
- iii) When development is, exceptionally, acceptable in flood risk areas, consideration is paid to the layout and form of development to mitigate flood risk;
- iv) The design and materials of the development respond to its function and the local landscape character; and
- v) Existing redundant buildings within the application site which have a negative impact on landscape character are removed where appropriate.

New Agricultural Tracks

Development proposals for new or improved access tracks for agriculture or forestry will be permitted where:

- vi) The proposal is essential for the sustainable management of the land;
- vii) It has been demonstrated that it is not feasible to accommodate the proposed traffic using existing accesses;
- viii) Must be the minimum possible scale necessary for its proposed use;
- ix) The layout and design conserves and where possible enhances local landscape character, which includes being in accordance with local geology and fitting within the pattern of existing contours and vegetation;
- x) New tracks should protect and enhance existing drainage patterns; and
- xi) Where practicable, the track is opened as a path for permissive public usage or as Public Right of Way, and should be accessible from the existing Public Rights of Way network.

Explanatory Text:

- 9.70 Rother is a predominantly rural district, and the primary economic function of the countryside is agriculture and the production of food; with some 70% of the area of Rother district being classed as farmed land by DEFRA. Rother's agricultural land is of mixed quality; mostly grade 3, but with significant areas of higher quality grade 2 towards the east of the district along the Brede Valley and East Guldeford Level.
- 9.71 It is important to recognise that with 83% of the district being within the High Weald NL that the form of agriculture within the district is generally less intensive in nature compared to other rural areas. This is reflected in the High Weald's medieval field pattern consisting of small, irregularly shaped fields bounded by hedgerows and woodlands. According to the High Weald AONB Management Plan, there is no Grade 1 agricultural land within the High Weald, with only 2.5% being of Grade 2, while the average farm size in the High Weald is less than half the national average.

- 9.72 The Management Plan emphasises that certain forms of agriculture are nonetheless an integral part of the maintenance of the High Weald's medieval landscape, especially where the production of food is intended for local markets. Changes in agricultural practices during the 20th century saw a decline in traditional land and woodland management, with a consequent decline in skills in environmentally sensitive land management. Maintaining and developing such skills, and practices, offers opportunities for local employment and has a vital part to play in maintaining the district's distinct landscape character, especially in the High Weald. Key threats to the High Weald's fieldscape identified by the Management Plan include the fragmentation of farm holdings due to an increase in non-farming land ownership, the loss of agricultural skills and knowledge, and a reduction in livestock grazing and the associated loss of farm infrastructure and the degradation of pasture and soils.
- 9.73 New agricultural buildings are often permitted development and do not require planning permission, subject to requirements that the farm holding is over a certain size, with limitations for building size also relevant. In Rother, where farm sizes are smaller than national averages, new agricultural buildings may therefore be more likely to require planning permission.
- 9.74 In addition, modern farming practices often require new agricultural buildings to meet specific needs. It is also recognised that new forms of agriculture, including viticulture and beer production, are becoming increasingly important within the rural economy, with local beer production in particular being marketed in local urban areas.
- 9.75 It is therefore considered that a separate policy is required for new buildings for agriculture and forestry, in order to establish flexibility to account for the specific requirements of agriculture within Rother that does constitute Permitted Development. To ensure viable farming industries, these will be supported in principle, though whilst the size and mass of such buildings is inevitably dictated by their function, care is still needed in their siting, design and materials, to minimise the visual impact on the landscape character of the countryside.

Question Box

Q170. What are your views on the Council's proposed policy on agriculture and forestry activities?

Q171. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO8: Agricultural Diversification

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Schemes for the diversification of farms will be permitted where they:

- i) Are located within an active farm;
- ii) Demonstrate how the scheme will support and add value to the farm. Where appropriate, permission for diversification schemes will be subject to a condition tying the enterprise to the farm;
- iii) Are ancillary and subordinate in scale to the farm or land-based business;
- iv) Do not cause severance or disruption to the agricultural holding;
- v) Make use of redundant buildings before proposing new buildings. New buildings should be clustered within existing building groups;
- vi) Are of an appropriate scale and will not adversely impact on the character of the landscape, as well as local amenity;
- vii) Are accessible, and traffic generation can be satisfactorily accommodated by the existing or planned local road network, ensuring access arrangements are acceptable to the scale and type of development with no adverse effect on the road network; and,
- viii) Ensure vehicular access avoids residential streets and country lanes or mitigates impacts on these.

For holiday lets and sites

Proposals for holiday lets will be supported where they are provided only through the conversion of a suitable redundant farm building. If the proposal

involves the conversion of a traditional historic farm building, it will need to accord with Policy HER2: Reuse of traditional historic farm buildings.

Proposals for holiday sites will need to be assessed separately against Policy ECO6.

Explanatory text:

- 9.76 The above policy offers in principle support for schemes to diversify agricultural businesses, both through the reuse of existing redundant buildings and in some circumstances through new buildings. Such diversification schemes can include workshops, farm shops or tourist facilities, and other employment uses such as offices. To be considered a diversification scheme, development is not required to have a direct connection to the established farm, however there is often high interdependency and mutual benefit between developing markets for local food production and other business activities.

Regulation 18 commentary:

- 9.77 The diversification of traditional rural businesses has by now become an established means of supporting the agricultural activities that are integral to the vitality of rural areas. At the same time, adding new farming activities to changing farming needs and development economics have meant that many former farm buildings, historic and modern, have become available for conversion and re-use.
- 9.78 What is essential to diversification schemes, in contrast with other businesses in the rural areas, is that they add value to the established agricultural business while remaining ancillary in function. By supporting the vitality of agriculture, it is considered that a policy for diversification schemes may permit increased flexibility for new economic development over proposals for new development in the countryside that are not connected to agriculture.

Question Box

Q172. What are your views on the Council's proposed policy on diversification of agriculture?

Q173. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO9: Local Employment & Skills

Policy Status:	Non - strategic
New Policy?	Yes
Overall Priorities:	Live Well Locally

Policy Wording:

New developments of 10 or more dwellings or 1,000sqm or more of non-residential floorspace, are required to produce and deliver a Local Employment and Skills Plan (LESP):

These developments will be required to make the following financial contribution* to the Council for costs associated with the implementation and monitoring of the LESP, which includes coordinating local employment and skills training:

- i) £200 per dwelling; and
- ii) £1 for every sqm of non-residential floorspace.

**Contributions based on these sums are to be index linked, starting from the date that the Local Plan is adopted.*

Explanatory Text:

- 9.79 Unemployment within a geographic area is a key indicator of deprivation, while qualification levels significant factor in the development of a high skill economy. It is a long-standing statistic that, low employment and qualification levels compared to regional and national averages, are a continued detriment to local living standards and Rother's overall level of economic development. This is also true of the wider Functional Market Area, which includes Hastings. The Housing and Economic Development Needs Assessment also states that the lack of local skills, particularly in the construction sector, has a role in restricting the development of much needed housing in the district, as well as the delivery of planned for employment floorspace. It

consequently recommends that the upskilling of local residents should be an objective of the Local Plan.

- 9.80 The Council has an established practice of using planning obligations to secure Local Employment and Skills Plans (LESP) from larger developments. LESP's will set out opportunities for, and enable access to, employment and the upskilling of local people through the construction phase, and where possible the operational phase, of the development. Opportunities are to be made available to qualifying residents from the local area as far as possible.
- 9.81 The responsibility for drawing up the LESP is the responsibility of the developer. In doing so, the developer will be expected to liaise with the Council's Regeneration Team in combination with local employment and skills agencies, from which opportunities for upskilling and employment will be identified. The target outcomes of the LESP will be commensurate with, and assessed against, construction industry standard benchmarks of the employment / skills outcomes expected from the particular size and type of construction proposed¹¹¹.
- 9.82 LESP's will be required from all developments over the thresholds of 10+ dwellings and 1,000+sqm of floorspace. Qualifying developments are required to make a financial contribution to the Council for its role in liaising with the developer in drawing up the LESP, as well as for its role in monitoring the delivery of the LESP. Financial contribution requirements are set out in the policy, and they are to be index linked for inflation based on the adoption date of the Local Plan.

¹¹¹ Industry standard benchmarks are currently set out in the [National Skills Academy for Construction Client Based Approach](#) from 2017. While this is the latest available version, developers would be expected to comply with the latest version as and when these benchmarks are updated.

Regulation 18 commentary:

- 9.83 Though it is now an established practice to require LESP's from larger developments within the district, this policy aims to formalise the process so that LESP's can be considered as early in the planning of new development so that opportunities are not missed. The policy also strengthens the Council's ability to require LESP's from larger developments.
- 9.84 The thresholds of 10+ dwellings for residential development, and 1,000+ sqm for commercial development have been derived through the Council's experience in its use of LESP's from new development.
- 9.85 The Council's experience of using LESP's indicates that the financial contribution requirements of £200 per dwelling, or £1 per sqm of non-residential floorspace, are minimal in respect to the overall value of a development. It is therefore not expected that these requirements would have any significant adverse impact on the viability of a development.

Question Box

Q174. What are your views on the Council's proposed policy on local employment and skills?

Q175. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ECO10: Equestrian Developments

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Proposals for equestrian developments must, individually and cumulatively, safeguard the intrinsic and locally distinctive character and amenities of the countryside, with particular regard to the conservation of the High Weald National Landscape.

In addition, proposals should accord with the following criteria, as applicable:

- (i) The siting, scale and design, including materials and boundary treatment, of any new buildings or facilities should be appropriate to their rural setting;
- (ii) Proposals should not be sited in particularly prominent or isolated locations where new development would not be appropriate;
- (iii) Where proposals are sited on agricultural land, areas of poorer quality land should be preferred to higher quality land. Similarly, the siting of proposals should have regard to the hierarchy of international, national, and locally designated sites, by prioritising sites on land with the least environmental or amenity value;
- (iv) Commercial riding schools, livery stables and related facilities should be satisfactorily integrated with existing buildings;
- (v) Any associated floodlighting, earthworks, new access routes or ancillary structures, including storage facilities, manure bays, hard-standings, fencing and jumps, should not have an adverse impact on the surrounding countryside, biodiversity or local residential amenities, having regard to other relevant policies in the Plan; and
- (vi) Adequate provision should be made for the safety and comfort of horses in terms of the land for grazing and exercising, notably in the consideration of stabling proposals. Where possible, commercial riding

schools, livery stables and other commercial facilities should have satisfactory access to the public bridleway network without the use of unsuitable roads and in all cases not adversely impact on road safety.

In some circumstances, conditions (such as the removal of permitted development rights for fencing and external storage) may be applied where it is considered that there is the need to control potential adverse landscape impacts which can arise from the poor management of sites. Permission may also be subject to the removal of excessive or inappropriate fencing which has already taken place.

Explanatory text:

- 9.86 While there is a limited number of larger commercial centres in the district, it is small-scale facilities for individual and private pursuit that predominantly come forward as planning applications. Typically, proposals for stables will include a tack room as well as external hard-standing and manure bays, but may also include a sand school, fencing and jumps, as well as new access from the highway.
- 9.87 A balance needs to be struck between meeting the desires of the equestrian community and at the same time safeguarding the intrinsic value and locally distinctive rural character and landscape features of the countryside. This is especially the case in the High Weald NL, the conservation and enhancement of which is afforded great weight.
- 9.88 The High Weald landscape is particularly vulnerable to development, including on the fringes of settlements. New buildings and hard surfaces – access roads or sand schools – are not always easily accommodated without some impact on the fields, small woodlands and farmstead meadows which make up the essential character of the High Weald NL.
- 9.89 Much of the rural area beyond the High Weald NL is also sensitive for other reasons; notably, the lower and open Levels extending eastwards towards the Romney Marsh are ecologically sensitive and subject to national and international protection. More

generally, equestrian developments can have ecological impacts, for example, through habitat or species loss, nutrient enrichment, or the use of lighting. Sites should also have regard to avoiding the loss of higher quality agricultural land.

- 9.90 Other than the possibility of utilising former farm or other commercial buildings for new uses, there is limited scope within the countryside to accommodate further commercial equestrian enterprises. However, there is scope for equestrian development in the countryside that is limited in scale, although there is a need to manage the increasing pressures from proposals for new isolated stables and, at the other extreme, from a cumulative impact of stabling and equestrian facilities in a concentrated area.
- 9.91 Ideally, new development should be sited close to existing built development and close to the bridleway system. Mobile field shelters can often be an appropriate way of catering for equestrian uses, although this is not always practicable.
- 9.92 Where applications come forward in more remote locations and permanent buildings are required, new development will be expected to meet a number of criteria aimed at protecting the character of the countryside and the amenities of both local residents and users of the countryside.
- 9.93 Particular control is necessary over the location of any new equestrian development and the size, siting and design of all new buildings and associated facilities. Floodlighting will rarely be acceptable for private/ domestic stables in the countryside, particularly in the High Weald NL and in those areas identified as having “dark skies”. Any lighting necessary for commercial uses will need to be carefully designed in accordance with Policy LAN3. Extensive access roads or excavations other than of a minor nature to enable the formation of a sand school (or manège) are not appropriate in the countryside.
- 9.94 In assessing applications, adequate provision should be made for the safety and comfort of horses in terms of land for grazing and exercising. Such provision will help to address the issue of the excessive sub-division of fields and over grazing/loss of soil structure.

While there is not a common standard applicable throughout the plan area, depending on how the horses are kept and the nature of the land, a desirable guideline would suggest stocking at a density of one hectare per horse.¹¹²

Regulation 18 commentary:

- 9.95 The Rother area continues to be a popular area for equestrian activities. Its countryside provides an attractive environment for horse riders and there is a good network of bridleways throughout the district. Equestrianism is recognised as a countryside pursuit and has a role in supporting the rural economy.
- 9.96 This policy takes forward Policy DCO2 from the DaSA. It aims to accommodate equestrian developments whilst setting out the key considerations, notably in terms of the potential harm to the character of the countryside and particularly the High Weald NL so they are sensitive to their context.
- 9.97 The policy now includes further detail regarding the hierarchy of agricultural land, as well as designated sites of ecologically significant and sensitive.

Question Box

Q176. What are your views on the Council's proposed policy on equestrian developments?

Q177. Are there any alternatives or additional points the Council should be considering?

¹¹² Managing Land for Horses, Kent Downs AONB Unit (2011)

10. Landscape Character

Proposed Policy LAN1: Rural Environments and Landscape Character

Policy Status:	Strategic
New Policy?	No – revised CS Policy EN1
Overall Priorities:	Green to the Core

Policy Wording:

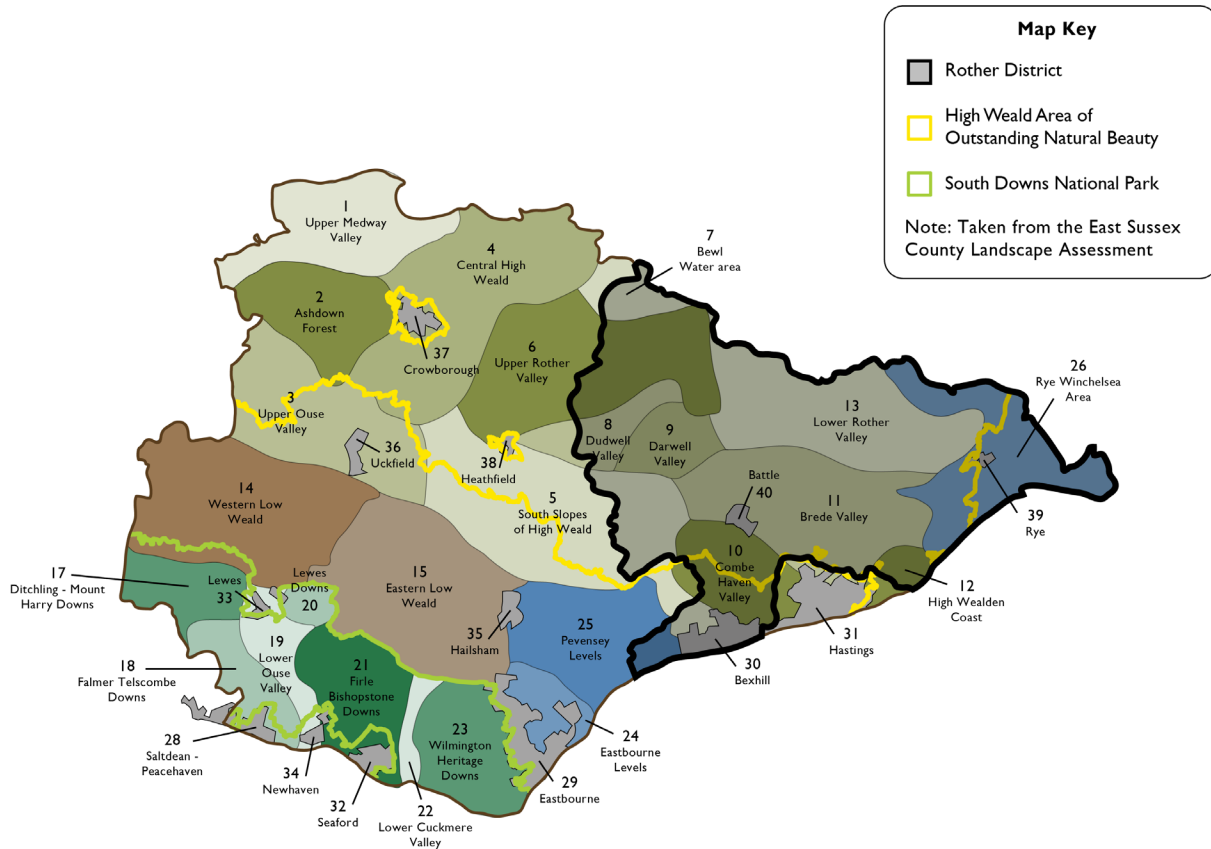
The siting, layout and design of development should maintain and reinforce the natural and built landscape character of the area in which it will be located, based on a clear understanding of the distinctive local landscape characteristics.

Priority must be given to the conservation and enhancement of the district's national designated and locally distinctive landscapes and landscape features, including but not limited to:

- (i) The High Weald National Landscape (which is also subject to Policy GTC9).
- (ii) The Romney Marshes, comprising of the distinctive low-lying levels to the east of the district with particular regard to the landscape setting of Rye and Winchelsea.
- (iii) The Pevensey Levels, comprising of the low-lying area of wetland meadows between Bexhill-on-Sea and Hailsham in Wealden District.
- (iv) Nationally designated historic sites including listed Parks and Gardens, Scheduled Ancient Monuments and the Registered Historic Battlefield at Battle.
- (v) The undeveloped coast.
- (vi) Open landscape between clearly defined settlements, including the visual character of settlements, settlement edges and their rural fringes.
- (vii) Ancient Woodlands.
- (viii) Tranquil and remote areas, including the dark night sky.

- (ix) Other key landscape features across the district, including native hedgerows, copses, field patterns, historic field boundaries, ancient routeways, ditches and barrows, and ponds and water courses.

Figure 41: Local Landscape Character Areas in Rother and the surrounding area



Explanatory Text:

- 10.1 Rother's landscape is of great environmental and economic importance, as well as contributing to the sense of identity and health and well-being. The landscape is a combination of both cultural, historical and physical characteristics and components, which give rise to patterns that are distinctive to particular localities in the district and help to define a sense of place. The landscape therefore relies upon other influences including topography, land use, land management, ecology, and cultural associations.
- 10.2 The purpose of the policy is to provide protection for areas of high landscape value across the whole district. In addition, the High Weald National Landscape has a specific planning policy within the Green to the Core chapter of the Local Plan to reflect the

importance and prevalence of the designated AONB within Rother.

- 10.3 Two predominantly rural areas with important landscape features comprise the Pevensey Levels and Romney Marshes. The Pevensey Levels are a low-lying tract of reclaimed wetland to the west of Bexhill at the western edge of the district that continues into Wealden District. They are typically a flat open landscape with extensively grazed wet meadows, largely windswept with a few trees. Widely spaced roads and isolated small settlements provide a sense of remoteness in this area, which is a priority habitat due to its designation as a Ramsar site and Special Area of Conservation (SCA).
- 10.4 The Romney Marshes are located around Rye to the east of the district and continue into Folkestone and Hythe District. This area is typically a flat open agricultural landscape of arable fields and wet pasture-land with distinctive drainage dykes, marshes and notable open skies. The area is also a priority habitat of the highest nature conservation value being designated as a Ramsar, Special Protection Area (SPA) and SAC. There is a sharp contrast between the shingle coast, low lying agricultural land and raised cliff in this wider area. The former sea cliffs mark the post glacial shoreline and the Royal Military Canal can be found at the base of the cliffs. The wider area is characterised by narrow straight roads and dispersed settlements with an open character and general feeling of remoteness. The coastal strip is also characterised by some 20th century development.
- 10.5 Another key rural area of importance is the Combe Valley Countryside Park, which is located between Bexhill and Hastings and forms an important Countryside Gap (Policy HWB7: Combe Valley Countryside Park).
- 10.6 The [East Sussex Landscape Character Assessment \(LCA\)](#) provides more detailed descriptions at a local level, reflecting the particular pattern of elements derived from geology, landform, topography, flora and fauna, physical features and settlement. The LCA Index Map, as it relates to Rother is reproduced at Figure 41 above. The key features and “action priorities” for each character area are identified in the Assessment document. This document will assist applicants in identifying the important

characteristics of the landscape in which the development in proposed development is located, to meet the requirements of the policy.

Question Box

Q178. What are your views on the Council's proposed policy on rural environments and landscape character?

