

Cabinet

Date and Time - **Monday 4 March 2024 – 6:30pm**

Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**

Councillors appointed to the Committee:

Councillor D.B. Oliver (Leader), C.A. Bayliss (Deputy Leader), T.J.C. Byrne, S.J. Coleman, K.K. Field (Deputy Leader), A.K. Jeeawon, T.M. Killeen (MBE), R.A. McCourt, A. Rathbone Ariel and H.L. Timpe.

AGENDA

1. MINUTES

To authorise the Leader to sign the Minutes of the meeting held on 5 February 2024 as a correct record of the proceedings.

2. APOLOGIES FOR ABSENCE

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Leader decides are urgent and due notice of which has been given to the Head of Paid Service by 9:00am on the day of the meeting.

4. URGENT DECISIONS

The Leader to give details of those reports that have been referred to the Chair of the Council to consider designating as urgent, in accordance with Rule 17 of the Overview and Scrutiny Procedure Rules contained within Part 4 of the Council Constitution, and to which the call-in procedure will not therefore apply.

5. DISCLOSURE OF INTERESTS AND DISPENSATIONS

To receive any disclosures by Members of disclosable pecuniary interests / other registerable interests / non-registerable interests in matters on the agenda and the nature of any interest and details of any dispensations obtained. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

6. REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMITTEE - ROTHER DRAFT LOCAL PLAN REGULATION 18 DOCUMENT (Pages 3 - 506)

At the discretion of the Leader, the order of the items set out in the agenda may be varied

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7. **PUBLIC SPACES PROTECTION ORDER (NO 3-2024) - BEACHES** (Pages 507 - 510)
8. **PURCHASE OF FORMER SIDLEY HIGHWAYS DEPOT SITE, ELVA WAY, BEXHILL AND FOOD WASTE COLLECTIONS 'NEW BURDENS' CAPITAL FUNDING** (Pages 511 - 518)
9. **PROCUREMENT OF GROUNDS MAINTENANCE CONTRACT** (Pages 519 - 594)
10. **CAPITAL, INVESTMENT AND TREASURY MANAGEMENT STRATEGY 2024/25** (Pages 595 - 644)
11. **COMMUNITY GRANTS SCHEME - ROUND 2** (Pages 645 - 656)

Lorna Ford
Chief Executive

Agenda Despatch Date: 23 February 2024

Rother District Council

Report to: Cabinet

Date: 4 March 2024

Title: Rother Draft Local Plan Regulation 18 Document

Report of: Jeff Pyrah, Planning Policy Manager

Cabinet Member: Councillor Teresa Killeen

Ward(s): All

Purpose of Report: To approve the Rother Draft Local Plan Regulation 18 document for consultation purposes and to consider the recommendations and comments arising from the Overview and Scrutiny Committee meeting held on 19 February. The report and recommendations arising are reproduced below and an extract from the Minutes of that meeting (Appendix C) should be read in conjunction with this report.

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) the Rother Draft Local Plan Regulation 18 document be approved for a twelve-week public consultation alongside supporting documents, from early April 2024;
- 2) the revised Rother Local Development Scheme be approved to be published alongside the Draft Local Plan; and
- 3) That the Director of Place and Climate Change be authorised to make minor modifications to the Draft Local Plan Regulation 18 Document, prior to commencement of Regulation 18 consultation to ensure clarity, robustness and for consistency, with any minor modifications to be agreed with the Portfolio Holder for Planning.

Reason for

Recommendations: To enable the Council to launch the formal Regulation 18 consultation process as the next step in the preparation of the Council’s new Local Plan.

Introduction

1. The new Rother Local Plan will be the spatial development plan that sets the strategic policies for the distribution and development of residential uses, employment and supporting infrastructure across the district. It will also be a key delivery tool for the objectives set in the Rother Corporate Plan. The **background** that has led to this Regulation 18 document is set out below.

2. This consultation version of the new Local Plan is based around two overall priorities – Green to the Core and Live Well Locally. It sets out a proposed Development Strategy and includes a suite of proposed planning policies which would be used in the determination of planning applications. The **format** of the consultation version is explained below.
3. At its meeting on 19 February 2024, the Overview and Scrutiny Committee considered the draft document and their comments are set out in Appendix C. Subject to the decision of Cabinet, the consultation version of the Local Plan will progress to Regulation 18 consultation for a 12-week period, in accordance with all legal and national policy requirements.
4. The Council is required to publish an up-to-date timetable for producing a local plan. This is set out in the revised Local Development Scheme (LDS) which is attached as Appendix B. This sets out the **next steps** which are summarised later in this report.

Background

5. The planning system should be plan-led. An up-to-date Local Plan for the district should be in place to provide a vision for the future and address housing needs and other economic, social and environmental policies. An up-to-date Plan is crucial in enabling the Council to:
 - maintain control of how to address housing need;
 - control the location of the proposed sites for development including securing infrastructure to provide certainty and ensure statutory providers know where, when and how much development is likely to be delivered;
 - place full weight on its policies when determining planning applications;
 - impose policy requirements to ensure sites deliver site-specific mitigation, infrastructure and facilities required to support housing development; and
 - secure a minimum 5-year supply of housing land, without which housing policies are deemed ‘out of date’ and the presumption in favour of sustainable development would apply resulting in speculative development.
6. Rother District Council’s (RDC) current Core Strategy Local Plan is more than five years old, having been adopted on 29 September 2014.
7. The Council committed to reviewing the Local Plan, to ensure a sufficient, continuous supply of housing land, at Cabinet on 30 July 2018. However, it prioritised the completion of the Development and Site Allocations (DaSA) Plan and the production of Neighbourhood Plans.
8. The DaSA was adopted on 16 December 2019, by which time five Neighbourhood Plans (Crowhurst, Rye, Salehurst & Robertsbridge, Sedlescombe and Ticehurst) had been made (adopted). Battle Civil Parish and Burwash Neighbourhood Plans have since been made and Peasmarsch’s Neighbourhood Plan will be the subject of a referendum on 29 February 2024.
9. Targeted early engagement with statutory bodies was undertaken between August and October 2020.

10. An Early Engagement Document was published in April 2021. It outlined the Council's approach to how it would develop its new Local Plan, the identification of key strategic issues to be assessed, and how key stakeholders and neighbouring authorities could be involved at an early stage, to assist with meeting the requirements of the 'Duty to Cooperate' as stated in the National Planning Policy Framework (NPPF).
11. The Early Engagement Document anticipated that the Rother Local Plan would:
 - cover the 20-year planning period from 2019-2039. This has since been rounded up so that it will cover the period from 2020-2040, which ensures that the Council has a 15-year plan at adoption;
 - provide the policy mechanism to deliver a step change in housing delivery compared to recent delivery rates;
 - respond to the local authority's recently declared 'Climate Change emergency' through a green policy agenda; and
 - ensure that the Plan delivers for the needs of a growing local population.
12. The adopted policies of the Core Strategy and the DaSA were reviewed to assess whether they were: (i) still fit for purpose; (ii) compliant with the NPPF and Planning Practice Guidance (PPG); and (iii) not considered to be out of date. In summary, the overall review and compliance check set out that the policies require updating. The review helped to identify the key issues that needed to be addressed in the new Local Plan. These were summarised as:
 - **Overall review of the spatial development strategy (where, and how much development is distributed across the district)** – the need to maximise opportunities for the provision of residential development in line with the level of need identified as a starting point through the standard methodology, along with delivering for the needs of employment and commercial development over the planning period.
 - **Development boundaries** – that until a five-year housing land supply is demonstrated, the presumption in favour of sustainable development applies, and as a consequence pressure may exist to extend settlement areas.
 - **Overall housing numbers and five-year housing land supply** – until justified as otherwise, the Council must base its annual housing need on the standard methodology. A Housing and Economic Land Availability Assessment (HELAA) was recognised as the key document required in order to identify sites that could help meet local need.
 - **Supply of small sites** - The Council must develop a policy approach that supports the NPPF direction of at least 10% of housing delivery on small sites (1ha or less in size), unless there is strong evidence and justification for a departure from this.
 - **Employment land** - Flexibility should be built into the business/employment land policy so that it is capable of responding to changes in circumstances, due to the volatility of the economic market and the changing and emerging needs that may arise from neighbouring authorities as they produce Local Plans and collect evidence at different timescales.
 - **Delivering the Council's green agenda** – Developing viable policies through the Local Plan that support the Council's Climate Strategy

ambitions and targets as well as delivering Biodiversity Net Gain and enhancing Green Infrastructure Networks.

All these issues are responded to in the draft Local Plan.

13. An evidence base was scoped as part of the Early Engagement Document and a significant number of documents, studies and reports have been completed to inform the new Local Plan's proposed development strategy and policies. This comprises the following:

Commissioned from External Consultants

- Housing and Employment Needs Assessment (HEDNA) – jointly with Hastings BC.
- Playing Pitch and Built Facilities Strategy – jointly with Hastings BC.
- Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment – jointly with other East Sussex Local Planning Authorities.
- Strategic Flood Risk Assessment (SFRA).
- Retail, Leisure and Town Centre Uses Study.
- Climate Change Study.
- Transport Assessment, including West Bexhill study.
- Local Wildlife Site Review.
- Habitats Regulation Screening.

Undertaken Internally

- Housing and Economic Land Availability Assessment (HELAA).
- Windfall Assessment/Methodology.
- Settlement Review Study.
- Density Study.
- Infrastructure Delivery Plan.
- Sustainability Appraisal/Strategic Environmental Appraisal.
- Equalities Impact Assessment.

Studies to be undertaken between Regulation 18 and 19

- Full Viability Assessment of the Local Plan.
- Community Infrastructure Levy Review.
- Green Infrastructure Study.
- Visitor accommodation Study.

14. In addition to collating the evidence base, the policy team have adopted an open and inclusive approach, liaising in the following ways:

- Call for Sites (2020-2024) – landowners, site promoters and individuals have been invited to put forward sites to be considered through the Housing and Economic Availability Assessment (HELAA). Over 200 sites have been put forward and the invitation remains open. A call for gypsy, traveller and travelling showpeople sites was launched in August 2023 and sites are still being accepted for consideration.
- Duty to Co-operate (2021-2024) – meetings with all neighbouring local planning authorities; East Sussex County Council highways, flooding, ecology and planning for health; statutory and non-statutory stakeholders.

- Parish and Town Council liaison meetings (spring 2023) – with many councils, to informally discuss potential HELAA sites, the overall priorities and create collaborative working approaches.
 - Internal cross-department officer working groups (summer 2023) – developing policy options for Housing, Economy, Health and Wellbeing, Climate Change and Environmental Management.
 - Cross-party Councillor steering group (autumn/winter 2023/4) – monthly meetings reviewing policies on a chapter-by-chapter basis and whole plan early draft.
15. It should be recognised that the production of the Regulation 18 version of the new Local Plan has taken longer than anticipated in 2020. At that time, it was anticipated that the Regulation 18 consultation would focus on Preferred Options and Alternatives and was tentatively programmed for consultation in summer/autumn 2021. It was decided, however, that a more meaningful consultation could take place if a fuller draft plan was presented, with proposed wording for all strategic policies based on the supporting evidence base and a more detailed development strategy.

Format of the draft Local Plan

Overall Priorities

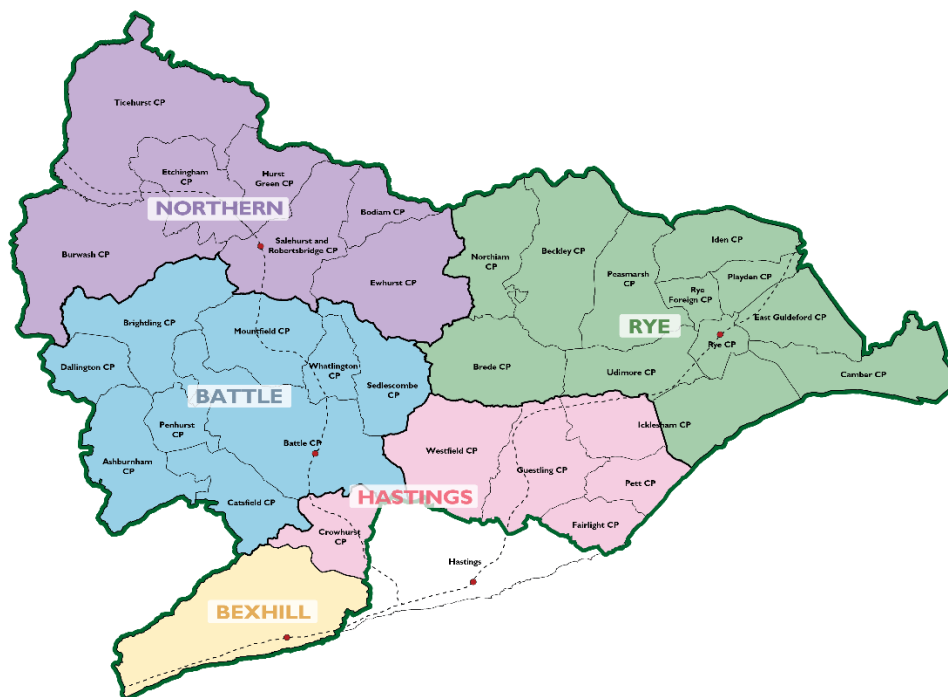
16. The new Local Plan is based around two Overall Priorities – Green to the Core and Live Well Locally.
17. Being Green to the Core means considering the impact of all planning decisions on the climate emergency, the biodiversity crisis, and the High Weald Area National Landscape.
18. Live Well Locally means considering, in all planning decisions, the goal of creating healthy, sustainable and inclusive communities, connected and compact towns and village clusters in our rural locations, and places that foster a sense of belonging, identify and shared experience.

Development Strategy

19. To inform the development strategy, a comprehensive assessment of development potential has been undertaken through the HELAA, 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.
20. The Overall Spatial Development Strategy will set a minimum target for new housing across the district to 2040. For this Regulation 18 consultation, the proposed minimum target is presented as a range of 4,862 to 6,868 dwellings. This would equate to an average rate of 243 to 343 new dwellings per year.
21. A range is presented because the housing figure includes sites which are ‘potentially developable’ where overall deliverability cannot yet be confirmed. The lower figure represents ‘identified’ growth which are already subject to planning permission or a current allocation, while the high figure includes a ‘potential additional’ level of growth. Potential additional growth includes those sites which could be suitable, available and achievable for development over

the plan period, subject to further assessment work and the result of the Regulation 18 consultation.

22. The first version of the HELAA, which will be published alongside the Regulation 18 public consultation, openly sets out every site which has been assessed across the district and its potential. It should be noted that the HELAA is a background evidence document which informs the Local Plan, however it has no weight in planning decisions. Sites which are assessed as suitable in the HELAA will not necessarily gain planning permission or be allocated for development.
23. The Plan, as presented, does not meet our housing target as set out by the standard method. This means that our call for sites is still open and that the potential figures will 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 continue to be undertaken through the Housing and Economic Land Availability Assessment (HELAA).
24. This version of the new Local Plan does not set out policies for individual site allocations for development, nor enable Neighbourhood Plans to allocate sites to fixed targets. We are not yet at this stage. We also consider that we should consult on the proposed Development Strategy and draft HELAA before finalising the district's capacity for housing growth, proposing minimum targets and specific site allocation policies.
25. The proposed development strategy has been split into five spatial sub-areas. Each of these spatial sub-areas have their own vision statement and identified distribution of development. 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.



26. In all five sub-areas there is open countryside, which has its own vision. It relates to those areas outside of towns and villages with development boundaries and includes farmland, woodland, hamlets and scattered development.

Proposed Policies

27. Each proposed policy is presented in the same format:

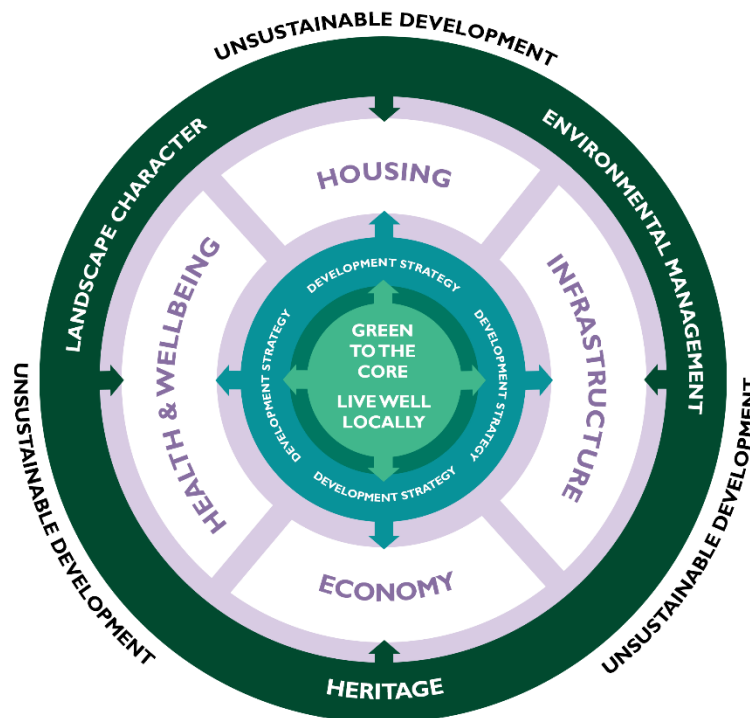
- The status of each policy (whether it is strategic or non-strategic; new or an amended version of an adopted policy; and how it relates to the twin overall priorities) is clearly stated.
- The proposed policy wording is set out.
- Explanatory text which explains the policy is provided.
- ‘Regulation 18 Commentary’ is included where it is helpful to explain how the proposed policy wording may evolve following this consultation, or where further evidence is required.
- Specific questions for each policy are set out. Respondents are encouraged to provide their view of the policy and on whether alternative or additional points should be considered. Specific questions are asked where more targeted feedback would be beneficial.

28. Policies are categorised under the following chapter headings:

- Green to the Core
- Live Well Locally
- Development Strategy and Principles
- Health and Well-being
- Infrastructure
- Housing
- Economy
- Landscape Character

- Environmental Management
- Heritage

29. The following diagram 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 well-being 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.



Next Steps

30. The next step in the process is to undertake the Regulation 18 consultation. The Council will involve all statutory and non-statutory consultees along with the general public in accordance with Rother's Statement of Community Involvement, adopted in January 2022.
31. All representations received will be reviewed. New or updated evidence base documents will be prepared where necessary. This includes policy issues identified within the draft Local Plan. Additional work will be required to respond to policy issues identified through the consultation or due to national planning policy changes.
32. The Council will then develop the Regulation 19 version of the new Local Plan, (known as the 'pre-submission' version), undertaking any further necessary consultation, with the expectation that the pre-submission version will be

published in early 2025. That version will be the one which the Council puts forward for Examination.

33. Following the consultation on the 'pre-submission' version, all the representations are submitted to the Secretary of State for Examination along with the proposed draft Local Plan. It is anticipated that this will be in spring/summer 2025.
34. If the submitted Local Plan is found sound, it will then be for the Full Council to decide to formally adopt the Plan: this is currently programmed to occur in summer 2026. This timetable is set out in the revised Local Development Scheme (LDS), which is attached as Appendix B. The Council is required to publish an up-to-date timetable in this way.
35. Once adopted, the Local Plan will, together with "made" (approved) neighbourhood plans, form the Development Plan. It will supersede the 'saved policies of the adopted Local Plan 2006, the Rother Local Plan Core Strategy (2014) and the Development and Site Allocations Local Plan (2019).

Options

36. There is a legal and national policy requirement to review the Plan and update where necessary. There is also a Council commitment to do so. The Council could decide not to review or update the Plan. However, this would have significant impacts on its ability to apply full weight to its existing policies when determining planning applications.

Conclusion

37. The new Rother Local Plan will be the spatial development plan that sets the strategic policies for the distribution and development of residential uses, employment and supporting infrastructure, across the district. It will also be a key delivery tool for the objectives set in the Rother Corporate Plan.
38. It is important that public consultation takes place on a well-developed draft Local Plan and that a genuine collaborative process is undertaken. This plan is at the right stage for that consultation process to commence.

Financial Implications

39. Preparation of the Local Plan review and update is funded by a specific budget. This budget has funded evidence base studies to support the work and will continue to be required to fund future evidence, legal advice and examination costs. The work carried out so far is within the identified budget.

Legal Implications

40. The legal requirements in the production of a Local Plan are set out in the report. The report seeks authority to undertake consultation as prescribed by Regulation 18 of the Town and Country Planning (Local Planning) Regulations which is a preparatory step in the production of a draft Local Plan. The Council must also comply with the consultation requirements set out in its Statement of Community Involvement.

Human Resources Implications

41. None. The consultation will be carried out by the Council's planning policy team, with advisory support from corporate services where necessary.

Environmental

42. This draft Local Plan responds to the Corporate Plan's green agenda. The Green to the Core policies have been created in collaboration with the Climate Officer and based on Ove Arup's commissioned evidence base. The Live Well Locally policies are based on the NHS England/Homes England Building for a Healthy Life document; Sport England's Active Travel Standards; and the published advice of Active Travel England.

Equalities and Diversity and External Consultation

43. Public authorities are specifically required to undertake an Equality Impact Assessment (EqIA) under The Equality Act 2010 and are bound by the Public Sector Equality Duty. The Council has a rolling programme to undertake EqIAs on all of its policies, practices and procedures. A draft EqIA is being undertaken for this consultation draft and will evolve throughout the Local Plan process. Rother's equality objectives (2022-2026) require us to (i) improve our knowledge and understanding of Rother's communities; (ii) encourage all residents to have a say in the decisions that affect them and get involved in their local communities, and (iii) deliver services and customer care to meet the needs of all residents. In addition, Rother adopted a Socio-economic Duty in May 2023. These duties are being met in our local plan liaison and consultation processes. A draft EQIA is included as Appendix C.

Access to Information

44. This draft version of the Local Plan and associated documents will be made available via a bespoke online consultation portal. Online access will meet the Public Sector Bodies Accessibility Regulations. Hard copies will be made available at the Town Hall and on request. The consultation will include presentations, exhibitions, workshops and meetings. The consultation period will last for 12 weeks.

Other Implications

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	Yes
Crime and Disorder	No	External Consultation	Yes
Environmental	Yes	Access to Information	Yes
Risk Management	No	Exempt from publication	No

Chief Executive:	Lorna Ford		
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Appendices:	A	Draft Local Plan – Regulation 18 – Overview and Scrutiny version	
	B	Rother Local Development Scheme –March 2024 – Overview & Scrutiny version	

	C	Equality Impact Assessment
	D	Extract from Overview and Scrutiny Committee Minutes
Relevant previous Minutes:	None	
Background Papers:	None	
Reference Documents:	Local Plan Early Engagement Document and Engagement Strategy . Emerging Evidence Base	

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Rother District Council
Town Hall
London Road
Bexhill-on-Sea
East Sussex
TN39 3JX

Rother Local Plan

Draft (Regulation 18) Version

April 2024

(Cabinet Version)

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

Please telephone **01424 787668** or email **planning.strategy@rother.gov.uk**

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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 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 National Planning Policy Framework, December 2023

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

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

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.

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

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.

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.

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.

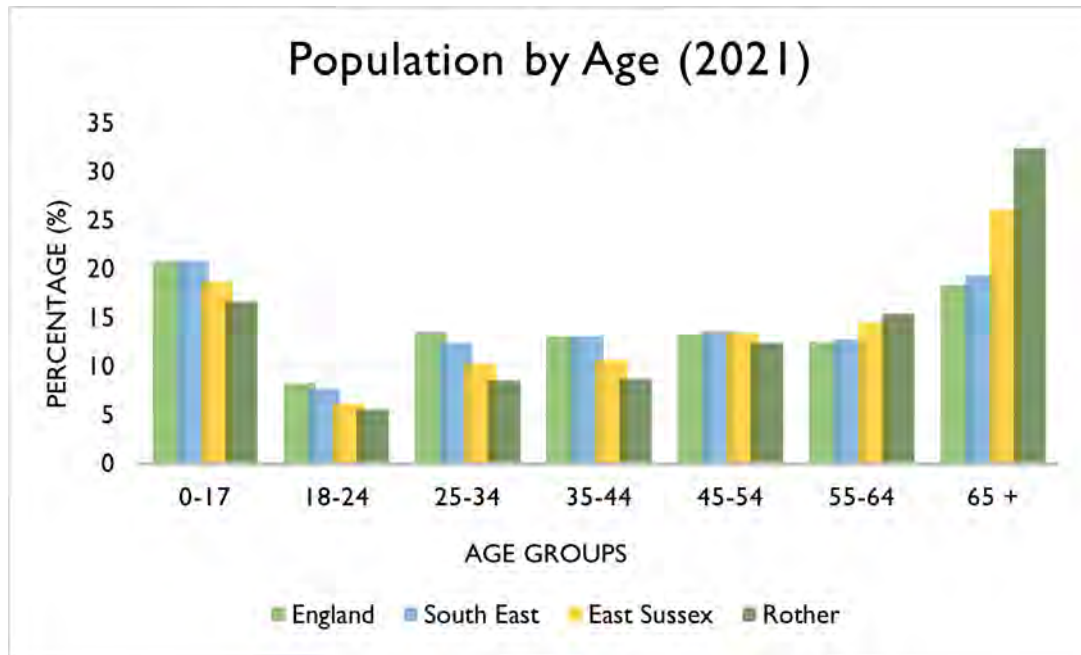
⁶ This list is by no means exhaustive, and various guidance has been considered where referenced in the Local Plan and supporting Background Papers.

Figure 1: Rother context map



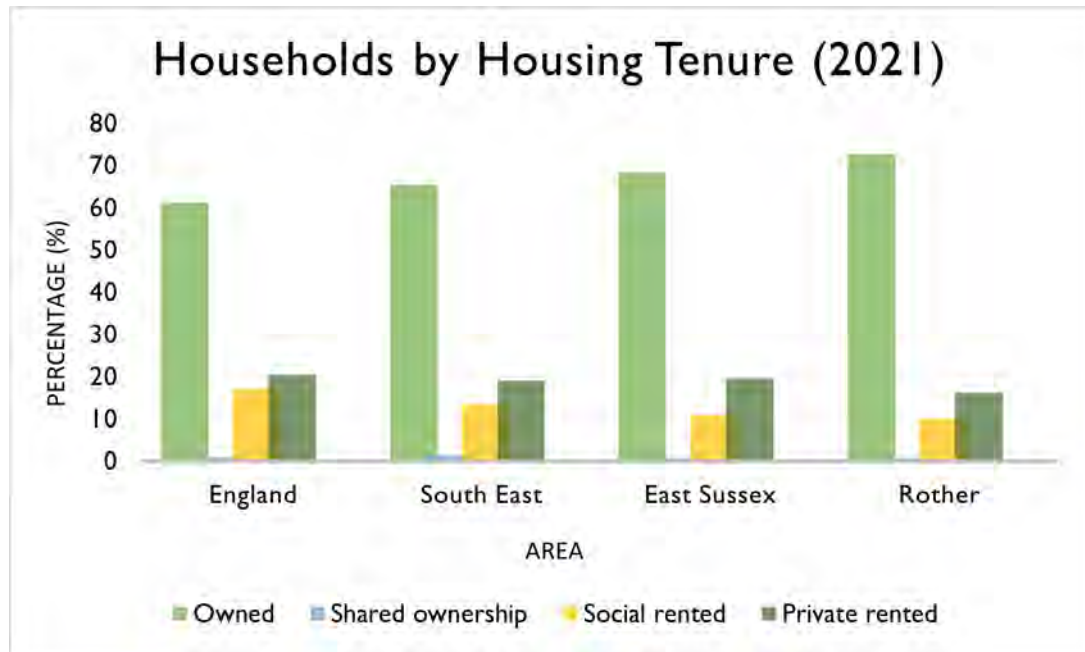
1.24 Some 93,111 people currently live in Rother ([ESiF](#), data from Census 2021), many dispersed across the rural area, but with nearly half living in Bexhill. The broad age structure of residents today is shown in Figure 2 below. There is a higher than average proportion of people 65 years old and 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%).

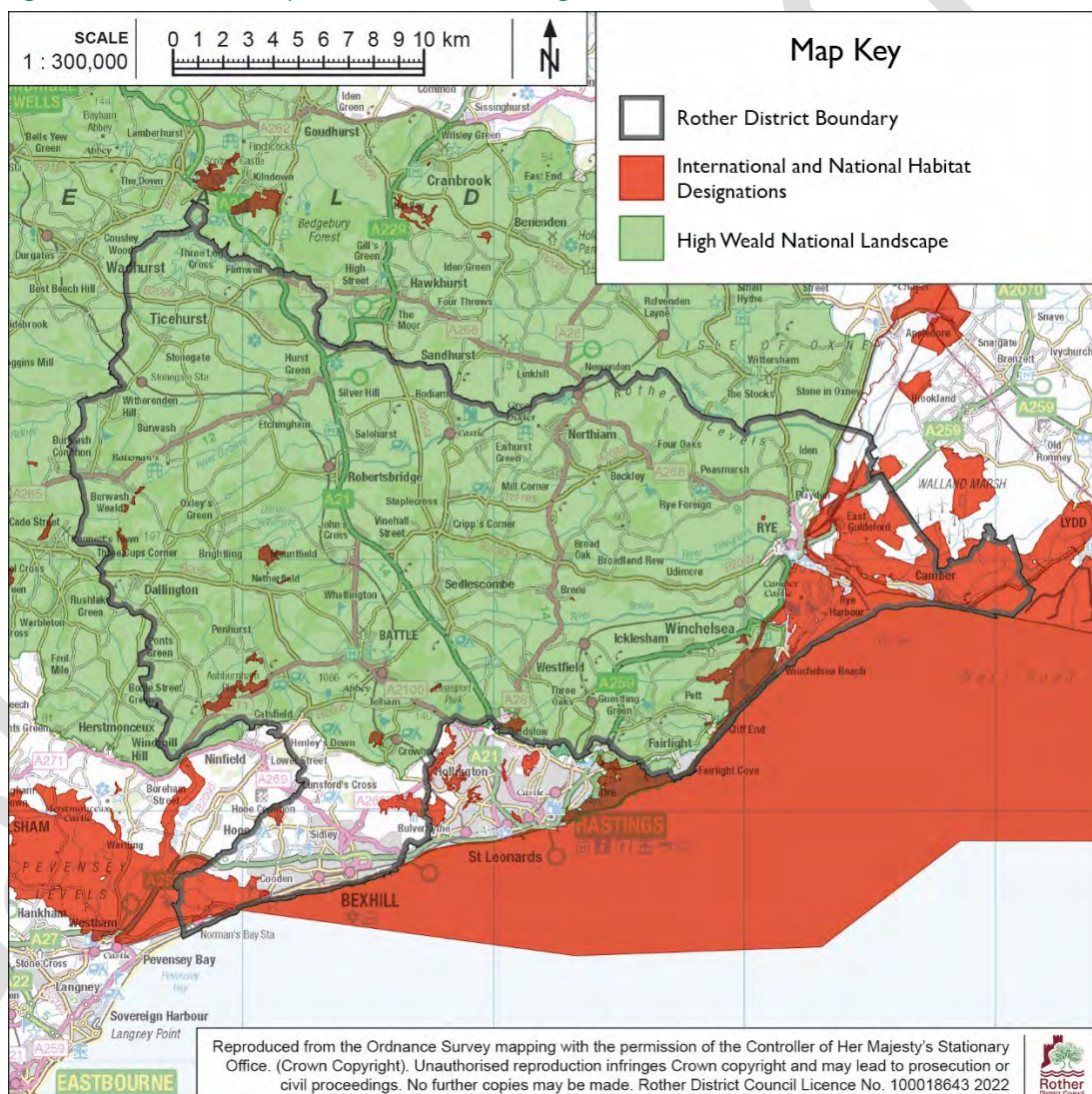
Figure 3: Households by Housing Tenure



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

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

- 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.

Spatial Objective	How can we achieve this?
<p>2. Maximise opportunities for nature recovery and biodiversity net gain and preserve the historic landscape character of the High Weald National Landscape and protected habitat areas of Rother and ensure sensitive development that allows communities to thrive.</p>	<ul style="list-style-type: none"> • 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.
<p>3. Promote high quality design and protect and enhance Rother's built and natural heritage, while providing opportunities for recreation and tourism.</p>	<ul style="list-style-type: none"> • 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.
<p>4. Respond to the housing crisis and help facilitate the delivery of housing to meet the needs of different groups in the community, ensuring a variety of high-quality sustainable, zero carbon ready dwellings that meet the needs and income levels of Rother's wider population for their lifetime.</p>	<ul style="list-style-type: none"> • 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.

Spatial Objective	How can we achieve this?
<p>5. Deliver sustainable growth and regeneration in Bexhill and its edges, along with Hastings Fringes, with supporting infrastructure, contributing to the needs of the wider housing and economic market area.</p>	<ul style="list-style-type: none"> • 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.
<p>6. Create economic prosperity, both in rural and urban locations, meeting the employment needs of the wider population, improving the quality and variety of jobs, and being flexible to the changing needs of the economy.</p>	<ul style="list-style-type: none"> • 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.
<p>7. Focus growth in sustainable locations across the district, or places that can be made sustainable through supporting infrastructure and community facilities.</p>	<ul style="list-style-type: none"> • 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.
<p>8. Enhance the sustainability and connectivity of local communities through sustainable transport measures and improved internet network coverage.</p>	<ul style="list-style-type: none"> • 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.

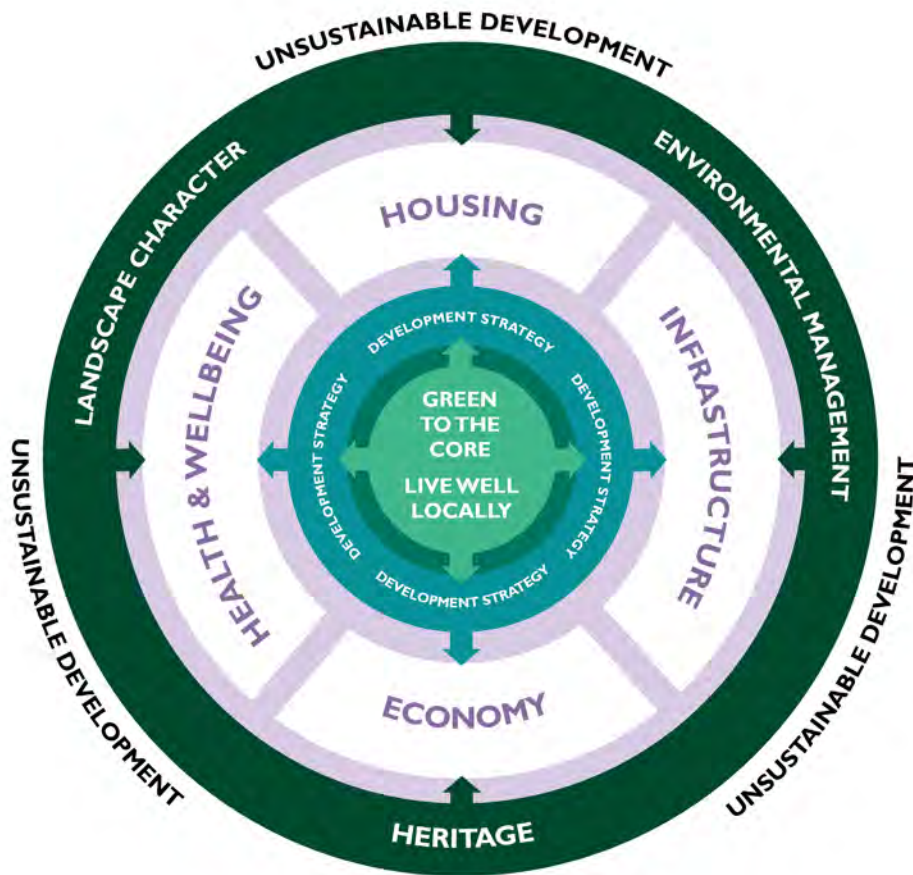
Spatial Objective	How can we achieve this?
9. Support and achieve safe, healthy, vibrant and mixed communities where the physical and mental health of residents is a high priority. Create high standards of inclusivity and accessibility to shared facilities for all the district's residents.	<ul style="list-style-type: 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 adaptation 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 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.

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

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:

(A) Operational Energy

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

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

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.

(B) Embodied Carbon

- (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.

(C) Whole Life Carbon

Development proposals of more than 10 dwellings or 1,000 sqm 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 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.

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/92422/2020-uk-final-greenhouse-gas-emissions-statistics-one-page-summary.pdf)

- 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 greater than 10 dwellings or 1,000 sqm of non-residential floorspace in Bexhill-on-Sea and all non-residential floorspace of greater than 1,000sqm 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?

Cabinet Version

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?

Cabinet Version

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 catslide 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)

Cabinet Version

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 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. Villages areas (villages with development boundaries): 25-45 dph.
- e. Countryside areas (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 in excess of 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.

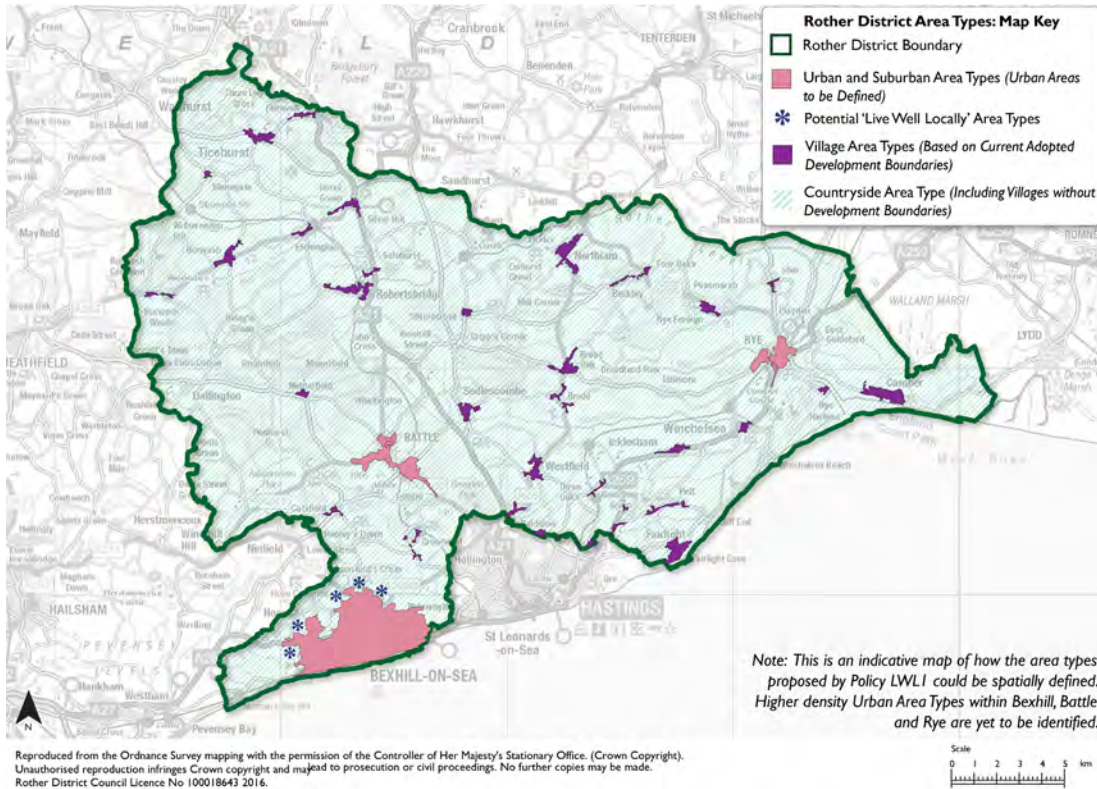
Explanatory Text:

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 more than 150 dwellings 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?**

Cabinet Version

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).

(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:

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

- 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 more than 50 homes or 500sqm 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 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.

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

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?**

Cabinet Version

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 more than 50 dwellings or 500sqm 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 more than 50 homes or 500sqm 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?

Cabinet Version

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 b13.0
- Detached house b12.5
- Semi-detached house b12.1
- Mid terrace house b11.7
- End mid-floor apartment b10.8

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 more than 150 dwellings or 1500sqm of commercial 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 more than 50 dwellings or 500sqm 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?**

Cabinet Version

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, commercial, 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 commercial, 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 housing and other commercial 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.

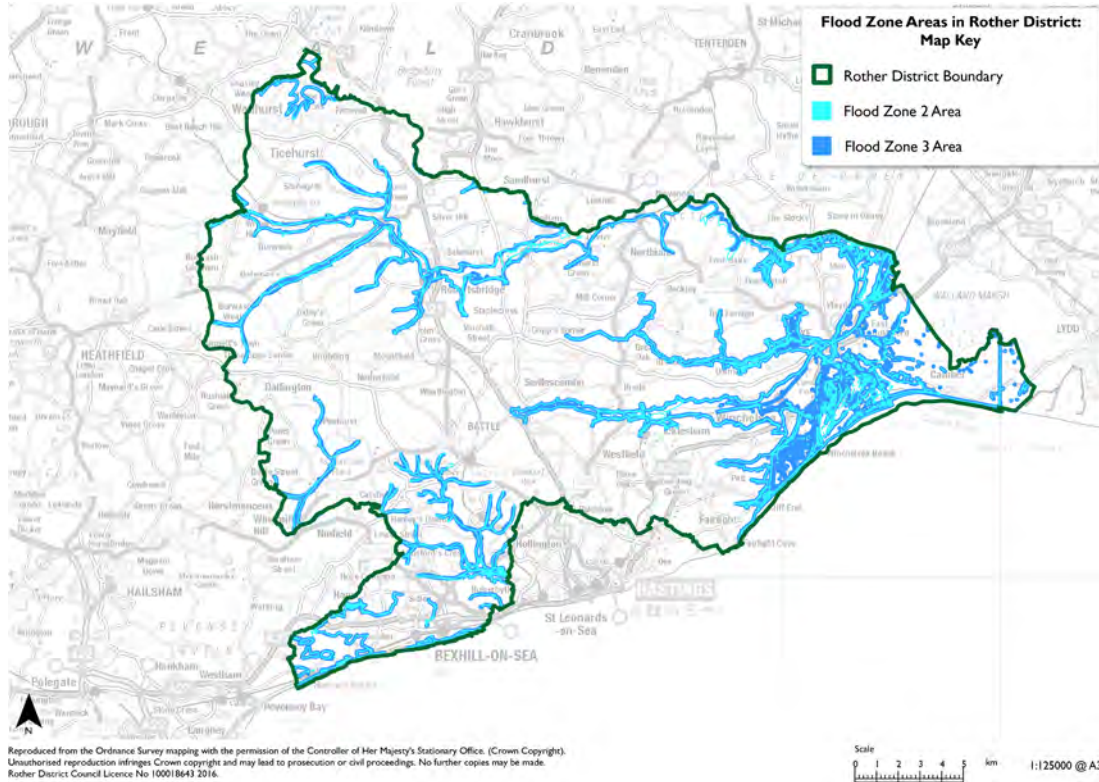
5.6 The Council has planned positively by undertaking a comprehensive assessment of development potential through its Housing and Employment Land Availability Assessment (HELAA) and the Settlement Study, to establish whether housing growth could be significantly increased. Over 200 sites have been put 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 Council will use this approach to inform decisions on the potential sites for development and any subsequent site allocations, at the

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

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 [4,862 to 6,868]* dwellings, at an average rate of [243 to 343]* 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.

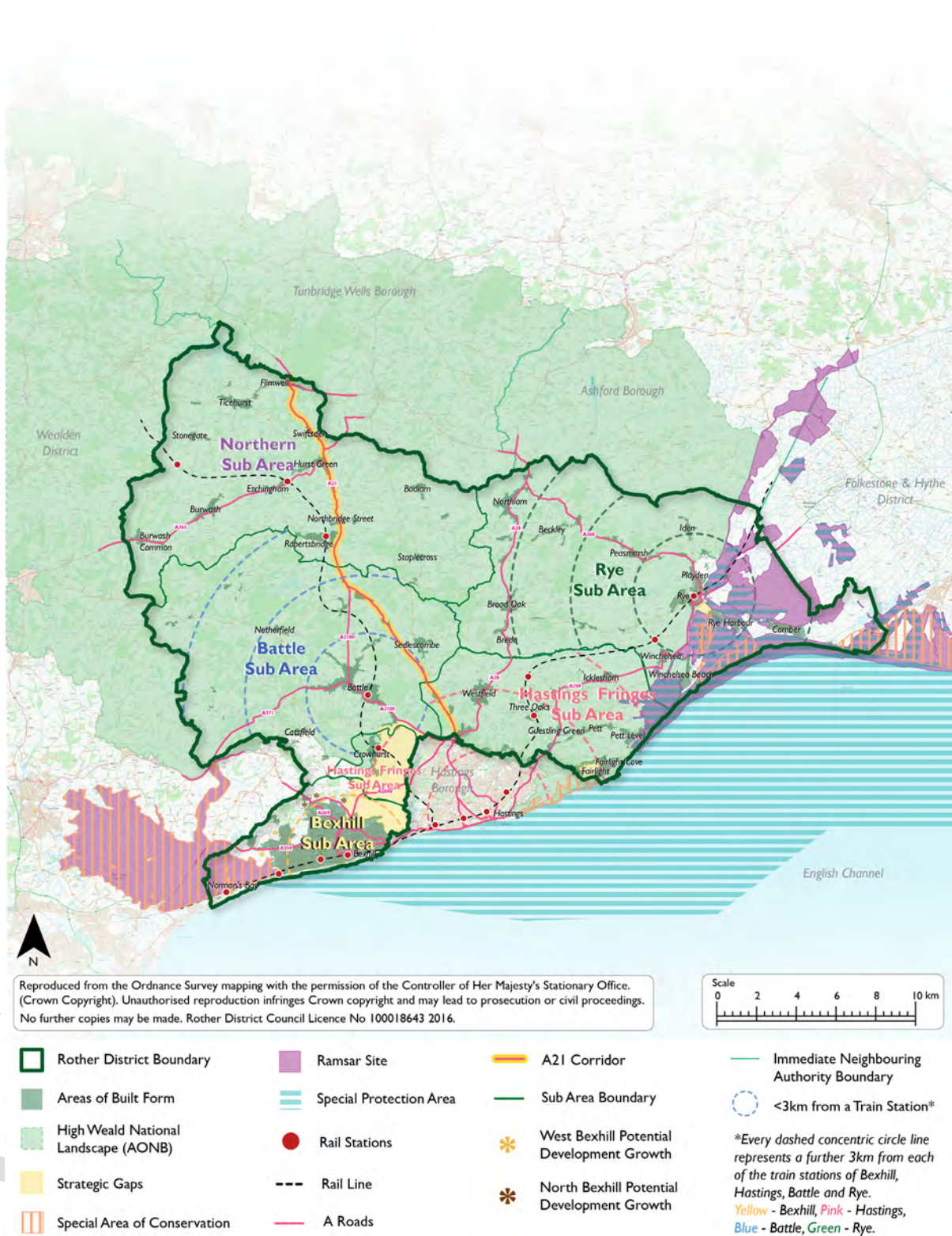
Based on these principles, the focus for growth will be in the following broad locations:

- 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 figure includes sites which are 'potentially developable' where deliverability cannot yet be confirmed. Therefore, the top of the range is a maximum figure, on which we are requesting feedback through this consultation.*

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



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 'developable' or 'potentially developable' in the Council's HELAA.
- 5.10 Sites that have been categorised at this stage as 'potentially developable' are those where the Council requires confirmation that 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 In spite of 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 identified in this Overall Spatial Development Strategy compares to an 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	Current Supply	Requirement	Balance
Office	47,970	22,776	25,194
Light Industrial & Industrial	47,970	18,991	28,979
Storage & Distribution	10,660	32,422	-21,762
Total	106,600	74,189	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

identified sites 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, 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. 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



Cabinet

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 [2,163-3,379] dwellings and [39,572-57,772] 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 is approved subject to a legal agreement. Potential additional growth includes those sites which may be suitable, available and achievable for development over the plan period, subject to further assessment work and the result of the Regulation 18 consultation. The potential figures, in particular, 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.

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	313	640	953
Bexhill	Urban	293	35	329
Total Growth		2,163	1,215	3,379

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	0	0
Total Growth		39,572	18,200	57,772

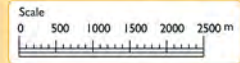
Sustainability Coding for Settlements

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 | | |
| Combe Valley Countryside Park | Cycle Path | | |

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.

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.*

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
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

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
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/2021/1519/P	81 Cooden Drive, Bexhill	Bexhill West	5	0
RR/2021/1621/P	49 Cooden Sea Road, Cooden	Bexhill West	9	0
RR/2022/2570/P	41A, 41 & 43 Barnhorn Road, Bexhill	Bexhill West	35	0
		Totals:	313	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

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
RR/2021/1656/P	Land west of Fryatts Way, Bexhill	Bexhill Urban	210	0
RR/2023/1949/PN3 & RR/2023/2466/P	1 Burnside Mews, London Road, Bexhill	Bexhill Urban	5	0
		Totals:	293	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 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 and their growth potential in the Bexhill strategy area in figures 13, 14 & 15?

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 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	0	20	20

Westfield	50	50	100
Woodlands Way and Parkwood Road	40	0	40
Crowhurst	33	9	42
Icklesham	0	15	15
Fairlight Cove	35	0	35
Guestling Green	0	14	14
Total Growth	158	108	266

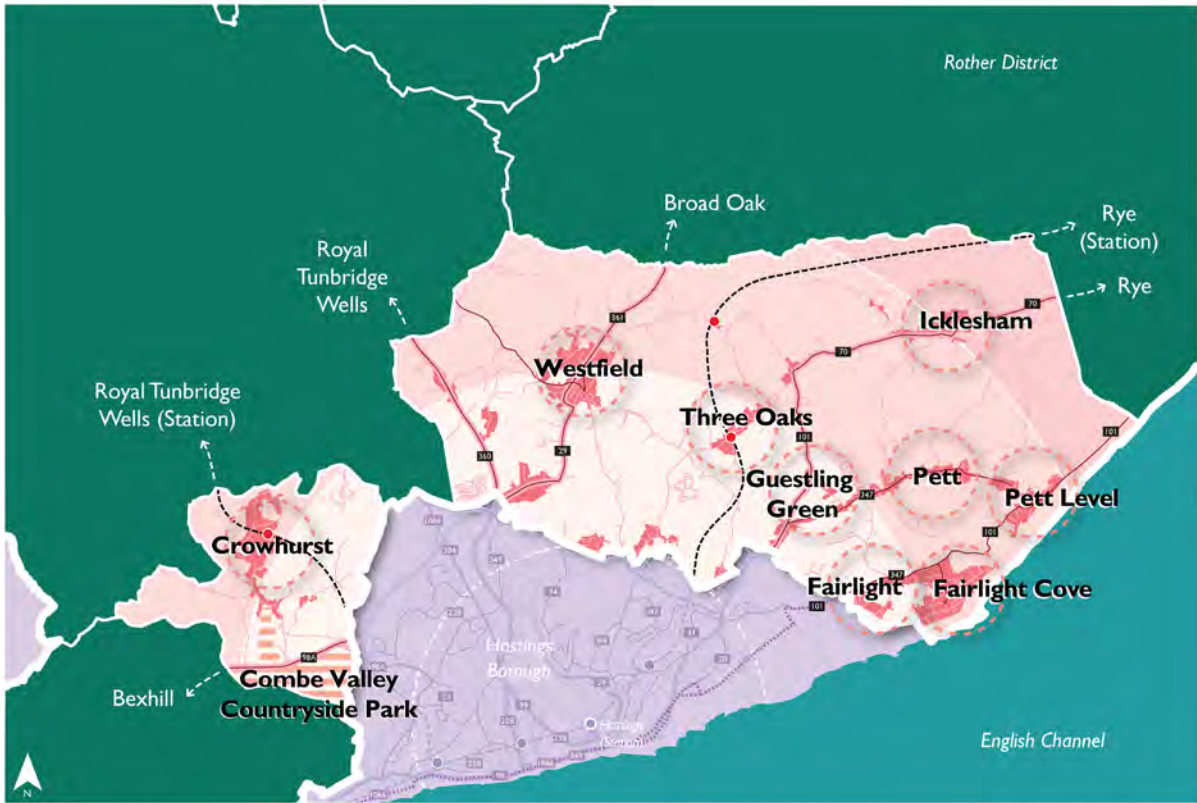
Figure 18: Hastings Fringes and Radial Settlements Development Strategy: Employment floorspace: Summary

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	6,401	0	6,401
Westfield	0	0	0
Woodlands Way and Parkwood Road	0	0	0
Crowhurst	0	0	0
Icklesham	0	0	0
Fairlight Cove	0	0	0
Guestling Green	0	0	0
Total Growth	6,401	0	6,401

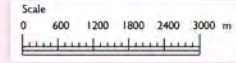
Sustainability Coding

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) <p><i>*Each white dashed concentric circle line represents a further 3km from Hastings Station.</i></p> |
|--|---|---|--|

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	15	0
DaSA allocation Policy FAC2	Land east of Waites Lane, Fairlight Cove	Fairlight	35	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	4,601
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

Explanatory Text:

5.48 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

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

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.

- 5.49 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.
- 5.50 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:

- 5.51 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.
- 5.52 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

Q58. What are your views on the vision for Hastings fringes and surrounding settlements?

Q59. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 17, 18 & 19?

Cabinet Version

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 be 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.

- 5.53 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	203	463
Sedlescombe	75	15	90
Catsfield	35	28	63
Netherfield	33	0	33
Total Growth	403	246	649

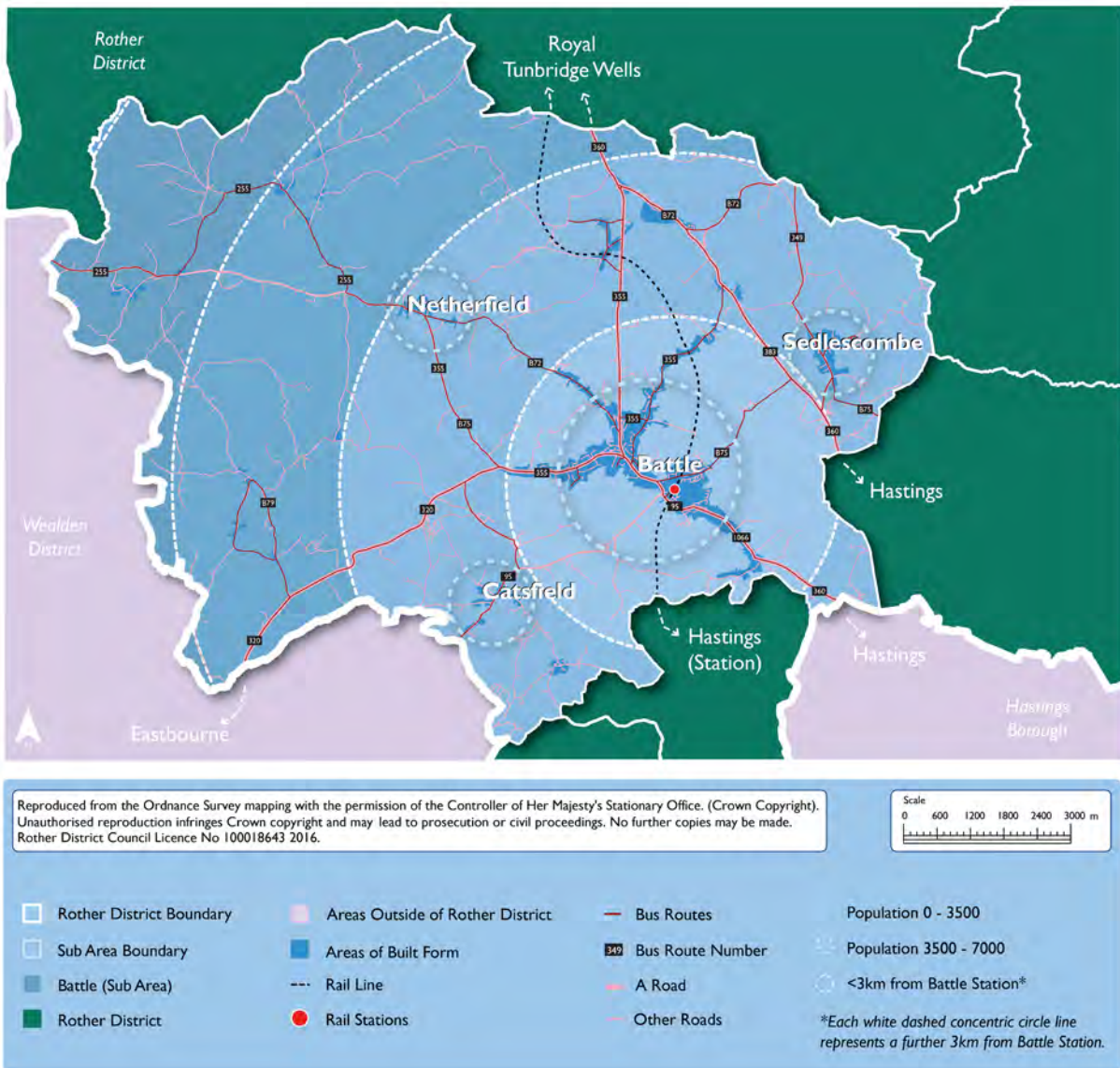
Figure 22: Battle and Surrounding Settlements Development Strategy: Employment: Summary

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	0	1,895
Sedlescombe	6,515	0	6,515
Catsfield	0	0	0
Netherfield	0	0	0
Total Growth	8,410	0	8,410

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



5.54 Figure 24 below individually lists the ‘identified’ development sites. Please see paragraph 5.32 above for an explanation of identified sites.

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.*

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 Neighbourhood Plan allocation Policy 4	Land at Church Hill Farm, North of Village Hall	Sedlescombe	12	0
Sedlescombe Neighbourhood Plan allocation Policy 5	Land at Sedlescombe Sawmills	Sedlescombe	8	1,115

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Commercial Employment Floorspace (sq m)
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

Explanatory Text:

- 5.55 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.
- 5.56 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.

²² 2021 census – town and civic parish

- 5.57 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. Up to approximately 500 dwellings and 15,000sqm could potentially be accommodated.
- 5.58 The cluster of communities of Catsfield, Whatlington, Mountfield, John's Cross, Netherfield and Sedlescombe are in close proximity to 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 villages.

Regulation 18 commentary:

- 5.59 It is important to note that the housing and employment figures are indicative and provide 'maximum potential' numbers based on the sites identified in the draft HELAA.
- 5.60 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

- Q60. What are your views on the vision for Battle and surrounding settlements?**
- Q61. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 21, 22 & 23?**

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.

- 5.61 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	181	37	218
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	45	57	102
Poppyfield	0	10	10
Beckley	20	12	32
Brede	0	5	5
Iden	12	16	28
Total Growth	400	153	553

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	Total Potential Employment Growth (Identified + Additional)
Rye	4,075	613	4,688
Camber	0	0	0
Northiam	0	0	0
Rye Hill	0	0	0
Broad Oak	0	0	0
Rye Harbour	11,925	6,800	18,725
Peasmarsh	0	500	500
Poppyfield	0	0	0
Beckley	0	0	0
Brede	0	0	0
Iden	0	0	0
Total Growth	17,000	7,993	24,993

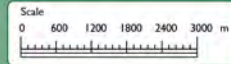
Sustainability Coding

Highly sustainable	Very Good sustainability	Good sustainability	Fair sustainability	Poor sustainability	Very Poor sustainability
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Figure 27: Rye and the Eastern Settlements Cluster



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- | | | | |
|----------------------------------|---------------------|------------------------|---|
| Rother District Boundary | Areas of Built Form | Bus Route Number | <3km from Rye Station* |
| Sub Area Boundary | Rail Line | A Road | <i>*Each white dashed concentric circle line represents a further 3km from Rye Station.</i> |
| Rye (Sub Area) | Rail Stations | Other Roads | |
| Rother District | Cycle Path | Population 0 - 3500 | |
| Areas Outside of Rother District | Bus Routes | Population 3500 - 7000 | |

5.62 Figure 28 below individually lists the ‘identified’ development sites. Please see paragraph 5.32 above for an explanation of identified sites.

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.*

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	35	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	1,900
Rye Neighbourhood Plan allocation Policy H8	Former Lower School Site, off Ferry Road, Rye	Rye	50	0
Rye Neighbourhood Plan allocation Policy B3	Land between 11 and 23 New Road, Rye	Rye	0	500
RR/2017/2217/P	17 - 19 Tower Street, Rye	Rye	6	175
RR/2017/2097/P	Land south-west of Rye Hospital, Rye Road	Rye Foreign	34 ²⁴	0

²⁴ 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)
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, Peasmarsh	Peasmarsh	45	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
RR/2021/2947/P DaSA allocation Policy CAM1	Land at the Former Putting Green Site, Old Lydd Road, Camber	Camber	10	0

Explanatory Text:

5.63 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 4,480²⁵ in 2021. Some

²⁵ 2021 census

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.

- 5.64 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.
- 5.65 The countryside surrounding Rye is subject to environmental designations, signifying its landscape character and conservation importance. Dungeness, Romney Marsh and Rye Bay is 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 north and west is classed as the High Weald NL, and there are several Ancient Woodlands.
- 5.66 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

- 5.67 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 identified 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 Rye and the eastern network settlements?**
- Q63. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 25, 26 & 27?**

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 small scale 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)
Etchingam	0	16	16
Robertsbridge	174	82	256
Ticehurst	15	26	41
Burwash	37	6	43
Flimwell	9	81	90
Hurst Green	26	38	64
Staplecross	0	16	16
Burwash Common	12	13	25
Brightling (Parish)	0	0	0
Total Growth	273	278	551

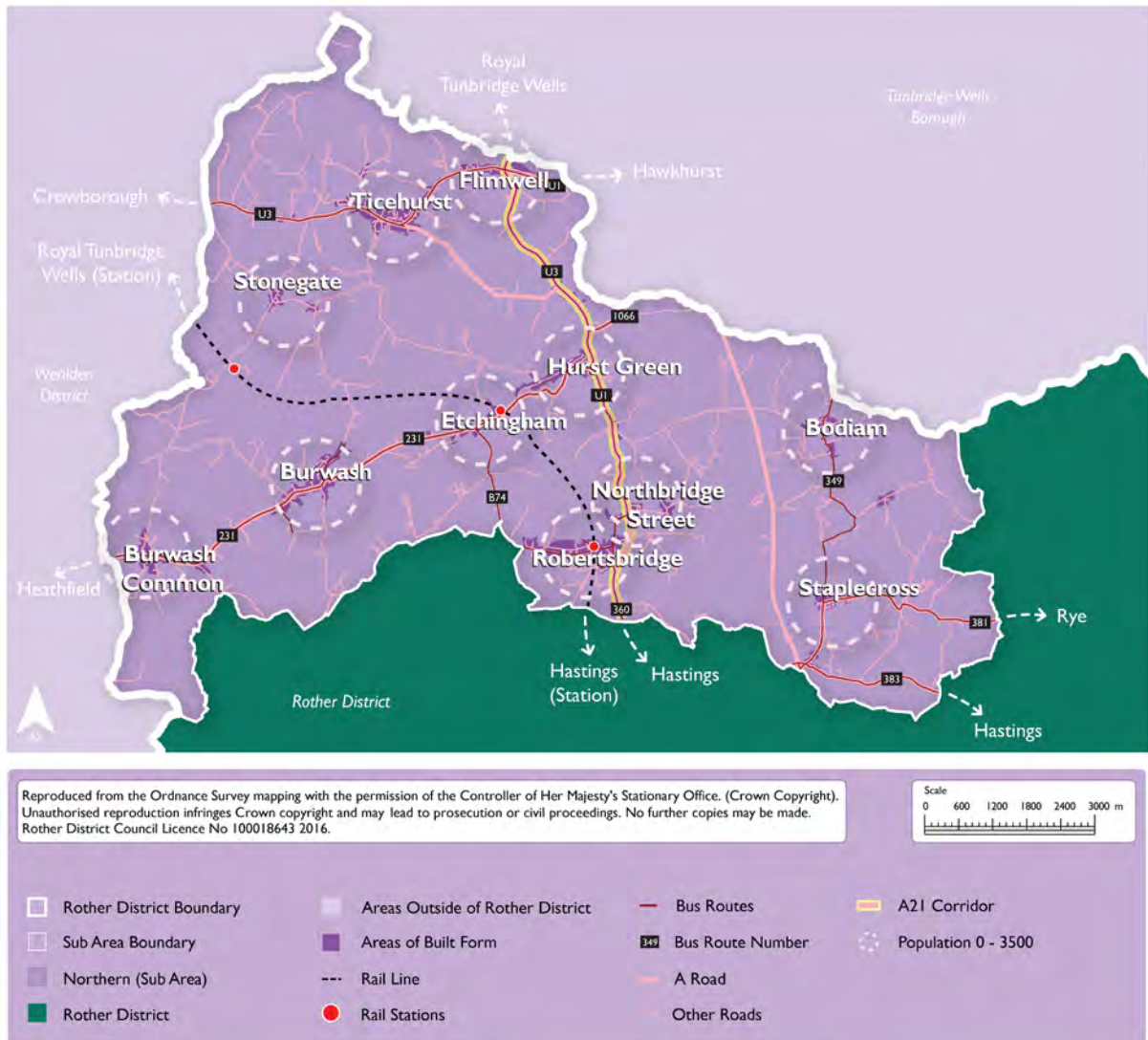
Figure 30: Northern Rother Settlements Development Strategy: Employment: Summary

Settlement Area	Identified Level of Employment Growth (sqm floorspace)	Potential Additional Level of Employment Growth	Total Potential Employment Growth (Identified + Additional)
Etchingam	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	740	1727
Brightling (Parish)	0	1,861	1,861
Total Growth	2,187	7,251	9,438

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



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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: 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)
RR/2018/480/P	Coldharbour Farm Estate, Battle Road, Brightling	Brightling	0	1,861
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	38	0
Salehurst and Robertsbridge Neighbourhood Plan allocation Policy HO2	Vicarage Land, Land south of the western end of Fair Lane, Robertsbridge	Salehurst & Robertsbridge	8	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 Salehurst and Robertsbridge Neighbourhood	Grove Farm, Robertsbridge, Site A	Salehurst & Robertsbridge	32	0

Planning Permission/ Site Allocation reference	Site Name, Settlement	Parish	Residential Units	Employment Floorspace (sq m)
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, Etchingam, 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 Etchingam, 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 identified 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

- Q64. What are your views on the vision for Northern Rother and surrounding settlements?**
- Q65. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 29, 30 & 31?**
- Q66. What are your views on a potential 30-year vision for the A21 transport corridor?**

Cabinet Version

Vision for the Countryside

New development will be strictly limited to that which supports local agricultural, economic, tourism or affordable housing needs 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:

- 5.81 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.
- 5.82 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.
- 5.83 The countryside, including the undeveloped coast, also has high intrinsic amenity value, and is an important resource for nature conservation, leisure and tourism.
- 5.84 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

Q67. What are your views on the vision for Rother's countryside?

Q68. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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

- 5.85 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.
- 5.86 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

- 5.87 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).
- 5.88 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.
- 5.89 There may also be accommodation need arising for other reasons including new families moving into the area although this is difficult to quantify.
- 5.90 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 permission²⁶. Five of the pitches with permanent permission have been approved

²⁶ As at November 2023

since the base date of the GTAA²⁷ 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.

- 5.91 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

- 5.81 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.

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

²⁷ 1 April 2021

However, the Council will continue to work with other local authorities and agencies to explore its implementation across the County.

Travelling Showpeople provision

- 5.83 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

- 5.84 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

Q69. What are your views on the proposed policy for Sites for Gypsies, Travellers and Travelling Showpeople?

Q70. Are there any alternatives or additional points the Council should be considering?

Development Potential and Targets

5.85 The total amount of development possible in the 20-year (2020-2040) planning period of the Local Plan comprises:

- development that has been constructed between 1 April 2020 and 31 March 2023;
- 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; 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.

5.86 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.

5.87 Figure 33 provides a summary of the total amount of development potential in the district. 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. This range in potential is also presented at a parish level in Figure 33.

Figure 33: 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
With Planning Permission ²⁸	1,693	39,448
DaSA and Neighbourhood Plan allocations without permission brought forward	1,704	34,987

²⁸ As at time of publication. Excludes sites completed after 31 March 2023.

Additional HELAA potential sites	2,006	29,463
Windfall projection (across the district)	663	0
Total Range	4,862-6,868	80,362-109,825

5.88 Based on the overall sustainability of settlements²⁹ 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 34, 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.

Figure 34: 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
Westfield	Icklesham	Ewhurst	East Guldeford
	Peasmarsh*	Fairlight	Mountfield
	Sedlescombe*	Guestling	Pett
	Ticehurst*	Iden	Udimore
		Northiam	Whatlington
		Playden	
		Rye Foreign	

*These parishes have either adopted or are preparing Neighbourhood Plans

5.89 The overall development potential in the district is presented below in Figure 35 at a parish level. As in Figure 33, a range is provided, where the higher figure includes potential sites identified through the HELAA process. Relevant areas of built form in each parish area are presented under each parish.