Q179. Are there any alternatives or additional points the Council should be considering?

Proposed Policy LAN2: Trees, Woodlands and Hedgerows

Policy Status:	Non-Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

Development must, where appropriate, enhance and expand the district's tree, hedgerow and woodland resource.

Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of, locally valued and/or protected hedgerows, community orchards, veteran trees or woodland will not be permitted. The following criteria must be met:

- (i) A CAVAT¹¹³ assessment submitted with all applications impacting on individual or groups of trees in order to quantify the public amenity value.
- (ii) No net loss of hedgerows, as they form a key component of local ecological networks and ecosystem services.
- (iii) Where the loss of trees and/or hedgerows is considered acceptable, adequate replacement provision must utilise local and native species that are in sympathy with the character of the existing tree or hedge species in the locality and the site.
- (iv) Tree surgery work requiring consent must be undertaken in accordance with arboricultural best practice. All tree work must be undertaken in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction.
- (v) Details of soft landscaping details, including tree, hedge and wood planting where appropriate, must be provided with planning applications. Landscaping schemes should take into account local landscape character, ecological interests (including green infrastructure networks) and should include the planting of indigenous species where appropriate.

¹¹³ Capital Asset Value for Amenity Trees (CAVAT)

(vi) Details of long-term maintenance and management plans must be provided to accompany soft landscaping proposals.

Explanatory Text:

- 10.7 Trees, woodlands and hedgerows form the backbone of the district's rural character, providing social and environmental benefits to local communities throughout the district, and contributing a great deal to the special character of the High Weald NL. Benefits include their positive impact on health and well-being, carbon sequestration, providing habitat and increasing biodiversity, and climate change adaptation and mitigation such as absorbing pollutants and reducing flash flooding by intercepting rainfall. They are important producers of oxygen and act as carbon sinks. In developments, trees and groups of trees can contribute to the successful integration of new buildings into the landscape, and the planting or retention of mature trees can significantly contribute to amenity as well as retaining important wildlife habitats. The retention and planting of trees should be considered at the design stage of all development.
- 10.8 The tree cover of Bexhill stands at an estimated 16% and shrub cover at 6%, giving a total canopy cover of 22% which covers an area of 750 hectares. A recent study in 2021¹¹⁴ indicated that Bexhill should aspire to achieve 20% tree canopy cover by 2050. Street trees must also be protected and the value they bring to the district's towns in the form of biodiversity, carbon sequestration and shading is highly important.
- 10.9 The NPPF sets out in paragraph 180 b) that planning policies and decisions should contribute to and enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'.
- 10.10 Ancient woodland, defined as an area that has been wooded continuously since at least 1600 AD, must be considered when determining applications in order to avoid and reduce the impact of development. The Framework goes on to state in paragraph 180

¹¹⁴ Bexhill I-Tree Study [Bexhill i-Tree study and a tree planting strategy – Rother District Council](#)

c) that when determining planning applications, local authorities should ensure that 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

- 10.11 Capital Asset Value for Amenity Trees (CAVAT) is a method of tree valuation used as a strategic tool and aid to decision making for tree stock as a whole but also can be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms. The value of individual trees is important not only in amenity value but also in terms of biodiversity and contributing to wildlife connectivity across the district. The application of this system recognises that both individual and groups of tree have significant value and any unavoidable loss will be sufficiently compensated.

Regulation 18 commentary:

- 10.12 National policy allows scope for the Local Plan to shape a tree, woodland and hedgerow protection policy that is appropriate for the district and recognises the significant contribution these habitats make to the varied landscape characters across the district. As such, the Council consider that this is an important area of planning policy that should be reflected in the Local Plan.

Question Box

Q180. What are your views on the Council's proposed policy on trees, woodlands and hedgerows?

Q181. Are there any alternatives or additional points the Council should be considering?

Proposed Policy LAN3: Dark Skies

Policy Status:	Non-Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core & Live Well Locally

Policy wording:

The siting, layout and design of development must maintain and reinforce the sense of tranquillity of remote areas, especially locations within the High Weald National Landscape, through maintaining dark skies and avoiding unnecessary light pollution.

Development types with significant lighting requirements should be located on sites away from intrinsically dark rural skies, and away from wildlife sensitive areas such as ancient woodland.

Large areas of glazing in new building designs, especially wrap-around glazing and floor to ceiling windows, are discouraged, especially in rural areas with intrinsically dark skies.

Artificial lighting proposals must:

- (i) Follow the Institute of Lighting Professionals (ILP) guidance on reducing obtrusive lighting and other relevant guidance to aid protecting dark skies, including ensuring that lighting designers use exterior light control environmental zone E1 to inform any proposed lighting in, or affecting the setting of, the High Weald National Landscape.
- (ii) Seek to protect wildlife-rich sites and habitats such as ancient semi-natural woodland from external lighting, and where lighting is needed, require minimised and ecologically informed lighting schemes regarding location, direction, lux levels, colour temperature and light fitting design.
- (iii) Seek to reduce light pollution, including glare and sky glow, by ensuring that flood-lit facilities such as sports pitches and car parks are turned off when not in use through agreements and planning conditions.
- (iv) Avoid new street lighting where possible and ensure any street lighting required for junctions on adopted roads is kept to the minimum necessary and adheres to best practice in term of location, illuminance

and equipment design and light temperature, to avoid unnecessary skyglow and light spill.

Explanatory Text

- 10.13 The High Weald has some of the darkest skies with the least skyglow in the southeast and recognised by the International Dark Sky Association as being worthy of conservation. Dark skies are a valued characteristic of the countryside and contribute to the landscape qualities of the High Weald NL. The AONB Management Plan highlights 'Dark Skies' as being one of the character components that underpins the natural beauty of the High Weald and sets out two specific objections relating to this. The CPRE has found that only 22% of England has pristine night skies, completely free of light pollution; Rother District was found to be the 24th darkest district out of 326 local authority areas nationally.
- 10.14 Common sources of light pollution include sports and recreation venues, industrial and commercial areas, street and road lighting and illuminated signage, and internal light spill from dwellings, particularly those with large areas of glazing. Light pollution and nuisance is also caused at a domestic level from external security lighting and bulk head or 'welcome' lights at front and back doors. These external light sources are not all subject to planning control.
- 10.15 To limit the impact of light pollution, the NPPF states that proposals should consider:
- the need for the lighting, its duration, intensity and direction;
 - the impact of light levels outside the development;
 - the effect on the use or enjoyment of nearby buildings or open spaces;
 - the impact of nature conservation, including any protected sites or species; and
 - whether the development is in an intrinsically dark landscape where it may be desirable to minimise new light sources.
- 10.16 The NPPF states that planning policies and decisions should ensure that new development is 'appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment...' Paragraph 185 c) sets out that policy should 'limit the impact of light

pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

- 10.17 The Institute of Lighting Professionals has published a guide to the issue of avoiding light pollution '*The Reduction of Obtrusive Light*' <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/> which sets out that there are two ways of avoiding light pollution in developments, firstly at the design stage by designing out features that have the capacity to contribute to light pollution, and then ensuring that any required lighting follows the 'right light, right place' maxim.
- 10.18 The policy aims to avoid increased light pollution in rural areas from new developments, which can occur through the use of extensive glazing, external security lighting, new out-buildings and domestic lighting used to light-up homes and gardens at night. This impacts on the migration, feeding, breeding and circadian rhythms of all animal groups including invertebrates, mammals, birds and amphibians.
- 10.19 Furthermore, skyglow from nearby built-up areas reduces views of celestial bodies such as the Milky Way and Orion, leading to a loss of public connection and enjoyment of the night skies. The policy intends to not only mitigate the impact of light pollution on the visibility of the night sky but the harmful impact on human health, wildlife and biodiversity.
- 10.20 The benefits from the policy are likely to include an improvement of the district's environment and night-time tranquillity, less harmful impacts on the area's nocturnal wildlife arising from a reduction of artificial light overspill, and potential for an increase in tourism as the district's reputation for intrinsic dark skies grows.
- 10.21 It is recommended that the consideration of lighting design should take place at the pre-app stage where relevant in order to ensure, along with an updated validation list, that lighting design is integral part of the planning decision.

Question Box

Q182. What are your views on the Council's proposed policy on Dark Skies?

Q183. Are there any alternatives or additional points the Council should be considering?

11. Environmental Management

Proposed Policy ENV1: Coastal, Water and Flood Risk Management

Policy Status:	Strategic
New Policy?	Yes
Overall Priorities:	Green to the Core

Policy Wording:

The effective management of the coast and water, as well as the risks posed by flooding, will be achieved through:

- i) Ensuring that new development does not have an adverse effect on the water quality and potential yield of water resources, in line with the objectives of the South East River Basin Management Plan, including reference to groundwater 'source protection zones';
- ii) Ensuring that new development does not adversely impact any Ordinary Watercourse, Main River or flood and sea defences, as defined through The Environmental Permitting (England and Wales) Regulations 2016 (as amended), including through the use of buffer zones to the edge of new developments, which is also controlled through byelaw margins by the Environment Agency and Internal Drainage Boards.

The Council will seek opportunities, on a site-by-site basis, and on the advice of statutory consultees, such as in areas at risk of flooding now or in the future, to increase the buffer distances defined in The Environmental Permitting (England and Wales) Regulations 2016 (as amended) to 'make space for water', allowing additional capacity to accommodate climate change;

- iii) If development is, exceptionally, accepted in flood risk areas, consideration is paid to its layout and form to minimise development at risk from flooding now and in the future;

- iv) All developments within the catchment area for the Dungeness, Romney Marsh and Rye Bay SPA/ Ramsar or Pevensey Levels SAC/Ramsar should demonstrate:
 - a. agreement by the wastewater provider that modelling demonstrates that there is sufficient capacity within the relevant waste water treatment works for the development to be accommodated without a negative effect on the receiving environment; or
 - b. that the development can be delivered without a negative water quality effect on the Habitats Sites, and the means by which any necessary protection measures will be secured for the lifetime of the development.
- v) Contributions will be sought for improvements to infrastructure to mitigate against flood risk where it is deemed necessary; and
- vi) Private, non-mains foul drainage systems are not environmentally acceptable within publicly seweraged areas. Planning applications must demonstrate that connection to the public sewer is feasible and any mitigating measures necessary to enable a connection must be identified and agreed between the applicant and the sewerage undertaker.

If a non-mains drainage solution is proposed, an applicant must demonstrate that it is not practicable to connect to the public sewer. Sufficient information to understand the potential implications for the water environment of non-mains drainage must be submitted, including the Environment Agency's [Foul drainage assessment form \(FDA1\)](#). The hierarchy of non-mains alternative solutions must be followed:

- a. package sewage treatment plants (which may be offered to the sewerage undertaker for adoption) where effluent goes through a wetland prior to discharge into the watercourse/ground as that will improve water quality; then
- b. septic tanks; then
- c. in the last instance, a cesspool if no other solution is possible.

Explanatory Text:

- 11.1 Ensuring that robust and resilient water supplies and wastewater infrastructure is in place is both essential to the district's residents and businesses, and critical to support growth. There are many challenges in place. These include safeguarding water sources from the threat of pollution, reducing usage, and meeting the challenge of climate change.
- 11.2 To achieve this, Rother must utilise the capacity of existing infrastructure and encourage behavioural changes to enable more efficient use overall. New and improved infrastructure may be needed to serve new development.
- 11.3 There are three key documents that expand on water resources within Rother. The South East River Basin District (RBD) River Basin Management Plan was most recently published in 2022. Locally, the two relevant catchments are the Cuckmere and Pevensey Levels and the Rother. The two water companies that operate within the district are South East Water which has a [Water Resources Management Plan](#) and Southern Water have a [Drainage and Wastewater Management Plan](#) as well as a [Water Resources Management Plan](#) as Southern Water are the drainage and wastewater provider across all of Rother.
- 11.4 Water quality has become a growing issue in Rother. Southern Water has identified through their Drainage and Wastewater Management Plan several known risks and have highlighted concerns in their Baseline Risk and Vulnerability Assessment. Issues such as storm overflows have an impact on water quality within rivers and seas.
- 11.5 The surface water sources within Rother comprise three reservoirs at Bewl Water, Darwell Reservoir and Powdermill Reservoir. Bewl Water is situated at the northern edge of the district and straddles the adjacent authorities of Tunbridge Wells and Wealden. The reservoir is an important regional resource but is also a significant recreational amenity. Policies relating to the recreational use of Bewl Water, and other water-based recreation, is contained in the Health and Wellbeing chapter within Policy HWB5 (Green and Blue Infrastructure).

- 11.6 The Government's planning advice on the use of non-mains foul drainage in England is contained within the [Planning Practice Guidance](#) (PPG). Both the PPG and the [Building Regulations 2010 Approved Document H](#) set out a presumption in favour of connection to the public foul sewer wherever it is reasonable to do so.
- 11.7 Before a proposal to use non-mains foul drainage is considered in detail an applicant must demonstrate to Council's satisfaction that it is not practicable to connect to the public sewer. Connection to the sewer may be reasonable where it is more costly than the installation of a private foul sewerage system because of the benefits of connection to the mains foul sewer. Adopted treatment plants would be preferable for any site that is within the catchment of the Pevensey Levels. High nutrient loading will exacerbate the problem with the non-native invasive species, pennywort, which is a challenge to manage and is spreading on the Pevensey Levels.
- 11.8 The Council must be satisfied that the applicant has identified the closest potential point of connection to the existing public foul sewerage network.
- 11.9 The Environment Agency state that problems with the public sewer being at capacity, or other operating problems with the public sewer, are not acceptable reasons for non-connection to a public sewer where this is otherwise reasonable. Where there is a lack of capacity within the public sewerage system, applicants should establish with Southern Water how they can connect their development to the existing network without exacerbating any existing problems.
- 11.10 If it emerges that an agreement cannot be reached to allow use of the mains foul sewer, then the developer should be aware that the Environment Agency may not be able to grant a permit for a discharge to surface water or groundwater at a later stage. The PPG explains that in such circumstances the scope for phasing development in line with provision of any necessary additional capacity should be explored.
- 11.11 Where a connection to the public sewer is not reasonable, the hierarchy of non-mains alternative solutions set out in this policy must be followed. This occurs most frequently in the rural areas of the district. The Council will apply the Environment

Agency's advice for local authorities on non-mains drainage from non-major development in the decision-making process. Applicants will also need to comply with the Environment Agency's General Binding Rules on small sewerage discharge to a surface water where relevant. The Environment Agency's foul drainage assessment form (FDA1), which helps in the determination of a planning application that involves non-mains drainage, will be required for such proposals.

Regulation 18 commentary:

- 11.12 Water companies produce Business Plans which set out their agreed investment plans where they adopt a joint approach to manage the supply and demand of water. To reduce the demand initiatives such as universal metering, tackling leakages, and rainwater harvesting are being explored. These are complemented by investment in new technology and infrastructure.
- 11.13 Recently, there has been the growing issues around nutrient neutrality. Natural England has defined specific nutrient neutrality areas of concern across the country, which does not include Rother. It is important that development does not add to existing nutrient burdens within a drainage catchment area and does not negatively impact environmentally designated sites. Although Natural England has not designated a nutrient neutrality area within Rother, it is important that developers are aware of its pollutants and runoff impacts and as such, Policy ENV2 on Sustainable Surface Water Drainage aims help address this issue.

Question Box

Q184. What are your views on the proposed policy on water, coastal and flood risk management?

Q185. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ENV2: Sustainable Surface Water Drainage

Policy Status:	Non-strategic
New Policy?	No. Updated version of DaSA Policy DEN5
Overall Priorities:	Green to the Core

Policy Wording:

For planning permission to be granted, applicants must demonstrate that sustainable drainage is an integral part of the proposed development and its design. In particular:

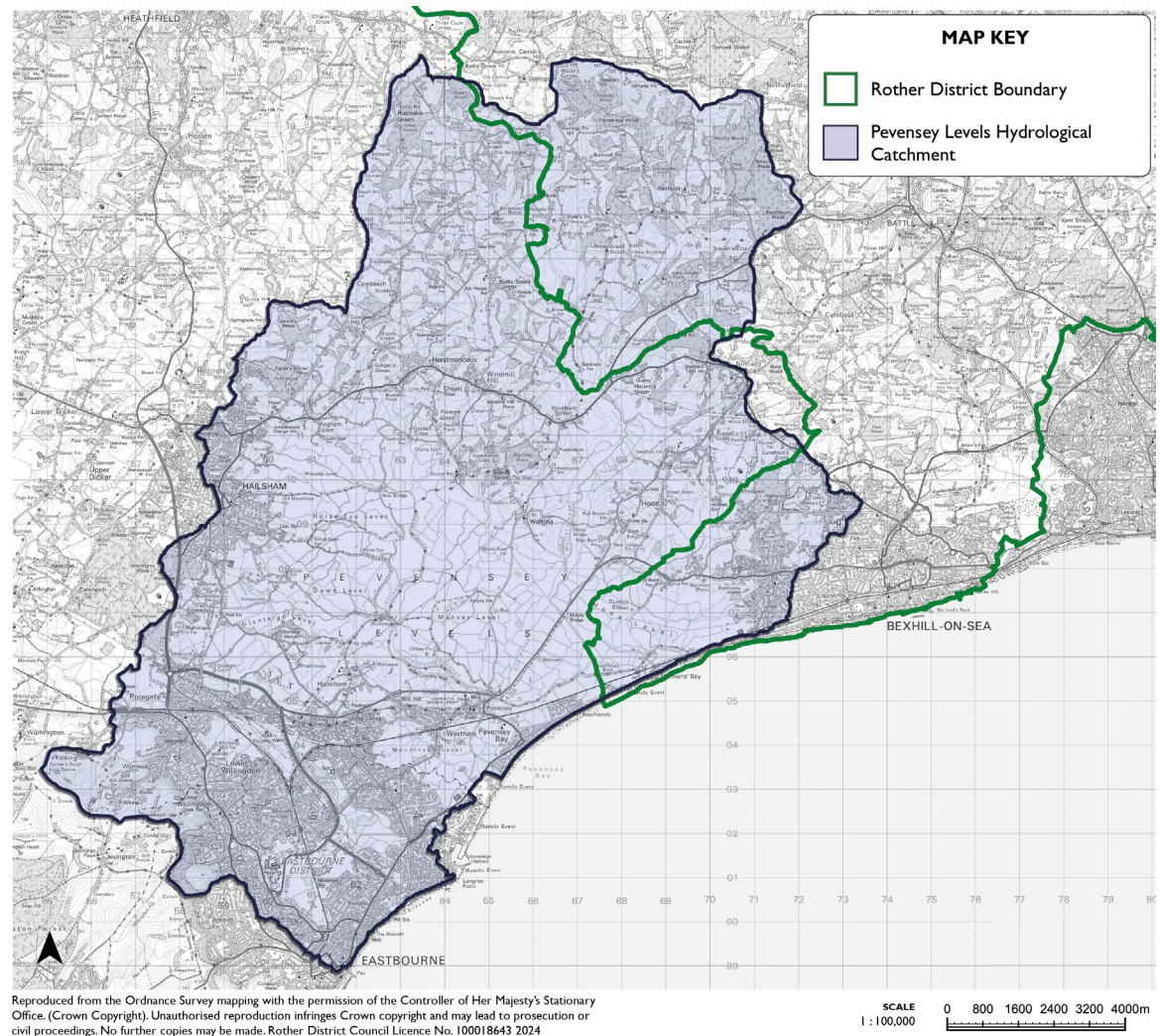
- (i) drainage should be designed and implemented having regard to the latest local, regional and national guidance. Applicants must also demonstrate that arrangements are in place for ongoing maintenance of Sustainable Drainage Schemes (SuDS) over the lifetime of the development;
- (ii) peak run-off rates from development must be the lower of the two following options: either the greenfield rate in terms of volume and flow; or the existing rate/volume of discharge;
- (iii) for all development, including outline applications, sufficient space must be given within a site to ensure that the SuDS can be accommodated within the layout of the site;
- (iv) for phased development, a Drainage Strategy should be provided which takes a strategic approach to drainage provision across the entire site and incorporates adequate provision for SuDS within each phase;
- (v) SuDS should be designed and implemented wherever possible to be 'multi-functional' and deliver other policy objectives where appropriate, such as: the provision of habitats and support for biodiversity; reinforcing local landscape character; enhancing the design of development; provision of open space/ recreation; promotion of water use efficiency and quality; reducing risks of land instability; and incorporation into any green and blue infrastructure plans;

- (vi) at Fairlight Cove, drainage proposals should accord with Policy ENV3 (Land Stability) and Policy ENV4 (Fairlight Cove Coastal Change Management Area);
- (vii) new development should utilise opportunities to reduce the causes and impacts of all sources of flooding, ensuring flood risks are not increased elsewhere, that flood risks associated with the construction phase of the development are managed, and that surface water run-off is managed as close to its source as possible;
- (viii) all developments should demonstrate all surface water will pass through at least two treatment stages. For development in the hydrological catchment of Pevensey Levels, a minimum of three stages of treatment will be required; and
- (ix) any planning application, including in outline, that triggers a Habitats Regulation Assessment (HRA) will need to provide sufficient details of an appropriate surface water drainage scheme to satisfy the HRA.

Further information and guidance on Sustainable Drainage

- [East Sussex Sustainable Drainage Systems:](#)
 - [Guide to Sustainable Drainage in East Sussex](#)
 - [SuDS Decision Support Tool for Small Scale Development](#)
- South East Lead Local Flood Authorities [Water. People. Places.](#)
- The SuDS Manual ([C753 - hardcopy publication](#) and [C753F – free download](#))
- [DEFRA Non-Statutory Technical Standards for Sustainable Drainage Systems \(2015\)](#)
- RSPB/WWT [Sustainable Drainage Systems - Maximising the potential for people and wildlife. A guide for local authorities and developers \(2012\)](#)
- [East Sussex Local Flood Risk Management Strategy](#)
- [East Sussex Surface Water Management Plans](#) (for Bexhill, Battle and Rye)

Figure 42: Pevensey Levels Hydrological Catchment Area



Explanatory Text:

- 11.14 Sustainable drainage systems (SuDS) are a form of drainage solution that manage rainfall and surface water runoff close to where it falls. ESCC are the Lead Local Flood Authority (LLFA) for the whole County and are responsible for managing flooding and SuDS. This is alongside the Environment Agency who are responsible for flood risks from Main Rivers and the coast. Both organisations will be consulted on specific development proposals where required.
- 11.15 SuDS incorporate a range of features than help to reduce pollution, improve the quality, flows rates, and the volume of water that would otherwise discharge into the

natural environment. In any instance, development should consider the drainage hierarchy and first look at infiltration into the ground. Ground conditions will often dictate appropriate SuDS techniques. A ground investigation is likely to be required to assess the suitability of using infiltration measures and assessing the required volume of on-site storage required.

- 11.16 When looking at the scale of SuDS needed, a development will need to demonstrate that the system proposed is able to cope with the levels of rainfall and runoff as a result of the development. For example, developments proposing high levels of impermeable surfaces will likely need to provide a greater scale of SuDS to mitigate the runoff impacts. The scale required will be linked to the levels of runoff that a greenfield site, i.e. a site that has not been previously built on, or the current runoff rate of the site as it is currently developed. This is to ensure that the risk of flooding as a result of a development does not grow and adversely impact the surrounding area.
- 11.17 SuDS are required regardless of the pre-existing risk. A SuDS policy is additional to the requirement to address existing areas of flood risk on-site, as set out in national guidance and any other Local Plan policies.
- 11.18 SuDS can be multi-functional in terms of addressing other Local Plan policy areas, such as helping to improve biodiversity and habitat creation, or creating recreation and amenity spaces. SuDS should be given consideration from the outset in development proposals to ensure enough space is provided. This is both in terms of the drainage capability as well as any other benefits being provided. Phased development will be required to demonstrate that the SuDS being proposed are able to meet the needs of each phase as it is built out.
- 11.19 The type of SuDS approach should have regard to all relevant factors (flood risk, compatibility for infiltration, groundwater, runoff characteristics, ground stability, topography, soils, geology, contamination issues, existing infrastructure and archaeology) as well as the potential for wider benefits. SuDS should be linked up where possible to achieve greater benefits for water management and wildlife.

- 11.20 SuDS have various stages of treatment. Guidance from the LLFA states that rainfall should pass through at least two stages of treatment to ensure water quality is improved before being infiltrated or otherwise discharged off site.
- 11.21 Applicants should submit sufficient information to enable proper consideration of drainage proposals. For major schemes, seeking pre-application advice from the LLFA is strongly recommended. For minor development, the LLFA's 'SuDS Decision Support Tool for Small Scale Development' should be used. In all developments, attenuation measures such as green roofs, rainwater harvesting and permeable paving, should be incorporated to help to reduce runoff.
- 11.22 Proposals must explain how flood risk impacts will be managed during the construction phase. Also, applicants will need to demonstrate that maintenance measures will be in place for the lifetime of the development¹¹⁵. This may be secured by a legal agreement.
- 11.23 There is a particular need to ensure that development within or near sites that are protected for their ecological importance (the Pevensey Levels and the Dungeness complex of Habitats Sites) is appropriate. This is because poor quality water draining into these sites could have an even greater impact on the environment and ecology. Specific attention is given to the Pevensey Levels hydrological catchment, where more stages of treatment are required, three at a minimum, to mitigate the impact on water quality and quantity. A Habitats Regulation Assessment (which assesses whether a proposal avoids harm to a protected habitat) will be required for development within the Pevensey Levels hydrological catchment and on a case-by-case basis on sites within close proximity to the Dungeness complex of sites.
- 11.24 The Internal Drainage Boards within the protected areas¹¹⁶ play an important role in ensuring water is managed appropriately within their catchments. This is achieved

¹¹⁵ Residential development is defined as having a lifetime of at least 100 years. The starting assumption for non-residential development is 75 years.

¹¹⁶ Pevensey and Cuckmere Water Level Management Board (PCWLMB) and Romney Marshes Internal Drainage Board (RMIDB).

through their overall role of reducing flood risk to people and property and managing water levels for agricultural and environmental needs within their defined area.

Regulation 18 commentary:

- 11.25 There is currently a policy requirement in Policy DEN5 (vii) of the DaSA for surface water runoff rates within the Fairlight and Pett Level Drainage Area (which broadly covers Fairlight, Fairlight Cove, Pett and parts of Cliff End) to be no more than the greenfield rate, in terms of volume and flow. The Council is now proposing to broadly incorporate this requirement for all development.
- 11.26 In addition, at Fairlight Cove, issues of ground water affect land stability (Policy ENV3 – Land Stability) and cliff erosion and a specific policy is included which restricts the use of soakaways near the cliff face (Policy ENV4 – Fairlight Cove Coastal Change Management Area).
- 11.27 There is a wider drainage capacity and flooding concern both in the village and downstream at Pett Level, where there is a history of flooding from the Marsham Sewer in periods of wet weather, caused by run-off into the sewer from the Marsham catchment.
- 11.28 Southern Water has chosen Fairlight as a ‘Pathfinder’ catchment area due to these issues and has worked with the Parish Council and LLFA. A report was published in January 2023 outlining the issues as well as proposing a range of interventions and investment opportunities to reduce the risks. One action that has been rolled out already is the provision of ‘leaky water butts’ free of charge, to residents who request one. Each water butt will slow the flow of rainwater entering the sewer, which can become overwhelmed if too much rainwater enters the pipe. ‘Leaky water butts’ have valves positioned halfway up to allow residents to utilise half of the rainwater captured to wash cars and water gardens.

- 11.29 The Government stated in January 2023 that SuDS will be mandatory for new development from 2024¹¹⁷. In advance of this they will consult on the scope, threshold and process. These changes may affect the Council's proposed policy. The Council will continue working with our neighbouring authorities on cross-boundary issues and to ensure there is a consistency amongst policy requirements.

Question Box

Q186. What are your views on the proposed policy on sustainable drainage?

Q187. Are there any alternatives or additional points the Council should be considering?

¹¹⁷ Through the implementation of Schedule 3 of the Flood and Water Management Act 2010.

Proposed Policy ENV3: Land Stability

Policy Status:	Non-strategic
New Policy?	No. Updated version of DaSA Policy DEN6
Overall Priorities:	Green to the Core

Policy Wording:

New development, including residential extensions and alterations, will only be permitted on unstable or potentially unstable land, including former landfill sites and coastal margins, where:

- (i) the nature of the instability has been properly assessed through a full land instability risk assessment report; and
- (ii) any remedial measures required to ensure that the development does not add to the instability of the site or surrounding land, are environmentally acceptable, and are normally implemented prior to the commencement of building works.

The use of infiltration to manage surface water will not be allowed, unless a qualified geotechnical engineer has assessed the risk.

Explanatory Text:

- 11.30 Land instability can be caused by many factors. Rother's coastline is vulnerable due to erosion and more extreme events linked with climate change have led to an increased vulnerability. Local ground conditions, flood events and former land filling or mining can also cause stability issues.
- 11.31 The PPG is clear that the planning system has an important role in helping to address land stability. This is through including policies in development plans that specifically address the issue by identifying specific areas of concern.

- 11.32 As a starting point, development should avoid unstable land through the design and layout of the proposal. It is recognised that this may not always be possible and as such, development on unstable land should be designed to be safe.
- 11.33 Developers may be required to demonstrate that they have investigated risks and where there is likelihood of instability, a full land instability risk assessment report must be submitted with a planning application. This must be undertaken by a competent person to demonstrate the degree of instability, appropriate measures to mitigate those risks, an implementation plan, and future monitoring plan. Further information on the steps developers should take are contained within the Planning Practice Guidance on [Land Stability](#).

Regulation 18 commentary:

- 11.34 There are several known areas within the district that have land stability issues. The proposed policy addresses these land stability issues on a district-wide basis. Further evidence is needed to devise policies that target specific areas.
- 11.35 This is the case in Fairlight Cove and the next policy has been created to strengthen its protection.

Question Box

Q188. What are your views on the proposed policy on land stability?

Q189. Are there any alternatives or additional points the Council should be considering?

Q190. Are there areas which you consider require an area specific policy, and if so, what evidence is available?

Proposed Policy ENV4: Fairlight Cove Coastal Change Management Area

Policy Status:	Non-strategic
New Policy?	Yes, but incorporates DaSA DEN6, in relation to Fairlight Cove
Overall Priorities:	Green to the Core

Policy Wording:

(A) The coastal zone at Fairlight Cove (as shown in both Figure 43 below and on the Local Plan Policies Map) is designated as the Fairlight Cove Coastal Change Management Area.

Permanent new residential development (including through change of use) will not be acceptable in the Fairlight Coastal Change Management Area. Soakaway drains will not be permitted within the Fairlight Cove CCMA.

Any other forms of development will only be considered acceptable if a coastal change vulnerability assessment, which is proportionate to the scale and type of development, demonstrates that:

- (i) The development is necessary in that specific location;
- (ii) It will be safe over its planned lifetime¹¹⁸;
- (iii) it will not have an unacceptable impact on coastal change, including the character of the coast (and any designations);
- (iv) The development provides wider sustainability benefits; and
- (v) The development does not hinder the creation and maintenance of the King Charles III English Coast Path, National Cycle Network, or any other public rights of way adjacent to or that benefit from views or access to the coast.

The Council may grant a time-limited permission to minimise the longer-term risks to a particular development.

¹¹⁸ Residential development is defined as having a lifetime of at least 100 years. The starting assumption for non-residential development is 75 years.

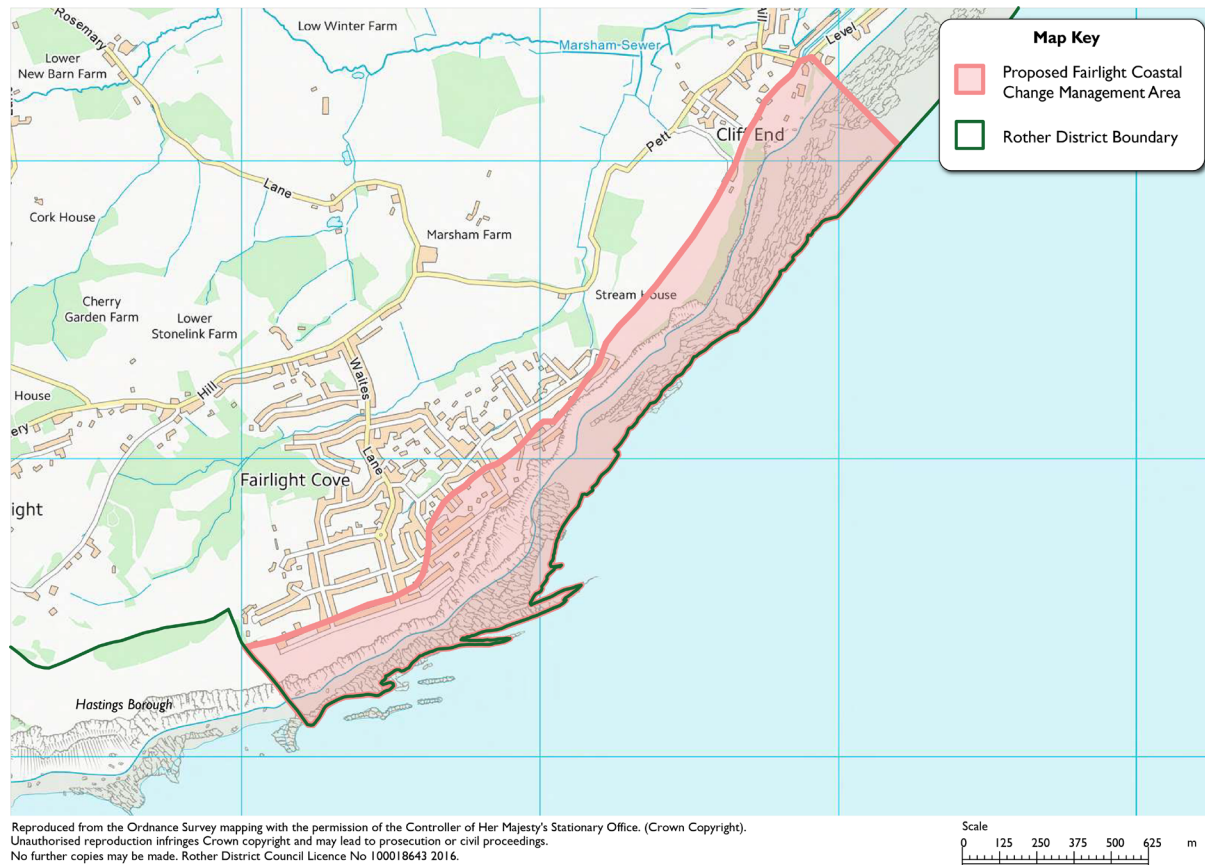
(B) Any proposals for the relocation of an existing development situated within the Coastal Change Management Area to outside of it must relate to a site at risk of loss within 20 years (the short term) of the application being made.

The new development must:

- (i) Be located outside and inland of the Coastal Change Management Area, such that the coastal change risks associated with the proposed site are less than the existing site;
- (ii) Be of a similar scale and character to the existing development, whilst still having regard for the character of the new location; and
- (iii) Include plans to remove and clear any structures on the existing site to make it as safe as possible.
- (iv) When relating to residential development, be in a location that is no less sustainable than the location it is currently situated in; or
- (v) When relating to non-residential development, be in a location that is still accessible to the existing coastal community it currently serves.

Development must still accord with all other relevant policies within the Local Plan.

Figure 43: Proposed Fairlight Cove Coastal Change Management Area (CCMA).



Explanatory Text:

11.36 The NPPF defines a Coastal Change Management Area (CCMA) as “an area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion¹¹⁹.” The NPPF and PPG support local planning authorities in designating CCMA’s to ensure inappropriate development is avoided and prospective developers are made aware of the potential risk of coastal change into the future. This is supported by recommendations made by the Council’s most recent [Strategic Flood Risk Assessment](#) published in 2021.

11.37 The primary evidence needed to designate a CCMA is to identify areas that will be significantly affected by shoreline change over the next 100 years. This far exceeds the

¹¹⁹ Accretion is defined as “the gradual increase in the area of land as a result of sedimentation”.

timescale that this Local Plan covers but is used in Shoreline Management Plans (SMPs) to define their time period of relevance. Guidance suggests that a CCMA will be needed where an SMP is not actively protecting the coastal line, i.e. where the SMP policy is either Managed Realignment or No Active Intervention. Based on the current 2006 SMP, it is appropriate to designate the CCMA for only the Fairlight Cove coastal area, as shown in Figure 43. The area included is that which is modelled to erode to in 100 years from the SMP's publication, i.e. 2105. The Council will continue to collect evidence after the Regulation 18 consultation stage, to consider if the extent of the CCMA needs to be widened. This will take account of the latest coastal erosion data and mapping along with any revisions to the SMP.

- 11.38 The PPG advises that new residential development would not be acceptable in any circumstance within a CCMA as this would increase the number of people at risk in the area. For other forms of development, the suitability of it will consider many factors, including the need for the development to be in that vulnerable location. These forms of development will therefore need to be supported by sufficient information to demonstrate compliance with the proposed policy. The PPG contains detailed information on what uses could be considered acceptable.
- 11.39 The other factor that should be considered when designating a CCMA is the relocation of development to a safer area. Due to the locations that would be covered by the CCMA, the scale of affected properties is limited and localised. Nevertheless, the Council is proposing to make provision within the policy to give some weight to a development that was seeking to facilitate an applicant moving away from the CCMA.
- 11.40 The need for a new development to be built would not automatically be an overriding consideration. Any proposed development would still need to accord with the rest of the policies in the Local Plan to ensure the development is sustainable and appropriate. The proposed policy sets out additional criteria for what the Council would consider to be an acceptable development, based on guidance from the NPPF and in accordance with other key aspects of this Local Plan.

Regulation 18 commentary:

- 11.41 The area has had a long history of land instability. Measures were undertaken to manage this through the construction of a rock bund at the sea edge below Sea Road in 1990. In 2007, there was further construction of a rock bund below Rockmead Road, together with slope grading and the installation of slope drainage and deep well pumps in 2007. This was designed to operate for 50 years, consistent with the 'Hold the Line' policy of the Shoreline Management Plan (SMP). A further bund linking these has been in place since 2016.
- 11.42 While these engineering works control erosion and land loss they do not prevent it. The erosion is also affected by the variable quality of the ground and the impact of ground water. Despite a number of studies of the source of water, the complexity of the geology makes it very difficult to come to clear conclusions. The situation is likely aggravated by the lack of a surface water drainage system at Fairlight, to which Policy ENV3, in part, relates.
- 11.43 DASA Policy DEN6 introduced a 50m buffer zone inland from the (then) cliff face and restricted soakaways within it. The supporting text advised that a structural engineer's survey and geo-technical report is required for new development in the zone, to demonstrate that there would be no increase in ground load. This policy approach was based on the recommendations of a report by the East Kent Engineering Partnership in 2015. The report also advised that this buffer zone should be reviewed after 10 years, i.e. 2025.
- 11.44 The buffer zone that was designated broadly mirrors the 2006 Shoreline Management Plan long-term erosion line. The proposed policy therefore incorporates this.
- 11.45 There is a new SMP under preparation and the policy's coverage will be revised if necessary. While a range of intervention measures have been implemented since the 2006 SMP, climate change will have exacerbated the impacts of Rother's coast, therefore the anticipated rate of erosion since 2006 is currently unknown.

- 11.46 Two Article 4 Directions came into force on 30 September 2023 which apply to 24 residential properties adjacent to the coast at Fairlight Cove. They remove certain 'permitted development rights' which means that certain forms of householder development, such as outbuildings, now require planning permission. This will enable the Council to assess a development against the relevant planning policies. More information on these Article 4 Directions can be found on the Council's [website](#), including a list of the properties affected and the 'permitted development rights' removed.

Question Box

Q191. What are your views on the Council's proposed policy on the Fairlight Cove Coastal Change Management Area?

Q192. Are there any further areas or additional points the Council should be considering?

Q193. Are there any other areas of the district that the Council should be considering, and if so, what evidence is available?

Proposed Policy ENV5: Habitats and Species

Policy Status:	Non-strategic
New Policy?	No, updated version of DaSA Policy DEN4
Overall Priorities:	Green to the Core

Policy Wording:

Development proposals must follow the mitigation hierarchy and:

- i) Conserve, enhance and provide the appropriate management for the biodiversity and ecological value of:
 - a. international, national, regional and local designated sites of biodiversity and geological value;
 - b. Irreplaceable habitats (as defined by the NPPF or as advised by Defra) as well as priority hedgerows;
 - c. Protected Species, and Priority Habitats and Species both within and outside designated sites; and
 - d. Any other ecological feature or network (either green or blue in character) that is deemed appropriate to consider, including areas that could become of importance for biodiversity, as mapped in the Local Nature Recovery Strategy (LNRS).

Depending on the status of habitats and species concerned, this may require locating development on alternative sites that would cause no or minimal harm, incorporating measures for prevention, mitigation and (only in the last resort) compensation. This should be carried out under the Habitats Regulations Assessment where appropriate.

- ii) Support opportunities for management, restoration, creation and enhancement of habitats in line with the opportunities identified for the Biodiversity Opportunity Areas (BOAs), and/or the Local Nature Recovery Strategy.
- iii) Include a scheme for the provision of integrated bird and bat boxes and bricks, bee bricks and hedgehog highways tailored to habitat conditions existing on or being created on and/or adjoining the site.

- iv) Have regard to Natural England's Green Infrastructure Framework and associated standards and guidance.
- v) Ensure any proposed flood protection measures have full regard to sensitive areas designated with specific nature conservation and biodiversity interests.
- vi) For Ancient Woodland, create a development buffer zone of at least 15 metres. An impact assessment will be required where any development is proposed within 25 metres of Ancient Woodland to demonstrate that the proposed buffer zone avoids negative effects on the habitat.
- vii) For ancient and veteran trees¹²⁰ retain a buffer zone at least 15 times larger than the diameter of the tree, or five metres from the canopy edge, whichever is the largest. An impact assessment will be required where any development is proposed within 10 metres to demonstrate that the proposed buffer zone avoids negative effects on the habitat.

Explanatory Text:

11.47 The biodiversity habitats in Rother are substantial and wide-ranging. There are large areas of internationally designated sites and many nationally important Sites of Special Scientific Interest (SSSIs) which, in total, cover about 9% of the district, as well as some 60 Local Wildlife Sites. Ancient Woodland, which covers 16% of the district (the highest percentage in the South-East) has complex and rare biodiversity because of their undisturbed soil, ground flora and fungi. Many [nationally defined](#)¹²¹ Habitats and Species of Principal Importance, referred to herein as Priority Habitats and Species, are also represented. These are often beyond the internationally, nationally and locally designated sites.