²⁹ Rother's Settlement Study provides a detailed assessment of the overall sustainability of settlements across the district

Figure 35: 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	293-496	1,895
	Battle	260-463	1,895
	Netherfield	33	0
Beckley	Total	20-32	0
	Beckley	0-12	0
	King's Bank	0	0
	Four Oaks	20	0
Bexhill	Total	2,163-3,379	39,572-57,772
	Bexhill	2,163-3,379	39,572-57,772
	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	49-68	0-500
	Burwash	37-43	0
	Burwash Common	12-25	0-500
	Burwash Weald	0	0
Camber	Camber	10-15	0
Catsfield	Total	35-63	0
	Catsfield	35-63	0
	Catsfield Stream	0	0
Crowhurst	Crowhurst	33-42	0
Dallington	Total	0	0
	Dallington	0	0
	Wood's Corner	0	0
East Guldeford	East Guldeford	0	0
Etchingam	Etchingam	0-16	0
Ewhurst	Total	0-16	987-1,727
	Staplecross	0-16	987-1,727
	Cripp's Corner	0	0
Fairlight	Total	35	0
	Fairlight	0	0
	Fairlight Cove	35	0
Guestling	Total	0-34	6,401
	Guestling Green	0-14	0
	Friar's Hill	0	0
	Three Oaks	0	0

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)
	Hastings Fringes	0-20	6,401
Hurst Green	Total	26-64	0
	Hurst Green	26-64	0
	Swiftsden	0	0
	Silver Hill	0	0
Icklesham	Total	40-55	11,929-18,729
	Icklesham	0-15	0
	Winchelsea	0	0
	Winchelsea Beach	0	0
	Rye Harbour	40	11,925-18,725
Iden	Iden	12-28	0
Mountfield	Mountfield	0	0
Northiam	Total	6	0
	Northiam	6	0
	Mill Corner	0	0
Peasmarsh	Total	45-102	0-500
	Peasmarsh	45-102	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	181-218	4,075-4,688
Rye Foreign	Rye Hill	34	0
Salehurst and Robertsbridge	Total	174-256	1,200
	Robertsbridge	78-160	0
	Northbridge Street	96	1,200
Sedlescombe	Sedlescombe	75-90	6,515
Ticehurst	Total	24-141	0-2,850
	Ticehurst	15-26	0
	Dale Hill	0	0
	Flimwell	9-90	0-2,850
	Stonegate	0	0
	Cottenden	0	0
	Three Leg Cross	0	0
Westfield	Total	90-170	0
	Westfield	50-100	0
	Westfield Lane	0	0
	Hastings Fringes	40-70	0
Whatlington	Whatlington	0	0

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)
Udimore	Udimore	0	0

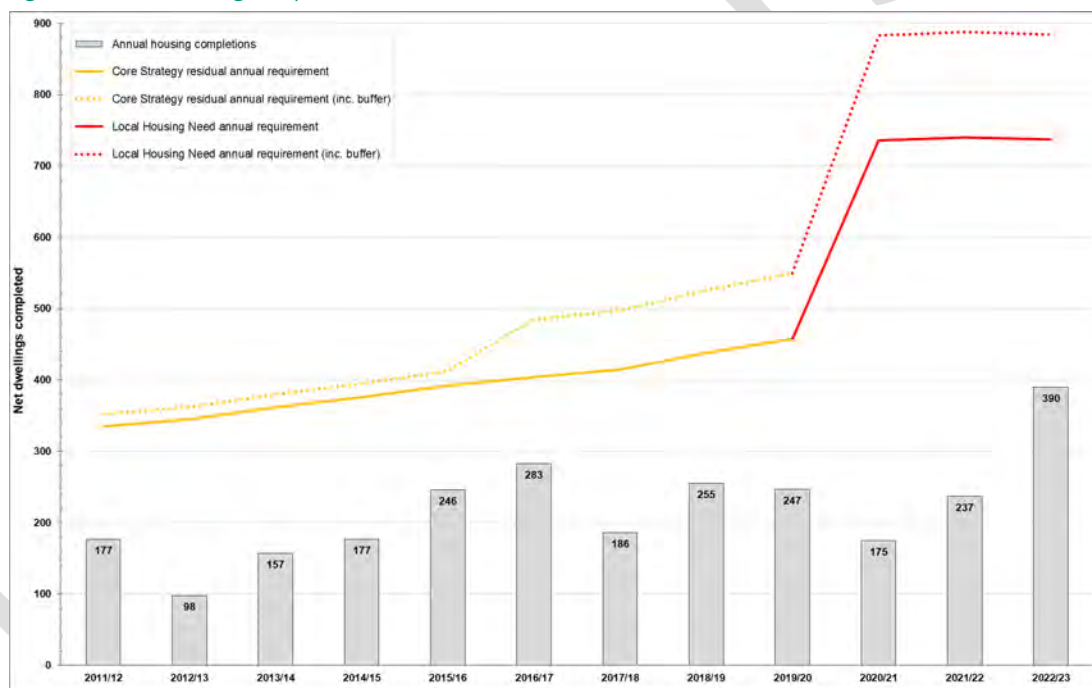
Question Box

Q71. What are your views on the district-wide development potential for the Local Plan up to 2040 which is presented in Figure 33?

Housing trajectory – Stepped delivery

5.90 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 36 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 36: Net dwelling completions to 2022/2023



5.91 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

Q72. 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

- 5.92 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:

- 5.93 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.

- 5.94 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.
- 5.95 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.
- 5.96 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

- Q73. What are your views on the Council's proposed policy on general development considerations?**
- Q74. 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:

- 5.97 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.

- 5.98 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.
- 5.99 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.
- 5.100 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.
- 5.101 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

- Q75. What are your views on the Council's proposed policy on comprehensive development and masterplanning?**
- Q76. Are there any alternatives or additional points the Council should be considering?**

Cabinet Version

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:

- 5.102 Development boundaries differentiate between areas of built-up form within sustainable towns and villages, where further development³⁰, will be acceptable in principle, and the countryside.
- 5.103 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 Landscape coverage of the district is a further key justification for carefully managing development in the countryside.
- 5.104 Within development boundaries, development will principally be on allocated and identified sites, together with other sites where proposals accord with relevant

³⁰ including redevelopment or intensification

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.

- 5.105 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.
- 5.106 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

- 5.107 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 37 provides a table which shows the settlements which are expected to have development boundaries. All of these settlements have designated

development boundaries within the DaSA or Neighbourhood Plans, with the exception of Playden.

- 5.108 Development boundaries will be identified through the Local Plan, except where it is identified that Neighbourhood Plans are being progressed or reviewed.

Figure 37: 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	Etchingam
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 denote a new settlement proposed for a development boundary

Question Box

Q77. What are your views on the Council's approach to development boundaries?

Q78. 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:

- 5.109 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.

- 5.110 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.
- 5.111 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.
- 5.112 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.

5.113 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.

5.114 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:

5.115 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.

5.116 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.

8.1 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

- Q79. What are your views on the Council's proposed policy on the retention of sites of community and commercial value?**
- Q80. Are there any alternatives or additional points the Council should be considering?**
- Q81. 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 windfall³¹ 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.

Explanatory Text:

- 5.117 The NPPF³² 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

³¹ Unplanned development that is not allocated or identified in the Local Plan, typically on smaller sites.

³² Para. 70 (December 2023 NPPF)

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.

- 5.118 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.
- 5.119 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.

Question Box

- Q82. What are your views on the Council's strategy approaches to small sites and windfall development?**
- Q83. Are there any alternatives or additional points the Council should be considering?**
- Q84. 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 particular 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:

5.120 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.

5.121 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

Q85. What are your views on the Council's approach to strategic gaps and those that are identified?

Q86. 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 reducing social isolation, enabling active lifestyles and improving social cohesion and connectivity; and

- (v) 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

- Q87. What are your views on the Council's proposed policy on supporting health and wellbeing?**
- Q88. 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 Deprivation³³. 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.

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

³³ 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.

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 development³⁴ 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, six³⁵ 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 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

³⁴ as defined in Annex 2 of the NPPF.

³⁵ 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.

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

- Q89. What are your views on the Council's proposed policy on requiring a Health Impact Assessment for certain applications?**
- Q90. 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

- Q91. What are your views on the proposed policy for reducing harmful impacts on health?**
- Q92. 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 facilities³⁶ 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.

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

³⁶ 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).

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

- Q93. What are your views on the Council's proposed policy on community and social facilities and services?**
- Q94. Are there any alternative or additional points the Council should be considering?**
- Q95. 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 infrastructure³⁷, 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;

³⁷ 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 more than two hectares or 50 dwellings to produce a Green Infrastructure masterplan as part of their proposals.
- (v) Requiring developments of more than 300 dwellings 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

- Q96. What are your views on the Council's proposed policy on green and blue infrastructure?**
- Q97. Are there any alternative or additional points the Council should be considering?**
- Q98. 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)³⁸. 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

³⁸ Public Rights of Way are managed by East Sussex County Council

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.
- 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

- Q99. What are your views on the Council's proposed policy on public rights of way?**
- Q100. 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

- Q101. What are your views on the Council's proposed policy on the Combe Valley Countryside Park?**
- Q102. Are there any alternative or additional points the Council should be considering?**
- Q103. 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.

(A) Timing and Delivery of Infrastructure

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.

(B) Safeguarding of Infrastructure

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

Q104. What are your views on the Council's proposed policy on strategic infrastructure requirements?

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

Q106. 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

Q107. What are your views on the Council's proposed policy on digital connectivity?

Q108. Are there any alternatives or additional points the Council should be considering?

8 Housing

- 8.2 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.
- 8.3 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”.³⁹ 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.
- 8.4 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.

³⁹ 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 affordable private rent homes (and maintained in perpetuity), as set out in the Planning Practice Guidance.

Explanatory Text

8.5 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 38 below. The actual mix to be delivered in a development will be determined on a site-by-site basis.

Figure 38: 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%

8.6 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). Evidence⁴⁰ shows that currently, many smaller, older households 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.

⁴⁰ HEDNA (2024)

- 8.7 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.
- 8.8 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).
- 8.9 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.
- 8.10 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.
- 8.11 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).

- 8.12 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.
- 8.13 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.
- 8.14 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

- 8.15 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 requirement⁴¹ 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

⁴¹ Set out in Core Strategy Policy LHN1

refer to market dwellings, to ensure that smaller dwellings are provided in this sector. Affordable housing is addressed separately through criteria (iii).

- 8.16 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.
- 8.17 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.
- 8.18 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, 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 evidence⁴² 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.

⁴² Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024

Question Box

Q109. What are your views on the Council's proposed policy on mixed and balanced communities?

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

Affordable Housing

- 8.19 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.
- 8.20 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 development⁴³ 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.
- 8.21 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.
- 8.22 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) property⁴⁴ on the open market, and 94% earn less than the amount needed to buy a LQ open market dwelling⁴⁵ (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.
- 8.23 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 2011⁴⁶.

⁴³ 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.

⁴⁴ Lower quartile rent means the rent that 25% of properties are at or below.

⁴⁵ 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.

⁴⁶ Rother District Council Housing Land Supply April 2022 position statement (published Oct 2022).

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 *all* dwellings delivered per year in Rother since 2011.

8.24 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.

8.25 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.

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 provided⁴⁷ 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:

- 25% First Homes (where required in accordance with national policy)⁴⁸.

⁴⁷ 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.

⁴⁸ 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).

- 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-neutral⁴⁹ 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

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

8.27 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

⁴⁹ 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.”

provision is not possible, in which event, off-site provision or a financial contribution⁵⁰ 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.

- 8.28 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.
- 8.29 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.
- 8.30 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, 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.

⁵⁰ Financial contributions in-lieu of on-site provision will be required by S106 Agreement.

- 8.31 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.
- 8.32 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 policy⁵¹ 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).
- 8.33 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 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.
- 8.34 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

⁵¹ The Written Ministerial Statement on First Homes (24 May 2021) and NPPF (2023) paragraph 66 (d).

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:

- 8.35 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.
- 8.36 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.
- 8.37 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 Plan⁵² 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

⁵² 2020-2027.

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)⁵³.

- 8.38 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.
- 8.39 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 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.

⁵³ HEDNA (2024)

Question Box

- Q111. What are your views on the Council's proposed policy on affordable housing?**
- Q112. Are there any alternatives or additional points the Council should be considering?**
- Q113. Do you consider that prioritising affordable housing or the Community Infrastructure Levy is more important for Rother?**

Cabinet Version

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

- 8.40 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.

- 8.41 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.
- 8.42 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.
- 8.43 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.
- 8.44 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:

- 8.45 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 Note⁵⁴), 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

Q114. What are your views on the Council's proposed policy on 100% affordable housing developments?

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

⁵⁴ 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

- 8.46 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.
- 8.47 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.
- 8.48 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

Q116. What are your views on the Council's proposed policy on allocating sites for wholly or substantially affordable housing?

Q117. 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

- 8.49 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 policy⁵⁵, First Homes are not a requirement of rural exception sites.
- 8.50 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.
- 8.51 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 Homes⁵⁶ and the PPG, and subject to other Local Plan policies.

Regulation 18 Commentary:

- 8.52 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

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

⁵⁶ Dated 24 May 2021.

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

Q118. What are your views on the Council's proposed policy on rural exception sites?

Q119. 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 DEV4 as appropriate.

Explanatory Text

- 8.53 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)⁵⁷, 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 Plan⁵⁸ 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.⁵⁹
- 8.54 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.
- 8.55 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

⁵⁷ 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.

⁵⁸ HW NL Management Plan 2024-2029, draft consultation version: Planning Principle 3

⁵⁹ Paragraph 84 (d), NPPF (December 2023)

result in an over-concentration in a particular area), schemes are well-managed and provide access to appropriate facilities (including amenity space).

- 8.56 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.
- 8.57 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.
- 8.58 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

Q120. What are your views on the Council's proposed policy on the sub-division of dwellings, and Houses of Multiple Occupation?

Q121. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

Access to Housing and Housing Standards

- 8.59 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.
- 8.60 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.
- 8.61 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.
- 8.62 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

- 8.63 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.
- 8.64 Research undertaken to support DaSA Local Plan in 2018⁶⁰ 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.
- 8.65 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 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.

⁶⁰ Rother District Council Space Standards Background Paper (October 2018)

The evidence gathered in 2018 remains pertinent and demonstrates that a local basis for requiring continued compliance with the NDSS remains.

- 8.66 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.
- 8.67 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 legislation⁶¹. Further details on HMO licensing are available on the Council's website.

Question Box

Q122. What are your views on the Council's proposed policy on residential internal Space Standards?

Q123. Are there any alternatives or additional points the Council should be considering?

⁶¹ 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

- 8.68 The Government has introduced, through amendments to the Building Act 1984, a three-tier standard for accessibility⁶² in Part M (access to and use of buildings) of

⁶² 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.

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.

8.69 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.

8.70 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+.⁶³ 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.⁶⁴ 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.

8.71 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.⁶⁵ The Alzheimer’s Society⁶⁶ 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.

⁶³ Census, 2011, Office for National Statistics, referenced in the HEDNA (2024)

⁶⁴ The English Housing Survey (EHS) (2019-2020), referenced in the HEDNA (2024)

⁶⁵ Dementia and Town Planning, RTPi Practice Advice, Royal Town Planning Institute (2020)

⁶⁶ Dementia-friendly Housing Guide, Alzheimer’s Society (2020)

- 8.72 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.
- 8.73 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.

Regulation 18 Commentary

- 8.74 The DaSA Local Plan⁶⁷ 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. Evidence⁶⁸ 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).

⁶⁷ Policy DHG4

⁶⁸ HEDNA (2024)

Question Box

Q124. What are your views on the Council's proposed policy on access standards?

Q125. Are there any alternatives or additional points the Council should be considering?

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 people⁶⁹ 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 housing⁷⁰, unless it is demonstrated that the site is unsuitable for an extra-care or housing with care scheme, or that there is an identified need for the proposed accommodation type in that location.

The provisions of Policy HOU2 (Affordable Housing) will apply to all schemes meeting the size thresholds set out in the policy, at the proportions set out in that policy. Affordable housing shall be provided either as on-site provision or

⁶⁹ 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.

⁷⁰ All as defined in the Planning Practice Guidance

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 HAPPI⁷¹ principles and other recognised design standards and guidance relevant to older people’s housing⁷².

Explanatory Text

- 8.75 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.
- 8.76 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.⁷³ The PPG notes that Local Plans should provide for specialist housing for older people where a need exists.
- 8.77 The PPG provides indicative definitions for the different types of specialist housing designed to meet the needs of older people:

⁷¹ 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).

⁷² For example, Design Principles for Extra Care Housing published by the Housing Learning and Improvement Network (LIN) (2020).

⁷³ Planning Practice Guidance Paragraph: 010 Reference ID: 63-010-20190626.

- 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.⁷⁴

8.78 Evidence⁷⁵ 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).

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

⁷⁴ Source: Planning Practice Guidance

⁷⁵ HEDNA (2024)

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.

- 8.80 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 longer⁷⁶. Schemes will also be required to comply with the HAPPI principles⁷⁷ 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.
- 8.81 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.

Regulation 18 Commentary

- 8.82 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

⁷⁶ RTPi Practice Advice: Dementia and Town Planning (September 2020)

⁷⁷ 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)

terms of health or disability⁷⁸. 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 sector⁷⁹.

- 8.83 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.
- 8.84 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 residents⁸⁰.
- 8.85 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.
- 8.86 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).

⁷⁸ Source: Census, 2021, Office for National Statistics

⁷⁹ HEDNA (2024)

⁸⁰ HEDNA (2024)

- 8.87 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).
- 8.88 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.
- 8.89 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.
- 8.90 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

Q126. What are your views on the Council's proposed policy on specialist housing for older people?

Q127. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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 people⁸¹ 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 standards⁸².

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

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

Explanatory Text:

8.91 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

⁸¹ 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).

⁸² Relevant standards include those set by the Care Quality Commission or Building Regulations, for example.

of residents in care homes across all county and unitary authorities in England⁸³. However, the number of residents living in care homes across East Sussex has reduced since 2011, by 15.9%.

- 8.92 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.
- 8.93 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.
- 8.94 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 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

⁸³ Source: Census (2021) Office for National Statistics, quoted by Research and Intelligence Team, East Sussex County Council

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:

- 8.95 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.
- 8.96 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

- Q128. What are your views on the Council's proposed policy on residential Care Homes for older people?**
- Q129. 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 biodiversity⁸⁴ or an area of Priority Habitat.
- (ii) The site is not in an area at risk of flooding, unless a site-specific flood risk assessment has demonstrated that the development will be safe and will not increase flood risk elsewhere.
- (iii) The proposal accords with policies in the Landscape Character chapter. Development should safeguard intrinsic and distinctive landscape character and scenic beauty, paying particular regard to the conservation of the High Weald National Landscape and undeveloped coastline, and be supported by landscaping proposals appropriate to the local landscape character.
- (iv) Other than for transit sites, the site is located within or close to an existing settlement and is accessible to local services by foot, by cycle or by public transport.
- (v) The site can be safely accessed by vehicles towing caravans and provides adequate and safe provision for on-site parking, turning, and access for emergency vehicles.
- (vi) The site is of a small scale (maximum ten pitches/ plots) and is not disproportionate in scale to the existing settlement.
- (vii) Mixed use sites should not unreasonably harm the amenity of adjoining properties.
- (viii) In the case of sites for Travelling Showpeople, the site must also be suitable for the storage of large items of mobile equipment.
- (ix) In the case of transit sites, the site should be located close to or within easy access of the strategic road network.
- (x) In the case of transit sites, the proposal must be accompanied by a management plan which demonstrates how the site will be appropriately managed in perpetuity to ensure the amenity of its occupants and the local community is protected.

⁸⁴ Including sites subject to international, national and local designations as defined in the NPPF glossary.

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 Showpeople⁸⁵.

Explanatory Text

- 8.97 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 where applications for need not identified and allocated in Development Strategy comes forward.
- 8.98 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 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.
- 8.99 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 policy⁸⁶ 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.

⁸⁵ As defined in Annex 1 to the national Planning Policy for Traveller Sites (updated December 2023).

⁸⁶ Planning Policy for Traveller Sites (PPTS)

- 8.100 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.
- 8.101 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 necessarily larger due to the need to accommodate both living space and storage and maintenance space for large equipment.

Regulation 18 Commentary:

- 8.102 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.
- 8.103 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.⁸⁷ Local Plans must identify a supply of specific deliverable sites for gypsies, travellers and

⁸⁷ Through the NPPF (December 2023) paragraph 63, and the national Planning Policy for Traveller Sites (2023)

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 11-15.⁸⁸ Once set, the five year supply must be updated annually.

- 8.104 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 and as such, details of proposed sites for gypsy and traveller accommodation will be made available for consideration after the Regulation 18 consultation on the Local Plan.

Question Box

Q130. What are your views on the Council's proposed policy on Gypsies, Travellers and Travelling Showpeople?

Q131. Are there any alternatives or additional points the Council should be considering?

⁸⁸ As set out in the national Planning Policy for Traveller Sites (2023)

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:

- 8.105 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 layout⁸⁹. 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.

- 8.106 Neither policy or legislation separately defines self-build and custom housebuilding. Planning guidance published by the Right-to-Build Taskforce⁹⁰ 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 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.

⁸⁹ Source: Planning Practice Guidance

⁹⁰ 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

- 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.

- 8.107 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.
- 8.108 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 plot⁹¹. 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).⁹²
- 8.109 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.

⁹¹ Source: Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022

⁹² Source: Rother District Council Self-Build and Custom Housebuilding Headline Data Report 2022

- 8.110 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.
- 8.111 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.
- 8.112 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:

- 8.113 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.

- 8.114 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.⁹³ 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.
- 8.115 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 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.
- 8.116 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

⁹³ 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).

take the form of affordable housing supported through Policy HOU5 (Rural Exception Sites). Policy HOU13 covers new dwellings in the countryside.

- 8.117 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.
- 8.118 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

Q132. What are your views on the Council's proposed policy on Self-Build and Custom Housebuilding?

Q133. Are there any alternatives or additional points the Council should be considering?

Q134. 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:
 1. Demonstrate a clearly established functional need, relating to a full-time worker primarily employed in the farming and other land-based businesses.
 2. Demonstrate the functional need cannot be fulfilled by other existing accommodation in the area.
 3. Demonstrate the unit and the agricultural activity concerned are financially sound and have a clear prospect of remaining so.
 4. 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.

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

Explanatory Text:

- 8.119 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.
- 8.120 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.
- 8.121 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.

- 8.122 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 NPPF⁹⁴ 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.
- 8.123 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.
- 8.124 Limited development in smaller settlements can help support local services and enhance or maintain the vitality of rural communities. Therefore, Policy HOU13 allows 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.

⁹⁴ Paragraph 84 (b), NPPF (December 2023)

- 8.125 In particular, 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.
- 8.126 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. 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 highest⁹⁵. Areas where the concentration is particularly high include many of the rural parishes, particularly in the eastern part of the district.⁹⁶ The use of dwellings as second homes, in this way, has the effect of reducing the housing supply and driving up the cost of housing⁹⁷ 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

⁹⁵ 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.

⁹⁶ Source: Census (2021), Office for National Statistics

⁹⁷ Rother Housing, Homelessness and Rough Sleeping Strategy 2019-2024 and Action Plan Update (November 2020)

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 countryside⁹⁸. 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.

Question Box

Q135. What are your views on the Council’s proposed policy on new dwellings in the countryside?

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

Q137. 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?

Q138. 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)?

⁹⁸ NPPF (2023) paragraph 84

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.⁹⁹ Its siting and design should be considered at the outset and be appropriate to the location, layout and design approach of the development, respecting and being informed by the character of the locality. Secure cycle storage must be located close to people’s front doors so that cycles are as convenient to choose as a car for short trips. and easily accessible from the dwelling.
- (iii) Waste and Recycling: Sufficient bin storage and collection points must be provided on all new residential developments and changes of use. Their siting and design should be considered at the outset, be integral to the development, respect the visual amenities and streetscape character of the dwelling and area, and be fully accessible for collection.

⁹⁹ Approved document S: Infrastructure for the charging of electric vehicles.

- (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

Q139. What are your views on the Council's proposed policy on external residential areas?

Q140. Are there any alternatives or additional points the Council should be considering?

Q141. 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

- Q142. What are your views on the Council's proposed policy on extensions to residential gardens?**
- Q143. 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

Q144. What are your views on the Council’s proposed policy on extensions, alterations and outbuildings?

Q145. 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

Q146. What are your views on the Council's proposed policy on annexes?

Q147. 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.¹⁰⁰
- 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 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.

¹⁰⁰ 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

- 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

Q148. What are your views on the Council's proposed policy on boundary treatments?

Q149. 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

Q150. What are your views on the Council's proposed policy on access and drives?

Q151. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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 south east 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 commercial 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

- Q152. What are your views on the Council's proposed policy on supporting new commercial development?**
- Q153. 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

Q154. What are your views on the Council's proposed policy on protecting existing commercial sites and premises?

Q155. 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 39) sets out forecasts for new convenience goods floorspace capacity, primarily relating to grocery shopping, throughout the plan period and across the district.

Figure 39: 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 locations¹⁰¹, 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.

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.

¹⁰¹ NPPF December 2023 definition: a location within 300 metres of a town centre boundary.

- 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.¹⁰²
- 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.
- 9.36 With reference to the existing designations, Battle and Bexhill Town Centres¹⁰³ 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

¹⁰² 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.

¹⁰³ There are very minor changes to the edge of Bexhill town centre at the south end of Eversley Road.

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

Q156. What are your views on the Council's proposed policy on designated town centres?

Q157. Are there any alternatives or additional points the Council should be considering?

Q158. Are there any other areas of the district that the Council should be considering, and if so, what evidence is available?

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:

- for new retail development of 280sqm or more, outside of designated Primary Shopping Areas; and,
- 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

Q159. What are your views on the Council's proposed policy on retail and leisure impact assessments?

Q160. 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.

The loss of tourism activities, attractions, and visitor accommodation, currently (or last) in such use, must, be retained unless it is demonstrated that there is no reasonable prospect of its continued use. The approach to demonstrating if there is no reasonable prospect of its continued use is set out in Policy DEV4

Appropriate controls are 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 Study¹⁰⁴ 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 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

¹⁰⁴ The Economic Impact of Tourism on Rother District 2019, Tourism South East Research Unit.

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 holiday 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

Q161. What are your views on the Council's proposed policy on tourism activities, facilities and accommodation.

Q162. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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 Complex¹⁰⁵ of Habitats Sites. This will be most relevant to proposals in the Camber, Rye Harbour and Winchelsea Beach areas, where otherwise suitable 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.¹⁰⁶

¹⁰⁵ This comprises the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) and Ramsar site, and the Dungeness Special Area of Conservation (SAC).

¹⁰⁶ For further information see Dungeness Complex – Sustainable Access and Recreation Management Strategy (SARMS) (Oct 2017)

- 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 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

- Q163. What are your views on the Council's proposed policy on holiday sites?**
- Q164. 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

Q165. What are your views on the Council's proposed policy on agriculture and forestry activities?

Q166. 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

Q167. What are your views on the Council's proposed policy on diversification of agriculture?

Q168. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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 and 1,000sqm of more of commercial 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:

- £200 per dwelling
- £1 for every sqm of commercial 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 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 proposed¹⁰⁷.
- 9.82 LESP 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.

Regulation 18 commentary:

- 9.83 Though it is now an established practice to require LESP from larger developments within the district, this policy aims to formalise the process so that LESP 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 from larger developments.
- 9.84 The thresholds of 10+ dwellings for residential development, and 3,000+ sqm for commercial development have been derived through the Council's experience in its use of LESP from new development.

¹⁰⁷ 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.

- 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

Q169. What are your views on the Council's proposed policy on local employment and skills?

Q170. 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.¹⁰⁸

Regulation 18 commentary:

¹⁰⁸ Managing Land for Horses, Kent Downs AONB Unit (2011)

- 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

Q171. What are your views on the Council's proposed policy on equestrian developments?

Q172. Are there any alternatives or additional points the Council should be considering?

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

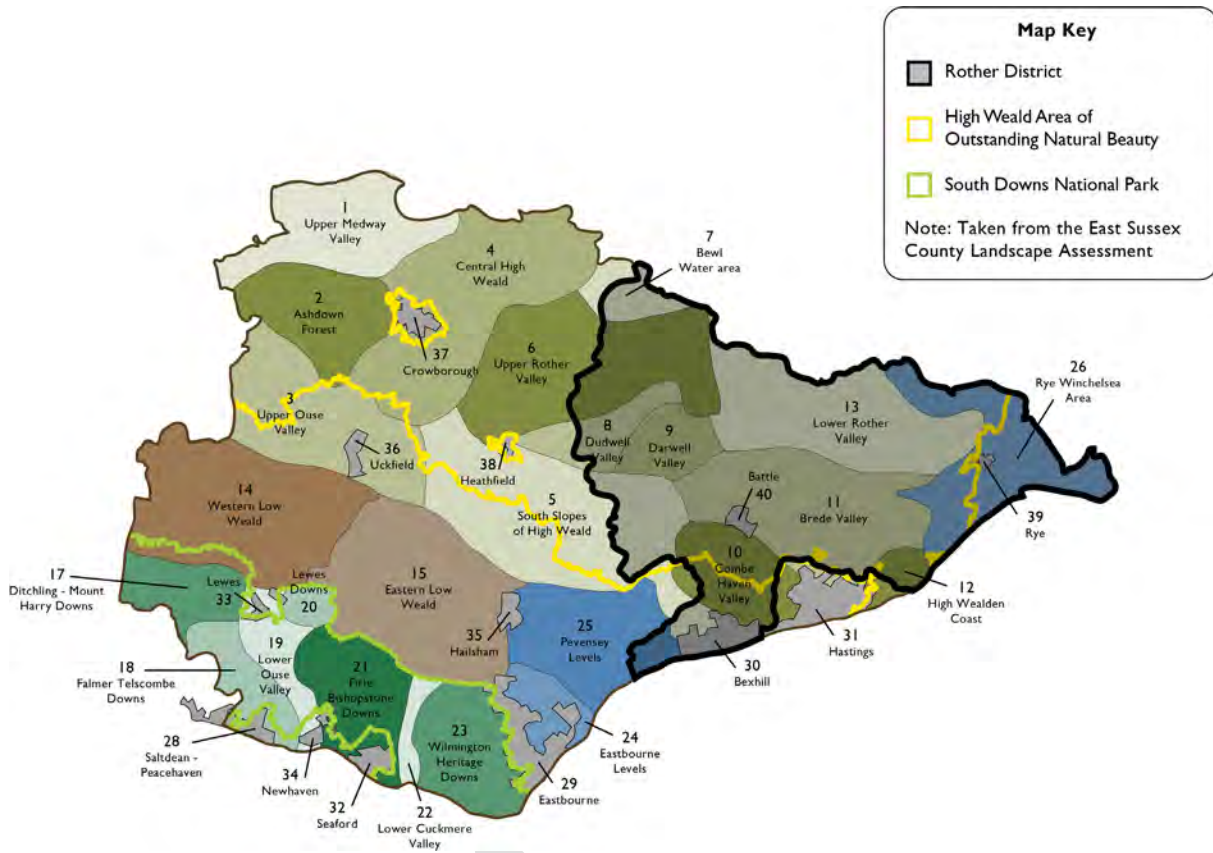
Policy Wording:

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 40: 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 40 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

Q173. What are your views on the Council's proposed policy on rural environments and landscape character?

Q174. 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 CAVAT¹⁰⁹ 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.
- (vi) Details of long-term maintenance and management plans must be provided to accompany soft landscaping proposals.

¹⁰⁹ Capital Asset Value for Amenity Trees (CAVAT)

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 2021¹¹⁰ 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 c) that when determining planning applications, local authorities should ensure that 'development resulting in the loss or deterioration of

¹¹⁰ Bexhill I-Tree Study [Bexhill i-Tree study and a tree planting strategy – Rother District Council](#)

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

Q175. What are your views on the Council's proposed policy on trees, woodlands and hedgerows?

Q176. 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

Q177. What are your views on the Council's proposed policy on Dark Skies?

Q178. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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) contributions will be sought for improvements to infrastructure to mitigate against flood risk where it is deemed necessary; and
- v) private, non-mains foul drainage systems are not environmentally acceptable within publicly sewered 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

Q179. What are your views on the proposed policy on water, coastal and flood risk management?

Q180. 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 catchments of Pevensey Levels and the Dungeness Complex of Habitats Sites, 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)

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 development¹¹¹. This may be secured by a legal agreement.
- 11.23 There is a particular need to ensure that development within or near any sites that are protected for their ecological importance (the Pevensey Levels and 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. This means that within these areas' hydrological catchment, more stages of treatment are required, three at a minimum. A Habitats Regulation Assessment (which assesses whether a proposal avoids harm to a protected habitat) will be required for development within these catchments and it could be that more stages of treatment are required to avoid harm.
- 11.24 The Internal Drainage Boards within the protected areas¹¹² play an important role in ensuring water is managed appropriately within their catchments. This is achieved through their overall role of reducing flood risk to people and property and

¹¹¹ Residential development is defined as having a lifetime of at least 100 years. The starting assumption for non-residential development is 75 years.

¹¹² Pevensey and Cuckmere Water Level Management Board (PCWLMB) and Romney Marshes Internal Drainage Board (RMIDB).

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 2024¹¹³. In advance of this they will consult on the scope, threshold and process. These changes may affect the Council’s proposed policy.

¹¹³ Through the implementation of Schedule 3 of the Flood and Water Management Act 2010.

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

Q181. What are your views on the proposed policy on sustainable drainage?

Q182. Are there any alternatives or additional points the Council should be considering?

Proposed Policy ENV3: Land Stability

Policy Status:	Non-strategic
New Policy?	No. Updated version of DaSA Policy DEN6
Overall Priorities:	

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

Q183. What are your views on the proposed policy on land stability?

Q184. Are there any alternatives or additional points the Council should be considering?

Q185. 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 41 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 lifetime¹¹⁴;
- (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.

¹¹⁴ Residential development is defined as having a lifetime of at least 100 years. The starting assumption for non-residential development is 75 years.

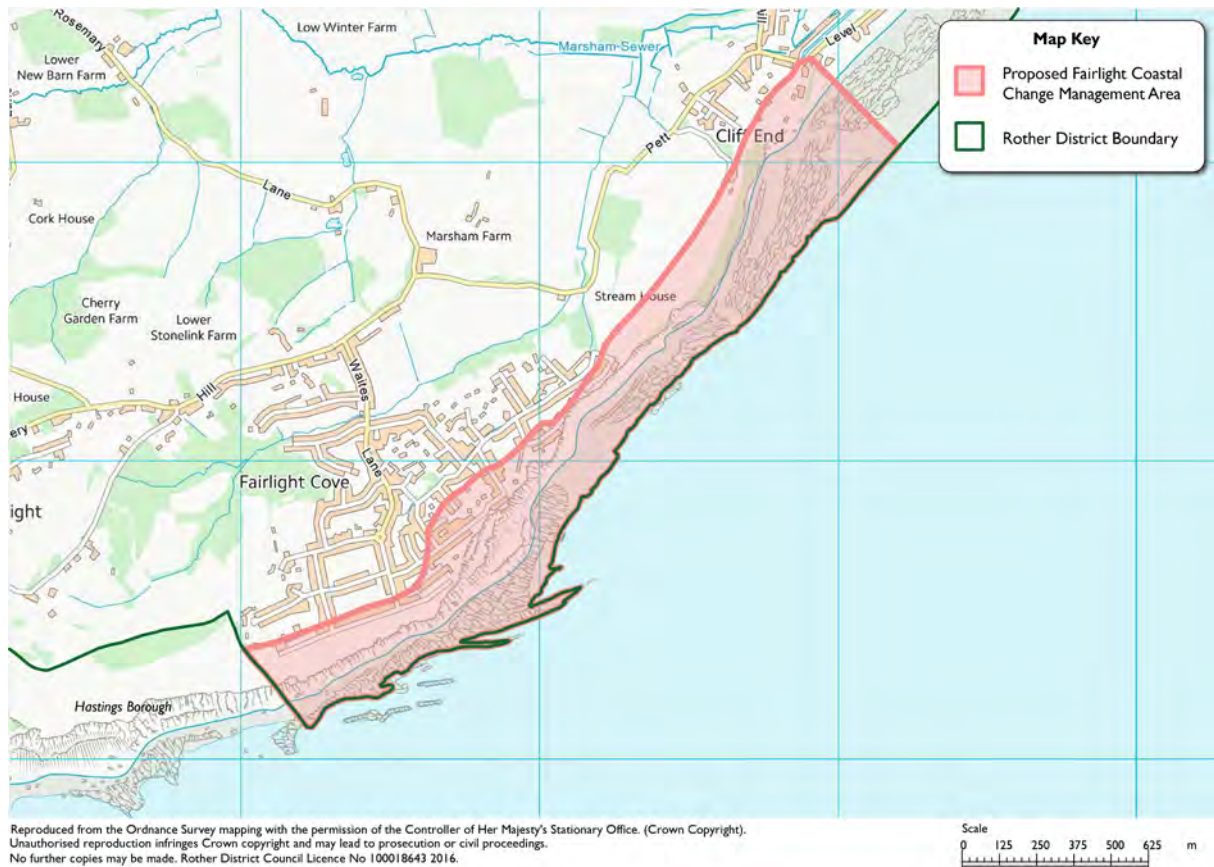
(B) Any proposals for the relocation of an existing development situated within the Coastal Change Management Area to outside of it must relate to a site at risk of loss within 20 years (the short term) of the application being made.

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 41: The area of coast bound by the green lines perpendicular to the coast and land between the blue lines and red lines parallel to the coast is designated the Fairlight 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 accretion¹¹⁵.” 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 timescale that this Local Plan covers but is used in Shoreline Management Plans

¹¹⁵ Accretion is defined as “the gradual increase in the area of land as a result of sedimentation”.

(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 41. 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

- Q186. What are your views on the Council's proposed policy on the Fairlight Cove Coastal Change Management Area?**
- Q187. Are there any further areas or additional points the Council should be considering?**
- Q188. 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 trees¹¹⁶ 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](#)¹¹⁷ 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 therefore this policy, apply to both land-based and marine designations. The Joint Nature Conservation Committee’s (JNCC) [website](#) holds a range of information

¹¹⁶ As defined by the NPPF, December 2023.

¹¹⁷ As defined through Section 41 of the Natural Environment and Rural Communities Act (2006, as amended).

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 Sites¹¹⁸, 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.
- 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

¹¹⁸ 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).

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 carry¹¹⁹, 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.
- 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

¹¹⁹ Protection is afforded through The Hedgerow Regulations 1997 (and any subsequent amendments)

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

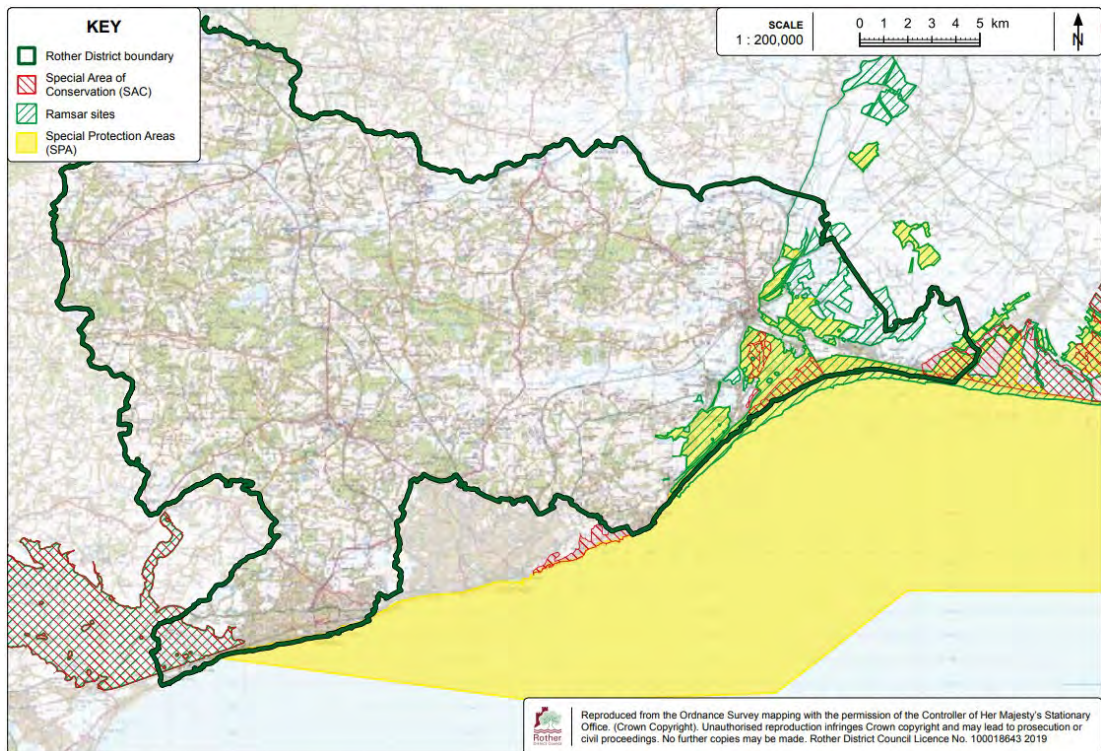
Strategy. Like other sites discussed previously, there is a requirement in national policy and guidance to protect and enhance these sites.

- 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 42: 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

- Q189. What are your views on the Council's proposed policy on sites protected for their habitats and species?**
- Q190. Are there any alternatives or additional points the Council should be considering?**
- Q191. 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

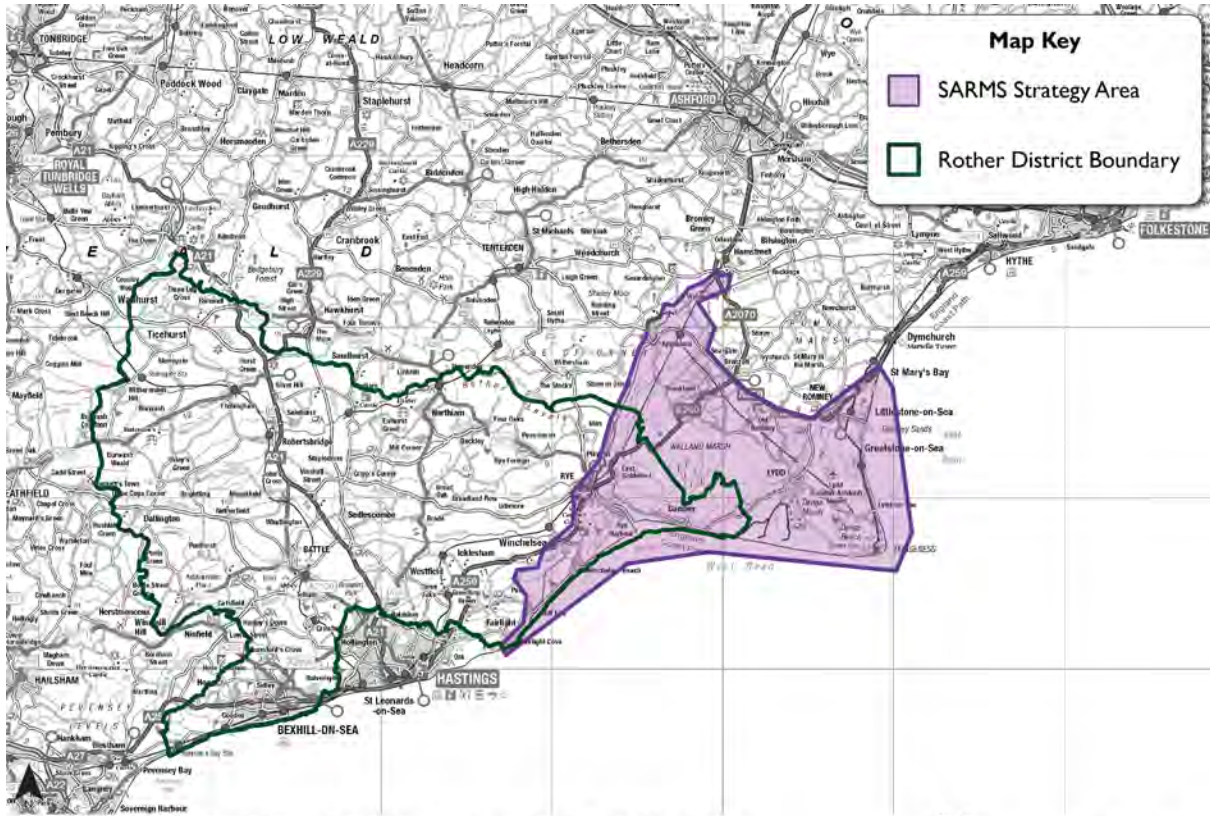
Policy Wording:

All development within the strategy area of the Dungeness Complex Sustainable Access and Recreation Management Strategy (SARMS) (as shown in Figure 43) 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 43: The Sustainable Access and Recreation Management Strategy Area



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Cabinet

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 Folkstone & 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 43.

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

Q192. What are your views on the Council's proposed policy on the Sustainable Access and Recreation Management Strategy?

Q193. 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

- Q194. What are your views on the Council's proposed policy on environmental pollution?**
- Q195. Are there any alternatives or additional points the Council should be considering?**
- Q196. 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 Framework¹²⁰, 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.
- 12.5 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, and medieval Wealden Hall Houses,

¹²⁰ NPPF December 2023, footnote 72.

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 Weald¹²¹, 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.

¹²¹ High Weald AONB Management Plan 2019-2024 p31.

- 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.
- 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"¹²².

- 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

¹²² Carl Elefante, former president of the American Institute of Architects.

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.¹²³ 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.
- 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'¹²⁴ 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

¹²³ [Buildings Must Be Recycled and Reused to Help Tackle Climate Change | Historic England.](#)

¹²⁴ [Energy Efficiency and Historic Buildings | Historic England.](#)

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 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

Q197. What are your views on the Council's proposed policy on heritage management?

Q198. Are there any alternatives or additional points the Council should be considering?

Cabinet Version

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 Statement¹²⁵. 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 outbuilding¹²⁶.
- 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

¹²⁵ Historic Farmsteads Preliminary Character Statement: South East Region English Heritage & The Countryside Agency 2006.

¹²⁶ Further research available in 'Farm Buildings of the Weald 1450-1750' David and Barbara Martin Heritage Marketing & Publications Ltd 2006.

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'¹²⁷ 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 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.

¹²⁷ The Conversion of Traditional Farm Buildings: A Guide to Good Practice English Heritage 2006.

- 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

Q199. What are your views on the Council's proposed policy on traditional historic farm buildings?

Q200. 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:
- a. it relates appropriately, in size and design to the architectural and historic character and appearance of the building in which the shopfront is located;
 - b. it relates appropriately, in size and design, to its overall setting in the street scene, and impact on public safety; and
 - c. 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 Shopfronts¹²⁸, 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 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

¹²⁸ 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.

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

Q201. What are your views on the Council's proposed policy on shopfronts, signage and advertising?

Q202. Are there any alternatives or additional points the Council should be considering?

Appendices

Appendix 1: Strategic and Non-strategic Policies

Strategic Policies
<u>Green to the Core</u> 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
<u>Live Well Locally</u> 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
<u>Development Strategy</u> 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
<u>Health and Wellbeing</u> 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
<u>Infrastructure</u> Proposed Policy INF1: Strategic Infrastructure Requirements Proposed Policy INF2: Digital Connectivity
<u>Housing</u> Proposed Policy HOU1: Mixed and Balanced Communities

Strategic Policies

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

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

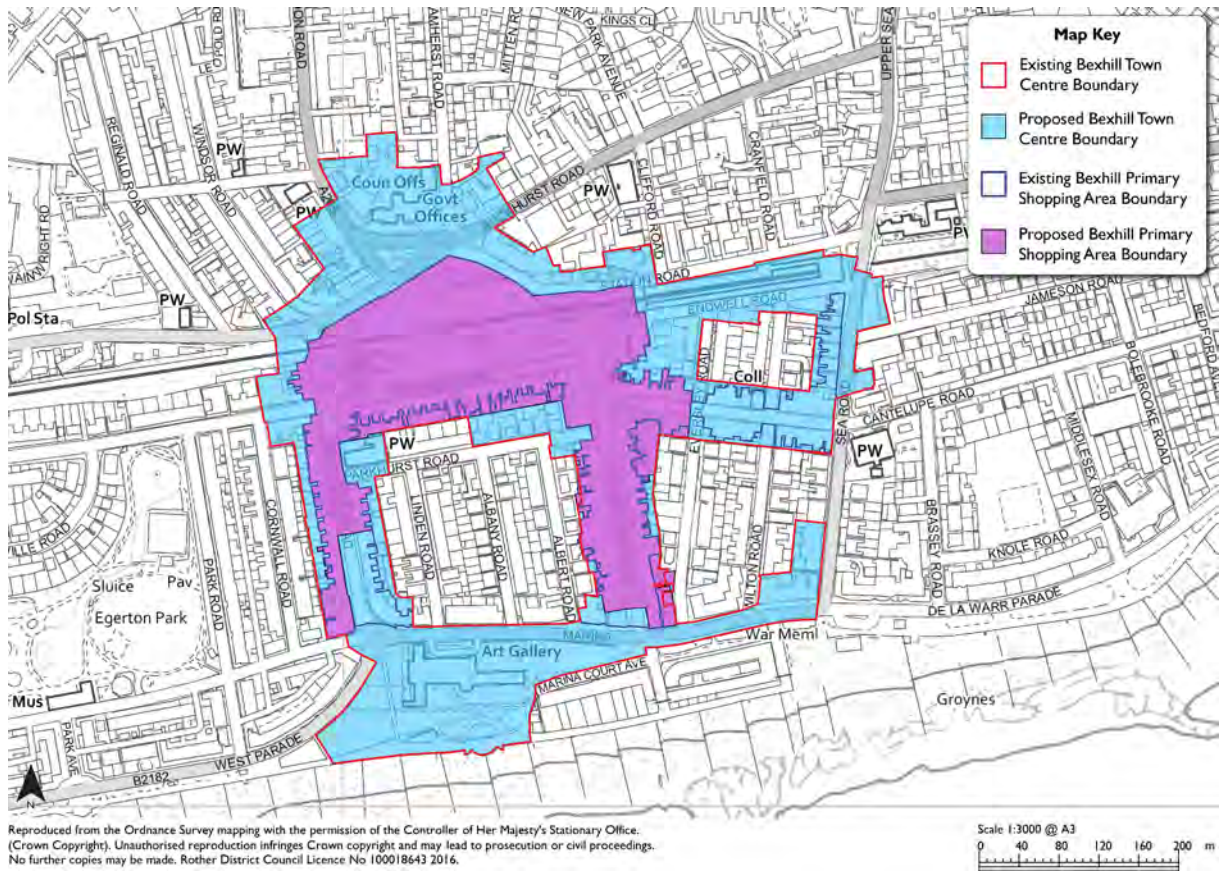
Proposed Policy ENV2: Sustainable Surface Water Drainage
Proposed Policy ENV3: Land Stability
Proposed Policy ENV4: Fairlight Cove Coastal Change Management Area
Proposed Policy ENV5: Habitats and Species
Proposed Policy ENV6: Sustainable Access and Recreation Management Strategy
Proposed Policy ENV7: Environmental Pollution

Heritage

Proposed Policy HER3: Shopfronts, Signage and Advertising

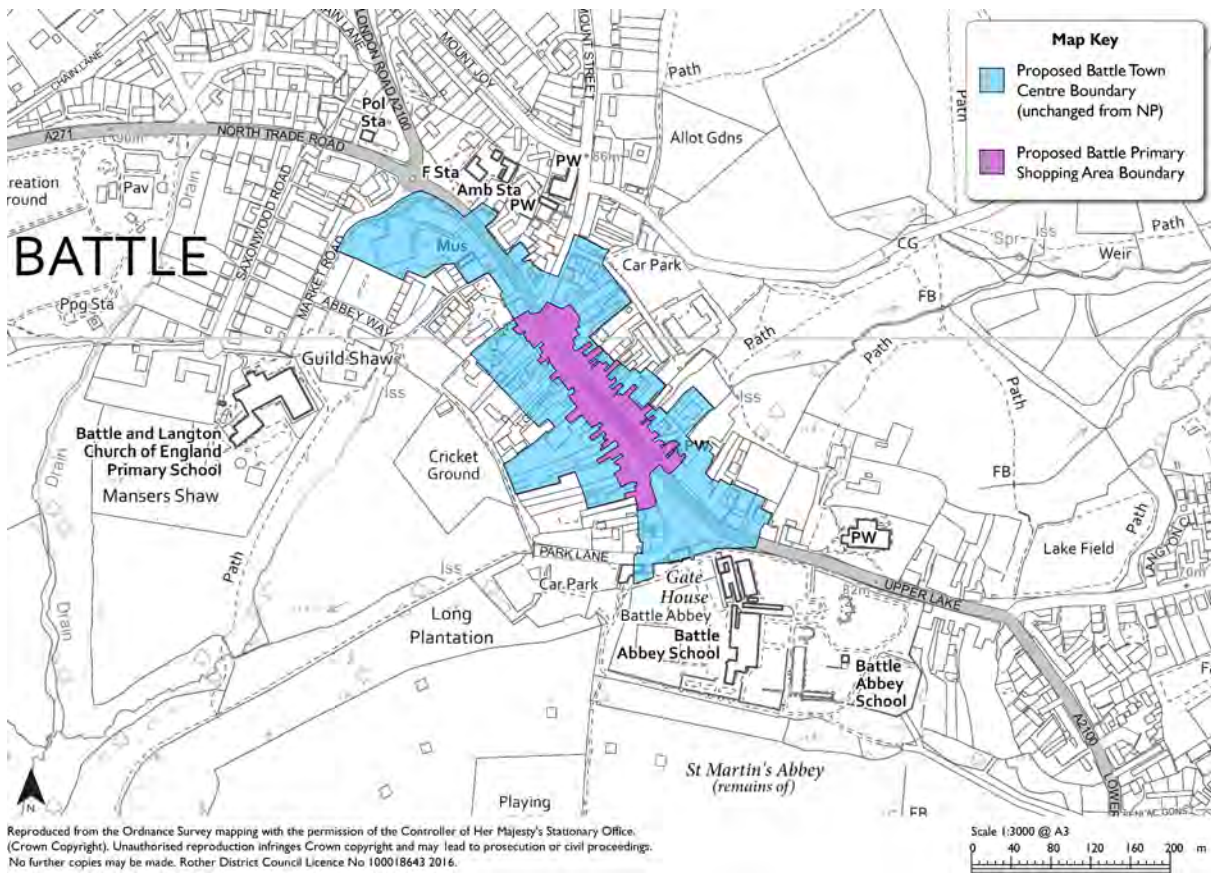
Appendix 2: Town Centre designations

Bexhill Town Centre and Primary Shopping Area



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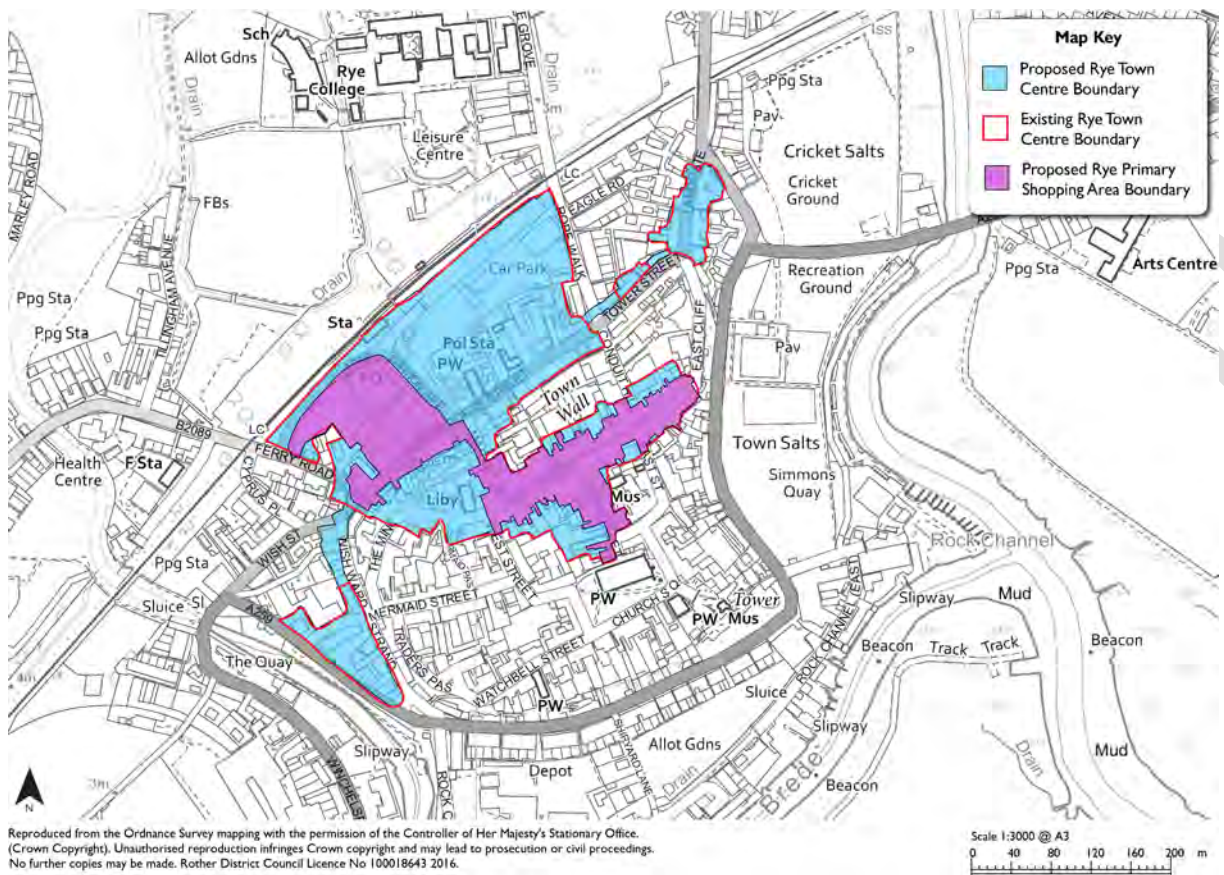
Battle Town Centre and Primary Shopping Area



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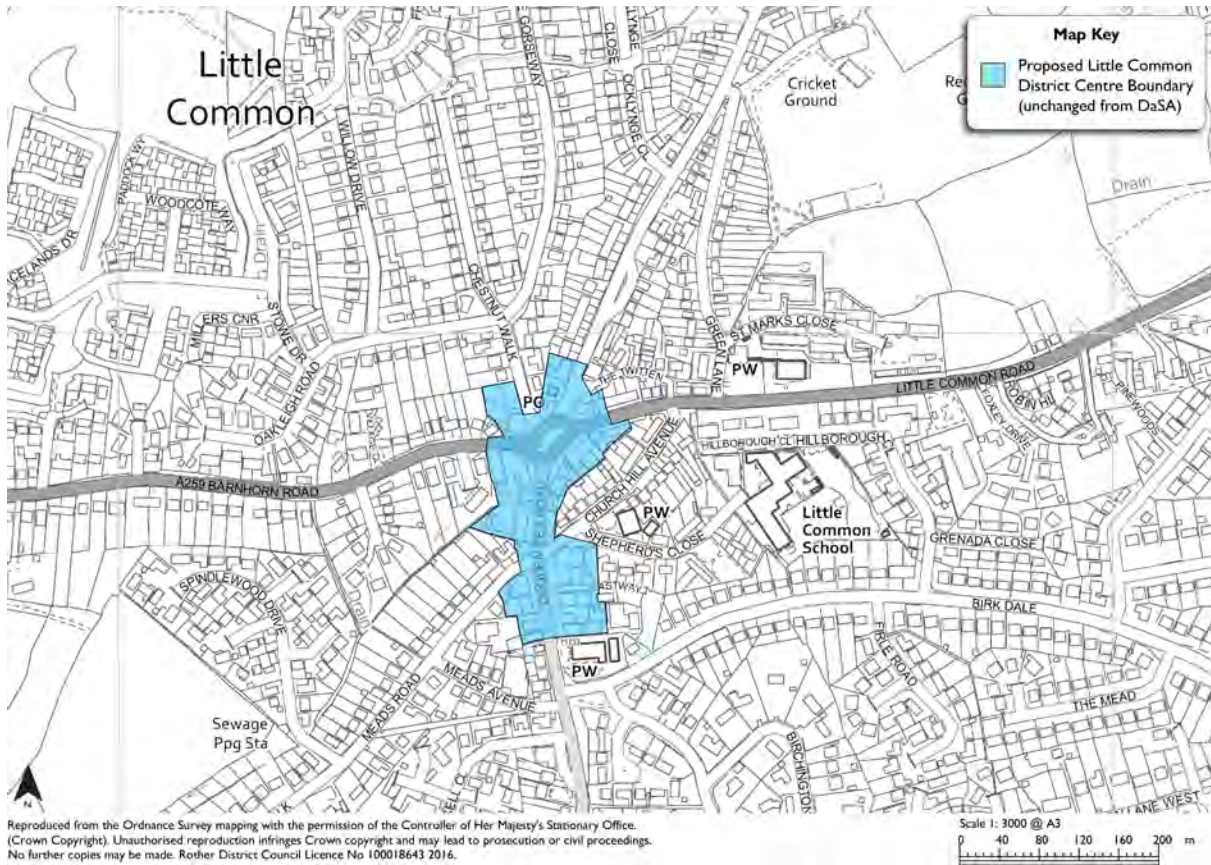
Appendix 2 Town Centre designations

Rye Town Centre and Primary Shopping Area



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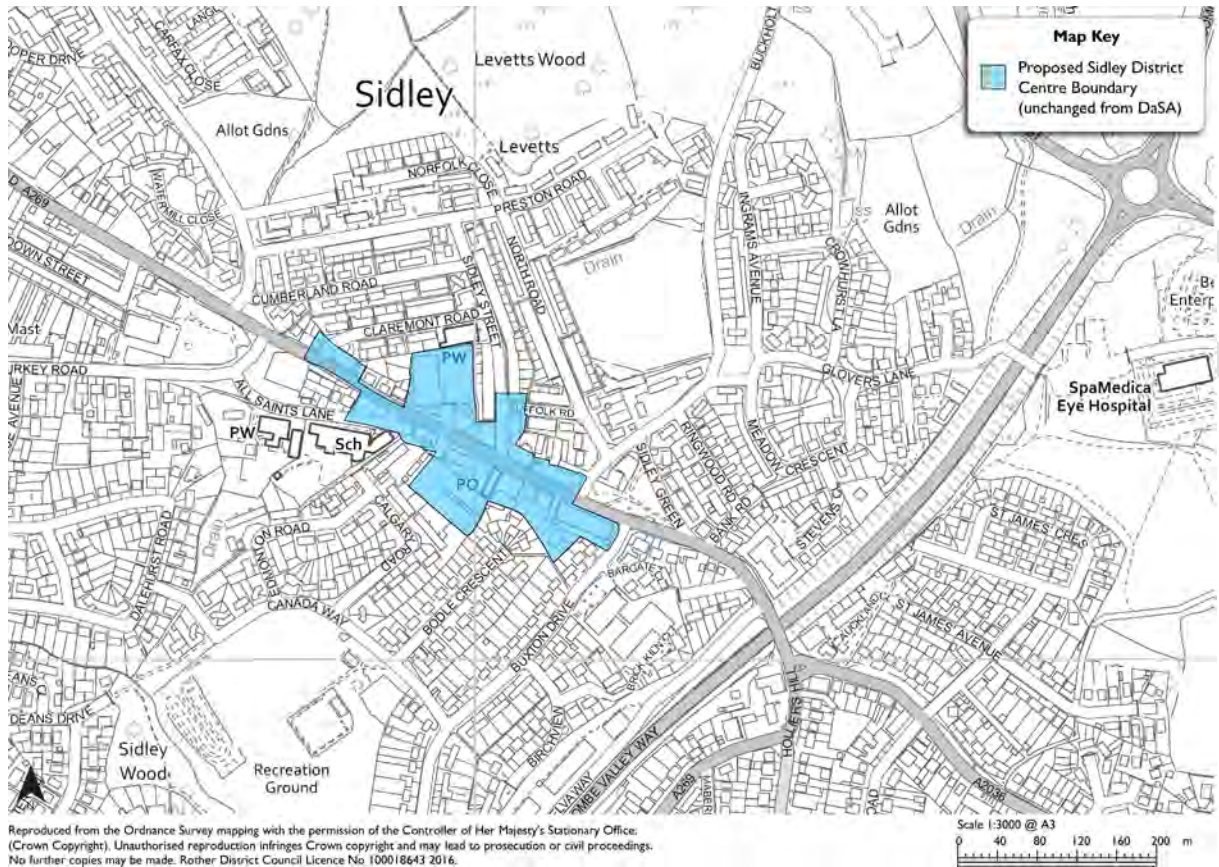
Little Common District Centre



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Appendix 2 Town Centre designations

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 44. 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.
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 more than 150 homes or 1500 sq m 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.

Appendix 4 Monitoring Framework

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 Development and Masterplanning	<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.
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 officer 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.

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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. • % 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.

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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.
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.

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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.
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

Q200. What are your views on the proposed monitoring framework and indicators for each proposed planning policy?

Q201. 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.

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).

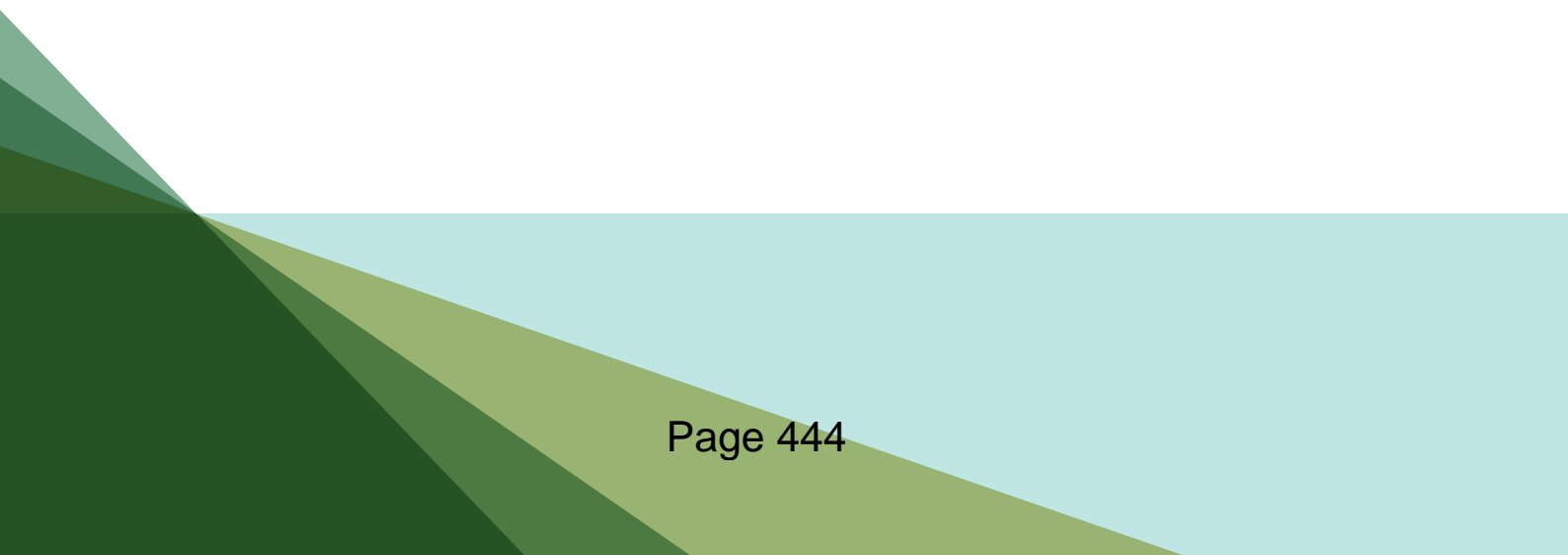
Tree Preservation Order (TPO) – an Order made by a planning authority specifying trees which may not be lopped, topped or felled without consent, except where they become dead, dying or dangerous, when replacements may be required.

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.

Cabinet Version



Rother District Council
Town Hall
London Road
Bexhill-on-Sea
East Sussex
TN39 3JX

Rother Local Plan

Local Development Scheme 2024

March 2024

(Cabinet Version)

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

Please telephone **01424 787668** or email **planning.strategy@rother.gov.uk**

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1. Introduction

Context

- 1.1. Rother has a population of 93,111 ([ESiF](#), data from Census 2021) and covers some 200 square miles. The main settlements are Bexhill and the historic towns of Battle and Rye. Outside of these settlements, the district is mainly rural in character with dispersed villages and hamlets. Some 83% of the district lies within the High Weald National Landscape (a designated Area of Outstanding Natural Beauty).
- 1.2. Rother District Council is the Local Planning Authority responsible for preparing a Local Plan for its area to guide development in the district in accordance with relevant Regulations¹ and in line with the National Planning Policy Framework² (NPPF) and Planning Practice Guidance³ on local plan preparation.