11.48 The following sections cover a range of different sites which are broadly covered by the definition of 'International, national and locally designated sites of importance for biodiversity' in the NPPF. It is important to stress that these designations, and

¹²⁰ As defined by the NPPF, December 2023.

¹²¹ As defined through Section 41 of the Natural Environment and Rural Communities Act (2006, as amended).

therefore this policy, apply to both land-based and marine designations. The Joint Nature Conservation Committee's (JNCC) [website](#) holds a range of information and resources on many of these protected sites. They are also summarised in [Appendix 3](#).

Internationally protected sites

- 11.49 The two internationally important wildlife sites extending into the district are the Pevensey Levels, to the south-west, which is designated as a Ramsar site of international importance as a wetland habitat and as a Special Area of Conservation (SAC); and the Dungeness Complex of Habitats Sites¹²², on the eastern side of the district, which are designated for their value for birds and as wetland habitats. The NPPF refers to SACs, SPAs and Ramsar sites as habitats sites.
- 11.50 The presumption in favour of sustainable development does not apply where a plan or project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 11.51 In relation to the potential impact of tourism and recreation on the Dungeness Complex of Habitats Sites (which were first highlighted as a risk during the Habitats Regulation Assessment of the Core Strategy), the Council produced a Sustainable Access and Recreation Management Strategy (SARMS). Regard will need to be had to Policy ENV6 in relation to SARMS for relevant developments.

Nationally protected sites

- 11.52 SSSIs are highly protected sites for their wildlife and natural features. As such, they carry a strong presumption against development which would cause harm. Natural England is a statutory consultee for proposals which may affect a SSSI.

¹²² The Dungeness Complex of Habitats Sites comprises three overlapping international designations - the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar site, and the Dungeness Special Area of Conservation (SAC).

- 11.53 While Areas of Outstanding Natural Beauty (AONBs) are national landscape designations for the purpose of conserving and enhancing the natural beauty, the term ‘natural beauty’ includes conservation of flora, fauna and geological and physiographical features of an area. Furthermore, some of the key High Weald character features are also Priority Habitats (ghyll woodland, sandstone outcrops, ancient woodland, heathland, wildflower meadows and ponds) which are discussed later below. Therefore, particular consideration should be given to improvements in biodiversity that meet High Weald National Landscape (AONB) objectives.

Irreplaceable habitats

- 11.54 When determining compliance with this policy, the Council will follow the definition of the NPPF and the advice of Defra. The NPPF does not consider hedgerows in the definition of an irreplaceable habitat. However, the Council feels that considering the legal protection that priority hedgerows carry¹²³, it is appropriate to regard them alongside other irreplaceable habitats. As such, development will also need to demonstrate that hedgerows are protected and enhanced where necessary.
- 11.55 For Ancient Woodland and Ancient and Veteran Trees, there is existing [standing advice](#) from Natural England and the Forestry Commission. This includes the use of buffer zones. The standing advice is that the zone should be at least 15 metres for Ancient Woodland and for ancient and veteran trees at least 15 times the diameter of the tree or 5m from the edge of the canopy, whichever is the largest. These buffer zones are considered the minimum to form a root protection area. Ancient and veteran trees should be retained in situ and allowed to decay naturally unless it can be demonstrated this is not possible due to unacceptable risks to health and safety.
- 11.56 The standing advice is that larger buffer zones are more likely to be needed where the surrounding area is less densely wooded; where it is close to residential areas; and where it is steeply sloped. Assessment could also show that impacts – for example the effect of air pollution – are likely to extend beyond this distance.

¹²³ Protection is afforded through The Hedgerow Regulations 1997 (and any subsequent amendments)

- 11.57 In order to ensure that an appropriate buffer zone is created to protect the Ancient Woodland or veteran or ancient trees from disturbance from development and activity, it is necessary to require assessment of the likely impact of any development within a wider zone. The policy therefore requires any development with twenty-five metres of the boundary of Ancient Woodland or ten metres of the edge of the canopy of a veteran or ancient tree to assess the potential impact on the irreplaceable habitat and demonstrate that the proposed buffer zone avoids negative effects on the habitat.

Protected Species

- 11.58 [Guidance](#) is available from Natural England regarding development whilst protecting species. This guidance covers both European Protected Species and other species protected through the Wildlife and Countryside Act 1981 (as amended). The most commonly occurring in Rother include great crested newt, bats and dormouse. Protected species that can be found in Sussex include badgers, water vole, common lizard, grass snake, slow worm and Roman snail.

Priority Habitats and Species

- 11.59 There are a [wide range](#) of Priority Habitats and Species present in Rother. The habitats and species contained on the list are conservation priorities and are used to guide the Council in implementing their statutory duty to have regard to the conservation of biodiversity when carrying out their normal functions.
- 11.60 Priority Habitats within Rother include woodland, maritime cliff and slopes, hedgerows and lowland meadows, and Priority Species include hedgehog, common toad, house sparrow, brown-banded carder bee and pennyroyal. The JNCC provide further guidance on both [Priority Habitats](#) and [Priority Species](#). Natural England also provide an [interactive map](#) of the Priority Habitat Inventory.

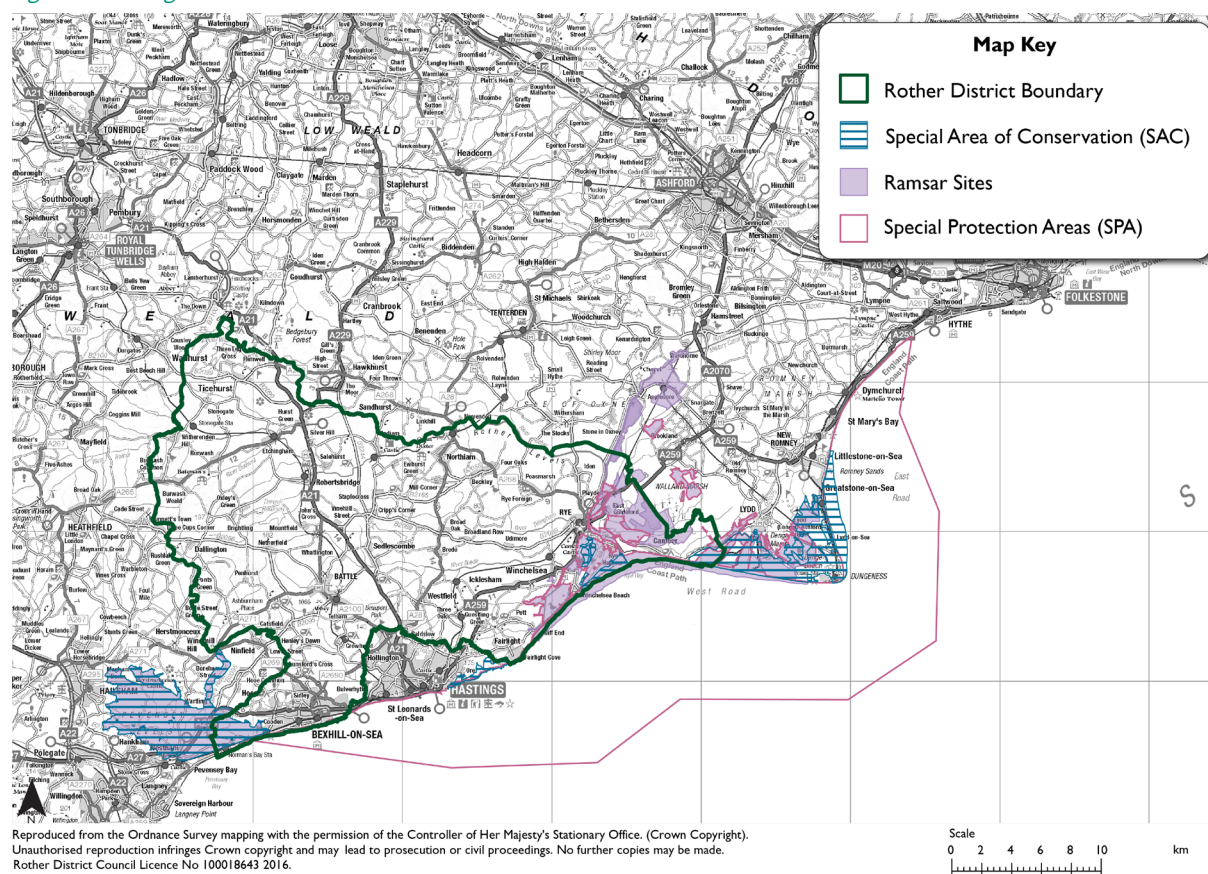
Locally designated sites

- 11.61 'Local Wildlife Sites' (previously known as Sites of Nature Conservation Importance (SNCIs)) and 'Local Geological Sites' (previously known as Regionally Important Geological and Geomorphological Sites (RIGGS)) are identified and selected locally using agreed criteria.
- 11.62 These non-statutory sites play an important role to Rother's ecological network as well as being able to contribute to the wider County's Local Nature Recovery Strategy. Like other sites discussed previously, there is a requirement in national policy and guidance to protect and enhance these sites.
- 11.63 More information on these locally designated sites is available from the [Sussex Biodiversity Record Centre](#), the [Sussex Local Wildlife Sites Initiative](#), and the [Sussex Geodiversity Partnership](#).

Biodiversity Opportunity Areas

- 11.64 Biodiversity Opportunity Areas (BOAs) have been identified in recognition that a focus on protecting designated sites alone will not sustain biodiversity in the long term. These areas are seen as offering the greatest potential to benefit wildlife, taking into account existing concentrations of Priority Habitats and Species, often being buffers around existing reserves or linkages between designated sites.
- 11.65 There are nine separate BOAs within, or partially within, the district. Within these areas consideration should be given to whether development will affect habitat connectivity and integrity, either positively or negatively. In addition, opportunities to achieve the aims of the BOAs, including enhanced habitats and linkages to off-site habitats via green corridors, should be explored. Further information on the BOAs is available from the [Sussex Local Nature Partnership](#).

Figure 44: Designated nature conservation sites in Rother District



Locally important sites

- 11.66 There is also a need to protect locally important sites that do not have a formal/legal designation. These sites of local biodiversity value and the array of multi-functional green spaces that make up the 'Green Infrastructure' of the district provide recreational opportunities, flood management, climate change mitigation and 'green' corridors, as well as for nature conservation. Regard should therefore be had with Natural England's [Green Infrastructure Framework](#).
- 11.67 In addition to mandatory biodiversity net gain (see Policy GTC8), development proposals have the potential to benefit local biodiversity through the inclusion of integrated bird, bat and bee boxes and bricks. Built-in bricks (for swifts for example) are preferred as they are integrated into the building, cannot be removed and require

less maintenance. Hedgehog highways should also be created, through the provision of holes in garden walls and fences.

- 11.68 The proposed policy reflects the wide range of biodiversity and other natural features of the district in a way that ensures their protection as well as enhancement.

Question Box

Q194. What are your views on the Council's proposed policy on sites protected for their habitats and species?

Q195. Are there any alternatives or additional points the Council should be considering?

Q196. Specifically, what are your views on the Council requiring an impact assessment for any development proposed within 25 metres of Ancient Woodland?

Proposed Policy ENV6: Sustainable Access and Recreation Management Strategy

Policy Status:	Non-strategic
New Policy?	Yes, incorporating DaSA Policy DEN4(iii)
Overall Priorities:	Green to the Core

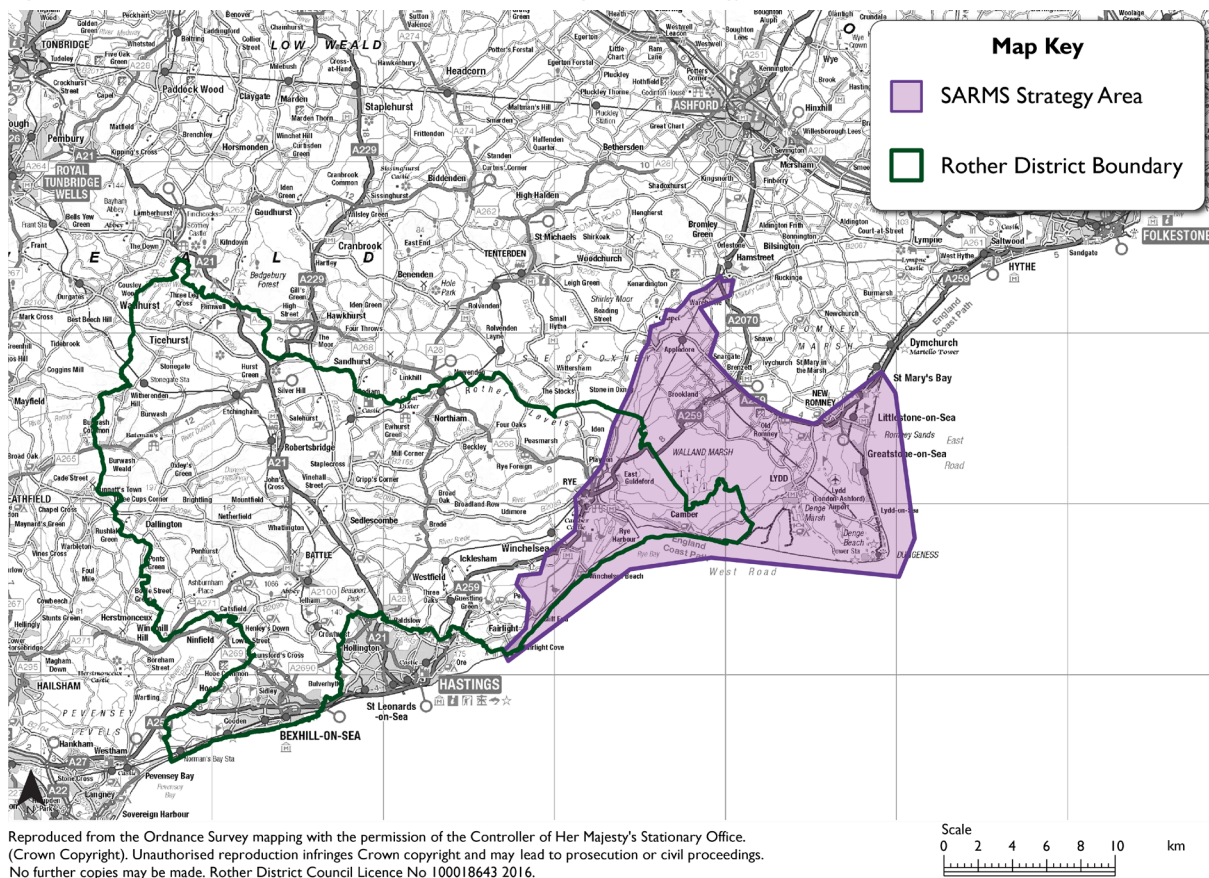
Policy Wording:

All development within the strategy area of the Dungeness Complex Sustainable Access and Recreation Management Strategy (SARMS) (as shown in Figure 45) should have regard to the measures identified in that Strategy.

Proposals that have the potential to result in any increase in levels of recreational access within the SARMS strategy area will need to demonstrate measures to avoid impacts on the Dungeness Complex of Habitats Sites, and any such access should be focused on those areas with existing permitted walking and cycling routes, in order to protect undisturbed habitats. Appropriate measures either on or off-site will be secured as part of a planning permission either by condition or legal agreement.

Development that is deemed in conflict with the Strategy will not be supported.

Figure 45: The Sustainable Access and Recreation Management Strategy Area



Explanatory Text:

- 11.69 The potential impact of tourism policies on the Dungeness Complex of Habitats Sites was an issue first highlighted through the Council's Core Strategy's Habitat Regulations Assessment (HRA). Therefore, the Council, in partnership with Folkestone & Hythe District Council with advice from Natural England, prepared a 'Sustainable Access and Recreation Management Strategy' (SARMS) for the area.
- 11.70 The district benefits from many areas of land that are protected for their environmental importance. However, as part of the successful management of these sites, there is sometimes a need to proactively protect areas from overuse.
- 11.71 The SARMS provides a strategic, cross boundary approach to managing recreational pressure and disturbance, both in relation to additional usage resulting from

development and more generally to ensure sensitive management of the Habitats Sites. It identifies a need to raise the profile of the nature conservation value of the strategy area in a way that will also benefit the visitor economy, to improve visitor education and, in some areas, change behaviour to support the habitats and species of the protected sites.

- 11.72 The SARMS area, which covers the protected sites as well as a wider area of functional land providing an important supporting role, is shown in Figure 45.

Regulation 18 Commentary:

- 11.73 The importance of this strategy needs strengthening due to the significance of protecting the Dungeness Complex from inappropriate development. The proposed policy provides clearer messaging on its role.

Question Box

Q197. What are your views on the Council's proposed policy on the Sustainable Access and Recreation Management Strategy?

Q198. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ENV7: Environmental Pollution

Policy Status:	Non-strategic
New Policy?	No, updated version of DaSA Policy DEN7
Overall Priorities:	Green to the Core & Live Well Locally

Policy Wording:

Development will only be permitted where it is demonstrated that there will be no adverse impacts on health, local amenities, biodiversity or environmental character as a result of lighting, noise, airborne pollutants, water quality, land contamination, odour, hazardous and/or non-hazardous substances associated with development.

This includes where appropriate, the cumulative impacts of existing and proposed developments. Developments should put good design first to minimise the need for mitigation measures.

Regarding specific forms of pollution:

- (i) **In relation to noise**, consideration will also be given to the character of the location and established land uses. Also, in the case of new noise-sensitive development, the 'agent of change' principle applies to the new development and appropriate design and mitigation must be provided in the new development. In any instance, good acoustic design will be required (as set out within [Professional Practice Guidance on Planning & Noise - New Residential Development](#))
- (ii) **In relation to new noise generating equipment**, any such installation should have regard to the existing background noise levels of the area and not be louder than existing background noise levels. In some cases the Council may require equipment to be below background noise levels; and
- (iii) **In relation to lighting**, the proposed scheme is necessary and the minimum required, and is designed to minimise light pollution including light glare and sky glow and to conserve energy, through the use of best available technology, having regard to the lighting levels recommended by the Institution of Lighting Professionals (ILP) for the relevant

environmental zone. Development should also be in accordance, where relevant, with Policy LAN3 (Dark Skies).

Permitted development rights for any noise generating equipment may be removed via condition where it is felt reasonable and necessary to ensure the protection of the environment from any form pollution.

A suitably qualified person must be used to carry out any assessments to demonstrate compliance with this policy.

Explanatory Text:

- 11.74 Environmental pollution can come in many forms. It will also affect parts of the district differently, particularly in the smaller rural villages and settlements as well as the countryside itself.
- 11.75 Environmental pollution issues will vary depending on the location and type of development involved. However, in all cases it will be appropriate to consider the effect of proposals, including any cumulative effects, in terms of their potential to contribute to or be adversely affected by pollution through issues such as lighting, noise, airborne pollutants, land contamination, odour, and/or hazardous and non-hazardous substances.
- 11.76 The general approach is to ensure that the impacts of new development are properly assessed at an early stage to keep their effects to a minimum. This will require new development to be designed from the outset in such a way as to minimise these impacts. It is therefore important to seek to protect residential amenity and the character of an area whilst also supporting growth.
- 11.77 Planning compliments the work of the Council's Environmental Health department in their duties. These include advising on planning applications where there is a crossover in remit, licencing for various uses and investigating statutory nuisance complaints. The proposed policy enables both departments to carry out their duties effectively.

- 11.78 There are many different forms of environmental pollution which will be expanded on in the more detail. In many of these instances, the 'agent of change' principle applies. Broadly speaking, this places the burden on the new development to ensure that the occupants will not be adversely affected by any existing, noisier businesses and development in close proximity.

Lighting

- 11.79 Artificial light can be an essential aid to safety, facilitate a thriving night-time economy and also extend the hours of use of sport and leisure facilities. Well-designed lighting can highlight architecturally or culturally significant buildings and features, creating visual interest and instil a sense of civic pride.
- 11.80 However, when poorly located, designed, maintained, or otherwise used incorrectly, artificial light can impact on people's health, wildlife's behaviour and safety. The result is an excessive use of energy, distracting road users and affecting the character and amenities of places, both in built-up areas and the countryside. Common sources of potential light pollution include sports venues, industrial, commercial and retail areas, street lighting and illuminated signage.
- 11.81 Particularly in rural areas, light pollution continues to affect landscape character and there is significant variation between, and even within, regions. Rother was found to be the 24th darkest English district out of 326 districts and boroughs in a [2016 study](#) by the Campaign to Protect Rural England (CPRE). Dark skies are a valued characteristic of the district's countryside and contribute to the special landscape qualities and natural beauty of the High Weald NL. See Policy LAN3 (Dark Skies) in the landscape character chapter. Development will need to accord with both the environmental pollution policy and the dark skies policy where applicable.
- 11.82 Nationally, approximately half of all complaints regarding light nuisance arise from domestic external security lighting. Such lighting is not normally subject to planning control, while operational lighting for roads benefits from permitted development

rights. Illuminated advertisements, which generally require permission. See Policy HER3 in relation to shopfronts, signage and advertising in the design and heritage chapter.

11.83 There is further information within both the NPPF and PPG regarding the consideration of light pollution in the context of new development. This can broadly be summarised as needing to consider the following points (although the PPG goes into greater detail, including links to professional guidance which the Council supports):

- the need for the lighting, its duration, intensity and direction;
- the impact of light levels outside the development;
- the effect on the use or enjoyment of nearby buildings or open spaces;
- the impact on nature conservation, including any protected sites or species; and
- whether the development is in an intrinsically dark landscape where it may be desirable to minimise new light sources.

11.84 Another important guidance document is the Institute for Lighting Professional's (ILP) [Guidance Note 1 for The Reduction of Obtrusive Light \(2021\)](#). It sets out five 'environmental zones' and identifies, for each zone, the suitability of various lighting designs and intensities. The measurement of light intensity is different to that used by CPRE, but nevertheless Rother District can be categorised in the following environmental zones:

- E1: the Pevensey Levels and the Dungeness Complex of international nature conservation sites, the High Weald NL outside of towns and villages as defined by settlement development boundaries;
- E2: within settlements and elsewhere outside areas in E1 and E3;
- E3: within Bexhill and the town centres of Battle and Rye.

11.85 Regarding lighting within sports provision, Sport England has produced a design guide for artificial sports lighting. The guide refers to the ILP's Guidance Note and will be referred to when considering artificial sports lighting.

- 11.86 For larger developments involving outdoor lighting, or those developments in or adjacent to sensitive locations, the Council may require a full lighting assessment and strategy to be submitted and prepared by a qualified lighting engineer.
- 11.87 Where planning permission is granted, appropriate conditions will normally be attached to control the lighting scheme, such as:
- specification of lighting type, height, angle etc.;
 - hours of operation;
 - retention of screening vegetation;
 - use of new planting or bunding;
 - details of a future scheme of maintenance; and/or
 - post installation checks.

Noise

- 11.88 Many developments have the potential to affect the acoustic environment. They may involve the introduction of new noise sources, or new noise-sensitive developments near existing noise sources. It is necessary for the Council to carefully manage development to ensure that noise does not give rise to unacceptable adverse effects on health and quality of life, or on the character of areas. This is supported by both the NPPF and PPG.
- 11.89 The [Planning Noise Advice Document \(pdf\)](#) has been produced by the Sussex Pollution Working Group. This document provides detailed guidance for developers on the preparation of noise reports, mitigation measures as well as the conditions that may be applied to planning applications. Nationally, [noise guidance](#) for new residential development has been produced by the Association of Noise Consultants (ANC), Institute of Acoustics (IOA) and Chartered Institute of Environmental Health (CIEH).

11.90 The Council requires technical information to be provided with planning applications in the form of a 'Noise Impact Assessment' for:

- all applications for plant installation;
- any application for development/use that involves activities that may generate significant levels of noise adjacent to existing noise sensitive uses (e.g. residential development, schools and hospitals); or
- any application for noise sensitive development (e.g. schools, hospitals and residential development (excluding householder development)) adjacent to major road / transport infrastructure.

11.91 Additionally, the IOA and CIEH have produced a specific [advice note](#) on heat pumps. Many installations are carried out under permitted development rights. However, the advice states that for permitted development installations, adherence to the regulations alone may not avoid the creation of adverse impacts from noise and vibration. This is because there are several factors that can increase the potential for disturbance that are not fully covered in the permitted development regulations. The Council therefore strongly recommends that all heat pumps are installed using the guidance in the advice note to minimise the likelihood of any statutory nuisance complaints. The Council will apply this advice note to those that do require planning permission.

Air pollution

11.92 It is acknowledged that no part of the district is designated as an Air Quality Management Area. Therefore, there is not an exceedance or likely exceedance of an air quality objective, as defined within the Government's [Air Quality Strategy](#).

11.93 However, this does not mean that the impact of new development on air pollution should not be considered. Air pollution is associated with a number of adverse health impacts.

11.94 The Council is part of Sussex Air Quality Partnership which is a Sussex wide partnership of local authorities including the County Council. They have produced

[guidance](#) on more localised requirements for applicants and developers which the Council endorses and expects applicants to use. It may also be appropriate to incorporate measures that minimise air pollution as part of developments, such as traffic management schemes.

- 11.95 It is also noted that green spaces, particularly treed areas, can provide an important service in filtering pollutants. Guidance on the consideration of air quality through the planning system is available from Environmental Protection UK and the Institute of Air Quality Management (IAQM), such as the 2017 guidance on [Land-Use Planning & Development Control: Planning For Air Quality](#).

Land contamination

- 11.96 The planning system plays a complimentary role with dealing with land contamination alongside a range of other systems and legislative requirements. This means that planning policies should be contributing to an enhanced environment and safe for the new use. Both the NPPF and PPG expand further on the considerations required when dealing with land contamination and remediation. Responsibility for securing a safe development rests with the developer and/or landowner. However, the Council should be satisfied that a proposed development will be appropriate for its location and not pose an unacceptable risk.
- 11.97 Previously developed land (or brownfield land) has the potential to be impacted by historical contamination and this should be fully investigated at an early stage of any development proposal. Developments involving ground works on or in the vicinity of sites where contamination is known or suspected will also require investigation. In Rother, this can commonly include, but not be limited to, proposals involving the conversion of former agricultural buildings. Any investigation and assessments must be carried out by a suitable qualified person. This will likely be a person accredited by the [National Quality Mark Scheme \(NQMS\)](#) for Land Contamination Management.

Odour

- 11.98 Odour may arise as an issue in various developments, such as restaurant and takeaway uses where cooking smells may affect the amenity of nearby residents, or where existing odour-generating uses could affect new development, such as from wastewater treatment works. These odours could result in the need for buffer zones between the source and receptor, such as residential development.

Hazardous substances

- 11.99 Sometimes pre-existing hazards need to be taken into account by development proposals. Key factors are the distance, risks and nature of the proposal. As per the [PPG](#), in these cases, pre-application advice should be sought from the Health and Safety Executive (HSE) and the Environment Agency where relevant. The Council will use the advice of the HSE in its decision-making process, including where applications are near “notifiable installations” such as high-pressure gas mains and overhead power cables. [Guidance](#) is available from the Environment Agency for development involving decommissioning underground storage tanks, such as those found in petrol stations.
- 11.100 Any site that needs to use or store hazardous substances at or above specified controlled quantities, requires hazardous substances consent before it can operate. Further guidance is available on the PPG.
- 11.101 The proposed policy aims to reflect the wide-ranging forms of environmental pollution with an appropriate and proportionate approach to addressing them. This should mean the new development takes account of these factors to provide a positive outcome.

Question Box

Q199. What are your views on the Council's proposed policy on environmental pollution?

Q200. Are there any alternatives or additional points the Council should be considering?

Q201. Are there any other forms of pollution that the Council should be considering for a specific sub-point, and if so, what evidence is available?

12. Heritage

Proposed Policy HER1: Heritage Management

Policy Status:	Strategic
New Policy?	No. Amended version of Core Strategy Policy EN2
Overall Priorities:	Live Well Locally

Policy Wording:

Development affecting the historic built environment, including designated and non-designated assets, must:

- (i) Reinforce the special character of the district's historic settlements, including villages, towns and suburbs, through siting, scale, form and design;
- (ii) Take opportunities to improve areas of poor visual character or with poor townscape qualities;
- (iii) Preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies;
- (iv) Follow best practice guidance from Historic England regarding alterations to improve energy efficiency, including having regard to a 'whole building approach' using Historic England methodology, to ensure that energy conservation measures or micro-generation installations do not damage the special character or significance of heritage assets or compromise their performance;
- (v) Refer to the character analysis in Conservation Area Appraisals, where relevant;
- (vi) Reflect current best practice guidance produced by English Heritage; and
- (vii) Ensure appropriate archaeological research and investigation of both above and below-ground archaeology, and retention where required.

Explanatory Text:

- 12.1 Rother District has a rich heritage environment and a valuable and extensive historic building stock, including as it does the historic market towns of Battle and Rye, the Victorian and Edwardian seaside town of Bexhill-on-Sea, the important planned medieval town of Winchelsea, and a host of picturesque villages and hamlets, listed buildings, including many isolated farmsteads dispersed throughout the High Weald, together with modernist buildings from the 1930s and 1960s.
- 12.2 The historic built environment within the Rother District has a high level of statutory protection; designated heritage assets include Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Parks and Gardens, and the 'Historic Battlefield' at Battle. Many other non-designated buildings and archaeological assets contribute positively to the physical, historic and socio-cultural character of the district, and warrant retention and interpretation. Under the provisions of the Framework¹²⁴, such structures are frequently considered by the LPA to be non-designated heritage assets, either through identification in the Local Lists of Neighbourhood Plans, or during the decision-making process.
- 12.3 The historic built environment underpins the distinctive character of Rother District; the pattern, form, and appearance of settlements and individual buildings, and the materials of their construction are peculiar to both the regional and local location and contribute to the unique sense of place, cultural identity and local distinctiveness of both the district as a whole, and of each settlement.
- 12.4 The landscape setting of individual towns and villages varies from the linear form most usually associated with ridge-top development, to the less common valley setting associated with river crossings. Particularly distinct settlements are the nucleated hill-top setting of the ancient town of Rye, and the formalised medieval grid plan of Winchelsea. Historic farmsteads with farm building typologies representing locally distinctive historic agricultural practices, are prolific within the undulating pastureland.

¹²⁴ NPPF December 2023, footnote 72.

- 12.5 Particularly locally distinctive building typologies and features include long sweeping catslide roofs, oast houses, timber-framed barns and other agricultural buildings associated with local historic farming practices, and medieval Wealden Hall Houses, found either as rural farmhouses, or incorporated into the fabric of villages and towns, and often much disguised through later alterations. Archaeological survey and investigation is invaluable in such instances to understand the history and significance of these timber-framed buildings.
- 12.6 Historic buildings in the district generally deploy a limited palette of materials associated with the local High Weald geology, namely timber-framing, clay tiles (for roofs and wall hanging) and brickwork. In specific pockets to the east of the district, white-painted weatherboarding is prolific, and to the west of the district are distinctive groups of buildings constructed from the local Brightling sandstone. These materials, if properly looked after, are inherently sustainable as they are local, durable, resist wear and decay and can be repaired or replaced.
- 12.7 Meanwhile, the coastal resort town of Bexhill-on-Sea has a rich heritage of late Victorian and Edwardian villa architecture, imposing in scale and ornate in detailing, which plays an important role in defining the local character and street scene. The Historic Environment and Built Heritage Background Paper provides more detail on the heritage significance of specific areas of the district, including Bexhill, Battle, Rye, Winchelsea, villages and rural areas. It also refers to the importance of Registered Parks and Gardens, of which there are 7 in the district.

- 12.8 The High Weald AONB Management Plan 2019-2024 sets out defining settlement characteristics of the High Weald¹²⁵, much of which applies to that part of the district, including:
- High concentrations of historic buildings in all settlement types, many listed, with locally distinctive typologies.
 - A limited palette of local materials: clay as tiles and brick, timber as weatherboard and framing, and some localised instances of stone.
 - Hamlets occurring around the junction of routeways or small commons (which became greens or forstals), or as clusters of cottages.
 - High density of historic farmsteads, with high numbers of pre-1750 timber-framed farm buildings with typologies representing locally-distinctive historic agricultural practices.
 - Villages and towns of Medieval origin located at historic focal points or along ridge top roads; typically open areas used for meeting places and trade.
- 12.9 The district's known archaeological and historic sites are mapped and described within a county-wide database called the East Sussex Historic Environment Record (HER). The HER holds information on a range of sites dating from the Palaeolithic period (c.800,000 years ago) up to 20th Century monuments and include many 'Archaeological Notification Areas'.
- 12.10 Rother District is fortunate to possess a number of quality historic public realm features and surface treatments, including the listed cobbled streets of Rye, brick paving in Winchelsea and Robertsbridge, and raised pavements in Battle, which all are important in defining the special character and local distinctiveness of individual settlements. The retention and sensitive repair, and, where appropriate, reinstatement of such features is important in maintaining such character. Rye Conservation Society has produced specific guidance for those carrying out repairs to the town's historic cobbled streets.

¹²⁵ High Weald AONB Management Plan 2019-2024 p31.

- 12.11 The historic public realm is also important in defining local character and sense of place in the rural areas; historic features such as milestones, historic fingerpost signs and red telephone kiosks and letterboxes contribute positively to the character of the rural public realm. This is highlighted in the adopted Rother District Public Realm Strategic Framework, which, though district-wide, contains specific references to designated Conservation Areas within the district, and much of the content refers to heritage features in the public realm.

“The greenest building is the one that already exists”¹²⁶.

- 12.12 The historic buildings of Rother have an important role to play in the Local Plan’s Green to the Core vision. Historic England recognise the urgent need for climate action and believe that England’s existing buildings have an essential role to play in fighting climate change. Sustainability in building is not just associated with operational energy consumption, but also the embodied energy used in the construction of buildings. Research carried out by Historic England has found that sympathetically upgrading and reusing existing buildings, rather than demolishing and building new, could dramatically improve a building’s energy efficiency and would make substantial energy savings because the CO₂ emissions already embodied within existing buildings would not be lost through demolition.¹²⁷ In accordance with the Historic England guidance, a reduction in operational carbon emissions will not in itself justify development where it would cause harm to the heritage asset.
- 12.13 Older buildings have survived because of their durability and adaptability. Continuing to adapt, upgrade, repair and maintain them so they remain useful and viable makes good social, economic and environmental sense. Generally speaking, improving the energy efficiency of historic buildings and those of traditional construction means reducing heat losses wherever possible without damaging their special character or compromising their performance.

¹²⁶ Carl Elefante, former president of the American Institute of Architects.

¹²⁷ [Buildings Must Be Recycled and Reused to Help Tackle Climate Change | Historic England.](#)

- 12.14 Historic England has carried out a large number of research programmes focussing on understanding and improving the energy performance of historic buildings and the effects of measures to increase energy efficiency. This research has underpinned the range of guidance and advice that they have produced and which is generally considered to represent best practice in this field.
- 12.15 Historic England advocate, and provide detailed guidance on, a holistic ‘whole building approach’¹²⁸ which considers for the specific building:
- context;
 - construction;
 - condition;
 - historic significance;
 - an understanding of all the factors that affect energy use; and
 - how to devise an energy efficiency strategy for any building.
- 12.16 This ‘whole building’ approach can help in meeting the combined objectives of increasing energy efficiency and sustaining significance in heritage assets, while avoiding unintended consequences. It supports Government guidance that underlines the usefulness of coordinating energy improvements with design and heritage matters. Adopting a ‘whole building’ approach can help in understanding where energy goes, and identifying less harmful options to achieve energy savings.
- 12.17 The ‘whole building’ approach recognises that the thermal efficiency of historic buildings can be greatly improved without replacing elements that contribute to their significance. It sets out that it is better to consider energy conservation measures that address the thermal efficiency of the whole of the building, including reducing energy use; avoiding wasting energy; increasing efficiency of heating, hot water and equipment; improving control systems; and using low-carbon energy supplies. In this way, the aim should be to strike an appropriate balance between energy conservation and building conservation. To support this approach, Historic England have also produced a more

¹²⁸ [Energy Efficiency and Historic Buildings | Historic England.](#)

detailed suite of guidance on the principles, risks, materials and methods of installing insulation and draught-proofing.

- 12.18 Low and zero carbon (LZC) technologies, i.e. microgeneration equipment which generates energy from renewable or low carbon sources and emit low or no carbon dioxide emissions, such as Photovoltaics, Solar Water Heating, Heat Pumps, Wind and Turbines, can also be a part of the equation in reducing a building's carbon footprint. Again, Historic England has produced guidance on a range of LZC technologies and historic buildings.
- 12.19 In considering LZC technologies in the historic environment, consideration will need to be given to whether the particular installation would suit the particular building, whether the system can be fitted with no significant adverse impact on the building and its historic fabric, and what the visual impact on the setting of the building or heritage asset would be.
- 12.20 An assessment of the significance of the heritage asset will remain the starting point for consideration of any proposals affecting them.

Question Box

Q202. What are your views on the Council's proposed policy on heritage management?

Q203. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HER2: Traditional Historic Farm Buildings

Policy Status:	Strategic
New Policy?	No. Core Strategy Policy RA4
Overall Priorities:	Live Well Locally

Policy Wording:

Traditional historic farm buildings will be retained in effective and appropriate use, and proposals for their reuse and/or subsequent alteration should:

- (i) Take a hierarchical approach for re-uses as follows:
 - a. The priority use for traditional farm buildings is to remain in farm-associated use, or farm-related business purposes.
 - b. Where there is a demonstrable lack of need for such uses, consideration will be given to non-agricultural economic uses, including workshops and office use or tourism uses.
 - c. Where such uses are not suitable, due to adverse impacts on amenity or rural landscape character, or not achievable due to viability, then residential use may be considered acceptable.
- (ii) Demonstrate that they are based on a sound and thorough understanding of the significance of the building and its setting, including in terms of history, layout, use, local relevance, fabric and archaeology.
- (iii) Ensure retention of the building's legibility, form (as an example of a specific building typology), historic fabric and setting, and, through design, maintain the agricultural character and the contribution the building and its surroundings make to the wider rural landscape and countryside character.
- (iv) Ensure proper protection of existing wildlife and habitats.

Explanatory Text:

- 12.21 Rother's countryside has a highly distinctive and important architectural character by way of settlement pattern and building typologies. The historic hamlets and farmsteads of the High Weald create a distinct and picturesque landscape, with the rolling pastureland and small ancient woodlands of the countryside interspersed with the rich clay-tiled roofs of medieval houses, barns and oasts. Building typologies reflect locally distinct historic agricultural practices, for example the distinctive brick roundels of the hop industry's oast-houses, fine timber-framed barns and modest brick cowsheds and outbuildings.
- 12.22 Traditional historic farm buildings are a vital element in defining the distinctive character of the district's countryside, as well as being a valuable economic resource. They have cultural and archaeological value, not just in their fabric, but also their location and setting, to help our understanding of the historical development of farming in the district. Traditional historic farm buildings are generally considered to be those dating from pre-1880, though there may be other pre-war buildings, either late Victorian or Edwardian that are of interest in a farmstead or landscape context and may be worthy of retention.
- 12.23 English Heritage have analysed the character of rural settlement and farming in the South East, and particularly in the High Weald, within which the majority of the district's countryside falls, in their Farmstead Character Statement¹²⁹. This highlights the historic typical small farm sizes, leading to small 'farmsteads' of mostly dispersed cluster plans or loose courtyards, and typically consisting of just the farmhouse, one large multi-purpose barn, and perhaps an oasthouse or a small open-fronted outbuilding¹³⁰.

¹²⁹ Historic Farmsteads Preliminary Character Statement: South East Region English Heritage & The Countryside Agency 2006.

¹³⁰ Further research available in 'Farm Buildings of the Weald 1450-1750' David and Barbara Martin Heritage Marketing & Publications Ltd 2006.

- 12.24 In accordance with English Heritage advice in the document 'Living Buildings in a Living Landscape: finding a future for traditional Farm Buildings', the priority uses for traditional agricultural buildings are to retain such buildings in continued farming related uses, and secondly to convert for employment uses, including tourism.
- 12.25 Where such conversions are not suitable for the particular nature or location of the buildings or where the applicant has demonstrated that employment or tourism uses are not viable, residential conversions will be considered. In such circumstances, the applicant should demonstrate that every attempt has been made to secure an employment or tourism re-use first.
- 12.26 Different uses of a traditional farm building will inevitably have different physical impacts on the building, its setting and legibility; this is also reflected in the hierarchical approach to conversion uses described above. Continued farm use, workshop or light industrial uses are likely to require only limited alterations to building fabric and to the setting of buildings. In contrast, residential use usually brings greater pressure for internal subdivision of spaces, new openings, curtilage division and domestication which can greatly impact on the significance of these farm buildings and their appearance in the landscape.
- 12.27 It is important that in any conversion or re-use proposal, the distinctive character of traditional agricultural buildings; their farmstead and wider landscape setting, external appearance, internal character and features, be retained. Domestication of the building or its setting by means of inappropriate alterations, new development, access arrangements or boundary treatments should be avoided.
- 12.28 Specific advice in this respect is given in the English Heritage publication 'The Conversion of Traditional Farm Buildings: A Guide to Good Practice'¹³¹ and this should be interpreted alongside the specific advice given in the Farmstead Character Statement with regard to local building typologies and features. Of particular importance at a local level is maintaining the internal spatial qualities of timber framed

¹³¹ The Conversion of Traditional Farm Buildings: A Guide to Good Practice English Heritage 2006.

barns, the elevational character of their cart-bay entrances, and the uninterrupted brick walling of oasthouse roundels.

- 12.29 Historic farm buildings can often also be important habitats for wildlife such as bats, barn owls and other nesting birds. The English Heritage document 'The Conversion of Traditional Historic Farm Buildings: A guide to good practice' also gives advice on wildlife legislation in this respect, and advises that an ecological survey should be carried out at project feasibility stage to establish whether there are protected species present.
- 12.30 Traditional farm buildings that have already been converted are also vulnerable to inappropriate alteration or development, for example extensions, new openings, garages, sheds and other outbuildings, boundary treatments and hard-surfacing, that would have an adverse impact on the intrinsic character of the building itself, or on the rural character of its countryside setting. Even a well-designed extension will usually undermine the form of, for example, a barn or oasthouse as an example of a particular building typology.

Question Box

Q204. What are your views on the Council's proposed policy on traditional historic farm buildings?

Q205. Are there any alternatives or additional points the Council should be considering?