Purpose

- 1.3. This Local Development Scheme (LDS) sets out the Council's programme for preparing its Local Plan (2020-2040) and related documents, explaining their scope, area and timetable. It relates to the period February 2024 – February 2027 and replaces the previous LDS, published in March 2021.
- 1.4. The primary purpose of this LDS is to provide a publicly accessible, up-to-date timetable for the production of the Local Plan. For ease of reference this LDS also includes information about the main supporting and procedural documents that do or will accompany the Council's new Local Plan. It enables our communities and stakeholders to find out about the planning policy documents being prepared within a rolling three-year period.
- 1.5. Local Planning Authorities are required by legislation to prepare and maintain a Local Development Scheme (LDS) to provide a timetable for the preparation of a Local Plan and any other Local Development Documents.

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

³ <http://planningguidance.planningportal.gov.uk/>

- 1.6. Legislation⁴ states that a Local Development Scheme must specify:
- The Local Development Documents which are to be Development Plan Documents;
 - The subject matter and geographical area to which each development plan document relates;
 - Which Development Plan Documents, if any, are to be prepared jointly with one or more other local planning authorities;
 - Any matter or area in respect of which the authority has agreed (or proposes to agree) to the constitution of a joint committee (with other Local Planning Authorities); and
 - The timetable for the preparation and revision of the Development Plan Documents;
 - The timetable for the preparation of the Authorities' monitoring reports.
- 1.7. The timetable to deliver the Local Plan and the accompanying documents is based on best knowledge at the time of its production and could be subject to change.

Scope

- 1.8. The LDS focuses on the preparation of the Council's Local Plan, as this forms part of the statutory 'development plan' for the area and legislation states⁵ that applications for planning permission should be determined in accordance with the 'development plan' unless material considerations indicate otherwise.
- 1.9. For completeness, this LDS also includes details of other relevant planning documents which will also be programmed for production over the next three year period, including a review of the Community Infrastructure Levy Charging Schedule for example.

⁴ S15 of the Planning & Compulsory Purchase Act 2004, as amended

⁵ S38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990

2. Overview

Current documents, including ‘development plan’ documents

Development Plan documents

- 2.1. At present, the ‘development plan’ for Rother comprises the:
- ‘Saved’ policies of the [Rother District Local Plan \(July 2006\)](#)
 - [Rother Local Plan Core Strategy \(October 2014\)](#)
 - [Rother Development and Site Allocations \(DaSA\) Local Plan \(December 2019\)](#)
 - [East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan \(February 2013\)](#)
 - [East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Local Plan \(February 2017\)](#)
 - [Sedlescombe Neighbourhood Plan \(April 2018\)](#)
 - [Salehurst and Robertsbridge Neighbourhood Plan \(July 2018\)](#)
 - [Crowhurst Neighbourhood Plan \(July 2019\)](#)
 - [Rye Neighbourhood Plan \(July 2019\)](#)
 - [Ticehurst Neighbourhood Plan \(July 2019\)](#)
 - [Battle Neighbourhood Plan \(Nov 2021\)](#)
 - [Burwash Neighbourhood Plan \(July 2022\)](#)
- 2.2. The remaining saved Local Plan 2006 policies are set out at Appendix 2. These policies carry ‘due weight’, having regard to their degree of compliance with the NPPF. The Council has assessed⁶ that these policies are compliant with the NPPF. These saved policies relate to areas which are not covered by the scope of the adopted DaSA Local Plan.
- 2.3. The remaining saved policies relate to areas which are subject to Neighbourhood Plans. In those areas, allocations will remain in place until they are replaced by

⁶ [http://www.rother.gov.uk/media/pdf/0/9/Saved_Local_Plan_Policies_Compliance_with_NPPF_-_Cabinet_Report_\(July_2012\).pdf](http://www.rother.gov.uk/media/pdf/0/9/Saved_Local_Plan_Policies_Compliance_with_NPPF_-_Cabinet_Report_(July_2012).pdf)

relevant policies contained in the respective 'made' (approved) Neighbourhood Plans.

Supplementary Planning Documents

2.4. The following Supplementary Planning Documents (SPDs) also form part of the planning policy framework for Rother District:

- [Camber Village SPD \(2014\)](#)
- [North East Bexhill SPD \(2009\)](#)
- [Affordable Housing SPD \(2006\)](#)⁷

Other documents

Statement of Community Involvement

2.5. The Statement of Community Involvement (SCI) provides information on how the community can become involved with the preparation of planning policy documents and the determination of planning applications. It also sets out how and when the Council will support local communities in preparing Neighbourhood Plans. The SCI was adopted by the Council in January 2022.

The Statement of Community Involvement (SCI) explains the arrangements for public involvement in Rother District Council's planning processes. It covers both the preparation of planning policy documents and the determination of planning applications.

⁷ NB This has been substantially superseded by the Core Strategy and national changes but has not been formally revoked.

Community Infrastructure Levy Charging Schedule

- 2.6. The Council has adopted a [Community Infrastructure Levy \(CIL\)](#) to raise contributions for the provision of new infrastructure to support sustainable growth. The [CIL Charging Schedule](#) sets out the levy that applies to specified types of development, subject to exemptions set out in regulations. Rother's CIL charging schedule came into effect on 4 April 2016.

Infrastructure Funding Statement

- 2.7. The [Infrastructure Funding Statement \(IFS\)](#) is produced annually for the previous financial year. It provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in the Rother District, and the subsequent use of those contributions by Rother District Council.

Brownfield Land Register

- 2.8. The Council first published the [Brownfield Land Register](#) in December 2017 in line with a new duty, through the Housing and Planning Act (2016), which requires local planning authorities to prepare, maintain and publish a register of brownfield land (also known as previously developed land) which the Council has assessed as being potentially suitable for residential development. The Register is used to monitor the Government's commitment to the delivery of brownfield sites.

Monitoring Reports

- 2.9. Local Planning Authorities are required to publish a report that monitors the implementation of the Local Development Scheme and whether adopted planning policies are delivering their objectives. The Authority Monitoring Report (AMR) is published at the end of December every year. The latest AMR is published on the [Monitoring page](#)⁸ of the Council's website.

⁸ <https://www.rother.gov.uk/planning-and-building-control/planning-policy/monitoring/>

Documents to be prepared over the next three years

Rother District Local Plan – 2020 - 2040

- 2.10. The preparation of the new Local Plan for Rother District will allow the Council to develop an up-to-date Plan to deliver on Council objectives and community priorities set out in the latest Corporate Plan. The new Local Plan will set the spatial strategy for growth within the district and new development along with specific requirements for strategic (typically larger sites and/or critical sites for infrastructure delivery). It will include policies by which to determine planning applications and will allocate sites to meet housing and employment needs. It will also include detailed development management policies and any measures required to mitigate the impact of development.

Review of the Community Infrastructure Levy (CIL) Charging Schedule

- 2.11. The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area to fund a wide range of infrastructure that is needed to support new development. The CIL Charging Schedule sets out the rates applicable to certain types of development that are liable to pay the levy. When deciding the levy rates it is important that the viability of developments are not affected.
- 2.12. The review of the existing CIL charging schedule will take place alongside the production of the new Local Plan. This will ensure that infrastructure planning and the Charging Schedule are consistent and will ensure that key infrastructure priorities are delivered to facilitate growth and the delivery of planned development.

Supplementary Planning Documents

- 2.13. The Council is not currently proposing to produce any Supplementary Planning Documents over the next three years in order to focus on the new Local Plan. However, this is subject to review and any necessary adjustments will be made to future iterations of the LDS, should the situation change.

Statement of Community Involvement (SCI)

- 2.14. The SCI provides information on how the community can become involved with the preparation of planning policy documents and the determination of planning applications.
- 2.15. It also sets out how we will notify and consult all interested groups and ensure equality, including engaging with "hard to reach" groups. It details which particular plans require public involvement and how and at what stage there are opportunities to be involved.
- 2.16. The current SCI was adopted by the Council in January 2022 and can be found on the website⁹.
- 2.17. There is a requirement to review and update an SCI every five years, from the date of adoption. The Council will be updating the SCI in 2026/7 in line with the timetable set out in Figure 1.

⁹ [Rother District Council Statement of Community Involvement \(windows.net\)](https://www.rother.gov.uk/Document%20Library/Statement%20of%20Community%20Involvement%20-%202022-2027.pdf)

Annual update on the Brownfield Land Register

- 2.18. The Council produces an annual update to the Brownfield Land Register by the end of each year which sets out the sites that the Council has assessed as being potentially suitable for residential development. The Register is used to monitor the Government's commitment to the delivery of brownfield sites.
- 2.19. The Register provides a standard set of information, prescribed by the Government, to help provide certainty for developers and communities and encourage investment in local areas.
- 2.20. The programme for all the above documents is summarised in section 3 below and elaborated upon in Appendix 3.

Monitoring Reports

- 2.21. The Authority Monitoring Report (AMR) is produced on an annual basis and published on the Council's website. The purpose of the AMR is established in legislation and should provide annual updates on the following:
- the timetable for local plan document preparation as set out in the Local Development Scheme;
 - details of any policies in the current local plan which are not being implemented and the reason for this;
 - details of any neighbourhood plans;
 - information regarding Community Infrastructure Levy;
 - information collected for monitoring purposes.
- 2.22. The Employment Land Supply Position Statement is produced on an annual basis. It provides information on recent completions and commitments of employment related developments. It also considers the contribution that business commitments are expected to make towards the supply of business floorspace, relative to the targets in the Core Strategy.

- 2.23. The Housing Land Supply Position Statement is produced on an annual basis and comprises of an assessment of Housing Land Supply and a Housing Trajectory. The document identifies the supply of dwellings at sites with planning permission and Local Plan allocations and shows the extent to which existing plans fulfil the requirement to maintain a rolling five-year supply of deliverable land in accordance with the National Planning Policy Framework (NPPF). It will also include headline, anonymised data (i.e. location, type and/or demand) from the Self-build and Custom Housebuilding Register on an annual basis.

Infrastructure Funding Statement

- 2.24. The Infrastructure Funding Statement (IFS) is produced annually for the previous financial year. It provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in the Rother District, and the subsequent use of those contributions by Rother District Council.

Neighbourhood Plans

- 2.25. In addition to the above plans and documents, Neighbourhood Plans (NPs) prepared by several Town and Parish Councils also constitute 'development plan' documents.
- 2.26. While the timetables for their preparation are the responsibility of the respective local Councils, an up-to-date overview of the progress of Neighbourhood Plans is maintained on the Neighbourhood Planning page of the District Council's website [here](http://www.rother.gov.uk/neighbourhoodplans)¹⁰. The current (February 2024) position for each designated Neighbourhood Area is summarised below.

¹⁰ <http://www.rother.gov.uk/neighbourhoodplans>

Made (Adopted) Neighbourhood Plans

- 2.27. Sedlescombe Neighbourhood Plan (SNP) - The Sedlescombe Neighbourhood Plan was 'made' by Full Council on 23 April 2018 and now forms part of the Development Plan for Sedlescombe Parish.
- 2.28. Salehurst & Robertsbridge Neighbourhood Plan (SRNP) - The Salehurst and Robertsbridge Neighbourhood Plan was 'made' by Full Council on 7 July 2018 and now forms part of the Development Plan for Salehurst and Robertsbridge Parish.
- 2.29. Ticehurst Neighbourhood Plan (TNP) - The Ticehurst Neighbourhood Plan was 'made' by Full Council on 8 July 2019 and now forms part of the Development Plan for Ticehurst Parish.
- 2.30. Rye Neighbourhood Plan (RNP) - The Rye Neighbourhood Plan was 'made' by Full Council on 8 July 2019 and now forms part of the Development Plan for Rye Parish.
- 2.31. Crowhurst Neighbourhood Plan (CNP) - The Crowhurst Neighbourhood Plan was 'made' by Full Council on 8 July 2019 and now forms part of the Development Plan for Crowhurst Parish.
- 2.32. Battle Civil Parish Neighbourhood Plan (BtNP) - The Battle Civil Parish Neighbourhood Plan was 'made' by Full Council on 3 November 2021 and now forms part of the Development Plan for Battle Parish.
- 2.33. Burwash Neighbourhood Plan (BuNP) - The Burwash Neighbourhood Plan was 'made' by Full Council on 4 July 2022 and now forms part of the Development Plan for Burwash Parish.

Plans at Referendum Stage

- 2.34. Peasmarsch Neighbourhood Plan (PNP) – The Peasmarsch Neighbourhood Plan is the subject of referendum on 29 February 2024.

Plans at Submission (Regulation 16) Stage

2.35. None.

Plans at consultation (Regulation 14) stage

2.36. Crowhurst Neighbourhood Plan – Crowhurst Neighbourhood Plan carried out a public consultation on new and reviewed Plan documents between 13 November 2023 and 12 January 2024.

Plans in preparation

2.37. Etchingam Neighbourhood Plan (ENP)

2.38. Hurst Green Neighbourhood Plan (HGNP)

3. Programme

3.1. The table below summarises the broad nature and programme of each planning policy document to be prepared over the next three years. This is elaborated upon by the 'profiles' for individual documents in Appendix 3 and the Chart at Figure 1.

Programme for preparing planning policy documents February 2024 – February 2027

Document	Role and scope	Area coverage	Public engagement periods ¹¹	Target Adoption date
Local Plan 2020-2040 and Policies Map	The new Local Plan will set out the vision, objectives and spatial development strategy for Rother District, to include the scale, type and distribution of development and will cover the period 2019-2039.	District-wide	Draft Plan consultation – Quarter 1 2024/25 Pre-Submission Plan – Quarter 1 2025/26	Quarter 3 2026/27
Review of CIL	CIL enables the Council to levy a charge on certain types of new development to help fund improvements to infrastructure necessary to support new development and ensure the creation of sustainable communities.	District-wide	Quarter 1 2025/26	Quarter 3 2026/27
Statement of Community Involvement	The SCI provides information on how the community can become involved with the preparation of planning policy documents and the determination of planning applications. It also set out	District-wide	Quarter 3 2025/26	Quarter 1 2026/27

¹¹ The term quarter refers to financial years rather than calendar years i.e., quarter 1 2024/25 refers to April – June 2024.

Document	Role and scope	Area coverage	Public engagement periods¹¹	Target Adoption date
	how and when the Council will support local communities in preparing Neighbourhood Plans.			
<i>Brownfield Land Register</i>	This Register provides up-to-date, publicly available information on brownfield land that is suitable for housing.	District-wide	As required under the Regulations	Reviewed at least once a year by end of December each year.
<i>Monitoring Reports</i>	To ensure its policies are up-to-date and effective, the Council undertakes ongoing assessments and monitoring of them, with particular focus on housing supply.	District-Wide	N/A	Publication annually as required by the relevant regulations
<i>Infrastructure Funding Statement</i>	Provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in the District, and the subsequent use of those contributions.	District-Wide	N/A	Publication by end of December each year

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Figure 1: Council programme for preparing planning policy documents February 2024 – February 2027

Document Title	Stage/Milestone	2024/25				2025/26				2026/27			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Local Plan - 2039	Stakeholder Engagement/Evidence Gathering	■	■	■	■								
	Draft Plan Consultation	■	■										
	Pre-Submission Publication Consultation					■							
	Submission						■						
	Examination								■	■			
	Adoption											■	
Local Plan Policies Map	Local Plan site specific allocations/policies											■	
Review of CIL	Stakeholder Engagement/Evidence Gathering	■	■	■	■								
	Formal Consultation					■							
	Submission						■						
	Examination								■	■			
	Adoption											■	
Statement of Community Involvement	Pre-production											■	
	Consultation on Draft SCI											■	
	Adoption												■
Brownfield Land Register	Revision			■				■				■	
Monitoring Reports	Authority Monitoring Report			■				■				■	
	Employment Land Supply Position Statement			■				■				■	
	Housing Land Supply Position Statement			■				■				■	
Infrastructure Funding Statement	Annual Revision			■				■				■	

NB: The term quarter refers to financial years rather than calendar years i.e., quarter 3 2024/25 refers to October – December 2024.

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Appendix 2: Schedule of Saved and superseded Policies

All Rother District Local Plan 2006 policies were saved under a [Direction](#) by the Secretary of State in 2009. Subsequent to that a substantial number of policies have been superseded upon adoption of the Core Strategy, the Development and Site Allocations (DaSA) Local Plan and where relevant, a 'made' Neighbourhood Plan. All the policies identified below will continue to be saved until such time as a relevant Neighbourhood Plan containing germane policies to replace these allocations is 'made', at which point they will also be superseded. It does not necessarily follow that every policy will be directly replaced, as the need for as well as the nature of policies required to properly manage development will be reassessed as part of the relevant plan-making process.

- Chapter 13 – Villages: Policy VL1 - Land South-west of Strand Meadow, Burwash
- The spatial extent of Rother District Local Plan 2006 development boundaries as set out in the respective proposals (policies) map for Etchingam and Hurst Green remain saved until such time as they are replaced through their respective Neighbourhood Plans.

Appendix 3: Planning policy documents: Profiles

Local Plan 2020-2040

Local Plan 2020-2040¹²	
Document Details	
Role & Subject	<p>The new Local Plan will set out the vision, objectives and spatial development strategy for Rother District, to include the scale, type and distribution of development and will cover the period 2020-2040. The local plan will be a single document and will include both strategic and non-strategic topic based planning policies.</p> <p>The plan will also identify site allocations for different land uses such as housing, employment, retail and leisure, health, education, open spaces as well as seek to address climate change and protect the natural and built environment. It will provide the policy context for neighbourhood plans.</p>
Geographical Coverage	District-wide
Status	Development Plan Document
Conformity	Government Policy
Timeframe	Up to 2040
Key Milestones	
Consulting statutory bodies on scope of the Sustainability Appraisal	Completed
Evidence gathering	On-going up to end of Quarter 1 2024/25
Draft Plan consultation	Quarter 1 2024/25
Public consultation on Pre-Submission Plan	Quarter 1 2025/26
Submission	Quarter 2 2025/26
Examination	Quarter 4 2025/26 – Quarter 1 2026/27
Adoption	Quarter 3 2026/27
Production arrangements	
Management	See appendix 4
Information requirements	In line with NPPF, PPG and legislation.
Risk Assessment	See appendix 4

¹² The term quarter refers to financial years rather than calendar years i.e., quarter 1 2024/25 refers to April – June 2024.

	<p>The main risks are:</p> <ul style="list-style-type: none">Significant changes to national policyStaffingHigh response levelsDeveloping new evidence base, including consultancy timescalesAbility to accommodate housing need locally
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Cabinet Version

Community Infrastructure Levy Charging Schedule

CIL Charging Schedule¹³	
Document Details	
Role & Subject	The CIL Charging Schedule sets out the rates applicable to certain types of development that are liable to pay the levy. A review of the CIL Charging Schedule alongside the new Local Plan will ensure that infrastructure planning and the CIL charging schedule are consistent with each other and will ensure that key infrastructure priorities are delivered to facilitate growth and the delivery of planned development.
Geographical Coverage	District-wide
Status	CIL Charging Schedule
Conformity	Government Policy
Timeframe	Up to 2040
Key Milestones	
Evidence gathering	Quarter 1 2024/25- Quarter 4 2024/25
Public consultation	Quarter 1 2025/26
Submission	Quarter 2 2025/26
Examination	Quarter 4 2025/26- Quarter 1 2026/27
Adoption	Quarter 3 2026/27
Production arrangements	
Management	See appendix 4
Information requirements	In line with NPPF, CIL Regulations, PPG & Local Plan 2020-2040
Risk Assessment	See appendix 4 The main risks specific to this Review: Significant changes to national policy Staffing High response levels Developing new evidence base alongside new Local Plan, including consultancy timescales

¹³ The term quarter refers to financial years rather than calendar years i.e., quarter 1 2024/25 refers to April – June 2024.

Statement of Community Involvement

Statement of Community Involvement	
Document Details	
Role & Subject	Provides information on how the community can become involved with the preparation of planning policy documents and the determination of planning applications. It also set out how and when the Council will support local communities in preparing Neighbourhood Plans.
Geographical Coverage	District-wide
Status	Statement of Community Involvement
Conformity	Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
Timeframe	At least once every five years
Key Milestones	
First Published	July 2006
Most recent publication	January 2022
SCI Review	At least once every five years a year (i.e. by Jan 2027)
Production arrangements	
Management	See Appendix 4
Information requirements	Regulations, Planning Practice Guidance (PPG)
Risk Assessment	See Appendix 4 The main risks are: Changes in Government policy High volume of representations - Staff resources

Policies Map

Policies Map*	
Document Details	
Role & Subject	The graphical presentation of policies, proposals on an OS base
Geographical Coverage	District wide with larger-scale insets covering specific areas
Status	Development Plan Document
Conformity	Local Plan 2020-2040
Timeframe	In parallel with Local Plan 2020-2040
Timetable	
Timetable	See Figure 1
Production arrangements	
Management	See Appendix 4
Information requirements	Latest OS data Constraints information from statutory agencies

Pending adoption of the Local Plan 2020-2040, the 'Policies Map' comprises the Proposals Map of the Development and Site Allocations Local Plan, allocations set out in 'made' Neighbourhood Plans, the allocations and safeguarding areas set out in the adopted East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan, and Rother District Local Plan 2006 development boundaries and site-specific policies (where applicable) for Burwash, Etchingam and Hurst Green.

Appendix 4: Programme management and Risk Assessment

Management Responsibilities and Reporting Arrangements

The Council’s Cabinet, which meets monthly, oversees the preparation of planning policy documents. It is authorised to approve documents for public consultation. However, in accordance with the Council’s Constitution, statutory development plan documents that are to be published or adopted as Council policy are determined by Full Council.

The Portfolio Holder for Strategic Planning oversees the preparation of planning policy documents and is involved throughout, from the early stages of the process.

Management is overseen by the Director of Place and Climate Change.. Day-to-day management of the production of the planning policy documents is undertaken by the Planning Policy Manager. The table below identifies the main Member and officer groups involved.

Group	Roles and Expertise
Planning Policy team	Prime responsibility for preparing and progressing all elements of the Local Plan
Development Management team	Contribution to development of policies. Information exchange re application and success (or otherwise) of policies and identification of policy gaps Assistance with SCI production (in respect of applications)
Other Council services	Contribution to development of policies. To ensure compliance with Corporate and Service objectives at early and key stages in plan preparation To provide a ‘non-planning’ audit To promote awareness of the role and scope of planning policy documents and share best practice
Cabinet Portfolio Holder	To oversee and guide the strategy direction the Local Plan and related policy documents
Cabinet	To steer the preparation and content of policy documents at key stages, including authorising of consultation on draft development plan documents
Overview & Scrutiny Committee	To monitor, as necessary, the decisions taken in respect of policy documents by the Cabinet
Full Council	To consider and agree the content of Local Plan when being submitted or adopted as Council policy

The involvement of other stakeholders, notably East Sussex County Council who are the upper tier local authority for the Rother district area, statutory and non-statutory consultees, local communities and businesses, in plan preparation will be in accordance with legislative provisions and the Council's 'Statement of Community Involvement'. Close liaison will also be maintained with Town and Parish Councils and Neighbourhood Plan groups.

Evidence Base

Planning policy documents require a robust evidence base to support them. Many studies are being undertaken to support the new Local Plan and are being published once completed and as required. The scope of others needed to inform the preparation of further documents are specified in the individual profiles in Appendix 3 of this LDS. The programme takes account of the time needed to compile the evidence base at the appropriate stage of each document.

Strategic Environmental Assessment/Sustainability Appraisal and Habitats Regulation Assessment

The Local Plan will be subject to Sustainability Appraisal (SA) and, where required, Strategic Environmental Assessment (SEA). Assessment of the sustainability implications of the policies will be prepared and published at the key stages in preparation in line with the SEA Regulations. As a competent authority, the Council must carry out an assessment under the Habitats Regulations, known as a Habitats Regulations Assessment (HRA), to test if the proposed plan could significantly harm the designated features of a European site. It will do this initially through a screening process, and then, if necessary, an Appropriate Assessment.

Resources

As discussed above, the main responsibility for the Local Plan preparation lies with the Planning Policy Section. Beyond the expertise in the team, the support of other officers will be provided at key stages in the preparation process.

External expertise is required to assist with the preparation of specialist studies and assessments. Specifically, specialists are likely to be required in relation to landscape, ecology, transport and viability.

The resource requirements will be regularly monitored in line with the Council's existing budgetary processes.

Timeframe and contingencies

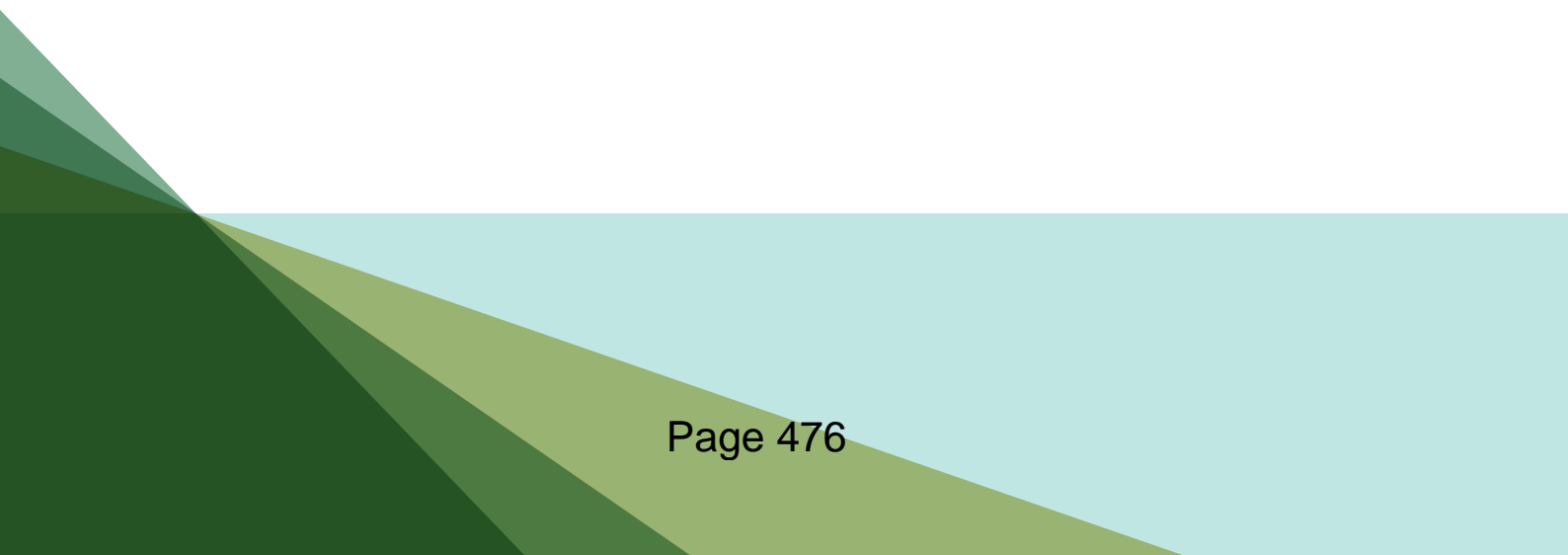
A Risk Assessment is presented below, with potential responses.

Cabinet Version

Risk Assessment

Risk Factor	Likelihood	Scale of Impact	Contingency Actions	Possible Response to Risk occurring	Implications
Changes to Planning Policy and Guidance, including those set out in the Levelling Up and Regeneration Act 2023.	High	High	Monitor emerging guidance, consultations etc.	Reassess priorities through review of LDS	Delay
Work demands that are not programmed notably Neighbourhood Plans	High	High	Manage inputs to neighbourhood plans and strictly prioritise inputs to rework demands Short-term extra resources Work with NP groups to understand plan production timetables.	Review programmes for priority policy documents	Delay Possible financial cost
Staff shortages e.g. unable to recruit, long term sick leave etc.	Medium	High	Consideration with HR of recruitment and retention issues	Subject to timing of absence, purchase expertise on short term basis via consultancy	Delay Financial cost

Risk Factor	Likelihood	Scale of Impact	Contingency Actions	Possible Response to Risk occurring	Implications
Requisite expertise or capacity not available in-house	Medium	Medium	Staff training/CPD, Identify evidence needs with other LPAs	Train staff, Purchase expertise on short term basis Sharing expertise with other LPAs	Financial cost
Budgetary limitations	Medium	High	Council budgetary management processes, Monitor grant potential, Advanced appraisal of future costs	Reassess Section priorities through review of both the LDS and the Section's work programme	Delay Non-achievement of other Section priorities
Longer process times, especially due to high level of responses	Medium	Low	Encourage online representations Early engagement	Secure administrative assistance Review programme and priorities	Delay
Loss of IT systems (virus etc.)	Low	High	Ensure system of regular backup of all data	Retrieve data from storage	Delay



EQUALITY IMPACT ASSESSMENT

Including Socio-Economic duty

Title of EqIA: Rother District Local Plan 2020-2040 Draft (Regulation 18) Version

The purpose of an assessment is to understand the impact of the Council’s activities* on people from protected and socio-economic disadvantaged groups and to assess whether unlawful discrimination may occur. It also helps identify key equality issues and highlight opportunities to promote equality across the Council and the community. The assessment should be carried out at the initial stages of the planning process so that findings can be incorporated into the final proposals, and where appropriate have a bearing on the outcome.

(*Activity can mean strategy, practice, function, policy, procedure, decision, project, or service)

Team	Planning Policy	Assessment carried out by (name)	Tim Searle	Is this a new or existing activity?
Activity being assessed	Rother District Local Plan 2020-2040 Draft (Regulation 18) Version	Date of Assessment	09.02.24	NEW / EXISTING

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A. Initial assessment

<p>1) What is the aim/ objective of the activity being assessed? How do they link to wider council or strategic objectives?</p>	<p>Rother District Council is developing a new Local Plan to cover the period up to 2040. It will replace the current Local Plan (2011-2028). This is the Equality Impact Assessment (EqIA) for the Rother District Council Local Plan (Regulation 18) Version.</p> <p>The Local Plan 2020-2040 will provide a strategic vision for the district, set its development need (housing and employment) targets, and define strategic and non-strategic policies for the district up to 2040. The draft Local Plan proposed two overarching priorities, these being ‘Green to the Core’ and ‘Live Well Locally’. These priorities are principally focussed on both meeting Rother’s environmental and climate change obligations with</p>
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	<p>respect to its Climate Strategy 2023, and enabling Rother’s households to lead healthy lives that are networked to services and facilities accessible by public and active transport.</p>
<p>2) Who is intended to benefit from it and how?</p>	<p>The Local Plan is intended to benefit all people living and working in Rother. Visitors to the district would also be affected to varying degrees by the proposed local plan policies.</p> <p>Its policy areas include:</p> <p>Housing: The housing policies deliver the housing need established by the development strategy including policy to meet affordable housing need, space and accessibility requirements including for older or disabled persons with impaired mobility, care home need, and overall, to ensure that a mix of housing is provided to meet the needs of Rother’s different households.</p> <p>Economy: The plan establishes the district’s employment floorspace need targets, as well as retail and leisure needs, while ensuring that Rother is served by a hierarchy of town centres which function at the heart of community vitality. Rural employment and services are also considered, as is the needs of Rother’s visitor economy. The policies aim to grow the district’s economy in a sustainable way, while maximising opportunities, jobs and improving incomes.</p> <p>Health and Wellbeing: The Plan’s policies set out to protect existing community faculties, while facilitating new community developments. Its policies aim to maximise the health and wellbeing across the district by ensuring that new developments have regard to their provision.</p> <p>The plan’s development strategy together with its overarching priorities of ‘Green to the Core’ and ‘Live Well Locally’ intend to facilitate a high quality of life for all residents, in a way that is sustainable, and that safeguards the environment and climate.</p>
<p>3) If your activity uses contractors, do you ensure that they comply with the Council’s Equalities and</p>	<p>Yes – where contractors have been used in the development of associated documents of the new Local Plan, including evidence base documents, they have been selected using the Council’s tendering process.</p>

<p>Fairness policy and relevant legislation?</p>	
<p>B. Engagement and Involvement</p>	
<p>4) What data do you have on how people (from different equality groups) would be affected by the activity?</p>	<p>Appendix 1 (attached) identifies relevant equality statistics for the district</p>
<p>5) What information do you have from any previous consultations and/or local/national consultations, research, or practical guidance?</p>	<p>Early engagement with Rother District councillors, parishes, statutory consultees in respect of the SA/SEA Scoping Report, and other targeted organising representing local interests.</p> <p>Government Guidance – Public Sector Equality Duty: guidance for public authorities, December 2023.</p> <p>Data on protected characteristics and those being socio-economically disadvantaged within the district, gathered from East Sussex in Figures and Census data.</p> <p>Evidence base documents to assess development needs within the district including the development need of protected characteristics. These evidence base documents* include:</p> <ul style="list-style-type: none"> - Gypsy, Traveller, and Travelling Show people Accommodation Needs Assessment. This is a joint commission between all of the East Sussex local authorities and the South Downs National Park Authority. - Call for Sites – Gypsy, Traveller, and Travelling Show people Sites – ran between 7th August to 6th October 2023 although we are still accepting submissions. - Housing Economic Land Availability Assessment (HELAA), which includes an ongoing Call for Sites, assesses the development potential of sites across the district, including assessment of sites’ suitability, availability, and achievability. - Housing and Economic Development Needs Assessment (HEDNA), developed jointly with Hastings Borough Council. - Rother Retail & Town Centre Uses Study 2023

	<ul style="list-style-type: none"> - Hastings and Rother Playing Pitch and Built Facilities Strategy 2023-2039 - Rother Climate Change Study – Net Zero Carbon Evidence Base Report (July 2023) <p>*Local Plan evidence base documents are available on the Council’s website.</p>
<p>6) Please list any current and planned engagement, methods used and groups you plan to engage with.</p>	<p>Methods of engagement, and stages of engagement, for Development Plan Documents produced by the Council are established in the Statement of Community Involvement (SCI) 2022.</p> <p>In accordance with the SCI, the Planning Policy team has already carried out early-stage targeted engagement with elected councillors, parish councils, and other bodies and stakeholders that represent the diverse needs of Rother’s residents.</p> <p>It is intended that the draft Local Plan (Regulation 18 Version) will have a twelve week public consultation (no less than six weeks if required under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012). The SCI lists a wide range of methods of community engagement that can be used, including:</p> <ul style="list-style-type: none"> - Web-based consultation via the Council’s website - Written notifications sent to interested parties, statutory consultees, and stakeholders - The plan will be publicised: This may include through public notices, My Alerts, social media, press releases/briefings, posters/leaflets - Making documents available by being published on the Council’s website, and making hard copy documents available at Council deposit points - At this stage it is expected that the Council will also engage with communities through exhibitions - Stakeholders representing protected characteristics will be identified and invited to comment.
<p>C. Who will be affected? Review of equality analysis and potential actions – See Appendix 2 for a more detailed assessment</p>	
<p>7) Will the impact on people due to their racial group be: a) Positive</p>	<p>The plan’s policies will have a mixture of positive and neutral impacts racial and ethnic minorities, but positive overall. This is due to policies that will encourage community interaction and mixed communities. At</p>

	the same time, housing policies will include those directed to the accommodation needs of Gypsies and Travellers.
8) Will the impact on people due to their gender be: a) Neutral	While there are some positive impacts, the majority of the plan's policies on this protected characteristic are unlikely to be any different to the effects on the general population. There are no negative impacts.
9) Will the impact on people due to their disability be: a) Positive	The plan's policies will have a positive overall impact on households that are affected by disability. Policies in the housing chapter set requirements for housing to meet the needs of those with mobility issues. At the same time, the Green to the Core policies will require energy use standards that will reduce the costs of maintaining warm homes, including retrofit. Other significant actions include the overall aim of the development strategy to increase the accessibility of services and facilities for all modes of transport.
10) Will the impact on people due to their sexual orientation be: a) Neutral	While there are some positive impacts, including the encouragement of community interaction and mixed communities through housing policy, majority of the plan's policies on this protected characteristic are unlikely to be any different to the effects on the general population. There are no negative impacts.
11) Will the impact on people due to their age be: a) Positive	The plan's policies will have a positive overall impact on older and younger age groups. Policies in the housing chapter set requirements and targets for housing to meet the needs of those with mobility issues, while planning for mixed household sizes will also promote housing for younger people. At the same time, the Green to the Core policies will require energy use standards that will reduce the costs of maintaining warm homes, including retrofit. Other significant actions include the overall aim of the development strategy to increase the accessibility of services and facilities for all modes of transport.
12) Will the impact on people due to their religious or other belief be: a) Neutral	While there are some positive impacts, including the encouragement of community interaction and mixed communities through housing policy, the majority of the plan's policies on this protected characteristic are unlikely to be any different to the effects on the general population. There are no negative impacts.
13) Will the impact on people due to their due to them having dependants/ caring responsibilities be: a) Positive	The plan's policies will have a positive overall impact on households that are affected by disability. Policies in the housing chapter set requirements and targets for housing to meet the needs of those with mobility issues, also making it easier for those caring for other people. At the same time, the Green to the Core policies will require energy use standards that will reduce the costs of maintaining warm homes, including retrofit. Housing policies also plan for the need for care homes, to best ensure that there is sufficient

	provision. Other significant actions include the overall aim of the development strategy to accessibility of services and facilities for all modes of transport.
14) Will the impact on people due to them being transgendered or transsexual be: a) Neutral	While there are some positive impacts, including the encouragement of community interaction and mixed communities through housing policy, it is considered that the majority of the plan's policies on this protected characteristic are unlikely to be any different to the effects on the general population. There are no negative impacts.
15) Will the impact on people due to them being socio-economically disadvantaged be: a) Positive	The plan's policies will establish a strategy and a range of provisions that will deliver positive benefits to residents that are socio-economically disadvantaged. These include: housing policies aiming to deliver the district's need for affordable housing; economic policies that seek to improve the economy in all areas of the district, to higher levels of employment and wages, as well as direct interventions to assign jobs to local people where appropriate. Moreover, the over development strategy of the plan aims to make services, facilities, and green infrastructure more accessible via public and active transport, benefitting those who are unable to drive or those for whom driving is financially burdensome.
D. Summary of findings	
16) Is there any evidence that people from different groups may have different expectations of the activity being assessed? a) No	There is no evidence to indicate that different groups have different expectations.
17) Could the activity have an adverse impact on relations between different groups? a) No	No adverse impacts between relations identified. The policies of the plan will promote community cohesion and inclusion, due to housing policies promoting mixed housing development, the promotion of town centre viability, the protection and promotion of community services and facilities, and the improvement of access using public and active transport that would help encourage people to make use of public space instead of using private cars.