Proposed Policy HER3: Shopfronts, Signage and Advertising

Policy Status:	Non-Strategic
New Policy?	No. Development and Site Allocations Policy DEC1
Overall Priorities:	Live Well Locally

Policy Wording:

- (i) Proposals for a new shopfront, an alteration to existing shopfront (including external blinds), or signage on buildings, will only be permitted where:
- it relates appropriately, in size and design to the architectural and historic character and appearance of the building in which the shopfront is located;
 - it relates appropriately, in size and design, to its overall setting in the street scene, and impact on public safety; and
 - it has due regard to its proportions, size, design, visual relationship to upper storeys, materials, colour, height and width, and illumination.

Particularly within Conservation Areas, the loss of features or fabric of historic, architectural and/or socio-cultural merit or the installation of external roller shutters will not normally be acceptable.

- (ii) Signage and advertisements on or in the grounds of commercial properties will be permitted where their number, size, shape, materials, location and design (including any lighting and illumination) have an acceptable impact on highway safety and amenity, including on the scenic, architectural and historic character of the locality.

Other than in exceptional circumstances, free-standing signage and advertisements should have a close physical relationship to the premises that they serve.

In rural areas, signage and advertisements should not detract from landscape character or the undeveloped nature of the countryside, including after dark, nor introduce unnecessary “clutter”.

Explanatory Text:

- 12.31 Shopfronts¹³², signage and advertisements form an integral part of commercial streets and of town and village centres in the district. They play an important role in helping to create an attractive retail environment and, as such, contribute to economic vitality.
- 12.32 While advertising and signage generally convey important information and are valuable in promoting business activities, they can have a significant impact on the appearance of buildings and areas. Unduly prominent, prolific or poorly designed signage can detract from the character of a building, the townscape or village street scene or of the countryside within which it is located. Furthermore, if uncontrolled, it can lead to roadside clutter and distract drivers.
- 12.33 In order to protect the amenities of an area, it is important that all signs and advertisements, whether on a building or freestanding, are carefully designed and of an appropriate scale, detail, materials and colours.
- 12.34 Traditional shopfronts, such as the late Victorian/early Edwardian ones found in the planned shopping streets of Bexhill-on-Sea or those inserted into the medieval buildings of the market towns of Battle and Rye, are important because they provide active frontages and make a positive contribution to the character and appearance of those historic centres. Without careful attention though, it is easy to gradually erode the character of traditional shopfronts and historic street-frontages and to lose or obscure important building features.
- 12.35 Where shops or other commercial premises lie within Conservation Areas or other areas of historic character, it is particularly vital that shopfronts, signage and advertisements are well designed and detailed, and relate to their surroundings. There should be a general presumption to retain and restore the original fabric and detailing of historic shopfronts, such as stallrisers, cornices and pilasters, windows and

¹³² The term “shopfront” is taken to mean the built frontage of a variety of commercial premises, including shops, financial and professional services, restaurants/cafes, drinking establishments and hot food takeaways.

decorative tiling. More generally, any new shopfront should relate well to the building and to its overall setting in the street scene, in terms of its proportions, design, relationship to upper storeys, fascia height and width, mullion treatment, materials and colour. Most common issues relate to the introduction of inappropriately deep or stuck-on fascias and internally illuminated signage. Fascia signs are the most common form of advertisement on a building and should be designed to appear as an integral part of it in terms of their positioning, height, size, design and materials.

- 12.36 Canopies and blinds may be successfully integrated into a traditional shopfront if carefully detailed and not unduly dominant. However, the use of modern materials such as acrylic sheeting, Perspex, aluminium or plastic, is rarely appropriate for traditional shopfronts on historic buildings in a Conservation Area. There is particular concern around the introduction of solid external roller shutters, which can have a “deadening”, inhospitable effect on the street scene. Where security measures are essential, alternatives such as the use of an internal lattice shutter or laminated glass represent more sensitive approaches.
- 12.37 The Council has adopted specific guidance for shopfronts and signage within Bexhill-on-Sea Town Centre Conservation Area, in recognition of the special architectural character of the shopping terraces that were constructed within a very short period of time at the end of the 19th century and beginning of the 20th century.
- 12.38 The illumination of all signs and advertisements needs sensitive consideration and to be restrained in their quantity and brightness. Within the town centres of Bexhill, Battle and Rye, some night-time illumination of shops and other commercial premises helps to promote a vibrant and safe evening economy. Elsewhere, the illumination of signs on buildings, including hanging signs, is normally only justified where it relates to late opening premises such as a public house, restaurant, chemist or similar. At the same time, consideration must be given to the amenity of residential properties. Modern projecting, usually illuminated box signs, can be particularly cluttering and discordant features on shopfronts and in the street scene and are very unlikely to be appropriate within Conservation Areas.

- 12.39 In rural areas, the amount and siting of advertisements, especially illuminated signage, need to be strictly controlled, in the interests of maintaining the generally undeveloped landscape character and amenities of the countryside, preventing “clutter”, maintaining highway safety and dark skies. Hence, unless there are exceptional circumstances which justify an alternative approach, any advertisement should be limited to a location close to the premises it serves, and should be sited and sized so as to not undermine the local countryside character. The cumulative Impact of advertisements on the character of rural areas will also be a consideration.

Question Box

Q206. What are your views on the Council's proposed policy on shopfronts, signage and advertising?

Q207. Are there any alternatives or additional points the Council should be considering?

Appendices

Appendix 1: Strategic and Non-strategic Policies

Strategic Policies

Green to the Core

Proposed Policy GTC1: Net Zero Building Standards
Proposed Policy GTC2: Net Zero Retrofit Standards
Proposed Policy GTC3: Construction Materials and Waste
Proposed Policy GTC6: Renewable and Low Carbon Energy
Proposed Policy GTC7: Local Nature Recovery Areas
Proposed Policy GTC8: Biodiversity Net Gain
Proposed Policy GTC9: High Weald National Landscape

Live Well Locally

Proposed Policy LWL1: Compact Development
Proposed Policy LWL2: Facilities & Services
Proposed Policy LWL3: Walking, Wheeling, Cycling & Public Transport (Outside the Site)
Proposed Policy LWL4: Walking, Wheeling, Cycling & Public Transport (Within the Site)
Proposed Policy LWL5: Distinctive Places
Proposed Policy LWL6: Built Form
Proposed Policy LWL7: Streets for All
Proposed Policy LWL8: Multimodal Parking

Development Strategy

Proposed Policy DEV1: General Development Considerations
Proposed Policy DEV2: Comprehensive Development and Masterplanning
Proposed Policy DEV3: Development Boundaries
Proposed Policy DEV4: Retention of Sites of Social or Economic Value
Proposed Policy DEV5: Development on Small Sites and Windfall Development
Proposed Policy DEV6: Strategic Green Gaps

Health and Wellbeing

Proposed Policy HWB1: Supporting Health and Wellbeing
Proposed Policy HWB2: Health Impact Assessments
Proposed Policy HWB3: Reducing Harmful Impacts on Health
Proposed Policy HWB4: Community Facilities and Services
Proposed Policy HWB5: Green and Blue Infrastructure
Proposed Policy HWB6: Public Rights of Way

Infrastructure

Proposed Policy INF1: Strategic Infrastructure Requirements

Strategic Policies

Proposed Policy INF2: Digital Connectivity

Housing

Proposed Policy HOU1: Mixed and Balanced Communities

Proposed Policy HOU2: Affordable Housing

Proposed Policy HOU3: 100% Affordable Housing Developments

Proposed Policy HOU4: Allocating Sites for Wholly or Substantially Affordable Housing

Proposed Policy HOU5: Rural Exception Sites

Proposed Policy HOU6: Sub-division of Dwellings, and Houses of Multiple Occupation (HMOs)

Proposed Policy HOU7: Residential Internal Space Standards

Proposed Policy HOU8: Access Standards

Proposed Policy HOU9: Specialist Housing for Older People

Proposed Policy HOU10: Residential Care Homes for Older People

Proposed Policy HOU12: Self-Build and Custom Housebuilding

Proposed Policy HOU13: New Dwellings in the Countryside

Economy

Proposed Policy ECO1: Supporting New Employment Development

Proposed Policy ECO2: Protecting Existing Employment Sites and Premises

Proposed Policy ECO3: Designated Town Centres

Proposed Policy ECO4: Retail and Leisure Impact Assessment

Proposed Policy ECO5: Visitor Accommodation

Proposed Policy ECO6: Holiday Sites

Proposed Policy ECO7: Agriculture Development and Forestry

Proposed Policy ECO8: Agricultural Diversification

Proposed Policy ECO9: Local Employment & Skills

Proposed Policy ECO10: Equestrian Developments

Landscape Character

Proposed Policy LAN1: Rural Environments and Landscape Character

Environmental Management

Proposed Policy ENV1: Coastal, Water and Flood Risk Management

Heritage

Proposed Policy HER1: Heritage Management

Proposed Policy HER2: Traditional Historic Farm Buildings

Appendix 1

Strategic and Non-strategic Policies

Non Strategic Policies

Green to the Core

Proposed Policy GTC4: Water Efficiency

Proposed Policy GTC5: Heat Networks

Health and Wellbeing

Proposed Policy HWB7: Combe Valley Countryside Park

Housing

Proposed Policy HOU11: Gypsies, Travellers and Travelling Showpeople Criteria

Proposed Policy HOU14: External Residential Areas

Proposed Policy HOU15: Extensions to Residential Gardens

Proposed Policy HOU16: Extensions, Alterations and Outbuildings

Proposed Policy HOU17: Annexes

Proposed Policy HOU18: Boundary Treatments and Means of Enclosure

Proposed Policy HOU19: Accesses and Drives

Landscape Character

Proposed Policy LAN2: Trees, Woodlands and Hedgerows

Proposed Policy LAN3: Dark Skies

Environmental Management

Proposed Policy ENV2: Sustainable Surface Water Drainage

Proposed Policy ENV3: Land Stability

Proposed Policy ENV4: Fairlight Cove Coastal Change Management Area

Proposed Policy ENV5: Habitats and Species

Proposed Policy ENV6: Sustainable Access and Recreation Management Strategy

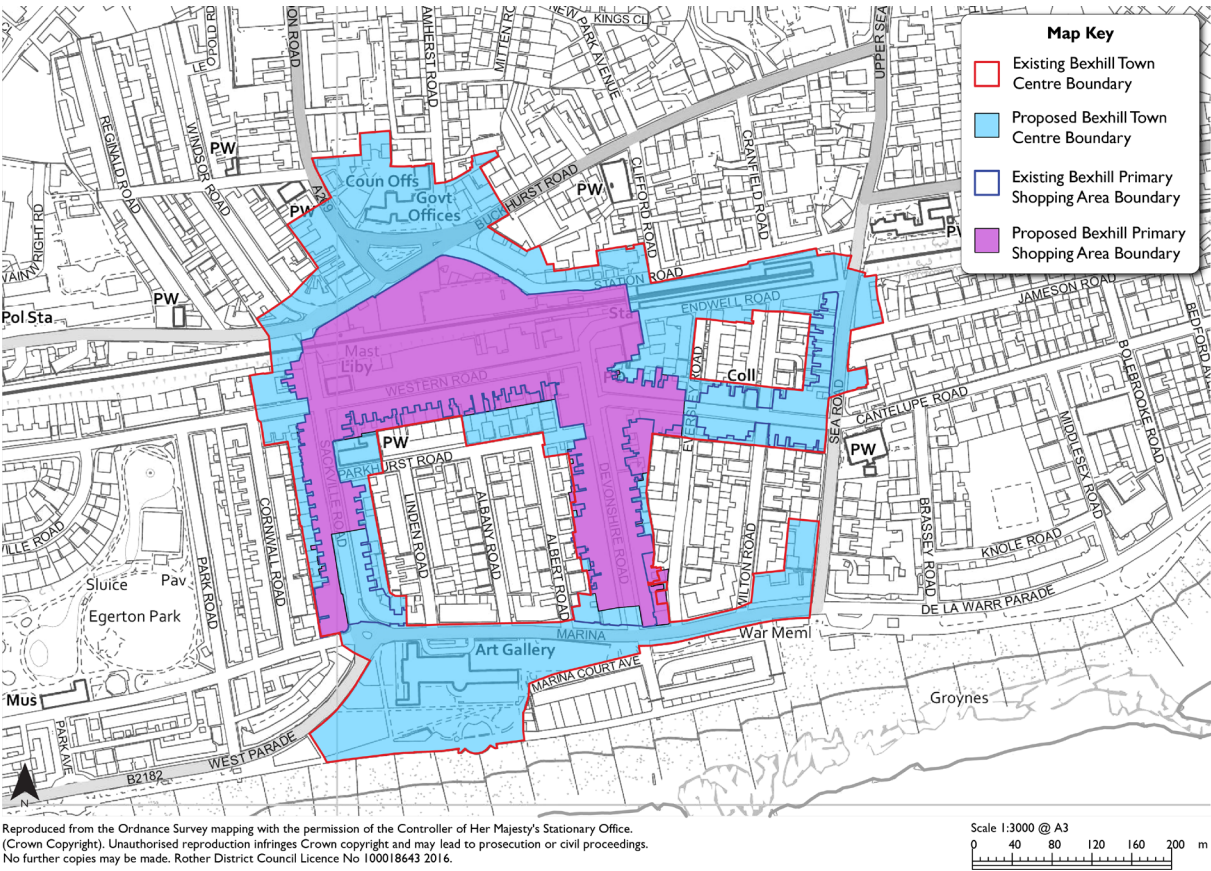
Proposed Policy ENV7: Environmental Pollution

Heritage

Proposed Policy HER3: Shopfronts, Signage and Advertising

Appendix 2: Town Centre designations

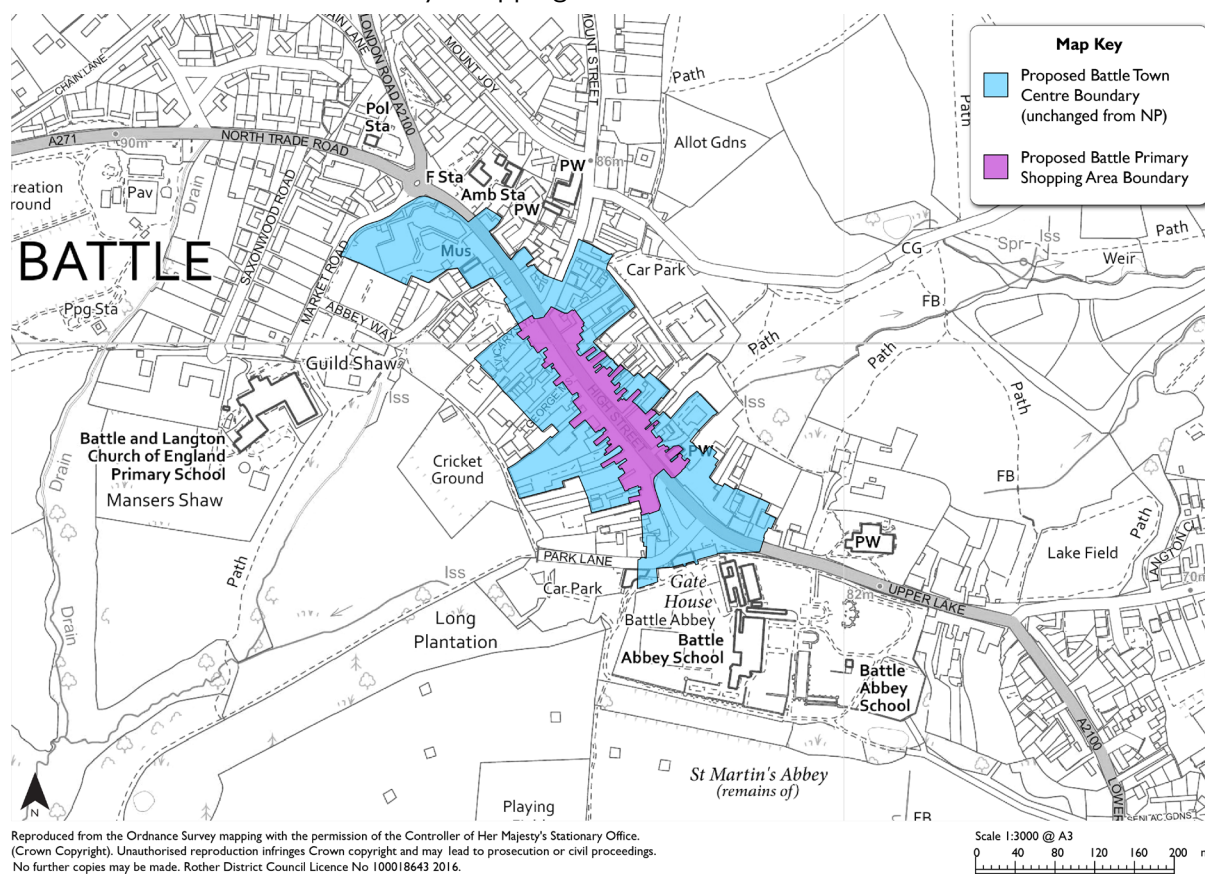
Bexhill Town Centre and Primary Shopping Area



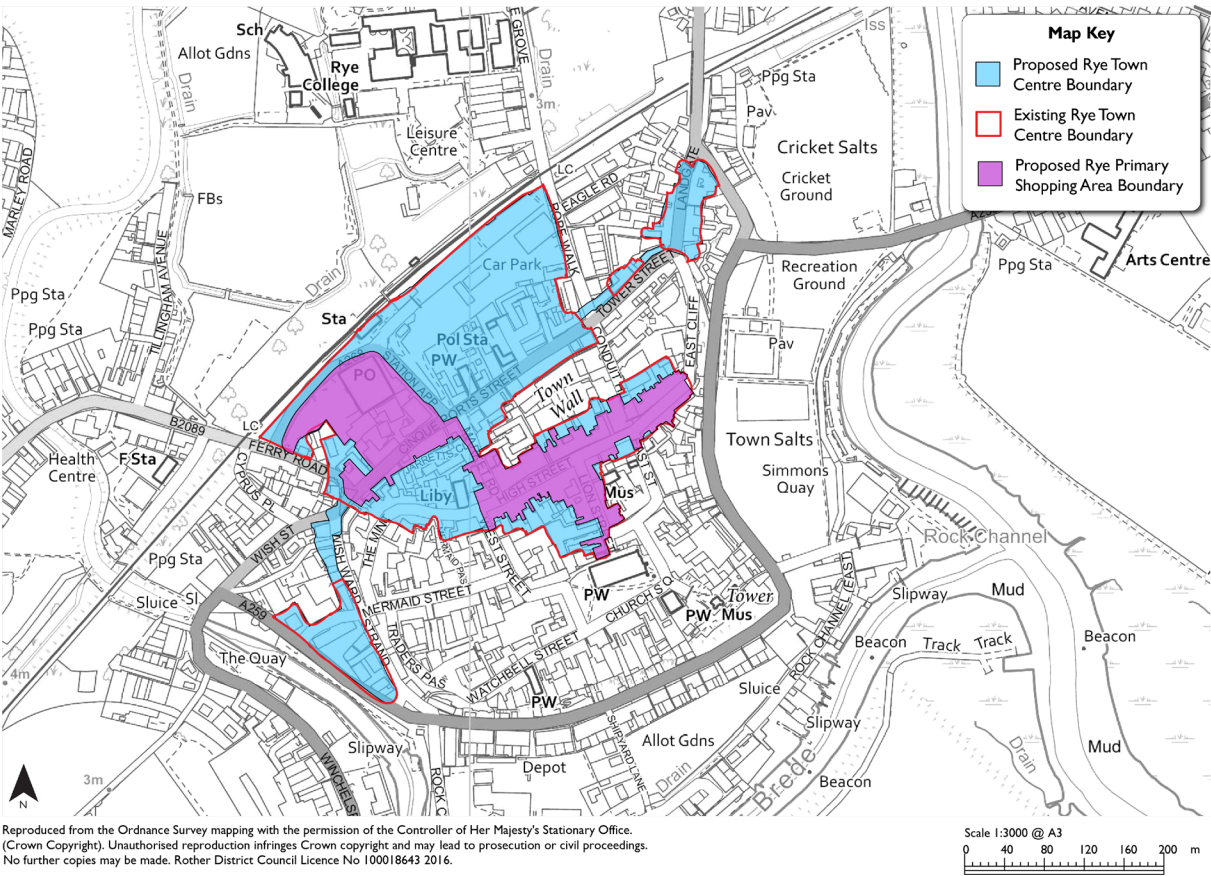
Appendix 2

Town Centre designations

Battle Town Centre and Primary Shopping Area



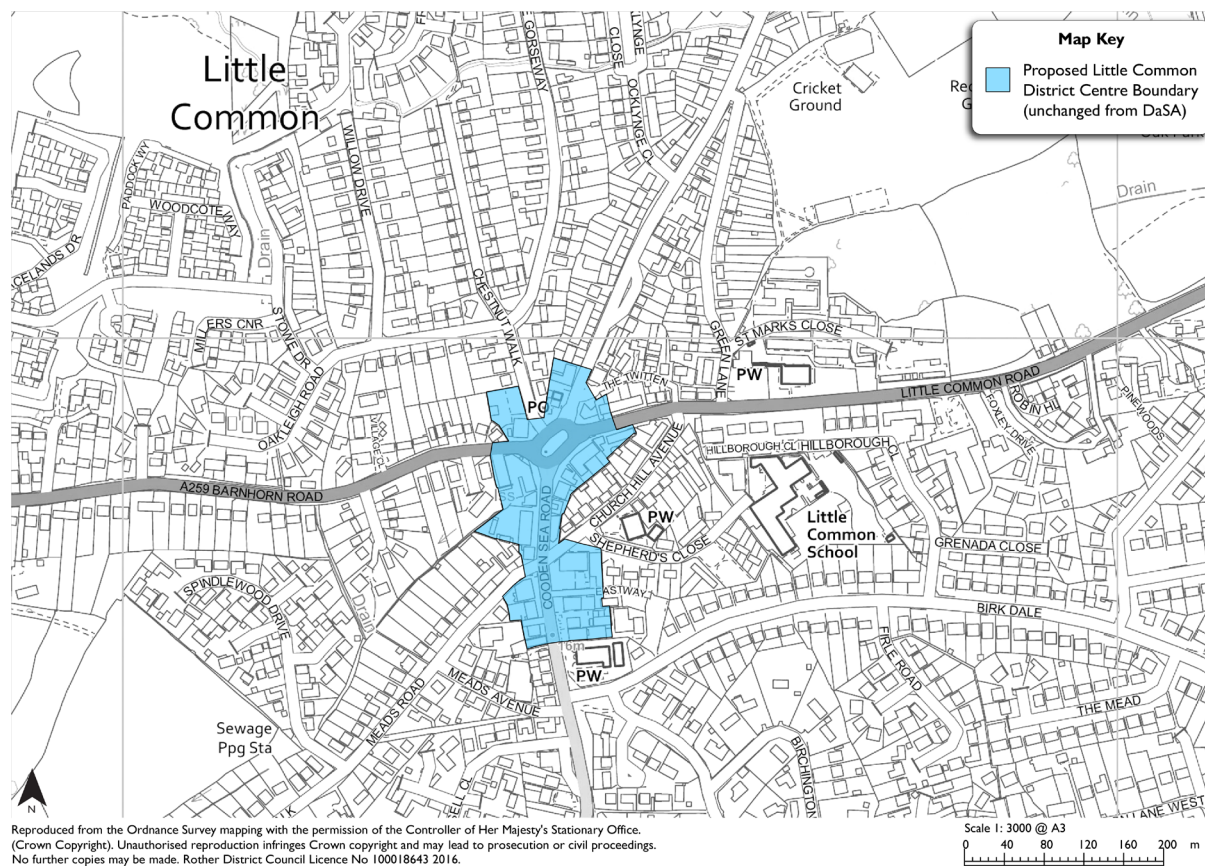
Rye Town Centre and Primary Shopping Area