18) How can the negative impacts identified in 7-15 be justified on the grounds of promoting equality of opportunity for one group or for another legitimate reason?	No negative impacts identified.
19) As a result of this assessment and available evidence collected, including consultation, do you need to make any changes to the activity?	No. There have been no identified negative impacts on protected groups and those being socio-economically disadvantaged.
20) Assessment of overall impacts and any further recommendations	None.

E. Action Plan of proposed changes – N/A

Recommendation	Key Activity	Timeframe	Officer Responsible	Date Completed
1. Review consultation list to include stakeholders of protected characteristics	Review consultation list/plan	April 2024	Tim Searle	09.02.24

EqIA Sign off:

Signed (Activity Lead Officer): Jeff Pyrah Date: 22.02.24

Position: Planning Policy Manager

EqIA review date: Continual review during local plan development

Appendix 1

Table 1: Equality Statistics

Protected characteristic	Rother District Council Summary
Age	<p>The 2021 Census population figure for Rother District is 93,409 persons in some 40,877 households. The Census shows that most of the district’s population (32.6%) is aged 65 and over. 14.6% is aged under 15, while 16–29-year-olds make up only 11.7% of the population. By contrast, the previous Census in 2011 showed the most numerous age group in Rother to be 45-65, indicating Rother’s aging demographic profile.</p> <p>Statistics from East Sussex County Council’s trend-based demographic projections (2021)¹ show that between 2016 and 2031 there will be an increase in the district’s population of 12.5% (12,140 people).</p> <p>It is suggested that across the plan period from 2020 to 2040 there will be a significant increase in the population in the 65+ age groups by 41.5% (13,132 people). This increase is almost entirely attributed to those in the 75+ age group whereby the population is set to increase by 64.7% (10,031 people) over the same period. It is anticipated that the population of Rother District within the age groups 0-17, 18-34, 35-44, and even 45-64 will decrease.</p>
Disability, including people with dependents / caring responsibilities	<p>Information from the Hasting and Rother Housing and Economic Development Needs Assessment (HEDNA) identifies that approximately 22% of household members in Rother are limited in their day-to-day activities due to health problems or disability, while a further 14% are either significantly or severely impacted by health problems or disability. The vast majority of disabled household members are aged over 65. At the time, the Rother District Strategic Housing Research Project (2018) identified that 21% of all private sector dwellings (8,190 implied) have been adapted to meet the needs of a disabled person. In terms of the nature of adaptations, changes to enable ground-floor living (where there is a bathroom, WC and bedroom at ground floor level) is the most common adaptation, followed by grab rails and dropped kerbs for wheelchair use.</p>
Gender	<p>2022 population estimates identify that within the district there are more females (52.5%; 49,435 people) compared to males (47.5%; 44,727 people). This reflects the regional and national position.</p>
Gender re-assignment (where people	<p>Information on gender reassignment is limited within the district. According to 2021 data from East Sussex in Figures, 93.9% of people identified their gender as the same as their sex registered at birth 2021. 0.1% identified as a trans male,</p>

¹ Population projections by age and gender (trend-based), 2020-2040: districts, ESCC 2021

are transgendered or transexual)	0.1% as a trans woman, 0.1% as different from assigned at birth, and 0.1% as all other gender identities. 5.8% gave no answer.
Residents being socio-economic disadvantaged	<p>As a whole, Rother District is in the lower half of authorities in terms of deprivation when ranked against all authorities (i.e. more deprived).</p> <p>The 2015 Indices of Multiple Deprivation indicate that Rother District is the 135th most deprived local authority area in the UK out of a total of 317 local authorities. The district is the 3rd most deprived in East Sussex, behind the urban local authorities of Hastings and Eastbourne.</p>
Marriage and Civil Partnership	The 2011 census identifies that Rother District has a slightly higher proportion of married people (49.4%) compared to the figure for England (44.7%) and East Sussex (47.6%). It also has a slightly lower proportion of single people but a slightly higher proportion of people who are widowed, likely reflecting the older age profile of the district.
Pregnancy and maternity	<p>Figures from 2020 showed there were 663 live births in Rother District that year. The birth rate per 1000 women in Rother (53.3) is marginally lower than the birth rate for England (55.3) but comparable to the rate for East Sussex (53.4). 90.2% of births in Rother in 2016 were to a UK-born mother. This is a higher proportion than the figures for England and Wales (71.2%) and East Sussex (85.4%).</p> <p>The teenage pregnancy rate in Rother District, the most recent data being from 2018, (the number of births per 1000 females aged 15-17) was 14 was lower than that of England (16.7) but slightly higher than the Southeast region (13.5). For all three spatial areas, the rate has been steadily reducing since 2006.</p>
Race, Ethnicity and Nationality	Rother District has a low proportion of people from black and ethnic minority groups, with only 4.4% of the population identifying themselves as an ethnic origin other than 'white' (Source: 2021 Census). This compares to the England average of 19%. Within the District there is a small gypsy/ traveller community. There is no evidence to suggest a spatial variation within the district with regard to race.
Religion and Belief	The 2021 Census shows that a very slight majority of the Rother District population see themselves as Christian (50.9%). This is slightly higher than the regional and national position (46.5% and 46.3% respectively). 40.7% of Rother's population stated that they had 'no religion' and 6.6% did not respond. There is no evidence to suggest a spatial variation within the district with regard to religion or belief.
Sexual Orientation	The 2021 Census recorded that 89.8% of the district's population identified as straight or heterosexual, with 0.9 identifying as bisexual, 1.5% being gay or lesbian, 0.2% as all other sexual orientations, with 7.7% not answering. This

	reflects the regional and national position. There is no evidence to suggest a spatial variation within the istrict with regard to sexual orientation.
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Equalities Profile for Rother District

Age

Population by broad age groups in 2022

This dataset shows the resident population by broad age groups as of 2022

Age Group	All ages	0-15	16-29	30-44	45-64	65+
Geography						
England	57,106,398	18.5	17.1	20.2	25.5	18.6
South East	9,379,833	18.6	15.7	19.8	26.3	19.7
East Sussex	550,720	16.5	13	16.5	27.6	26.4
Rother	94,162	14.6	11.7	13.6	27.5	32.6

[Source](#)

Population by sex in 2022

This dataset shows the resident population by gender as in June 2022.

Gender	All people	Females	Males
Geography			
England	57,106,398	51.0	49.0
South East	9,379,833	51.1	48.9
East Sussex	550,720	52.0	48.0
Rother	94,162	52.5	47.5

[Source](#)

Population projections by age (trend-based), 2025-2040

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This dataset shows the 2018-based population projections (dwelling-led) for East Sussex and Rother for the period 2025 to 2040, by age group, at March 2020.

Year	2025	2030	2035	2040	Percentage change
Age group					
0-17	16,369	15,753	15,389	15,461	-5.5
18-34	13,353	13,374	13,476	13,724	-0.7
35-44	9,306	9,717	9,520	8,972	-3.6
45-64	27,423	26,752	26,246	26,541	-3.2
65-74	29,406	32,417	34,211	36,076	22.7
85+	5,322	6,344	8,192	8,673	63.0
All ages	101,179	104,357	107,034	109,447	8.2

[Source](#)

Race, Ethnicity and Nationality

Population by ethnic group in 2021

This dataset shows the percentage of population by ethnic groups from the 2021 Census. Source: 2021 Census, Office for National Statistics.

Ethnic group	British and Northern Irish	Irish	Gypsy or Irish Traveller	Other White	All Asian or Asian British	All Black or Black British	All Mixed	Other ethnic group
Geography								
England	73.5	0.9	0.1	6.3	9.6	4.2	3	2.2
South East	78.8	0.8	0.2	6.3	7	2.4	2.8	1.5
East Sussex	88.3	0.8	0.2	4.5	2.1	0.8	2.3	0.9
Rother	91.7	0.8	0.2	2.8	1.5	0.6	1.8	0.5

[Source](#)

Population by country of birth in 2011

This dataset shows the percentage of people by country of birth from the 2021 Census.

Country of birth	Europe	Africa	Middle East and Asia	The Americas and the Caribbean	Antarctica and Oceania (including Australasia) and Other
Geography					
England	89.8	2.8	5.7	1.4	0.3
South East	91	2.5	4.9	1.2	0.4
East Sussex	95.1	1.4	2.2	0.9	0.3
Rother	95.8	1.3	1.7	0.9	0.3

[Source](#)

New National Insurance registrations by nationality in 2022

This dataset shows the number of overseas nationals entering the UK and registering for a National Insurance number by nationality. The issuing of a National Insurance number is an indicator of economic migration, as all non-UK nationals require one to work in the UK. As there is no requirement to relinquish the number when a migrant worker leaves the UK these figures do not reflect the overall migrant population. Statistical disclosure control has been applied to this table to avoid the release of confidential data. As a result, figures may not sum exactly to the total units."- " denotes a nil or negligible number of claimants or award amount based on nil or negligible number of claimants.

Nationality	European Union	Europe: Non-European Union	Asia	Africa	America	Oceania (including Australia)	Other
East Sussex	253	1,115	1,549	451	175	36	25
Rother	24	185	153	66	20	5	6

[Source](#)

Main household language in 2021

This dataset shows various combinations of adults and children within a household that have English as a main language, as a percentage.

Main household language	All people aged 16 and over in household have English as a main language	At least one but not all people aged 16 and over in household have English as a main language	No people aged 16 and over in household but at least one person aged 3 to 15 has English as a main language	No people in household have English as a main language
England	89.3	4.3	1.4	5
South East	91.4	3.6	1.2	3.8
East Sussex	95.4	2.2	0.6	1.9
Rother	97.5	1.4	0.2	0.8

[Source](#)

Religion

Population by religion in 2021

This dataset shows the percentage of the population by religion from 2021 Census.

Religion	Christian	Buddhist	Hindu	Jewish	Muslim	Sikh	Other religion	No religion	Not answered
Geography									
England	46.3	0.5	1.8	0.5	6.7	0.9	0.6	36.7	6
Rother	50.9	0.4	0.2	0.2	0.6	0	0.6	40.7	6.6

[Source](#)

Gender Reassignment

Gender Identity in 2021

This dataset shows the percentage of the population by gender identity from 2021 Census.

Gender Identity	Gender identity the same as sex registered at birth	Trans man	Trans woman	Different from assigned at birth - No specific identity given	All other gender identities	Not answered
Geography						
Rother	93.9	0.1	0.1	0.1	0.1	5.8

[Source](#)

Sexual Orientation

Sexual Orientation in 2021

This dataset shows the percentage of the population by sexual orientation from 2021 Census.

Sexual Orientation	Straight or Heterosexual	Bisexual	Gay or Lesbian	All other sexual orientations	Not answered
Percentage	89.8	0.9	1.5	0.2	7.7

[Source](#)

Marital and civil partnership status

Population by marital and civil partnership status in 2021

This dataset shows the number of people aged 16 and over and the percentage by marital status from 2021 Census.

Partnership status	Never married and never registered a civil partnership (single)	Married or in a registered civil partnership	In a registered civil partnership: Opposite sex	In a registered civil partnership: Same sex	Divorced or civil partnership dissolved	Separated	Widowed or surviving civil partnership partner
Percentage	28.1	49.4	0.1	0.3	11.1	2.1	9.2

[Source](#)

Pregnancy and maternity

Live births: 2020

This dataset shows the number and rate of live births, in 2020.

Measure	Number of live births	Rate per 1,000 women
Geography		
England	585,195	55.3
South East	90,864	55.3
East Sussex	4,513	53.4
Rother	663	53.2

[Source](#)

Teenage Pregnancy

This dataset shows teenage pregnancy by number of conceptions: 2014-2018.

Year	2014	2015	2016	2017	2018
Number of conceptions	29	35	27	25	19

[Source](#)

This dataset shows teenage pregnancy rate per 1,000 females: 2014-2018.

Year	2014	2015	2016	2017	2018
Geography					
England	22.8	20.8	18.8	17.8	16.7
South East	18.8	17.1	15	13.9	13.5
Rother	18.7	23.8	18.8	18.1	14

[Source](#)

Health and disability, including people with dependents / caring responsibilities

Life expectancy at birth by sex, 2013-2020

This dataset shows the average number of years a newborn baby would survive if he/she experienced the particular area's age-specific mortality rates for that time period throughout his or her life.

Time period		2013-2015	2014-2016	2015-2017	2016-2018	2017-2019	2018-2020
Geography	Sex						
England	Female	83.1	83.1	83.1	83.2	83.4	83.1
	Male	79.5	79.5	79.6	79.6	79.8	79.4
Rother	Female	83.8	83.9	83.6	83.7	84	84.3
	Male	79.8	80.4	80.5	81	80.6	80.4

[Source](#)

Limiting long-term illness, 2020-2035

This dataset shows the number and percentage of people that have a limiting long-term illness or disability.

		Year			
Geography	Measure	2020	2025	2030	2035
East Sussex	Number of people	118,510	126,970	137,991	147,795
	Percentage	21.2	22.1	22.8	23.5
Rother	Number of people	22,481	24,005	26,164	28,057
	Percentage	23.2	24.2	25	25.8

[Source](#)

Projected disability, 2020-2035

This dataset shows the projected number and percentage of people with disabilities, calculated by multiplying age and sex specific rates of disability by dwelling led population projections calculated by East Sussex County Council using the POPGROUP model.

		Year			
Geography	Measure	2020	2025	2030	2035
East Sussex	Number of people	96,597	104,101	113,755	122,427
	Percentage	19.2	20	20.7	21.5
Rother	Number of people	18,436	19,790	21,680	23,360
	Percentage	20.9	21.7	22.5	23.4

[Source](#)

Provision of unpaid care, 2011

These datasets compare the number and percentage of people within Rother who provide unpaid care with other geographies, when recorded in the 2011 Census. This is the latest available data.

Number

Provision of unpaid care	People provide no unpaid care	People provide unpaid care	Provides 1 to 19 hours unpaid care a week	Provides 20 to 49 hours unpaid care a week	Provides 50 or more hours unpaid care a week
Geography					
England and Wales	50,275,666	5,800,246	3,665,072	775,189	1,359,985
South East	7,787,397	847,353	577,114	96,883	173,356
East Sussex	467,262	59,409	39,537	6,745	13,127
Rother	79,327	11,261	7,279	1,250	2,732

[Source](#)

Percentage

Provision of unpaid care	People provide no unpaid care	People provide unpaid care	Provides 1 to 19 hours unpaid care a week	Provides 20 to 49 hours unpaid care a week	Provides 50 or more hours unpaid care a week
Geography					
England and Wales	89.7	10.3	6.5	1.4	2.4
South East	90.2	9.8	6.7	1.1	2.0
East Sussex	88.7	11.3	7.5	1.3	2.5
Rother	87.6	12.4	8.0	1.4	3.0

[Source](#)

Education

Qualifications, 2011-2021

This dataset compares the percentage of all people aged 16 and over by highest level of qualification held from the 2011 and 2021 Censuses.

Qualification		No qualifications	Level 1 and entry level	Level 2	Apprenticeship	Level 3	Level 4 or above	Other qualifications
Geography	Year							
South East	2011	19.1	13.5	15.9	3.6	12.8	29.9	5.2
	2021	15.4	9.8	13.9	5.1	17.4	35.8	2.7
Rother	2011	24.7	13.8	16.5	3.8	11.2	25.5	4.6
	2021	18.9	11.1	14.7	5.9	16.4	29.9	3.1

[Source](#)

Poverty

People affected by income deprivation in 2019

This dataset shows the number and percentage of people affected by income deprivation in 2019. This data is drawn from the Income Domain of the 2019 Indices of Deprivation.

Measure	Percentage	Number
Geography		
East Sussex	0.12	64,660
Rother	0.11	10,530

[Source](#)

Other factors

Household composition in 2021

This dataset shows the total number of households and percentage by household type from 2021 Census. A household is defined as one person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room, sitting room or dining area. Household composition here classifies households according to the relationships between householders.

Household type	One person household total	One person household: Aged 66 years and over	One person household: Other	Single family household total	Single family household: Lone parent family	Other household types
Geography						
England	30.1			63		6.9
	-	12.8	17.3	-	11.1	-
Rother	32.6			62.1		5.3
	-	19.9	12.7	-	8.9	-

[Source](#)

Appendix 2

Chapter	Age	Disability, including those	Gender	Income Deprivation	Race, Ethnicity and Nationality	Religion/ Belief	Sexual Orientation	Gender Reassignment	Marriage and civil partnership	Pregnancy and maternity	Justifications/ Recommendations (where relevant)
Green to the Core	ü	üü	0	üü	0	0	0	0	0	ü	<p>The requirement for new development to demonstrate, through an energy statement, that key energy use standards will be met in order to minimise energy demand for heating, through Policies GTC1 and GTC2 will mean that new housing is both easier and cheaper to keep warm. This would have a positive impact on households with members that have reduced mobility, where residents are elderly, are affected by disability and illness, and women that are pregnant. These policies, in addition to Policy GTC5 regarding district heat networks where applicable, would also have a notable benefit in instances of fuel poverty insofar as new dwellings would cost less to keep warm. Proposed Policy GTC6 may also have a positive impact on local energy and heating costs, in addition to future resilience, by offering in principle support for renewable and low carbon energy schemes, including community led schemes.</p>

Live Well Locally

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The policies of the Living Well Locally chapter collectively have a positive impact on the accessibility of local services, as well as accessibility and the improvement active and public transport. By requiring density levels for new development to support a critical mass for local services/facilities and the viability of public transport connectivity, Policy LWL1 Compact Development will help to promote increased accessibility. This would have a positive impact for groups with mobility issues where driving or active transport are problematic, while the promotion of local services and facilities may help to reduce transportation costs, which would benefit lower income groups. These areas will also be positively impacted by Policy LWL2, which requires that all new dwellings must be located within 800m of a range of amenities, safely accessible by walking, or otherwise with access to safe, usable walking routes and appropriately served by a suitable bus stop with appropriate public transport services. In addition to the location of sites, Policy LWL4 requires that consideration is given to residential site layouts, to ensure that active transport is prioritised within sites, including connecting to networks beyond the site, including the requirement of Policy LWL7 for street and public space design to be dementia friendly Policy LWL8 requires residential and non-residential development to provide adequate secure cycle parking facilities.

The chapter would also help to foster community interaction and activity, which may have a positive impact on mutual understanding and cohesion between people, which would be beneficial to all protected characteristics groups. The location of residential development as close as possible to local services, while promoting greenspace and recreational facilities as part of larger developments, including public squares, play, sports, and food growing facilities as identified in Policy LWL2. This would also be benefited by Policy LWL5's emphasis on community stewardship of public facilities.

By encouraging active transport and green spaces within site, the policies of this chapter would facilitate increased walking, cycling

and other physical exercise, and thereby have a potential positive impact for groups that are affected by disability and illness.

<p>Development Strategy</p>	ü	ü	0	ü	ü	0	0	0	0	ü	<p>Focusing development, including housing growth, within the most sustainable settlements, notably Bexhill, Rye and Battle, while focusing on clusters and networks of other settlements with more effective public transport accessibility to larger settlements, would best ensure that walking and public transport are effective means of accessing services and facilities. This would positively impact on older, disabled and poorer households who may not be able to drive.</p> <p>Identifying and setting the target of meeting the district’s housing need would, in addition to delivering more houses, also meet a wider range of housing needs. This would increase the availability of housing that is suitable for younger as well as older persons, including households containing disabled or pregnant persons who may have reduced mobility.</p> <p>Meeting the district's employment need would benefit income deprivation.</p> <p>Meeting the identified pitch and accommodation requirements for Gypsies and Travellers would benefit these ethnic groups.</p>
<p>Development Principles</p>	ü	ü	0	ü	ü	ü	0	0	0	ü	<p>Proposed Policy DEV1 requires that all development meet the needs of all future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users. In ensuring that development comes forward as planned, Policy DEV2 would benefit some protected groups, through the provision of affordable housing, access infrastructure , or community facilities, depending on the type of development planned.</p> <p>The use of development boundaries would ensure that development , notably housing, would be delivered in the most sustainable settlements, therefore maximising access to services and facilities for those that do not drive.</p>

											Tests to determine that community and employment development are not viable, ensures such services and facilities are retained where possible.
Health and Wellbeing	üü	üü	ü	üü	ü	ü	ü	ü	ü	ü	Supporting development provisions and facilities, including green infrastructure, that promote health and wellbeing, including mental health, would benefit all groups, and would particularly benefit older households, and those affected by long-term illness, as well as low-income households.
Infrastructure	ü	ü	0	ü	ü	0	0	0	0	ü	By promoting infrastructure, including using planning obligations or planning conditions where necessary, the policies of this chapter will best ensure that the necessary development needs across the district can be supported. This would also include green/blue infrastructure, as well as FTTP broadband. In this way this chapter would benefit some protected groups, through the provision of affordable housing, access infrastructure, or community facilities, depending on the type of development planned.
Housing	üü	üü	ü	üü	ü	ü	ü	ü	ü	ü	The policies of this chapter aim to meet a wide range of housing needs, including affordable housing provision, space and accessibility standards, specialist needs for older persons including those requiring care, and Gypsies, Travellers & Travelling Show people. Policy HOU1 requires a mix of size and tenure of dwellings within developments, which encourages communities that are mixed and diverse, therefore increasing interaction and understanding between households with different characteristics.

Economy	ü	ü	0	üü	0	0	0	0	0	ü	In principle support for new and existing employment sites, including tourism uses and appropriate rural economic development, would benefit income levels within the district, would increase employment levels, and increase overall economic growth. Local Employment and Skills policy would also directly benefit households facing income deprivation. The chapter also contains policies that promote the vitality of town and district centres, which are integral to community viability and a wide range of services and facilities in accessible locations.
Landscape Character	0	0	0	0	0	0	0	0	0	0	The effects of the policies in this chapter on the protected characteristics are unlikely to be any different to the effects on the general population.
Environmental Management	0	0	0	0	0	0	0	0	0	0	The effects of the policies in this chapter on the protected characteristics are unlikely to be any different to the effects on the general population.
Heritage	0	0	0	0	0	0	0	0	0	0	The effects of the policies in this chapter on the protected characteristics are unlikely to be any different to the effects on the general population.

Minutes of the Overview and Scrutiny Meeting – 19 February 2024**OSC23/49. ROTHER DRAFT LOCAL PLAN REGULATION 18 DOCUMENT**

(4)

Members received the report of the Planning Policy Manager, the Rother Draft Local Plan Regulation 18 document and the Rother Local Development Scheme, ahead of their formal consideration by Cabinet on 4 March 2024. The new Rother Local Plan would be the spatial development plan that would set the strategic policies for the distribution and development of residential uses, employment and supporting infrastructure across the district. It would also be a key delivery tool for the objectives set in the Rother Corporate Plan.

The consultation version of the new Local Plan, attached at Appendix A to the report, was based around two overall priorities – Green to the Core and Live Well Locally. It set out a proposed Development Strategy and included a suite of proposed planning policies which would be used in the determination of planning applications. The consultation version would progress to Regulation 18 consultation for a 12-week period, in accordance with all legal and national policy requirements.

An up-to-date Local Plan for the district should have been in place to provide a vision for the future and address housing needs and other economic, social and environmental policies. The Council's current Core Strategy Local Plan was more than five years old, having been adopted in September 2014. The Council had committed to reviewing the Local Plan, to ensure a sufficient, continuous supply of housing land in July 2018, however, it had prioritised the completion of the Development and Site Allocations (DaSA) Plan and the production of Neighbourhood Plans. The DaSA was adopted in December 2019, by which time five Neighbourhood Plans had been made (adopted), two further plans had since been made and another was subject to a referendum in February 2024.

An Early Engagement Document was published in April 2021, outlining the Council's approach to how it would develop its new Local Plan. The adopted policies of the Core Strategy and the DaSA were reviewed; this review and compliance check set out that the policies required updating. The review also helped to identify the key issues that needed to be addressed in the new Local Plan.

An evidence base was also scoped as part of the Early Engagement Document and a significant number of documents, studies and reports had been completed to inform the new Local Plan's proposed development strategy and policies; these were detailed within the report.

The policy team had adopted an open and inclusive approach, liaising in different ways, including Call for Sites (2020-2024), meetings with neighbouring local planning authorities, East Sussex County Council (ESCC) Highways, statutory and non-statutory stakeholders, parish and

town councils, internal cross-department officer working groups and a cross-party Councillor steering group.

The Planning Policy Manager outlined for Members the background to the Plan, its format in two parts, being the proposed policies and development plan and finally the next steps, all as detailed in the report.

There was a legal and national policy requirement to review the Plan and update where necessary, as well as a Council commitment to do so. It was important that public consultation took place on a well-developed draft Local Plan and that a genuine, collaborative process was undertaken. The Plan was at the right stage for that consultation process to commence.

Members had the opportunity to ask questions and the following points were noted during the discussions:

- Members agreed that the draft Plan document was of great importance, had been subject to an extremely robust process, had been put together in a way that was easy to understand and paid tribute to the officer team;
- it was noted that only approximately one third of local authorities had an up-to-date local plan in place. Legislation was coming forward in due course which would offer enhanced protection for those authorities with an up-to-date plan, as it provided a stronger position with which to defend planning decisions;
- a revised local plan provided the opportunity to set housing targets which were right for the district;
- the current Housing and Employment Needs Assessment (HEDNA) document was dated 2020. It was confirmed that a new HEDNA that had been worked on jointly with Hastings Borough Council was about to be published, which recognised the changes that had taken place since 2020, and in particular the ever-growing affordability gap and older persons' requirements;
- the Housing and Economic Land Availability Assessment (HELAA) document reviewed sites across the district for development opportunities in the future. A minimum target for new housing in Rother to 2040 would need to be set and the HELAA 'left no stone unturned'. This would be published alongside the draft Plan;
- there were many issues that were out of the control of the Council, such as the number of residents in private rented accommodation, some of whom faced homelessness when rents were increased, and the increasing number of young people unable to move from their parents' home;
- a proportion of social housing was under-occupied;
- policy permitting, single or paired dwellings in settlements without development boundaries would provide market homes, therefore the Council could not stipulate that those individuals with local connections be given priority;
- legislation was due later in the year which could prevent, if conditioned by planning permission, new properties being used as

- second homes / short term rentals without planning permission (this would not be applied retrospectively);
- the proposed new policies were subject to consultation, but once submitted and adopted would be final;
 - there was currently no policy and very few development boundaries surrounding hamlets. Development boundaries and green gaps would enable them to remain separate from nearby villages or towns. 'Infilling' without development boundaries could bridge that gap. It was hoped that this would be explored further within the consultation process;
 - in order to ensure the Live Well Locally priority could be met, it would be essential to work with ESCC Highways on road networks and provision of cycle routes and pavements. ESCC had inputted to the Live Well Locally policies and, as one of the statutory consultees, the Council would continue to work with them closely;
 - it was important to embrace Government legislation and partnership working;
 - as much of the district was within the Area of Outstanding National Beauty, the Council must continue to protect it;
 - the Council continued to work closely with its neighbouring authorities and was proposing the same strategic gaps between settlements as were in place currently. Sites around the edges of Hastings were being considered and explored with their policy officers;
 - the HEDNA had considered the needs of the increased numbers of residents now working from home and advised that it was too early to provide evidence on how this affected housing need. Views would be sought within the consultation;
 - a new approach to studying settlements and their sustainability was detailed in an evidence base document which would sit alongside the draft Plan consultation and used metrics such as the level of services and facilities available and access to bus services;
 - an A21 corridor formed part of a long-term vision, beyond the 2040 plan period;
 - Members raised concerns that the development of the infrastructure to support new developments did not always run in tandem;
 - transport assessment had been undertaken looking at highway capacity and potential development in West Bexhill. This information would be published alongside the draft Plan;
 - the draft Plan provided opportunities for change and was aspirational. It was not the role of planning to address existing traffic management issues;
 - Members were encouraged to inform their parishes that the document would be published for consultation shortly;
 - Members requested that a simpler, shorter version for consultation be published alongside the draft Plan, or an A4 page detailing the main principles. Officers advised that the key issues would be focused on during roadshows and panels and that comments could be made on just certain sections of the consultation document, if preferred / required; and
 - Members were requested not to complete the consultation when published, as this was for the public, but to contact officers direct with their comments.

Members of the Committee were happy to recommend the Rother Draft Local Plan Regulation 18 document to Cabinet for approval and formal consultation and for the revised Rother Local Development Scheme to be approved and published alongside the Local Plan.

RESOLVED: That:

- 1) the Rother Draft Local Plan Regulation 18 document be recommended to Cabinet for approval and formal consultation;
- 2) the revised Rother Local Development Scheme be recommended to Cabinet for approval to be published alongside the Local Plan; and
- 3) the comments of Overview and Scrutiny Committee be considered by Cabinet.

Rother District Council

Report to:	Cabinet
Date:	4 March 2024
Title:	Public Spaces Protection Order (No 3-2024) - Beaches
Report of:	Richard Parker-Harding – Head of Environmental Services, Licensing and Community Safety
Cabinet Member:	Councillor Field
Ward(s):	All
Purpose of Report:	To seek authority to consult the public, coastal parish councils, Sussex Police, the Police and Crime Commissioner, East Sussex County Council (Highways) about making an Order.
Decision Type:	Key
Officer Recommendation(s):	It be RESOLVED : That a consultation be carried out on making a Public Spaces Protection Order controlling vehicles and camping on beaches.
Reasons for Recommendations:	To control anti-social behaviour on beaches.

Introduction

1. The Council has responsibility to reduce anti-social behaviour. The authority has made a Public Spaces Protection Order (PSPO) to control anti-social behaviour, which expires in January 2025. Consultation on renewing that Order will be recommended to commence later in the summer, subject to approval by Cabinet in June 2024 to do so. This Order has not proved to be effective in controlling the nuisance being caused by vehicles and caravans being driven and parked on beaches.
2. Last summer more than 20 vehicles and caravans were parked on the beach at Herbrand Walk, Bexhill. Some vehicles stayed a few days, others, months at a time. The occupiers had an impact on local residents and looked unsightly, leaving waste and creating a fear of crime. Some occupiers were aggressive to Council staff and contractors. In October 2023, the unauthorised encampment prevented vital sea defence works commencing on time. A combined police and council effort was needed over a few weeks to remove the encampment. Considerable resources had to be deployed to remove all the occupiers, assisted by the autumn storms.
3. Officers reported similar concerns at Camber with cars and motorcycles driving recklessly on the beach, creating a hazard to other users.

Proposed Order

4. A PSPO that prohibits all vehicles, including but not limited to motorbikes, quadbikes, motorhomes and caravans from being driven on or parked on a beach (including paths, promenades, roads and hard standings adjacent to the beach) unless an emergency vehicle, Environment Agency or Royal National Lifeboat Institution vehicle, or a vehicle granted permission by the Council.
5. The Council must consult before making an Order. The results of the consultation will be reported back to Cabinet in June 2024.
6. The Order would only be made for six months, as these controls could be then incorporated into the main PSPO for anti-social behaviour.

Background

7. PSPOs are made under the Anti-social Behaviour, Crime and Policing Act 2014.
8. PSPOs are intended to deal with a nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces, safe from anti-social behaviour.
9. A PSPO can be made by the Council if it is satisfied on reasonable grounds that the activity/activities carried out, or are likely to be carried out, in a public space:
 - have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions imposed.
10. The restrictions specified in a PSPO can be set by the Council; these can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. They can restrict access to public rights of way where that route is being used to commit anti-social behaviour.
11. PSPOs have a maximum duration of three years but they can last for shorter periods of time where appropriate. Short-term PSPOs could be used where it is not certain that restrictions will have the desired effect, for instance, when closing a public right of way, councils may wish to make an initial PSPO for 12 months and then review the decision at that point. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring.
12. Failure to comply with a PSPO is a criminal offence, a maximum fine of £1,000 (level 3) can be imposed. As an alternative to prosecution enforcement officers can issue a Fixed Penalty Notice (FPN) of £100.
13. In terms of enforcement, the PSPO should be clear and unambiguous and consistent across the district.

14. PSPOs can be enforced by authorised officers of the Council, police constables, or police community support officers (if authorised to do so by the Chief Constable).

Options

15. The Council can take no action or consult about making an Order to prevent anti-social behaviour on beaches from vehicles being driven on and parked on beaches.

Conclusion

16. The current PSPO (Anti-Social Behaviour) is not sufficient to prevent nuisance from vehicles and caravans being driven and parked on beaches and remaining for prolonged periods of time.

Environmental

17. Vehicles and camping on beaches is detrimental to the environment.

Crime and Disorder

18. Vehicles and camping on beaches can increase the fear of crime.

Consultation

19. Before making a PSPO the public, interested bodies and statutory authorities must be consulted.

Finance

20. Within existing budgets.

Resources

21. Impact on existing resources to enforce if PSPO is made. However, a positive impact in that it should be easier to remove vehicles and caravans if a PSPO is made.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	Yes	Consultation	Yes
Environmental	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No

Chief Executive:	Lorna Ford
Report Contact Officer:	Richard Parker-Harding
e-mail address:	richard.parker-harding@rother.gov.uk
Appendices:	None
Relevant Previous Minutes:	None
Background Papers:	https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour
Reference Documents:	None

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Rother District Council

Report to: Cabinet

Date: 4 March 2024

Title: Purchase of former Sidley Highways Depot site, Elva Way, Bexhill and Food Waste Collections 'New Burdens' Capital Funding

Report of: Deborah Kenneally, Head of Neighbourhood Services

Cabinet Member: Councillor Timpe

Ward(s): ALL

Purpose of Report: To seek approval for capital funding for weekly food waste collections and for the purchase of the former Sidley Highways Depot, Elva Way

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL:** That:

- 1) the Capital Programme be increased by £1,075m for the purchase and refurbishment of the former Sidley Highways Depot, Elva Way; and
- 2) the funding from the Department of Environment Food and Rural Affairs for the implementation of weekly food waste collections of £1,042m be added to the Capital Programme plus a further amount of £300,000 be approved to cover the funding shortfall.

AND

It be **RESOLVED:** That the Director- Place and Climate Change be granted delegated authority in conjunction with the Portfolio Holder for Neighbourhood Services, Tourism and Joint Waste Contract:

- 1) to complete the purchase of former Sidley Highways Depot, Elva Way and complete all necessary procurement and refurbishment to make the site operational as a waste depot from 1 April 2026;
- 2) to take the necessary steps to agree a lease of the former Sidley Highways Depot to the Waste, Recycling, Street & Beach Cleansing Contractor Biffa; and
- 3) that the Deputy Chief Executive be granted delegated authority, in consultation with Portfolio Holder for Finance and Governance, to adjust the financing should further central Government funding for the depot site and food waste collections be made available.

Reasons for

Recommendations: To purchase the former Sidley Highways Depot for use as a waste depot, and to purchase food waste collection

vehicles and containers to meet UK Environment Bill requirements for Rother District Council to provide residents with a weekly food waste collection service from 1 April 2026

Introduction

1. Rother District Council (RDC) is part of the East Sussex Joint Waste Partnership (the Partnership) with neighbouring authorities Hastings Borough Council (HBC) and Wealden District Council (WDC) to deliver waste collection services to our residents, which, in order to comply with Government legislation, will include a new weekly food waste collection service from 1 April 2026.
2. The Partnership's waste collections are outsourced to a service provider Biffa Municipal Limited until June 2026. The contract includes an option to extend for up to a further seven years, and also includes the ability to introduce food waste collections from 2026. The contract does not require Biffa to provide depot space.
3. RDC's waste collection services, along with Hastings' collections services, are delivered from a HBC owned waste depot in Bulverhythe, St Leonards, that will not have the capacity to deliver the required food waste services from 2026.
4. With some changes to depot layout, it is believed WDC are able to accommodate their additional food waste vehicles and the HBC depot will be able to accommodate their food waste collection service, but it will no longer be large enough to accommodate RDC waste collections service.
5. It is important to note that a full and detailed understanding of the number of food waste vehicles required to be purchased, is dependent on the food waste collection routes and these in turn are dependent on the location of the depot from which the rounds are operating. This will not only impact the Biffa contract costs but also the ability to request a review for further funding from the Department for Environment, Food and Rural Affairs (DEFRA) to cover 'New Burdens' such as depot space.
6. This means that RDC will need to identify suitable depot space as soon as possible in order to challenge the amount of 'New Burdens' funding, and complete the necessary planning, legal and infrastructure work to the site, ready to deliver the service from 1 April 2026.
7. The location of a depot has to be compatible with the regular movement of heavy goods vehicles from early in the morning and will require Operators Licences and planning permission. Consideration will need to be given to local residential areas, access to suitable road infrastructure and an appropriate location to best support efficient and effective delivery of the service.

Depot options considered

8. Officers have reviewed the Council's portfolio of existing assets and nothing to date has been identified as suitable for use as a depot. Beeching Close was considered but due to its location development of this site as a waste depot

would be hindered by planning policies, although Beeching Close may be considered suitable for storing waste vehicles when they are not in use.

9. Officers have been monitoring land for sale over an extended period of time and nothing has been determined as suitable.
10. It may be possible to request Biffa procure a site, although there is no indication they are in a position to do so or would be interested in such an acquisition. The subsequent cost if such a provision was to be made would be added to the RDC waste contract price which would then be outside the Council's control.
11. Consideration was given to the Council leasing a site, but this would be at an added revenue cost to the service to the Council, resulting in money lost with no potential long-term return on investment.
12. The purchase of a depot may offer future options for the Council to consider, including bringing the waste collections operation in-house from 2033.

Depot recommendation

13. RDC has recently identified a site that is for sale that would be ideal as a waste depot, having been used as a depot by East Sussex Highways in the past and which is now surplus to East Sussex County Council (ESCC) requirements. ESCC do not wish to lease the site. The site is the former Sidley Highways Depot, Elva Way, Bexhill TN39 5BF.
14. It is recommended that the Council purchase the former depot for use to deliver waste collections services for the Partnership in the most efficient and effective manner, as determined by the contractor Biffa.
15. The land has been independently valued as a commercial site for 'any reasonable use' and following sites visits, Biffa has confirmed that the site would be suitable as a waste depot but will need to have further capital investment to be made 'depot ready'. This would include demolishing buildings currently on the site, improving infrastructure, and installing workshop and welfare facilities.
16. It is acknowledged that the valuation is high for a parcel of land that is to be used by the Council as a waste depot. Officers' experience shows that rental demand for commercial units in this location is high, as evidenced by waiting lists for other units owned by the Council in Elva Way, so this site could be an excellent investment for the future.
17. Having been used as a highways depot previously, it is felt that it should be more straightforward to obtain the required Operators Licences and planning permission.
18. ESCC has given the Council the opportunity to purchase the land at an agreed price, prior to it going on the open market on the basis that the Council would commit to completing the transaction as soon as possible.
19. If the Council were not to purchase the land and it was put on the open market, it is felt that it would sell quickly, possibly at a higher price. However, it should

be noted that the market may change, the land may not sell and the Council could potentially purchase it at a lower price.

20. As mentioned previously, time is critical in identifying a suitable depot to enable planning for food waste collections to proceed on a robust footing and establish associated service delivery costs.
21. Despite being raised numerous times with DEFRA throughout the past 12 months, no information has been given regarding the funding of depot space until recently, when in response to local authorities' queries regarding funding allocations received on 9 January, DEFRA asked local authorities to submit a request for a review of their allocated funding as soon as possible and this included requests for depot funding.
22. A request for depot 'New Burdens' funding was sent to DEFRA on 8 February 2024 based on the purchase of the former Sidley Highways Depot site but there is no reason to believe funding will be forthcoming.

Depot acquisition timeline

23. If the Council was to approve the capital funding the proposed timeline is as follows:
 - Letter of intent to ESCC to purchase Jan 2024 -completed subject to Full Council approval
 - Cabinet report March 2024
 - Full Council May 2024
 - Planning permission June 2024
 - Purchase completion date July 2024
 - Demolition and prep completed January 2025
 - Biffa handover April 2025 via a lease or licence
 - Temporary storage of food waste vehicles (c20 vehicles) from June 2025
 - Food waste collections commencement 1 April 2026

'New Burdens' funding for food waste vehicles and containers

24. On 9 January 2024 DEFRA provided each local authority in England with indicative capital transitional costs (otherwise referred to as 'New Burdens' funding) for the introduction of weekly food waste collections. The funding remains subject to Ministerial approval and is specifically for the purchase of food waste vehicles and food waste containers, which for Rother amounts to £716,000 for the former and £326,000 for the latter, amounting to £1.042m in total. It is expected this funding will be received before 31 March 2024.
25. It should be noted that £1.042m is not felt to be sufficient to cover the Council's 'New Burdens' costs and the Partnership will shortly be submitting evidence to DEFRA to request more funding on the Council's behalf. This request is in addition to the request for funding for a depot but as mentioned previously, knowledge of the depot location will assist with finalising vehicle numbers and round structures and therefore costs to provide the service.

Recommendation

26. Officers recommend that £1.4m be added to the capital programme in readiness for receipt of the allocated £1.042 funds from DEFRA plus an additional £300,000 from Council resources to make up the shortfall, should it be required. If further funding is received from DEFRA this can be utilised instead.

Conclusion

27. There is no suitable land identified within current Council-owned assets that could be used as a waste collections depot, so the only option is to source appropriate depot space externally.
28. If the Council does not identify a depot from which to operate waste collections by April 2024, it will be unlikely that the Council will be able to deliver a food waste collection from 1 April 2026 and therefore will not be able to comply with Government legislation.
29. It is felt that the purchase of the former Sidley Highways Depot, Elva Way would provide a suitable site from which to operate waste collections and be an appropriate long-term investment opportunity due to its location, proximity to other land/units owned by the Council, and shortage of similar commercial space available on the open market.
30. DEFRA 'New Burdens' funding for the purchase of food waste vehicles and food waste containers will be received before 31 March 2024 and in light of the need to procure these items on the best possible terms, it would seem prudent to allow for this cost in the capital programme as soon as possible.

Financial Implications

31. Whilst representations have been made to central Government to support the capital funding required to establish a new depot site no allocation has yet been made and it is possible that the Council will not receive any further funding for this purpose.
32. Capital funding of £1.075m will be required to fund the depot scheme, to include the purchase and refurbishment to make the site 'depot ready'.
33. It is proposed that the Council finances the depot scheme directly, either through capital receipts if the Council has the available balances or by borrowing if not, until such time as the central Government funding position is confirmed. It is recommended that the Deputy Chief Executive is granted delegated authority, in consultation with the Portfolio Holder for Finance and Governance, to adjust the financing should central Government funding for the depot site be made available.
34. In addition, it is not known if central Government will fund the shortfall in 'New Burdens' funding for food waste vehicles and containers either. It is therefore recommended that the Council finances this shortfall directly, either through capital receipts if the Council has the available balances or by borrowing if not, until such time as the central Government funding position is confirmed. It is recommended that the Deputy Chief Executive is granted delegated authority,

in consultation with the Portfolio Holder for Finance and Governance, to adjust the financing should central Government funding for the depot site be made available.

35. The purchase of the depot site has been reviewed by the Property Investment Panel and approved.
36. Although no monies will pass between Biffa and the Council, the provision of a depot will have a return to the Council in terms of waste contract price versus rent payments for its use. If the Council were not to acquire a site using capital resources there would be a further call on revenue budgets to cover additional costs of leasing a site if a suitable one was to be identified.
37. It is critical that we know from which location food waste collections will be operating as soon as possible so that collection round structures can be mapped. This will then enable Biffa to calculate the number of vehicles required so we can then evidence to DEFRA that the 'New Burdens' capital funding may or may not be felt to be adequate.

Risk Management

38. If the Council does not have a waste collections depot identified by April 2024 the Council is at risk of not meeting the UK Environment Bill deadline of delivering weekly food waste collections from 1 April 2026. It is not known at present what the financial penalties might be for not delivering to this deadline.
39. There is a risk that an Operators' Licence and planning permission is not granted or has restrictions. This is unlikely as this site has been used previously as a depot.
40. The site is unable to accommodate all the districts' waste collections services into the future.
41. It is not known if 'New Burdens' funding will be forthcoming to cover the capital cost of a new depot or the full cost of the food waste collection vehicles and containers.
42. There is a risk that the capital funding for the refurbishment is not enough to cover the costs of making the site 'depot ready'. There will be close management of the project to work within budget.

Legal Implications

43. Operators ('O') licences will be required to operate the site as a depot and will take some time to obtain. Legal input will be required for the site purchase and subsequent lease to Biffa Municipal Ltd.

Human Resources Implications

44. A project officer will be required to take the purchase, and depot refurbishment forwards.

Environmental

45. Food waste collections is a requirement of the Environment Act and included in the Council's Climate Strategy.
46. As the site has been non-operational for some time there will be a noticeable increase in activity resulting in increased noise, traffic flow, carbon emissions, possible odours, a possible increase in light pollution and an impact on air quality in general.
47. Environmental and energy saving aspects, including electric vehicle charging points, will be considered as part of the infrastructure works to make the site 'depot ready' and officers will liaise with the Council's Climate Strategy Officer to achieve this. However, it should be noted that the DEFRA 'New Burdens' capital funding allocation for food waste vehicles will not fully cover the purchase of diesel vehicles, and electric vehicles cost more than diesel. So electric charging points will be part of future proofing and not for immediate use by waste vehicles but will be considered for staff use separately.
48. It is possible to use hydrotreated vegetable oil (HVO) in the food waste vehicles instead of diesel to reduce carbon emissions and the partnership officers are looking to negotiate the use of HVO as part of any contract extension.
49. The site is considered to be in a sustainable location from the perspective of community and staff access, and in particular with regards to the availability of public transport for staff to travel to and from work.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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Report Contact Officer:	Deborah Kenneally - Head of Neighbourhood Services
e-mail address:	Deborah.kenneally@rother.gov.uk
Appendices:	
Relevant Previous Minutes:	
Background Papers:	
Reference Documents:	

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Rother District Council

Report to: Cabinet

Date: 4 March 2024

Title: Procurement of Grounds Maintenance Contract

Report of: Deborah Kenneally, Head of Neighbourhood Services

Cabinet Member: Councillor Timpe

Ward(s): ALL

Purpose of Report: To procure a new contract for Rother District Council grounds maintenance.

Decision Type: Key

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) the Director - Place and Climate Change be granted delegated authority in conjunction with the Cabinet Portfolio Holder for Neighbourhood Services to procure and appoint a contractor from 1 December 2024 to provide grounds maintenance work across the district within the agreed budget; and
- 2) the Overview and Scrutiny Committee be requested to review the draft contract specification as per Appendix 2 and subject to no suggested amendments, officers be authorised to commence the tender process without further recourse to Cabinet.

Reasons for

Recommendations: To support the Council in providing a grounds maintenance service across the district within the agreed budget.

Introduction

1. The Grounds Maintenance (GM) contract with Idverde commenced on 1 December 2012 for 10 years and was subsequently extended for a further two years and, as the contract does not allow for a further extension, will expire on 30 November 2024.
2. The current contract includes all aspects of GM including litter picking and bin emptying, maintaining play areas, parks, open spaces, and water courses (including Egerton Park Lake), and Bexhill and Rye cemeteries.
3. The maintenance of trees is not included in the GM contract and is generally managed under a separate call-off contract with Elite Arborists or other qualified contractors as appropriate.

4. The Idverde contract is performance based and consists of 'routine work' which forms part of the contractually agreed costs, and 'non-routine work' which is often awarded to Idverde but can be awarded to another suitably qualified contractor outside of the Idverde contract.
5. 'Routine work' accounts for planned work and includes items such as play area inspections, litter picking, bin emptying; maintenance in parks (such as Egerton Park and Manor Barn Gardens), seafront gardens (such as West and East Parade in Bexhill) and rural open spaces; maintenance of cemeteries; grass cutting and hedge cutting; sports pitches and fine turf.
6. 'Non-routine work' accounts for responsive works which includes items such as grave-digging, play area repairs, health and safety work, ad hoc resident / Councillor requests, water courses, fencing/boundary work, vandalism, travellers.
7. Excluding smaller items such as car parks, churchyards and toilets, the GM contract budget for 2023/2024 'routine work' is approximately £860k (including cemeteries) and 'non-routine' is approximately £138k.
8. The maintenance of public grounds, including parks, open spaces and sports pitches is not a statutory duty for the Council and so qualifies as a discretionary service that can be withdrawn or reduced if necessary. The Council has a budget deficit of some £3.8 million in 2024/2025 and is seeking to make savings where possible across the Council to reduce this funding gap, and specifically to achieve savings in the GM contract.
9. Within the Idverde contract year (1 December to 30 November), savings of £100k from July 2023 until 31 March 2024 have already been achieved through changing various activities such as additional reductions in bedding and planting. These changes will continue to realise savings of circa £50k until the contract ends on 30 November 2024, achieving a total contract saving of circa £150K from 1 December 2023 to 30 November 2024.
10. Further savings will be made from December 2024 until 31 March 2025 with the introduction of the new contract. This brings the overall budget for the contract for 2024/2025, excluding smaller items such as car parks, churchyards and toilets, to approximately £526k for 'routine work' and approximately £122k for 'non-routine' work.
11. It should be noted that the two cemeteries Bexhill and Rye generate income through charges for burials, internments, donated seats and trees and memorials. The operation of these sites is self-financing as the charges are set at a level to cover the operational costs, including the maintenance of the grounds. Therefore, other than a few minor tweaks already completed, these sites will not experience reductions in GM going forwards.

New grounds maintenance contract

12. Due to the aforementioned budget funding gap of circa £3.8 million, officers have set a budget for the new GM contract of £250k per annum for 'routine work', excluding cemeteries.
13. The maintenance of sports grounds/pitches, including bowling greens, are one of the most expensive aspects of the 'routine works' and it is therefore desirable

for their maintenance to be completed by the clubs. Officers are working with the sports clubs that use RDC grounds to agree leases and/or licences to handover the GM of sports pitches to the clubs. Individual meetings have been held with all the clubs and ongoing discussions have been largely positive to date.

14. As it will take time for leases to be completed, and some facilities cannot be leased on account of not having a permanent physical boundary, it has been agreed with the Council's legal representative that in the short term licences will be progressed for the football and cricket pitches, and leases for the bowls greens, thereby ensuring that handover can take place before a new contract starts on 1 December 2024.
15. The clubs have been informed that if a lease/licence is not in place from the 1 December 2024 the grounds will become unfit as sports facilities and the grounds will be included in the new contract as having a basic grass cut for use as a recreation ground (with the exception of bowls greens that will have an occasional cut).
16. Limited capital funding may be available to support clubs in purchasing basic GM equipment, including lawn mowers if required, or to make other improvements such as storage provision.
17. Due to the nature of 'non-routine' works it is felt the budget for this work needs to be protected and so will remain at the current level of approximately £122k per annum, and as previously mentioned, the cemeteries fees and charges covers their GM costs and so this budget will remain at circa £120k per annum, both allowing for inflation.
18. When added together the total budget for 'routine works', 'non-routine' works and cemeteries totals £492k per annum (plus annual inflation) - a substantial saving when compared to the budget of £902,950 in 2022/2023 and £995,380 in 2023/2024. However, as the new contract will not commence until December 2024 most of the savings achieved will be delivered in the 2025/2026 financial year. It should be noted that these are the direct contract costs and do not include costs for items such as officer time, management supervision and back-office support.
19. It is proposed the new contract specification for 'routine works' would not be based on performance but rather frequency of service and numbers of contract staff allocated certain jobs to keep costs down. For example, instead of maintaining grass to an agreed height the grass would be cut fortnightly or once a month depending on the location and time of year.

Soft market test (SMT)

20. In order to understand the market appetite for the new contract and what GM services could be provided within the £250k 'routine works' budget, officers have worked with the East Sussex Procurement Hub to complete a 'soft market test' (SMT), inviting GM contractors to give us an indication of what basic services they can provide and to inform the Council's decisions going forwards.
21. A copy of the SMT and accompanying specifications can be seen at Appendices 1, 1A, 1B and 1C. These include GM specifications for routine

work and both cemeteries, details of possible storage facilities and indication of task sizes.

22. The SMT was open for expressions of interest between 12 and 31 January 2024. There were 20 views of the SMT and several written responses were received.
23. The SMT returns provided useful information for consideration when drafting the final documents for the live tender due to go on the procurement hubs' portal in April 2024 and feedback included the following:
 - The ideal contract length to be for as long as possible to train and develop workforce.
 - Feedback indicates it would be most advantageous to offer 5 years with an option to extend for a further three years, then two years and finally one year.
 - Recruitment and staff retention could be challenging in the current climate.
 - Due to volatility in prices, contractors would wish an annual contract indexation linked to CPI.
 - Sufficient time should be allowed for the procurement of equipment and vehicles of at least 3 months.
 - The service delivered could cover priority tasks within the £250k such as play area inspections, litter picking and emptying of litter bins, grass cutting, Egerton Park and Bexhill seafront but at a lower frequency and reduced number of staff. The appearance of the sites would therefore suffer and may lead to complaints.
 - Depot space may be required at an additional contract cost.
 - There would be limited investment in carbon neutral initiatives due to the budget requirements.
24. It is proposed that the new contract is procured for five years, with the ability to extend for a further three years, then two years and finally one year, therefore ten years in total. Ideally the contract will allow for as much flexibility as possible for future devolvement of GM to Parish and Town Councils and changes to the annual budget.
25. Officers will seek to procure a contract that will complete as many critical services as possible such as, and in order of descending priority, play area inspections, emptying of litter bins, litter picking, grass cutting to a basic length and hopefully maintaining high visitor use at sites such as Egerton Park, Bexhill seafront, and planted areas. Cemeteries will continue to be maintained to their current specifications and ad hoc work will continue as necessary.
26. It should be noted that the changes residents will inevitably experience in the GM may generate negative feedback to the Council when implemented. This has been partly addressed by the recent budget consultation and officers will endeavour to mitigate this further through advanced communications to residents nearer the time of implementation when officers are clearer on the impact.

Options considered

27. Bringing aspects of the maintenance in house has been considered and could compliment work that is contracted out by using the RDC maintenance team for

certain tasks not able to be covered in the £250k. However, the maintenance teams' resources are limited, and equipment would need to be purchased and training provided.

28. At the present time there is no business plan, capital investment or revenue budgeted to bring the whole service in house. When considering the potential of bringing the whole service in-house in the future, consideration should be given to what is currently achieved through using external contractors who benefit from economies of scale and spreading fixed costs and equipment across contracts. The Council would need to consider costs to transfer staff across to local authority pay scales and pension scheme under the Transfer of Undertakings (Protection of Employment) regulations (TUPE). When a service is operating to a set fixed cost, as in this case, it is arguably more cost effective to outsource the basic service until such times as officers can investigate further what future aspirations are for grounds maintenance and what part the parish and town councils might play in providing this service.
29. Consideration has been given to what future role RDC Parks Officers can play e.g. completing in-house play area inspections. Training would be required to meet the stringent health and safety regulations and insurance requirements for this work. Depending on a review of the frequency of inspections, this work would probably require one Full Time Equivalent staff resource to complete inspections to the required standard for approximately 30 sites across the district.
30. The size of the budget deficit dictates that savings are required in the very near term and there is little evidence to suggest that savings would be made quickly, if at all, by bringing the contract in-house at this time.
31. There may be potential in the future for seeking synergies with partner authorities who have brought their GM in-house.
32. The timeline for the procurement of a new GM contract is as follows:
 - Confirm final specification February 2024
 - Obtain Cabinet approval 4 March 2024
 - Overview and Scrutiny Committee 18 March 2024
 - Issue tender April 2024
 - Evaluations of tender submissions June 2024
 - Intention to award contract letter sent July 2024
 - 10 day standstill period
 - Contract award August 2024
 - Contract mobilisation 1 September 2024
 - New contract start date 1 December 2024

Conclusion

33. Although it is not a statutory requirement to maintain grounds, aspects of the service, such as our parks, play areas and seafront are important to maintain for the enjoyment and health and wellbeing of our residents, and in attracting visitors and supporting local businesses. In addition, if the play areas are to remain safe and accessible for children and young people, and our cemeteries are to continue in their current condition, it is important that a suitably qualified contractor is appointed to deliver this service.

34. It should be noted that residents will notice a significant change to much of the district's parks, grounds, and open spaces. Communication in advance to residents to explain the coming changes and reasons why will be critical to engender understanding and reduce complaints.

Financial Implications

35. The council has a £3.8 million budget gap and GM is a non-statutory service that can be reduced to a more affordable level.
36. The new GM contract will support the Council's requirement to reduce the budget deficit whilst providing a basic service in priority tasks.
37. When added together the total budget for 'routine works', 'non-routine' works and cemeteries totals £492k per annum (plus annual inflation)- a substantial saving when compared to the budget of £902,950 in 2022/2023 and £995,380 in 2023/2024. However, as the new contract will not commence until December 2024 most of the savings achieved will be delivered in the 2025/2026 financial year. It should be noted that that these are the direct contract costs and do not include costs for items such as officer time, management supervision and back-office support.

Legal Implications

38. The Council's legal services, provided by Wealden District Council will be required to provide appropriate terms and conditions for the new GM contract.

Risk Management

39. Reputational: The new GM service provision will mean that areas of the district will not appear as well-kept and this may generate complaints from residents and visitors as well as potentially impacting negatively upon tourism and businesses. This may generate an increase in complaints to the Council.
40. Savings may not be achieved if the non-routine budget becomes overspent due to ad hoc health/safety and vandalism works.
41. There is a risk that due to the nature of the proposed new contract the Council will not receive any tenders and so be unable to appoint a contractor. In this situation the incumbent contractor would be approached to extend their services until an alternative service delivery is identified.

Human Resources Implications

42. TUPE requirements will need to be considered between the outgoing and incoming contractor.

Environmental

43. Areas of parks and open spaces that are less well tended will impact the environment, sometimes for the better by increasing biodiversity and other times for the worse with the potential for increasing vermin. Reducing GM can have benefits for biodiversity including increased plant and wildlife species.

Reducing the use of machinery will also reduce emissions as less fuel will be used. Long grass can however act as a litter and dog fouling trap, the clearance of which can be more costly and time-consuming.

Communications

44. Clear and advanced communication of the changes to Parish and Town Councils, Councillors and the districts' residents will go some way to engendering understanding and reducing complaints. Officers will seek to use appropriate methods of communication including MyAlerts and social media to manage residents' expectations.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	Yes/No	Equalities and Diversity	Yes/No
Crime and Disorder	Yes/No	External Consultation	Yes/No
Environmental	Yes	Access to Information	Yes/No
Risk Management	Yes	Exempt from publication	Yes/No

Chief Executive:	Lorna Ford
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Appendices:	Appendix 1 – Soft Market Testing Appendix 1A – Cemeteries Specification Appendix 1B – GM Available Premises Appendix 1C – GM Task Totals Appendix 2 – Draft Specification
Relevant Previous Minutes:	None.
Background Papers:	None.
Reference Documents:	None.

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SOFT MARKET TEST

MP041 Grounds Maintenance Service

East Sussex Procurement Hub

on behalf of

Rother District Council

East Sussex
Procurement Hub



Grounds Maintenance Service

Market Engagement Questionnaire

Background

Rother District Council

The District of Rother is located on the East Sussex coast 65 miles to the Southeast of London; the district covers some 509 sq km with approximately 42,100 households and 93,100 residents (ONS Census published 2021).

Rother District Council and the East Sussex Procurement Hub wish to understand the current market costs to deliver grounds maintenance of public land, including but not limited to maintaining green open spaces, play areas (including inspections), parks and public gardens, emptying of litter bins (within green spaces) and cemeteries. This contract does not include tree management which is operated under a separate contract.

East Sussex Procurement Hub

The East Sussex Procurement Hub is a shared service hosted by Wealden District Council that administers procurement activity on behalf of Rother District Council (hereafter referred to as 'the Council').

Rother's foremost attractions:

Bexhill On Sea

An English seaside town in the traditional sense of the word, with pebbled beaches and a town with distinct architectural influences from the Edwardian, Victorian and Art Deco period, its focal point is the De La Warr Pavilion complimented by the Old Town and several picturesque open spaces.

Battle

1066 was a momentous year for Battle. Here you will find the world-renowned Battle Abbey, built by William the Conqueror. Battle is also a vibrant historic market town and the 13th century Norman church of St Mary's.

Camber Sands / Pett Level

One of the few uninterrupted stretches of sandy beach and rugged coastline on the south coast. A suitably dramatic combination of dunes, cliff-tops, beach and sea, one of the most popular locations in the area.

Bodiam

The area of Bodiam and Bodiam Castle is one of the UK's best preserved moated castles.

Rye

A welcoming combination of cobbled streets, maritime history and artistic heritage. Rye retains its picture postcard looks and charm to this day and has always attracted writers and artists from Henry James to HG Wells.

Winchelsea

Winchelsea forms part of the ancient Cinque Port confederation and still boasts the remnants of its illustrious past - including the original wine cellars of the Old Port and the Church of St Thomas the Martyr.

Rother's principal public green space sites and scope of service

The service includes maintenance of parks (excluding buildings other than those leased to the Contractor) open spaces, sports and recreation grounds, play areas, cemeteries, closed churchyards, watercourses, car parks, a small number of planters and other miscellaneous sites.

The current contract allows for routine work based on a performance specification and non-routine work via a schedule of rates.

We wish to consider a contract based on frequency rather than performance and would like an indication of suggested frequencies for playground inspections, litter, grass, hedges, weeding within the budget of £250K per annum, excluding the cost to provide the services to Bexhill and Rye Cemeteries the costs for which are to be provided separately. Frequencies are required so that they may be increased in the future when more budget becomes available.

Please note that there is no guarantee or automatic right to non-routine work.

The purchase and supply of equipment and materials should be allowed for in the costs in the table below (Question 1).

Small depots/storage facilities of varying sizes may be included in the contract but no office space available, and the Contractor will be expected to enter into a lease on the terms set out by the Council.

The paragraphs below provide an overview of the types of open space and landscape components within the current Contract and details of the principal sites within the current Contract.

There will always be an element of non-routine works that will be required based on a schedule of rates and according to budget.

Parks and Gardens

The principal parks and gardens are Egerton Park, Broad Oak Park, Manor Gardens, the seafront in Bexhill and the Gun Garden in Rye.

In addition to these, there are 4 smaller parks and gardens, Lanes Gardens, and Barrack Hall Park in Bexhill. A broad range of maintenance is required.

Egerton Park, Bexhill

Egerton Park is a formal, urban park close to the town centre and seafront, dating back to the late 1800s. Formerly marshland, the site was drained through the creation of two lakes around which paths, landscaping and recreational features and facilities were added.

Public facilities include a large children's play area, tennis courts, an adiZone (outdoor gym), a large lawn for events, a refreshment kiosk and a boating lake. The park is home to the Bexhill Tennis Club, Lakeside and Spartans Bowls Club. The Bexhill Museum and the Egerton Park Indoor Bowls Club are all located on the park's peripheries.

The Council has agreed to maintain the site to a high standard of maintenance and horticultural excellence. To achieve this, a dedicated site-based member of staff would be desirable.

Manor Gardens, Bexhill

Manor Gardens is a formal, ornamental green space situated in Bexhill's Old Town taking its name from the ruins of a manor house and estate built there in the 1100s. The estate and manor house were purchased by the Bexhill Town Council in 1963. In 1968 the house was demolished, and the Manor Gardens became a public park.

Manor Barn, a restored Grade II building, is set within the gardens. The building is leased to the Bexhill Old Town Preservation Society who maintains it and hires it out for various functions.

The gardens are used to host an annual performance by the Bexhill Amateur Theatrical Society, the Old Town Preservation Society's Christmas Fair and by wedding parties.

The gardens are predominantly planted with shrubs. In particular, rhododendrons, azaleas, roses and seasonal bedding is also used to provide colour. Features of note include a walled garden and pond.

Bexhill Seafront East Parade

Bexhill Seafront East Parade is a simple, traditional seafront landscape including grass lawns, permanent planting.

West Parade

West Parade including the landscaping project 'Next Wave' comprises of a series of 'garden rooms' made up of mixed planting (herbaceous and shrubs), grass, play equipment, hard surfacing, lighting and park furniture.

The De La Warr Lawns & Pavilion

The De La Warr Lawns & Pavilion comprises extensive lawns and some permanent planting and hedging.

Marina Gardens and War Memorial

These are the main areas of seasonal bedding.

Broad Oak Park

Broad Oak Park is located on the outskirts of Little Common in west Bexhill and adjoins Little Common Recreation Ground.

The land is used public open space. Totalling approximately 28.5ha, the park comprises some 15.2ha of public green space tree cover, and meadowland.

Gun Garden, Rye

The Gun Garden is situated on the edge of the historic town centre of Rye, next to the Ypres Tower, built as a fortification in 1249 and overlooking Romney Marsh and Rye Bay. It comprises hard landscape and grass.

The Salts

The Salts comprises 3 neighbouring sites; the Cricket Salts, Fair Salts and Town Salts, The Cricket Salts has a cricket field currently used by Rye Cricket Club which utilises ancillary buildings on site.

The skate ramp facility belongs to Rye Town Council and is not included in this contract.

The Fair Salts

The Fair Salts comprise a large grass open space, a bowls green with associated pavilion and a children's play area. It is used for events including fairs and the annual Rye bonfire.

The Town Salts

The Town Salts are laid down to grass for amenity use.

Kingsmead Battle

Kingsmead Open Space is an historic location within Battle said to be where King Harold rested his troops on the night before the famed Battle of Hastings in the year 1066.

The site comprises mature protected hedgerow, semi-natural grassland and trees.

Sports and Recreation Grounds

The principal recreation grounds are the Polegrove and Little Common in Bexhill and the Salts in Rye.

The contractor will be required to cut to an agreed length as amenity grass throughout the year and the sports clubs (football/cricket/bowls) may be maintaining their own playing area to their own standards and according to their sporting activities.

Play Areas

All play area repairs are carried out on a non-routine basis.

Play Areas, Bexhill

The maintenance and cleansing of children's playgrounds and 'kick about' areas.