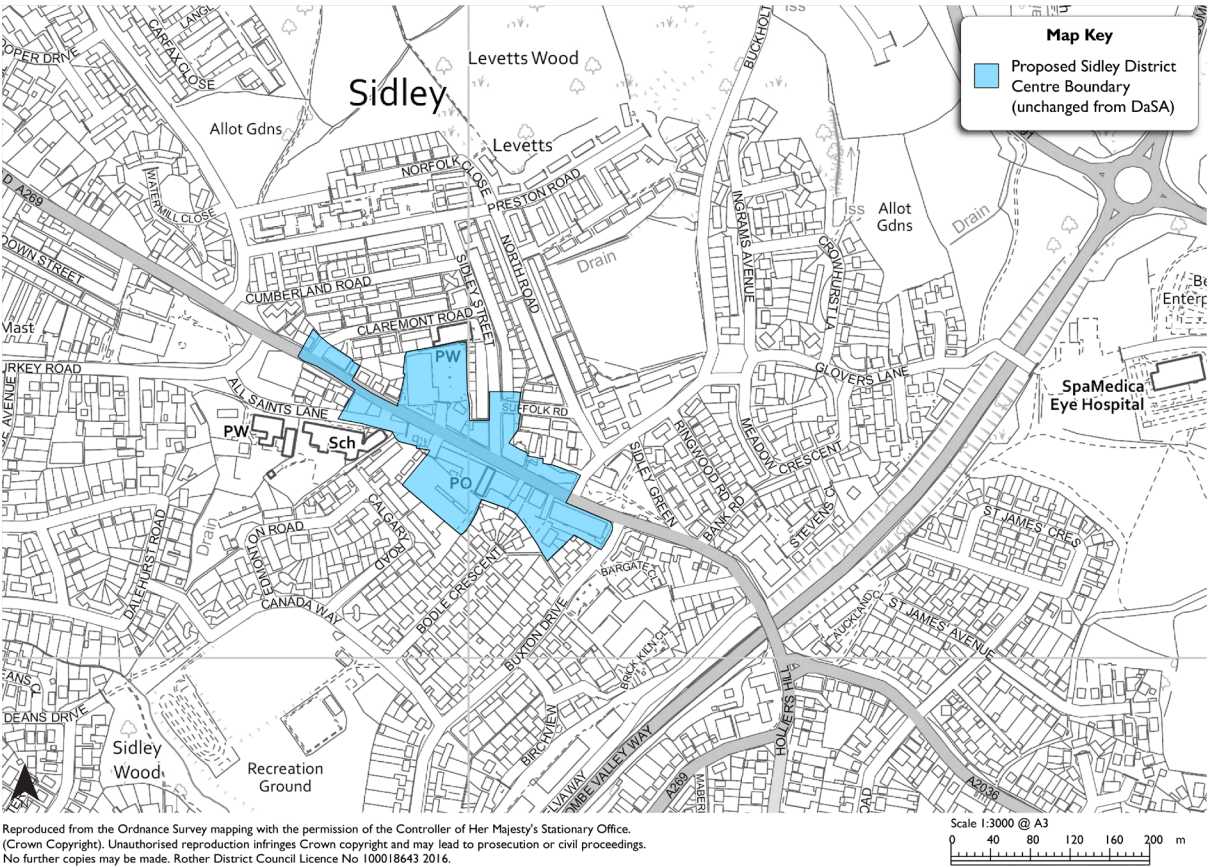
Appendix 2

Town Centre designations

Little Common District Centre



Sidley District Centre



Appendix 3

International, national and locally designated sites of importance for biodiversity

Appendix 3: International, national and locally designated sites of importance for biodiversity

This is not an exhaustive list of all designated locations. Natural England provide a [map](#) of all these designations nationally apart from Local Wildlife Sites. All designations in this appendix (apart from National Nature Reserves) are mapped on the Council's current [Policies Map](#).

Protected site	Description of protection	Example locations within Rother
Ramsars	A wetland site of international importance (especially as a waterfowl habitat)	Dungeness, Romney Marsh and Rye Bay
Special Areas of Conservation (SAC)	Designated natural habitat areas to comply with the EEC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora Directive (92/43/EEC). Member States are required to identify sites for designation and establish measures necessary for conservation.	Pevensey Levels
Special Protection Areas (SPA)	Designated wild bird areas to comply with the EC Directive on the Conservation of Wild Birds - (79/409/EEC).	Dungeness, Romney Marsh and Rye Bay
National Nature Reserves (NNR)	NNRs contain examples of some of the most important natural and semi-natural terrestrial and coastal ecosystems in Great Britain. They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats, communities and species represented within them. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981.	Pevensey Levels
Sites of Special Scientific Interest (SSSI)	An area of special interest by reason of its flora, fauna, geological or physiographical features as identified by Natural England (formerly English Nature) and designated under the Wildlife and Countryside Act 1981.	Combe Haven
Local Wildlife Sites (LWS)	An area designated by local authorities, in consultation with English Nature, under the National Parks and Access to the Countryside Act 1949, to provide opportunities for educational use and public enjoyment, in addition to protecting wildlife or geological and physiographical features of special interest.	The Brede Valley

Appendix 4: Monitoring Framework

The following proposed monitoring framework provides a tool for how the Council will monitor the performance of its draft policies. The following table provides a draft assessment of how the Council consider it can monitor the effectiveness of the proposed policies. We are keen to hear your views on the proposed indicators and any further suggestions on ways we can monitor their performance.

Figure 46. Rother Local Plan Proposed Monitoring Framework

Local Plan Policy/Strategy	How can we monitor this?
Proposed Policy GTC1: Net Zero Building Standards	<ul style="list-style-type: none"> • % of planning applications approved that have submitted an energy statement. • % of development where a BRE Home Quality Mark assessment is undertaken. • % of applications meeting LETI standards proposed: residential development, non-residential development, and embodied carbon.
Proposed Policy GTC2: Net Zero Retrofit Standards	<ul style="list-style-type: none"> • % of planning applications approved that have submitted an energy statement. • % of development meeting BREEAM Domestic Refurbishment standards.
Proposed Policy GTC3: Construction materials and waste	<ul style="list-style-type: none"> • % of developments undertaking a BRE pre-demolition audit or similar outlining materials for reuse prior to demolition or retrofit.
Proposed Policy GTC4: Water Efficiency	<ul style="list-style-type: none"> • % of applications providing evidence how it will meet the optional technical housing standard. • % of applications implementing water efficiency measures.
Proposed Policy GTC5: Heat networks	<ul style="list-style-type: none"> • % of applications where developer contributions were secured on liable developments.
Proposed Policy GTC6: Renewable and low carbon energy	<ul style="list-style-type: none"> • % of applications for solar energy approved with opposition from High Weald National Landscape. • % loss of priority habitats as identified in the Biodiversity monitoring report.
Proposed Policy GTC7: Local Nature Recovery Areas	<ul style="list-style-type: none"> • % loss of areas identified for Nature Recovery.
Proposed Policy GTC8: Biodiversity Net Gain	<ul style="list-style-type: none"> • % of qualifying development delivering 20% BNG. • % of sites delivering on-site delivery compared to off-site delivery.

Appendix 4

Monitoring Framework

Proposed Policy GTC9: High Weald National Landscape	<ul style="list-style-type: none"> • % of applications approved with opposition from High Weald National Landscape.
Proposed Policy LWL1: Compact Development	<ul style="list-style-type: none"> • Average density of new developments delivered in the 5 area types compared to the density requirements.
Proposed Policy LWL2: Facilities & Services	<ul style="list-style-type: none"> • % of new developments in urban, suburban and live well locally area types located within 800m walking distance of local amenities. • % of new developments of 150 homes or more or 15,000sqm or more non-residential floorspace delivering an indoor meeting space. • % of new residential developments that satisfy the 'facility and services' consideration in the Building for Healthy Life Toolkit.
Proposed Policy LWL3: Walking, Wheeling, Cycling & Public Transport (Outside the Site)	<ul style="list-style-type: none"> • % of new major developments delivering active travel infrastructure and coastal access (where relevant). • % of new developments of 50 or more homes delivering high quality walking, Cycling and Wheeling routes and cycle routes to key destinations. • % of new residential developments that satisfy the 'natural connections' and 'walking, cycling and public transport' considerations in the Building for Healthy Life Toolkit.
Proposed Policy LWL4: Walking, Wheeling, Cycling & Public Transport (Within the Site)	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LWL4 as identified in planning policy response or officer report. • % of new residential developments that satisfy the 'cycle and car parking and 'walking, cycling and public transport' considerations in the Building for Healthy Life Toolkit.
Proposed Policy LWL5: Distinctive Places	<ul style="list-style-type: none"> • % of new residential developments that satisfy the 'making the most of what is there' and a 'memorable character' considerations in the Building for Healthy Life Toolkit. • % of new development approved, contrary to meeting the requirements of Policy LWL5 as identified in planning policy response or officer report.
Proposed Policy LWL6: Built Form	<ul style="list-style-type: none"> • % of new residential developments that satisfy the 'homes for everyone' consideration in the Building for Healthy Life Toolkit. • % of new development approved, contrary to meeting the requirements of Policy LWL6 as identified in planning policy response or officer report.

Proposed Policy LWL7: Streets for All	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LWL7 as identified in planning policy response or officer report. • % of new residential developments that satisfy the 'well defined streets and spaces' and 'healthy streets' considerations in the Building for Healthy Life Toolkit.
Proposed Policy LWL8: Multimodal Parking	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LWL7 as identified in planning policy response or officer report. • % of new residential developments that satisfy the 'cycle and car parking' consideration in the Building for Healthy Life Toolkit.
Proposed Strategy: Overall Spatial Development Strategy	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual district target.
Vision for Bexhill	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual Bexhill target.
Vision for Hastings Fringes and surrounding settlements	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual Hastings Fringes target.
Vision for Battle and surrounding settlements	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual Battle target.
Vision for Rye and the Eastern Settlement Cluster	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual Rye and Eastern Cluster target.
Vision for Northern Rother	<ul style="list-style-type: none"> • Annual delivery of housing numbers and employment floorspace against annual Northern Rother target.
Vision for the Countryside	<ul style="list-style-type: none"> • No monitoring proposed.
Proposed Strategy: Sites for Gypsies, Travellers and Travelling Showpeople	<ul style="list-style-type: none"> • Annual delivery and identified supply of gypsy, traveller and travelling showpeople sites against rolling 5-year target.
Proposed Policy DEV1: General Development Considerations	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy DEV1 as identified in planning policy response or officer report.
Proposed Policy DEV2: Comprehensive	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy DEV2 as identified in planning policy response or officer report.

Appendix 4

Monitoring Framework

Development and Masterplanning	
Proposed Policy DEV3: Development Boundaries	<ul style="list-style-type: none"> • % of new development approved outside of development boundaries. • % of new development within development boundaries on brownfield sites.
Proposed Policy DEV4: Retention of Sites of Community or Commercial Value	<ul style="list-style-type: none"> • Amount of community or employment floorspace lost per annum to other uses. • % of new development approved, contrary to meeting the requirements of Policy DEV4 as identified in planning policy response or officer report.
Proposed Policy DEV5: Development on small sites and windfall development	<ul style="list-style-type: none"> • % of housing delivery delivered on small and medium sites (compared to target of 20%). • Number of windfall dwellings delivered (compared to target of 39 dwellings per annum).
Proposed Policy DEV6: Strategic Green Gaps	<ul style="list-style-type: none"> • % of new development proposed within strategic green gaps, contrary to planning policy response or office report.
Proposed Policy HWB1: Supporting Health and Wellbeing	<ul style="list-style-type: none"> • Life expectancy at birth. • Residents with long term illness. • % of new development approved, contrary to meeting the requirements of Policy HWB1 as identified in planning policy response or officer report.
Proposed Policy HWB2: Health Impact Assessments	<ul style="list-style-type: none"> • % qualifying applications approved without a HIA. • Number of applications screened and % qualifying applications where HIA screening was undertaken. • % qualifying applications where HIA screening resulted in full HIA being required. • % of qualifying schemes that proceed with an objection from ESCC on public health grounds.
Proposed Policy HWB3: Reducing Harmful Impacts on Health	<ul style="list-style-type: none"> • % of applications for hot food takeaways granted within 400m of the boundary of a school or park. • Total number of new approvals for betting shops, casinos, pay day loan shops or hot food take aways.
Proposed Policy HWB4: Community Facilities and Services	<ul style="list-style-type: none"> • % of new residential developments that satisfy the 'facility and services' consideration in the Building for Healthy Life Toolkit. • Net additional floorspace in Class C2, E(d-f), F1 and F2.

Proposed Policy HWB5: Green and Blue Infrastructure	<ul style="list-style-type: none"> • % of new residential developments satisfying the 'green and blue infrastructure' considerations in the Building for Healthy Life Toolkit. • Net gain/loss in areas of designated open space and priority habitats. • Net gain/loss in designated playing pitches/fields.
Proposed Policy HWB6: Public Rights of Way	<ul style="list-style-type: none"> • Net change in areas of public rights of way. •
Proposed Policy HWB7: Combe Valley Countryside Park	<ul style="list-style-type: none"> • Net loss in area of open space of Combe Valley Countryside Park. • % of applications approved contrary to planning policy advice or recommendations of officer report in the Combe Valley Countryside Park.
Proposed Policy INF1: Strategic Infrastructure Requirements	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy INF1 as identified in planning policy response or officer report. • Tracking the delivery of strategic infrastructure in line with timescales identified in the IDP.
Proposed Policy INF2: Digital Connectivity	<ul style="list-style-type: none"> • % of new major developments that secure and deliver Fibre to the Premise connection.
Proposed Policy HOU1: Mixed and Balanced Communities	<ul style="list-style-type: none"> • % of new residential developments that satisfy the 'homes for everyone' consideration in the Building for Healthy Life Toolkit. • % of new development approved, contrary to meeting the requirements of Policy HOU1 as identified in planning policy response or officer report. • % of new housing development permissions that are policy compliant in delivering affordable housing.
Proposed Policy HOU2: Affordable Housing	<ul style="list-style-type: none"> • % of new housing development permissions that are (i) policy compliant and (ii) exceeding minimum requirements, in delivering affordable housing. • % of new housing developments permitted where viability evidence demonstrates lower level of affordable housing. • Gross number of affordable dwellings delivered per annum.
Proposed Policy HOU3: 100% Affordable Housing Developments	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU3 as identified in planning policy response or officer report. • % of 100% affordable housing schemes delivered out of all qualifying residential developments.

Appendix 4

Monitoring Framework

	<ul style="list-style-type: none"> • % of 100% affordable housing schemes that proceed with a planning obligation/S106 agreement. • Number of 100% affordable housing schemes delivered and number of affordable units delivered in total.
Proposed Policy HOU4: Allocating Sites for Wholly or Substantially Affordable Housing	<ul style="list-style-type: none"> • % of overall identified housing numbers identified in Neighbourhood Plans where sites are wholly or substantially affordable housing.
Proposed Policy HOU5: Rural Exception Sites	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU5 as identified in planning policy response or officer report. • % of overall housing delivered through rural exception sites on a parish basis.
Proposed Policy HOU6: Sub-division of dwellings, and Houses of Multiple Occupation (HMOs)	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU6 as identified in planning policy response or officer report. • Number of gross housing units per per annum that are achieved through conversions and subdivision into HMOs (including units of accommodation within HMOs).
Proposed Policy HOU7: Residential Internal Space Standards	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU7 as identified in planning policy response or officer report.
Proposed Policy HOU8: Access Standards	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU8 as identified in planning policy response or officer report.
Proposed Policy HOU9: Specialist Housing for Older People	<ul style="list-style-type: none"> • Number of specialist dwellings for older people approved per annum. • % of new development approved, contrary to meeting the requirements of Policy HOU9 as identified in planning policy response or officer report.
Proposed Policy HOU10: Residential Care Homes for Older People	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU10 as identified in planning policy response or officer report. • Percentage of older people achieving independence through rehab/intermediate care. • Number of care beds lost as a result of planning permission for change of use of existing care homes. • Number of new care beds gained as a result of new permissions.

Proposed Policy HOU11: Gypsies, Travellers and Travelling Showpeople Criteria	<ul style="list-style-type: none"> • Net additional gypsy, travellers and travelling showpeople pitches provided in Rother per annum. • % of new development approved, contrary to meeting the requirements of Policy HOU11 as identified in planning policy response or officer report.
Proposed Policy HOU12: Self-Build and Custom Housebuilding	<ul style="list-style-type: none"> • Gross self and custom housebuild dwellings delivered each year, and compared against total demand. • % of new housing developments of 20 or more dwellings that deliver at least 5% as custom or self- build plots.
Proposed Policy HOU13: New Dwellings in the Countryside	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU13 as identified in planning policy response or officer report. • % and number of new dwellings delivered in rural 'countryside' locations per annum.
Proposed Policy HOU14: External Residential Areas	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU14 as identified in planning policy response or officer report.
Proposed Policy HOU15: Extensions to Residential Gardens	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU15 as identified in planning policy response or officer report.
Proposed Policy HOU16: Extensions, Alterations and Outbuildings	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU16 as identified in planning policy response or officer report.
Proposed Policy HOU17: Annexes	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU17 as identified in planning policy response or officer report.
Proposed Policy HOU18: Boundary Treatments and Means of Enclosure	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU18 as identified in planning policy response or officer report.
Proposed Policy HOU19: Accesses and Drives	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HOU19 as identified in planning policy response or officer report.
Proposed Policy ECO1: Supporting New Employment Development	<ul style="list-style-type: none"> • Amount of employment floorspace delivered per annum, that is either not allocated or forming part of an agricultural diversification scheme. • % of new development approved, contrary to meeting the requirements of Policy ECO1 as identified in planning policy response or officer report.

Appendix 4

Monitoring Framework

Proposed Policy ECO2: Protecting Existing Employment Sites and Premises	<ul style="list-style-type: none"> • Amount of employment floorspace lost per annum to other uses. • % of new development approved, contrary to meeting the requirements of Policy ECO2 as identified in planning policy response or officer report.
Proposed Policy ECO3: Designated Town Centres	<ul style="list-style-type: none"> • % of new development of 'main town centre uses' approved, contrary to meeting the requirements of Policy ECO4 as identified in planning policy response or officer report. • Level of vacancy of units in designated Town Centre and District Centres. • Overall net/loss gain in 'main town centre use' floorspace within designated Town and District Centres. • Overall net/loss gain in retail floorspace within Designated Primary Shopping Areas.
Proposed Policy ECO4: Retail and Leisure Impact Assessments	<ul style="list-style-type: none"> • % of permitted qualifying applications for 'main town centre uses' submitting an Impact Assessment. • % of permitted qualifying retail applications submitting an Impact Assessments.
Proposed Policy ECO5: Tourism Activities, Facilities and Accommodation	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ECO5 as identified in planning policy response or officer report. • Overall net gain/loss in visitor accommodation (bed spaces) per annum. • Overall net gain/loss in tourism related development (excluding visitor accommodation) per annum.
Proposed Policy ECO6: Holiday Sites	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ECO6 as identified in planning policy response or officer report. • Overall net gain/loss in land area for holiday sites per annum.
Proposed Policy ECO7: Agriculture development and forestry	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ECO7 as identified in planning policy response or officer report.
Proposed Policy ECO8: Agricultural Diversification	<ul style="list-style-type: none"> • Amount of floorspace delivered per annum that forms part of an agricultural diversification scheme. • % of new development approved, contrary to meeting the requirements of Policy ECO8 as identified in planning policy response or officer report.

Proposed Policy ECO9: Local Employment & Skills	<ul style="list-style-type: none"> • % of qualifying developments that produce and deliver a Local Employment and skills Plan. • % of qualifying developments that secure financial sums through a legal agreement. • Qualifications and skills levels of working age population, and change per annum.
Proposed Policy ECO10: Equestrian Developments	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ECO10 as identified in planning policy response or officer report.
Proposed Policy LAN1: Rural Environments and Landscape Character	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LAN1 as identified in planning policy response or officer report. • Extent and change in area of environmentally designated sites.
Proposed Policy LAN2: Trees, woodlands and hedgerows	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LAN2 as identified in planning policy response or officer report.
Proposed Policy LAN3: Dark Skies	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy LAN3 as identified in planning policy response or officer report.
Proposed Policy ENV1: Coastal, Water and Flood Risk Management	<ul style="list-style-type: none"> • Environment Agency objections to planning applications based on flood risk or drainage. • % of new development approved, contrary to meeting the requirements of Policy ENV1 as identified in planning policy response or officer report.
Proposed Policy ENV2: Sustainable Surface Water drainage	<ul style="list-style-type: none"> • % of qualifying permitted developments that provide at least 3 stages of treatment of water within the hydrological catchments of the Pevensey Levels and the Dungeness Complex of Habitats Sites. • % of new development approved, contrary to meeting the requirements of Policy ENV2 as identified in planning policy response or officer report.
Proposed Policy ENV3: Land Stability	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ENV3 as identified in planning policy response or officer report.
Proposed Policy ENV4: Fairlight Cove Coastal Change Management Area	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ENV4 as identified in planning policy response or officer report.

Appendix 4

Monitoring Framework

Proposed Policy ENV5: Habitats and Species	<ul style="list-style-type: none"> • Extent and change in area of environmentally designated sites. • Extent and change in area of priority habitats. • % of new development approved, contrary to meeting the requirements of Policy ENV5 as identified in planning policy response or officer report.
Proposed Policy ENV6: Sustainable Access and Recreation Management Strategy	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy ENV6 as identified in planning policy response or officer report.
Proposed Policy ENV7: Environmental pollution	<ul style="list-style-type: none"> • NO2 levels (µg/m3) in AQMA meeting air quality objective standards (2020). • PM10 levels (µg/m3) in AQMA meeting air quality objective standards (2019). • % of new development approved, contrary to meeting the requirements of Policy ENV6 as identified in planning policy response or officer report.
Proposed Policy HER1: Heritage Management	<ul style="list-style-type: none"> • Number of buildings (and annual change) on the heritage at risk register. • % of new development approved, contrary to meeting the requirements of Policy HER1 as identified in planning policy response or officer report.
Proposed Policy HER2: Traditional Historic Farm Buildings	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HER2 as identified in planning policy response or officer report.
Proposed Policy HER3: Shopfronts, signage and advertising	<ul style="list-style-type: none"> • % of new development approved, contrary to meeting the requirements of Policy HER3 as identified in planning policy response or officer report.

Question Box

Q208. What are your views on the proposed monitoring framework and indicators for each proposed planning policy?

Q209. Are there any additional indicators that can be used to identify the effectiveness of each of the proposed planning policies?

Glossary

1066 Country Walk – the route commemorates 1066, the year of the Battle of Hastings, and seeks to link the places and the people of that important year. It runs through East Sussex from Pevensey to Rye, passing through Battle.

Accessibility – the ability of people to move around an area and reach places and facilities, including elderly and disabled people, those with young children and those encumbered with luggage or shopping.

Active Travel – the collective name for ‘walking, wheeling and cycling’ (see definition).

Affordable housing - 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:

Affordable housing for rent: meets all of the following conditions: (a) 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 (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) 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. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It 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 (which includes a period of intermediate rent). 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 Government or the relevant authority specified in the funding agreement. See also **Intermediate Affordable Housing** and **First Homes**.

Agricultural Diversification - A farm or forestry business broadening its business model to include economic activities other than agriculture, to provide a long-term sustainable income stream that supplements agricultural income and allows farming of the land to remain viable.

Ancient Woodland – an area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS). Note “wooded continuously” doesn’t mean there’s been a continuous tree cover across the whole site. Not all trees in the woodland have to be old. Open space, both temporary and permanent, is an important component of ancient woodlands.

Ancient or Veteran Tree – a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Appropriate Assessment – Appropriate Assessment (AA) refers to stage 2 of the Habitat Regulations Assessment (HRA) process. It considers the impacts of a plan or project assessed against the conservation objectives of a European Site, in order to identify whether there are likely to be any adverse effects on site integrity and site features. The purpose of appropriate assessment of local plans is to ensure that protection of the integrity of European sites is a part of the planning process at a regional and local level.

Area of Outstanding Natural Beauty (AONB) – areas of national importance for their landscape character and appearance, within which the conservation and enhancement of their natural beauty is a priority. These are designated under the National Parks and Access to the Countryside Act 1949 by the Secretary of State for the Environment.

Article 4 Direction - A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order.

Biodiversity – the whole variety of life encompassing all genetic, species and ecosystem variations, including plants and animals.

Biodiversity Action Plan (BAP) – a strategy aimed at conserving and enhancing biological diversity, operational until 2012. UK BAP priority species and habitats have now been succeeded by Priority Habitats and Species as identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Biodiversity Opportunity Area (BOA) – landscape-scale areas identified as having the greatest opportunities for habitat creation and restoration. Mapped through work carried out by the Sussex Biodiversity Record Centre.

Brownfield Land/Site – land which has previously been developed (see Previously Developed Land).

Brownfield Land Register – register of previously developed land that the local planning authority considers to be appropriate for residential development, having regard to criteria in the Town & Country Planning (Brownfield Land Registers) Regulations 2017.

Building Regulations – regulations which are separate from the planning act, but which have to be adhered to in the construction of development.

Build to Rent - 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.

Campaign for Real Ale (CAMRA) – an independent voluntary consumer organisation which promotes real ale, real cider and the traditional British pub.

Campaign to Protect Rural England (CPRE) – a registered charity with over 60,000 members and supporters, formed in 1926 to limit urban sprawl and ribbon development.

Catchment Flood Management Plan (CFMP) – a Catchment Flood Management Plan is a strategic planning tool through which the Environment Agency will seek to work with other key decision-makers within a river catchment to identify and agree policies for sustainable flood risk management.

Combined Heat and Power – CHP plants incorporate both power and heat from a single heat source.

Commitments – the use of the term in this plan relates to all proposals for development which are the subject of a current full or outline planning permission.

Community Infrastructure Levy (CIL) – a levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area, as set out in regulations.

Comparison Goods/Floorspace – comparison goods are items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

Conservation Area – an area designated under the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 on account of its special architectural or historic interest, the character and appearance of which it is intended to preserve and enhance.

Contaminated Land – land that has been polluted or harmed in some way making it unfit for safe development and usage unless cleaned.

Convenience Goods/Floorspace – convenience goods are everyday essential items, including food, drinks, newspapers/magazines and confectionery.

Core Strategy – sets out the long-term vision for the future of the area, the spatial objectives and strategic policies to deliver that vision. It forms Part 1 of the Council's Local Plan for the District. It was adopted (approved) in September 2014.

Cumulative Impact – where there are a number of developments in a locality or a continuous activity over time that together may have an increased impact on the environment, local community or the local economy.

Department for the Environment Food and Rural Affairs (DEFRA) – the UK Government department tasked with issues such as the environment, rural development, the countryside, wildlife, animal welfare and sustainable development.

Development Boundary – A drawn boundary which represents the extent (or built-up area) of a town or village. They are used in policy to identify land within, adjacent or outside a settlement.

Development Plan – the statutory development plan is the starting point in the consideration of planning applications for the development or use of land. The development plan consists of local plans prepared by the District Council, with Minerals and Waste Local Plans prepared by the County Council, and Neighbourhood Plans prepared locally by Town or Parish Councils.

Edge of Centre - For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Employment Land / floorspace – that which is in use for the following purposes – office, industrial and warehousing - falling within Use Class E(g), B2 or B8.

Environment Agency (EA) – an Executive Agency of DEFRA, this body is responsible for wide-ranging matters, including the management of water resources, surface water drainage, flooding and water quality.

Evidence Base – the information and data gathered by local authorities to justify the “soundness” of the policy approach set out in local planning documents, including physical, economic, and social characteristics of an area.

First Homes - a specific kind of discounted market sale housing that meets the definition of “affordable housing” for planning purposes. Specifically, First Homes are discounted market sales units which:

- (a) must be discounted by a minimum of 30% against the market value;
- (b) are sold to a person or persons meeting the First Homes eligibility criteria (as set out in the national Planning Practice Guidance);
- (c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- (d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

Floodplain – an area of land over which water flows in time of flood or would flow but for the presence of flood defences where they exist.

Flood Zone 1 (Low Probability) – this zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%).

Flood Zone 2 (Medium Probability) – this zone comprises land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% – 0.1%) or between a 1 in 200 and 1 in 1000 annual probability of sea flooding (0.5% – 0.1%) in any year.

Flood Zone 3a (High Probability) – this zone comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.

Flood Zone 3b (Functional Floodplain) – this zone comprises land where water has to flow or be stored in times of flood (land which would flood with an annual probability of 1 in 20 (5%) or greater in any year or is designed to flood in an extreme (0.1%) flood).

Greenfield Land or Site – land (or a defined site) usually farmland, that has not previously been developed, also including allotments and residential gardens.

Gypsies and Travellers – persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. (Planning policy for traveller sites, 2023).

Habitat – the natural living space of a plant or animal.

Habitat Regulations Assessment (HRA) – this describes the entire assessment process set out in the Habitats Directive and associated regulations. It includes an 'appropriate assessment'. The Habitats Directive protects habitats and non-avian species of European importance and applies to Special Areas of Conservation (SACs) while the European Directive (79/409/EEC) on the Conservation of Wild Birds (Birds Directive), protects bird species of European importance and applies to Special Protection Areas (SPAs).

Habitats Site – Any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of these regulations, including possible Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Sites of Community Importance, Special Protection Areas and any relevant Marine Sites.

House of Multiple Occupation (HMO) - as defined under section 254 of the Housing Act 2004 (as amended) as:

- (1) a house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to three or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities;

- (2) a converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by three or more tenants who form two or more households.

Housing Association – a non-profit making, independent organisation that provides housing; generally they provide accommodation for people in housing need who are unable to afford to buy or rent housing on the open market.

Housing and Economic Development Needs Assessment (HEDNA) - a background evidence study that assesses the future development needs for different types of housing and employment uses through the Local Plan period.

Housing and Economic Land Availability Assessment (HELAA) - a background evidence study that examines the suitability, availability and achievability of potential new sites for housing and employment uses.

Index of Multiple Deprivation - a measure of relative deprivation across the UK based on income, employment, education, health, crime, and other factors.

Infill Development – development of a vacant site in a substantially developed frontage or area.

Infrastructure – the basic requirements for the satisfactory development of an area including such things as roads, footpaths, sewers, schools, open space and other community facilities.

Intermediate Affordable Housing for sale – a general term to describe Affordable Housing for sale, usually shared ownership.

Landscape Character Assessment – an assessment to identify different landscape areas which have a distinct character based on a recognisable pattern of elements, including combinations of geology, landform, soils, vegetation, land use and human settlement.

Landscape Sensitivity Assessment – an assessment of the resilience, or robustness, of a landscape to withstand specified change arising from development types or land management practices, without undue negative effects on the landscape and visual baseline and their value.

Listed Building – a nationally protected building of special architectural or historic interest as designated by Historic England on behalf of the Department for Digital, Culture, Media and Sport.

Local Area for Play (LAP) – a small area of open space for young children (mainly 4–6-year-olds) to play games such as tag, hopscotch, French cricket or play with outdoor toys. The

activity zone should be reasonably flat, have a grass surface, and minimum area of 100sqm. There should be seating for carers and appropriate landscaping/buffer zones.

Local Equipped Area for Play (LEAP) – a play area equipped for children of early school age (mainly 4–8-year-olds). The activity zone should have a minimum area of 400m², with grass playing space and at least five types of play equipment with appropriate safety surfacing. There should also be seating for accompanying adults.

Local Development Scheme (LDS) – a document setting out the programme for the preparation of the local planning policy documents. It sets out a 3-year programme and includes information on consultation dates.

Local Distinctiveness – the positive features of a locality that contributes to its special character and sense of place, distinguishing one local area from another.

Local Plan 2006 – Local Plan adopted by Rother District Council in 2006, some saved policies of which still form part of the development plan for the district.

Authority Monitoring Report (AMR) – produced by the local authority this will assess the impact of policies and whether targets are being met, and where necessary identify adjustments or revision to policies/proposals.

Local Planning Authority – the local government body responsible for formulating planning policies (in a local development framework), controlling development through determining planning applications and taking enforcement action when necessary. This is a district council, unitary authority, metropolitan council or national park authority.

Local Wildlife Sites (LWS) - non-statutory sites that contain features of substantive nature conservation value. They are identified and selected locally. Formerly known as Sites of Nature Conservation Importance (SNCIs).

Low Energy Transformation Initiative (LETI) – established in 2017 to support the transition to net zero, originally in London. It is a voluntary network of over 1000 built environment professionals, working together to put the UK and the planet on the path to a zero-carbon future. They have created best practice model standards for organisations to adhere to.

Main Town Centre Uses – Defined by the NPPF as retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices;

and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Market Housing – private housing for rent or for sale, where the price is set in the open market.

Material Consideration – a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

Mitigation Measures – measures which are put in place to reduce or eliminate any harm caused e.g. if building a house in an area of flood risk, the developer could build the house on stilted foundations to minimise the risk as a mitigation measure.

Mixed Use – development containing some mixture of commercial, retail and/or residential uses.

Multi-Use Games Area (MUGA) – an outdoor fenced area for various types of games, such as football, basketball or tennis.

National Highways – an executive agency of the Department of Transport responsible for operating, maintaining and improving the strategic road network of England.

National Nature Reserve (NNR) – NNRs contain examples of some of the most important natural and semi-natural terrestrial and coastal ecosystems in Great Britain. They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats, communities and species represented within them. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981.

National Planning Policy Framework (NPPF) – the National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Natural England – is a Non-Departmental Public Body of the UK Government. It was formed (vested) on 1 October 2006. It is responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils are protected and improved. It also has a responsibility to help people enjoy, understand and access the natural environment.

Natural England Green Infrastructure Framework – is a tool resulting from the Government's 25 Year Environment Plan. It provides an England-wide evidence base to help

local authorities and others target Green Infrastructure improvements where they are most needed.

Neighbourhood Plan – a plan prepared by a town/ parish council or neighbourhood forum for a designated neighbourhood area. It forms part of the statutory development plan. Described as a neighbourhood development plan under the Planning and Compulsory Purchase Act 2004.

Older People – people over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

Open Space, Sport and Recreation Study – the Study (2007) undertook an audit and assessment of open space across Rother district in accordance with national guidelines. The Study assessed open space, sport and recreational needs of people living, working and visiting Rother, produced local provision standards and identified areas of surplus and deficiency based on quantity quality and accessibility across the district.

Parish Council – a type of local authority found in England which is the lowest, or first, tier of local government. They are elected bodies and are responsible for areas known as civil parishes. They cover only part of England; corresponding to 40% of the population, but cover all of Rother, including Bexhill, Battle and Rye which are known as Town Councils. Parish and Town Councils can prepare Neighbourhood Plans.

Pevensey Levels Hydrological Catchment Area – (see figure 42) has particular drainage requirements, necessary to avoid surface water and water quality impacts on the designated Pevensey Levels Ramsar site (wetland of international importance). The Pevensey Levels is one of the largest and least-fragmented lowland wet grassland systems in south-east England.

Planning Obligation – a legal obligation under section 106 of the 1990 Town & Country Planning Act to mitigate the impacts of a development proposal, sometimes referred to as ‘developer contributions’ or ‘s106’. They are either in the form of a legal agreement between a planning authority and the persons with an interest in the land, or undertakings offered unilaterally by the landowner. Planning obligations run with the land, are legally binding and enforceable.

Planning Practice Guidance – planning guidance published by the Government to supplement the NPPF.

Previously Developed Land – land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole

of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent or fixed surface structure have blended into the landscape.

Priority Habitats and Species – also known as Habitats and Species of Principle Importance. Those habitats and species included in the England Biodiversity List published by the Secretary of State under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Replaces the previous Biodiversity Action Plan (BAP) designations.

Ramsar Site – wetlands of international importance, designated under the 1971 Ramsar Convention.

Renewable and Low Carbon Energy – renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Rural Exception Sites – 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.

Rural Diversification Scheme – development of non-agricultural or land-based operations located within an existing and active farm or land-based business to promote the viability of the existing business, while remaining ancillary and subordinate in scale.

Run-off – that part of precipitation, snow melt, or irrigation water that runs off the land into streams or other surface water. It can carry pollutants from the air and land into the receiving waters.

Self-build and custom-build housing - 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. A legal definition, for the purposes of applying the Self-

build and Custom Housebuilding Act 2015 (as amended) is contained in section 1 (A1) and (A2) of that Act.

Sequential Approach/Test – a planning principle that seeks to identify, allocate or develop certain types or locations of land before others. For example, brownfield sites before greenfield sites or town centre retail sites before out-of-centre sites, or areas at low risk of flooding before areas of medium and high risk of flooding.

Shoreline Management Plan (SMP) – a Shoreline Management Plan (SMP) provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a sustainable manner. In doing so, an SMP is a high-level document that forms an important part of the Department for Environment, Food and Rural Affairs (Defra) strategy for flood and coastal defence.

Site of Special Scientific Interest (SSSI) – an area of special interest by reason of its flora, fauna, geological or physiographical features as identified by Natural England and designated under the Wildlife and Countryside Act 1981.

Soundness – a test of a Local Plan. Plans are sound if they are positively prepared; justified; effective; and consistent with national policy. The tests of soundness are set out in full in the NPPF.

Special Area of Conservation (SAC) – areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites. (Together with SPAs, SACs form a network of Habitats Sites.)

Special Protection Area (SPA) – areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or migration of rare and vulnerable species of birds. (Together with SACs, SPAs form a network of Habitats Sites).

Supplementary Planning Documents (SPDs) – these can be produced to provide policy guidance to supplement the policies and proposals in Local Plans. However, they do not form part of the Development Plan although they must undergo a formal process of consultation.

Strategic Flood Risk Assessment (SFRA) – an assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

Strategic Gap – area of largely open land between settlements, which helps to maintain the separate identity and amenity of settlements and prevent them merging together. The boundaries are defined in the Local Plan.

Submission – the final stage in preparation of Plans, whereby they are submitted to the Secretary of State for an Independent Examination.

Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) – local Planning Authorities are required to assess the environmental and sustainability impact of policies and proposals in Local Plans and Supplementary Planning Documents. This is a tool for appraising policies to ensure that they reflect sustainable development objectives, i.e. social environmental and economic factors.

Sustainable Access and Recreation Management Strategy (SARMS) - a joint approach between Rother and Folkestone and Hythe District Councils which seeks to ensure that any increases in access and recreational usage of land within or adjacent to the Dungeness Complex of Habitats Sites does not adversely impact on the integrity of the sites.

Sustainable Communities – places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

Sustainable Development – development that meets the needs of the present without compromising the ability of future generations to meet their own needs; ensures a better quality of life for everyone now and for generations to come.

Sustainable Drainage Systems (SuDS) – they include a range of different drainage systems that are designed to promote the filtration and evaporation of water as close to the source as possible and to break down pollutants. SuDS are an alternative to drainage through pipes directly to a watercourse and will help enhance water quality and biodiversity, maintain groundwater levels and reduce the risk of flooding.

Sustainable Transport Modes - any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.

Town Council – in England, town councils are civil parish councils, where the civil parish has declared itself to be a town. Civil parishes are the most local level of elected governance, under the district, unitary or county level. There are two in Rother district covering Rye and Battle. Town Councils can prepare Neighbourhood Plans.

Transport Assessment – Transport Assessments are thorough assessments of the transport implications of development. Transport Assessments may propose mitigation measure in relation to any adverse implications of a development, which may also inform the preparation of a Travel Plan.

Travel Plan – a document most commonly produced by/for a large employer which tends to generate a large number of journeys by car. The plans include measures to reduce car dependency and facilitate transport choice, by encouraging more sustainable alternatives to car use.

Travelling Showpeople – members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined in the national Planning Policy for Traveller Sites, (2023).

Tree Preservation Order (TPO) – an Order made by a planning authority specifying trees which may not be lopped, topped or felled without consent, except where they become dead, dying or dangerous, when replacements may be required.

Vitality and Viability – in terms of retailing, vitality is the capacity of a centre to grow or to develop its level of commercial activity. Viability is the capacity of a centre to achieve the commercial success necessary to sustain the existence of the centre.

Walking, Wheeling and Cycling – a wide range of mobilities which are defined as “active travel”. “Wheeling” is an equivalent alternative to foot/pedestrian-based mobility and includes wheeled mobilities such as wheelchairs, mobility scooters and rollators. The term is used together with “walking” as both represent the action of moving at a pedestrian's pace.