Play areas include skateboard parks, basketball hoops, 5-a-side style football goals and play equipment usually contained within a fence. These play areas are sometimes stand-alone facilities but are more often part of a larger green space.

Play areas are located at various (c18) different open spaces in Bexhill.

Play Areas, Rye

The council manages 3 play areas in Rye; the Town Salts, Masons Field and King's Avenue, all of which are set in larger green spaces.

In addition to the above, the council manages 3 other play areas: Coronation Gardens, Battle; Darvel Down Netherfield, (both of which are set in larger amenity green spaces) and 1 play area in Bodiam.

Woodlands

The Council manages small areas of woodland in Bexhill, Netherfield, and Bodiam. Other than litter picking and bin emptying, no routine work is carried out in our woodlands. Arboriculture work is carried out under a separate contract and is excluded from the ground's maintenance contract.

Churchyards

There are 4 Closed churchyards being Rye, Ticehurst, and St. Peters and St. Marks in Bexhill. Minimal maintenance is required at these sites.

Cemetery maintenance

See Appendix A for more detailed specification.

Bexhill Cemetery

Bexhill Cemetery is situated at Turkey Road and has been open for burials since 1901. The cemetery has both Traditional and Lawn sections, and a further extended area of rough grass for future use. The service includes grave digging, of which there are on average 65-70 per year and the interment of cremated remains. The majority of graves are dug by light excavators, but some hand digging may be required on the older sections.

Rye Cemetery

Rye Cemetery is located at Rye Hill and has been open for burials since 1854. It contains both Traditional and Lawn sections. The service includes grave digging, of which there are on average 15-20 per year and the interment of cremated remains. Most graves are dug by light excavators, but some hand digging may be required on the older sections.

Other open spaces

There are several open spaces not classed as parks, gardens or recreation grounds or play areas.

These include Barrack Road, Galley Hill, Sidley House, Bexhill Police station, planting by the A259 and Collington Halt (all in Bexhill). Watch Oak Offices in Battle, School workshops in Udimore and the Maltings Workshops in Peasmarsh.

Their maintenance includes grass cutting, shrub maintenance and hedge cutting.

Car Parks Maintenance

This includes car park maintenance of the soft landscape at various car parks. This varies at each car park site and includes grass cutting and maintenance of shrub and rose beds.

There are:

- Five car parks in Bexhill (Sidley, Little Common, Cooden, Beeching Road and Wainwright Road).
- Two car parks in Battle (Mount Street and Market Street).
- Three car parks in Rye (Cinque Port Street, Gibbets Marsh and Lucknow Place).
- Two car parks in Camber (Johnsons Field and Western car park) and two other car parks i.e. Northiam & Hurst Green.

Supply of seasonal bedding plants and bulbs

The Council has a minimal amount of seasonal bedding and bulbs and if required will form non-routine activities.

Litter

The clearance of litter and path/road sweeping from all park areas in compliance with the Environmental Protection Act – Code of Practice.

Water courses.

There are various water courses across the district that will require attention during the contract e.g. litter clearance, outflow grill.

The Service

The current contract has been in place for some years and will expire in November 2024. The Council wishes to seek guidance on what level of service a contractor could provide for an annual budget of £250,000, excluding the two cemeteries.

We wish to understand what a contract service would deliver for £250,000, and then the costs of additional works so that this service could be built on as budgets allow.

It is recognised that the budget of £250,000, excluding the two cemeteries, is limited and would most likely not be able to fulfill all the current contractual operations.

Cemeteries should be costed separately to the £250,000. Certain landscapes are more sensitive to maintain than others such as cemeteries and Egerton Park (Green Flag Award). The council would like to understand what would be achievable and the estimated cost based on the following priorities:

Essential items

(To be included in £250,000 annual budget)

- Play area inspections -anticipated cost to deliver.
- Egerton Park
- Seafront gardens (including West, East and Marina)
- Grass cutting in all areas -anticipated cost.
- Hedge cutting -anticipated cost.
- Emptying of litter bins -anticipated costs -see site plans.
- Litter picking
- Herbicide treatments

(To be excluded from £250,000 as a separate annual budget)

- Cemeteries -Rye and Bexhill -anticipated costs to deliver
- Bexhill is a manned site plus locking and unlocking, bin emptying and litter picking.

Lower priority

- Seasonal bedding
- Shrub beds/perennial planting
- Woodlands
- Water courses/ditch maintenance
- Hard surface sweeping/blowing.

Objectives

- 1) The Council wishes to engage with the market and undertake a market engagement exercise to establish the current issues and opportunities facing the market in the delivery of these services.
- 2) The Council wishes to market test the possible procurement options and packaging to gain a better understanding of the following:
 - i. How service providers might approach delivery of the service

- ii. Contract length- short, medium, and long term and estimate of costs
 - iii. Views on the procurement route
 - iv. Specifications
 - v. Potential Risk and Risk allocation
- 3) The Council wants to use the results of this exercise to help it shape the future contract and to ensure it provides a procurement package that is attractive and helpful to potential bidders.
- 4) Depending upon the range and number of responses the Council may select a representative sample of interested parties for follow up meetings or discussions. Selection is at the discretion of the Council.
- 5) Please note that this communication has been issued by the Council purely for information seeking purposes and does not form part of the procurement process. Interested parties should note that a response to this does not guarantee an invitation to tender. Conversely, not participating in the market testing exercise will not exclude any party from any involvement in any subsequent procurement process. The Council is not liable for any costs, fees or expenses incurred by any provider participating in the market engagement exercise.

Please read the document and if you feel that your organisation is able to contribute to this Market Engagement exercise, please complete the questionnaire as contained in this document and return via email to esph@wealden.gov.uk with the Subject heading "MP041 RDC Grounds Maintenance Service SMT" by Wednesday 31st January 2024.

Please note that this is not a call for competition.

The following objectives are pertinent to this market engagement exercise:

- a. An understanding of what the Council is aiming to deliver; and
- b. The ability to innovate and add value; and
- c. An thorough understanding of the current marketplace; and
- d. The overall value added in helping to scope the project.

For the avoidance of doubt, this communication is for the purpose of conducting stakeholder and market engagement and will not formally begin any procurement process or constitute any commitment by the East Sussex Procurement Hub and Rother District Council in the undertaking of any such procurement exercise.

Stakeholder and Market Engagement

The Council and the East Sussex Procurement Hub are at an early stage in development of its proposals for the Grounds Maintenance Service and seeks input from the market as to what might be the most potentially advantageous way of packaging and scoping any future procurement opportunity.

This exercise will also provide an opportunity for the Council to obtain insight into how the market may approach the delivery of the services in question. It also gives useful early insight into the likely level of interest from that market.

Stakeholders and market providers will not be prejudiced by any response or failure to respond to this exercise or attendance at any future marketing events. Market providers must also note that a response to this communication does not guarantee an invitation to participate in any future tender opportunity that may be conducted. Any procurement for the supply and services by the Council will be carried out strictly in accordance with the Public Contracts Regulations 2015.

The East Sussex Procurement Hub in association with the Council has developed a questionnaire (see below) that they would like market providers to complete.

As stated previously the outcome of this market engagement exercise will seek to shape the future delivery of the formerly referred service provision.

Before commencing a procurement process, the Council wishes to undertake a market sounding exercise and would welcome the views of providers on the questions set out on the page below. We would like to receive feedback on the following and any other comments that you may have.

1. Which of the below items can you provide for £250,000 per annum budget, based on the priorities below?

Please state the frequency or the standard you would achieve for each item.

Please state the cost for each item.

For those items that cannot be covered in the £250,000 per annum budget, please provide a cost for them in the end column.

Task	Cost per annum as part of £250k budget	Frequency (if applicable)	Standard achieved (if not done on frequency basis)	For those items that cannot be covered in the £250,000 please provide a cost
Essential Items				
Play area inspections				
Emptying of litter bins				
Litter picking				
Egerton Park-				
Grass cutting in all areas				
Bexhill Seafront planting/hedges				
Lower Priority				
Hedge cutting				
Planted areas				
Car parks				
Water courses				
Herbicide treatment				

2. Cemeteries -Rye and Bexhill

The Council charges customers for various aspects including internments, exclusive rights for the purchase of a grave, memorial permits and use of Chapel. The intention is to ensure the cost of grave digging and maintaining cemeteries remains covered by revenue generation.

How much would it cost to deliver the following services within cemeteries according to the specification provided in Appendix A.

- Bexhill Cemetery -Fully manned site to complete grounds maintenance Monday to Friday only and opening and closing 365 days per annum.
- Rye Cemetery -as and when required.
- Grave digging -both sites
- Grounds maintenance -both sites

3. The Council needs to deliver a routine grounds maintenance service within a budget £250k per annum.

Please suggest how this could be achieved whilst delivering as many ground maintenance services as possible?

4. What length of contract would be desirable?

5. Please indicate staff numbers included in the £250k, split out separately to show managers and full-time equivalent operatives.

6. Please indicate staff numbers included for the cemeteries; split out separately to show managers and full-time equivalent operatives

7. The Council has limited storage facilities for equipment and welfare please see appendix B attached for your information.

Would you be able to provide your own?

8. What equipment will you anticipate using to provide the service?
9. The council has committed to being a carbon neutral district by 2030. Has your organisation made a Net Zero commitment and if so, what is your target date? What are your main leavers and barriers to achieving this?
10. Please outline what you believe the risks are if you were to take on this contract and how these risks could be mitigated for all parties.
11. How long would you require to mobilise a new contract to start 1st December 2024
12. Please state any contractual terms which would be a disincentive to the market, and why.
13. Are there any barriers to you tendering with regards to procurement methods (e.g. would you prefer to use a Framework)?
14. RDC currently uses DTE Grounds to manage their maintenance. What grounds maintenance software do you use to manage your contracts? Do you have a preferred system to use?

We would be grateful if responses to these questions could be submitted by Wednesday 31st January 2024. Responses should be sent by email to: esph@wealden.gov.uk with the Subject heading "MP041 RDC Grounds Maintenance Service SMT"

Please note:

Market providers will not be prejudiced by any response or failure to respond to this soft market testing/sounding exercise and a response to this communication does not guarantee any invitation to participate in any future public procurement process that the Commissioning Authority may conduct.

Any responses provided will not be treated as commercially confidential and may be used by the East Sussex Procurement Hub and the Council in the development of any service specifications and utilized for the purposes of undertaking any subsequent procurement exercises, but no organisation will be individually identified.

Rother Cemeteries Specification

The greatest care must be taken in the appointment of staff, any of whom may, by conduct or demeanour, detract from the atmosphere of reverence which is appropriate to the site.

All staff employed in the operation must be suitably aware of the sensitive nature of the cemetery. The Contractor is to impress upon their staff the need to act, dress and behave in a respectful manner on all occasions, having regard to the function of the Cemetery and to be particularly respectful of the feelings of the mourners and people visiting the Cemetery.

It may be necessary, prior to and during interments, for the Contractor to cease working within the vicinity so as not to be a source of distraction or to cause inconvenience or annoyance to the mourners.

The Contractor shall undertake all work within the Cemeteries as per specification, in addition of staff following the code of practice and legislation as appropriate: "The Institute of Burial and Cremation Administration Code of Safe Working Practices for Cemeteries".

Members of the grave digging team must have undertaken a Cemetery Operatives Training Scheme (COTS) or hold an equivalent NVQ.

Grass Maintenance - Summary

Grass Cutting Machines:

- Must be of an appropriate type to achieve the specified standard of maintenance.
- Be correctly adjusted to give a clean cut without damaging the grass and of a type that will minimise damage or compaction to the grass surface.

Each Cut:

- Move all movable items, i.e. litter baskets, seats and replace after cutting to the original or suitable alternative position to permit grass re-growth or repair.
- Ensure that all litter collection including dog excrement has taken place prior to mowing; (under the terms of the Environmental Protection Act, dog faeces are included for removal).
- Allow for strimming around obstacles, but avoid causing bare patches or damage to plants.

Ornamental Grass:

- Cut to a height of 12mm and remove arisings using a cylinder mower with a minimum of 80 cuts per metre, or an approved rotary mower with collection facility, to remove stalks.
- The height of growth must not exceed 25mm throughout the year.
- Leaf Clearance.
- Rake off and remove all leaves and debris from grass monthly from mid-October to January.
- Deliver all arisings to composting site(s) or to tip at contractor's expense.

High Amenity Grass:

- Cut to a height of 25mm and leave arisings.
- The height of growth must not exceed 50mm.
- Where hard standing areas i.e. paths/steps adjoin grass areas, arisings are to be blown back onto grass areas by means of mechanical blowers.
- Ensure all adjoining hard areas are free from arisings before leaving site.
- Clear all leaves and debris from grass at a frequency that prevents any damage to the sward.
- Deliver all arisings to composting site(s) or to tip at contractor's expense.
- Strim edges around wall/fence bases and obstacles throughout the growing season.
- All obstacles to be maintained to a maximum height of 50mm.
- All semi-mature or newly planted trees shall be trimmed by non-erosive methods.

Amenity Grass:

- Cut to a height of 50mm throughout the growing season and leave arisings.
- The height of growth must not exceed 100mm.

- Height of cut on areas may be varied by the Contract Officer, subsequently maintain these areas to the specified height throughout the year.
- Trim edges around wall/fence bases and obstacles throughout the growing season.

Environmental Areas:

- A few environmental areas exist, identified for their ecological interest, and as such have important, specific maintenance requirements in promoting biodiversity.
- Some areas in this category simply act as a green corridor on or between green space.
- Where any wildflowers are noted on site, the Contractor is to notify the Contract Officer.

EA1

- Cut once each year in early September to a height of 75mm and leave cuttings.

EA2

- Cut twice a year, the first cut being undertaken during the second two weeks of April and the second cut at the end of August to a height of between 75mm and leave cuttings.

Hedge maintenance:

- Trim once per year in October.
- Trim carefully and neatly under normal maintenance to regular line and shape.
- Maintain existing dimensions and form unless otherwise instructed by the Contract Officer.
- Remove current growth rather than old wood.
- All hedges must be inspected for nesting birds prior to cutting. The typical bird nesting season is March – August. Any hedges found with nests either in use or in the process of being built should not be maintained until nest is abandoned. Clarification can be sought from the Contract Officer.

- Remove weeds including ivy and bramble, grass and litter when removing clippings.

Shrub beds:

- Maintain grass edges to the specified standard indicated for the surrounding grass areas.
- Visit shrub beds at monthly intervals throughout the year to ensure beds are being maintained as specified and in a clean condition.
- At all times the beds and paths shall be left in a clean, tidy condition immediately following completion of any operation.
- All shrub areas are to be kept free of litter throughout the year and the Contractor is to allow for collection and immediate removal.
- Prune shrubs at correct time of year relevant to the species.
- Clean site and cultivate beds to leave a smooth weed free tilth on completion.
- All pruning and weeds to be kept clear of adjacent pathways and removed on the same day.

Rose Beds/Head Borders:

- The beds should be clean with an open structure and sharp edges.
- The plants should be disease and pest free and maintained to maximise their decorative appearance.
- Carry out low, medium, or long pruning as dictated by the type and variety using well maintained, sharp pruning tools (excluding hedge trimmers).
- Remove dead blooms from Hybrid Tea and Floribunda roses during the flowering period, excluding those grown for decorative hips.
- During November cut back long stems on current year's growth by one third.
- Hand weed beds throughout the year.
- Remove all fallen leaves from the beds.

- The phrase 'hand weed' includes removal of weeds by hand and hand-hoeing using a Dutch hoe, causing minimum disturbance to mulch/soil surface. Do not hoe deeper than 25mm.
- Leave beds and surrounding grass areas in a neat condition.
- The use of residual herbicide is not permitted on rose beds.
- During April supply and apply granular rose fertiliser at 50gms per square metre.
- Maintain roses free from pests and diseases by applying chemical controls to top and underside of foliage.
- Maintain grass edges to the specified standard indicated for the surrounding grass areas.
- Where there is evidence of shortage of nitrogen, phosphate, or potash, supply and apply compound fertiliser.
- Where there is evidence of magnesium, iron or manganese shortage, take remedial action.

Seasonal Bedding/Perpetuity Graves:

- Planting shall be undertaken twice a year in October and May.
- Clear the previous season's bedding, including bulbs, corms, and tubers.
- In preparation to receive summer bedding, dig over all the beds carefully remove perennial weeds and litter and remove all arisings.
- Supply and apply to all beds approved slow-release general fertiliser with NPK Ratio 16.8.12 at 50gms per square metre during preparation.
- In preparation to receive Spring bedding, supply and apply compost as agreed with Contract Officer to a full even depth of 50mm over the whole area of the beds and dig into a depth of 225mm (or such lesser depth as the Contract Officer shall instruct).
- Remove all dead flower heads, remove all litter, thoroughly hand weed and lightly hoe all beds throughout the year.
- Maintain grass edges to the specified standard indicated for the surrounding grass areas. Remove all arisings from the bed and surrounds.

- Maintain vertical edge of 50mm around the grass edge of the bed.
- Keep all beds free from fallen leaves and remove all arisings.
- Keep all bedding plants free from pests and disease by applying appropriate approved chemical controls.
- Do not use sprays during windy and/or drought conditions.
- Water to maintain optimum growing conditions in all beds throughout the growing season ensuring adequate water penetration and avoid puddling of the surface.
- Hoe not later than the next working day.
- Supply and apply organically based liquid feed. Allow for three applications during the growing season to all summer bedding.
- Remove flower heads and stems from species used for foliage effect.

Litter:

- Collect all litter, including stones, bricks, cardboard, plastic, paper, confectionery wrappings, bottles, cans and containers or any visible or offensive debris, including arisings from fly tipping, (up to one cubic metre consolidated).
- Dog/animal faeces are to be collected and removed from site using mechanical means on a rolling weekly programme. Allow for immediate graffiti removal under this item.
- During the growing season arrange for litter collection to take place immediately before regular mowing.

Litter Bins:

- All collected litter should be bagged and sealed and removed immediately to contained storage facilities, ready for disposal to approved tip.
- Litter bins are to be cleaned monthly to remove dirt; attention must be paid to both internal and external surfaces.
- Lubricate hinges and locking mechanisms after each clean.

Tree Wells:

A 1m vegetation free base must be maintained around young trees in lawn areas to prevent strimmer damage.

Snow and Ice clearance:

When requested by the Cemetery Officer snow and Ice removal and the application of salt (supplied by cemeteries officer) may be requested.

Locking and unlocking of gates:

The Contractor shall undertake the locking and unlocking of entrance gates at Bexhill Cemetery only, as required. The gates shall be unlocked at 08.00am and locked half an hour prior to sunset or 08.00pm, whichever is earlier, Monday to Sunday including Bank Holidays. The Contractor shall ensure that no gate is locked earlier than the official closing time and that no members of the public are locked inside the Cemetery. Closing Times Notices are supplied and placed on the gates by the Cemetery Officer.

Bexhill Chapel of Remembrance:

At Bexhill Chapel of Remembrance the glass display case shall be kept clean and polished. All chairs, ledges and fittings shall be dusted off and wiped with a lightly moistened cloth (including cleaning fluid). The floor shall be cleaned with a lightly moistened mop using a mild floor cleaning fluid.

The condition of plants and flowers within the Chapel shall be continually monitored and any that are dying are to be removed. Any memorial pot plants in the Chapel shall also be checked and watered as required.

Book of Remembrance:

Every day of the year The Book of Remembrance shall be turned to the correct page by 08.30am. Extreme care shall be taken; white gloves shall be worn and afterwards the display cabinet shall be locked again.

Grave Matting:

New dressings are to be supplied by the contractor at the start of the contract period and adequate supplies of clean dressings are to be maintained. The Contractor is to supply and provide for the provision to maintain, clean, and dry the matting at their own expense. Equipment to undertake this requirement can be stored at the Cemetery subject to approval by the Cemetery Manager and H&S requirements and any manufacturer's recommendations are met.

Muslim Burials:

Provision is to be made in preparation for any Muslim burial required over a weekend or Bank Holiday. Depending on when notification of burial is received,

provision of resources required for digging, dressing and preparation of grave may be required on the weekend and/or bank holiday, where the grave space will need to be prepared the previous day. Suitably qualified staff will be available to undertake required duties.

Grave Digging:

Lockable lids are to be attached to the shoring in place of covering the graves with boards.

Grave Spoil:

- A spoil board is to be placed adjacent to the grave and all necessary covers employed to protect any adjacent memorial in line with the Institute of Burial and Cremation and Administration Code of Safe Working Practices for Cemeteries. Any spoil mound adjacent to the grave shall be completely covered with grass matting.
- At Bexhill Cemetery the grave spoil should be removed to the compound in the Contractors yard.
- Storage on site of small amounts of spoil for use in topping up sunken graves may be allowed, in areas approved by the Contract Officer. On a monthly basis the Contractor must remove any spoil from the site that is more than the original amount agreed, to an approved tip at his own expense.

Grave Digging Specification/Non-Routine Work:

- The Contractor will in addition to specified horticultural works be required to undertake works relating to the interment of the deceased.
- In carrying out such work the Contractor and his staff shall exhibit a caring attitude, showing respect to both mourners and staff employed by funeral directors, and others visiting the cemetery or burial ground.
- The Contractor shall provide an efficient communication system throughout the period of this contract, to ascertain the details of any funerals, interment of ashes etc. which may be forthcoming.
- The maintenance costs and charges arising from the use of any communication system shall be the responsibility of the Contractor.
- The Contractor will be informed both verbally and in writing of the date and time of each interment, location, coffin size and depth of burials.

- ***At least 48 hours' notice will be given for burials and 24 hours' notice for the interment of ashes, with the exception of Muslim burials which may, when possible, take place within 24 hours notice.*** (Details re. procedures in respect of interments, will be supplied by the Cemetery Officer).
- The confirmation of the exact location of the grave space is to be agreed on site with the Cemetery Officer after receipt of the above notification.
- The Contractor shall make due allowance in his tendered rates for grave excavation to cover all costs associated with the location of graves prior to interment.
- The Contractor shall have the grave ready for confirmatory measurement at 9am on the day of the interment.
- The Contractor shall confirm these details with the staff responsible for carrying out the excavation, in writing, on a form to be provided by the Cemetery Officer (it is of paramount importance that the Contractor considers the thickness of any timbering, shielding etc.)
- All such works must conform with the current Health and Safety regulations.
- Thorough risk assessments will be carried out prior to commencement.
- On receipt of instructions from the Cemetery Officer the Contractor may be required to excavate a few spare graves within the Cemetery.
- Such works shall be paid for at the Contractor's Tendered Rates which shall include for maintaining the safety of these excavations until such time as they are utilised.
- The location of graves within the Cemetery can be identified by reference to the Cemetery plans held by the Cemetery Officer.
- Prior to carrying out any excavation, turf removal or similar operation the Contractor shall place boards assembled to form 3-sided grave tidy with flooring in positions on the adjacent open space or grave space.
- In the latter case the utmost care should be taken to avoid damage to or contamination of the Memorial.
- Before carrying out any excavation the Contractor shall examine adjacent memorials to ensure that they are in a safe condition, in the event of any memorial being unsafe or damaged the Contractor shall immediately inform the Cemetery Officer.

- If the monumental mason does not remove the memorial on the grave to be excavated in sufficient time to allow the Contractor to commence the excavation, the Contractor shall immediately notify the Cemetery Officer who may instruct the Contractor to remove the memorial to a place of safe storage.
- Memorials adjacent to the excavation site shall be protected during excavation and back filling operations with boards and tarpaulins provided by the Contractor.
- In the event of there being insufficient space adjacent to the grave to accommodate spoil the Contractor shall remove spoil to a position within the burial ground as directed by the Cemetery Officer. The Contractor shall make sufficient provision within his rates to cover for such eventualities.
- Having first identified the correct location of the grave to be excavated, the Contractor shall lift the turf from the site to the final dimensions of the finished grave, and shall place the turf safely for reinstatement, on an already settled grave.
- The Contractor shall lift the turf from the site to the final dimensions of the finished grave, and shall place the turf safely for reinstatement, on an already settled grave.
- Having removed turf, the Contractor shall now excavate the grave to the required dimensions.
- All spoil excavated shall be stored at least 0.75 metres away from the edge of the grave.
- In carrying out his work the Contractor shall take steps to ensure that no adjoining or underlying remains are disturbed and during excavation the Contractor shall ensure that the grave is adequately shored using tools equipment and materials to be supplied by the Contractor.
- If, during the excavations the Contractor unearths any human remains, then the work shall be suspended, and the Cemetery Officer notified immediately.
- In carrying out his work the Contractor shall take steps to ensure that no adjoining or underlying remains are disturbed and during excavation. The Contractor shall ensure that the grave is adequately shored using tools, equipment, and materials to be supplied by the Contractor.
- Throughout the excavation of the grave the Contractor shall ensure that two members of his staff are in attendance, one to act as banks man and

to assist as required in the event of any accident; except that this requirement shall be deemed not to apply during the excavation of the first one metre depth of the grave.

- Having completed the excavation, the grave shall be securely covered, to remove any element of danger to persons entering the burial ground, this task shall be undertaken on every occasion where a grave is to be left open prior to an interment.
- The cover shall be removed prior to the following operations taking place.
- It is a requirement of this Contract that prior to the covering of the newly excavated grave the Cemetery Officer and Contract Manager shall physically measure the grave to ensure that it complies in all respects with the instructions issued to the grave diggers.
- In Rye cemetery the graves are dug on the day of the burial and therefore a cover is not used.
- The costs of expediting these checks shall be deemed to have been included in the rates submitted for the excavation of graves.
- Prior to the arrival of the cortege the following tasks shall be undertaken, final preparations being fully completed no less than 1 hour prior to the arrival of the cortege at the burial ground.
- The grave shall be emptied of any water that has collected within it during or after excavation, and a layer of grass cuttings or wood shavings shall be spread across the bottom of the grave.
- Stout boarding provided by the Contractor shall be laid both sides of the grave to a minimum width of 400mm to provide a firm footing for the coffin bearers. In addition to this place a large sheet of board 2m x 1m over this also.
- The platform and the grave sides shall now be draped with artificial grass matting provided by the Contractor.
- The matting shall be arranged so that the sides of the grave are completely covered and that the surrounds are covered to an area extending 60cm.
- Beyond the edges of the grave, grass matting shall be pegged as required and shall be neatly and tidily arranged.

- The matting and webbing will be purchased and supplied by the Contractor and will be always maintained in a clean condition.
- When required the Contractor should make allowance for washing of such matting to keep it presentable.
- Any spoil mound adjacent to the grave shall now be completely covered with artificial grass matting (which will be purchased and supplied by the Contractor), all storage boards being similarly covered. This should be always kept clean.
- The area around the grave shall be cleared of any debris or litter leaving the site in a tidy and presentable condition.
- A quantity of dry friable soil shall be placed at the head of the grave. This should be stored in a wooden container and be supplied by the Cemetery Officer.
- Lowering webbing (normally two pairs, occasionally three) and putlocks (Bearers) shall now be placed in position. Local Funeral Directors require putlocks and webbing to be laid out on ground adjacent to the grave head or foot (whichever the more appropriate access point) for webbing up. A further set of putlocks are also placed across the centres of graves to assist the interment ceremony. Sometimes a 3rd set of webbing may be required and due allowance should be made for this.
- Whilst the grave is uncovered and prior to the arrival of the funeral party a member of the Contractor's staff must remain at the grave side to ensure public safety, until the Cemetery Manager or representative arrives at the grave. This member of staff shall remain present on the site to provide any assistance that may be required in the event of the collapse of the grave or shoring and to ensure the safety of those attending the funeral, consequently, he must remain in such a position that he has a clear view of the grave itself. During the burial any staff not directly required shall remain out of sight of mourners, and no mechanical operations shall be undertaken within the hearing of the mourners. Any tools and equipment shall be out of sight of the funeral party.
- Immediately after the cortege has left the site the grave shall be backfilled. During backfilling spoil shall not be allowed to fall onto the coffin in such a manner that it may cause damage. During the backfilling, spoil shall be consolidated at every 30cm depth. The surface of the grave should finally be mounded to produce a uniform and smooth mound of curved cross-section standing 50cm proud of the surrounding surface and the turf replaced on the grave. All work is to be completed on the day of burial. During June to Mid-September (incl.) the turf removed

from the ground shall not be replaced after mounding, but instead the grave shall be over-soiled and seeded at the rate of 20gms/m².

- On re-opened graves where the Contractor is unable to achieve the legally required minimum of 3ft of soil backfilled above the coffin lid either:
 - i. Where 2ft or more of soil above the coffin lid can be achieved a clay backfill must be made.
 - ii. Where only less than 2ft of soil above the coffin lid is possible a concrete layer midway between the coffin and the grounds surface should be laid as a seal.
- Where subsidence takes place to a depth greater than 100 mm below the level of the surrounding turf on a grave whether excavated by the Contractor or not, then the Contractor shall infill the depression, making good with seed/turf as appropriate for the time of year and shall make do allowance in his Tendered Rates for all such remedial works. This work is to be co-ordinated in conjunction with the Cemetery Officer's requirement.
- The Contractor will be required to compile a list of all sunken graves noticed during his operations and provide such list to the Cemetery Officer in the first week of March and September for retention within the Cemetery records.
 - Having completed tasks associated with the grave all excess spoil shall be removed from the site to a place of storage agreed with the Supervising Officer or disposed of to the Contractor's tip.
 - After mounding, floral tributes shall be carried from the laying out area and placed on the grave in a careful and attractive manner.
 - Any memorial which has been soiled during the excavation or backfilling of the grave should now be thoroughly cleaned as should the area around the excavation.
 - All lowering webbing grass matting and other equipment should now be cleaned and returned to the Contractor's store.
 - All floral tributes should be removed from the grave for disposal 14 days after the funeral or shall be removed at such time prior to the expiry of the 14-day period as they become unsightly.
 - All tools and equipment shall be maintained in a clean and sound condition – all biers, lowering webbing etc must be checked prior to each interment.

- Any defective materials being replaced immediately from stock provided and held by the Contractor.
- All used webbing shall be taken from the Cemetery at the end of each calendar year and shall be replaced with new webbing of a type approved by the Cemetery Manager.
- The Contractor's attention is drawn to the average number of earth burials, which take place at 100 per year.
- The Contractor's tendered rates in respect of the excavation of graves should be based on these figures and on all aspects of the interment processes.
- A client instruction will be raised at the end of each month based on the actual number of graves completed.
- Attendance "out of normal working hours" – at funerals or for the excavation of graves falls into two categories.
- Occasionally the Contractor will be expected to nominate a member of staff to attend a funeral during the lunch time period but will be deemed to have made do allowance in his working arrangements and tendered rates to cover for this eventuality.
- Interments are between the hours of 9am and 3pm (2.30pm between beginning of December and end of February) only. On Fridays between the hours of 9am to 2pm only.

Cremated Remains:

From time to time, as directed by the Cemetery Officer, the Contractor shall prepare and reinstate sites for the burial of cremated remains.

The specification for the work is as follows:

- (a) On receipt of instruction from the Cemetery Officer, the Contractor shall prepare a site in the position required.
- (b) A spoil board should be placed adjacent to the grave and all necessary covers employed to protect any adjacent memorial.
- (c) The Contractor shall now excavate a hole 45cm square and 50cm in depth, the hole to be square, have vertical sides, and a flat and level base. Turf should be carefully removed and set aside for reinstating the grave after interment.
- (d) In the event of water collecting in the hole, this should be removed.
- (e) In the event of there being insufficient space adjacent to the site for spoil to be stored after excavation this should be removed to a site to be specified

by the Supervising Officer, and the Contractor shall make provision in his Tendered Rates to allow for this eventuality.

(f) Having completed the excavation, the site should be left clean and tidy, all covers should be removed from memorials and any spoil mound adjacent to the site should be covered with grass matting.

(g) After the interment of remains the Contractor shall immediately reinstate the site filling and consolidating the soil to leave the surface at such a level that the turf removed is relayed flush with surrounding turf. Re-turfing should follow immediately after the reinstatement of the excavation.

Headstone Borders/Lawned Cemetery:

All new areas of the Cemetery are laid out as lawn plots with .6m wide borders running.

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Premises available for Grounds Maintenance Contractor to lease

Note:

- Items in **blue** relate to Bexhill Cemetery, but the facilities could potentially be used in relation to the maintenance of other sites.

Not included:

- Little Common Rec garage: To be used by the football/cricket club after this contract ends.
- Rye Cricket Salts small green container: No longer being used by idverde. Rye CC using it.

Site	Premises	Function	Power	Water	Toilet	Approx. Dimensions	Other	what3words
Egerton Park	Clad container 1	Mess room	Yes	Yes	Yes	4.4 x 3m	Within fenced compound	never.join.invite
	Clad container 2	Store	No	No	No	6 x 3m		loads.fortunate.early
Bexhill Cemetery	Metal container 1	Mess room	Yes	Yes	Yes	5.8 x 2.5m	Within fenced compound 23m x 22m	pulled.party.swims
	Metal container 2	Store	No	No	No	5.8 x 2.5m		twist.ship.syndicate
	Metal container 3	Store	No	No	No	5.8 x 2.5m		nitrate.clutches.firelight
Polegrove (east: football and cricket side)	Room behind grandstand	Mess room	Yes	Yes	No	5 x 3m		audit.pink.doors
	Clad container 1	Store	No	No	No	5 x 2.6m		hatch.deals.sides
	Clad container 2	Store	No	No	No	5 x 2.6m		
Rye Town and Fair Salts	Bowls pavilion	Mess room	Yes	Yes	No	3 x 2.5m	Bowls club interested in having this if not needed by contractor.	upstarts.mash.riverbed
		Store	Yes	No	No	3 x 3m		sampling.hangs.crackles
Rye Cricket Salts	Large metal shed/barn	Store	Yes	No	No	7.2 x 4.8m	High ceiling and double access doors. Suitable for large machinery.	twists.dignify.shutting

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**ROTHER DISTRICT COUNCIL
GROUNDS MAINTENANCE SERVICES
(Excluding cemeteries)**

1 DECEMBER 2024 to 30 NOVEMBER 2029

SPECIFICATION

22 February 2024

4/1

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1. ANNUAL MEADOW PLANTING

- 1.1 Various flower beds are sown each spring with an annual seed mix supplied by the Client.
- 1.2 Each bed will be cultivated during March to a depth of 150mm.
- 1.3 Rake and consolidate the cultivated area removing any detritus to form a seed bed.
- 1.4 Broadcast sow the seed mix supplied and lightly rake over.
- 1.5 Irrigate on one occasion if there is no rainfall within 7 days of sowing.
- 1.6 Remove any large annual weeds monthly from April to September.
- 1.7 After flowering clear the bed and dispose of all arisings leaving the site tidy at a time agreed with the Client.

2. BIN EMPTYING

GENERAL

2.1 Bin emptying will be managed under three regimes as detailed below. The majority of sites will be maintained under the Bin Medium regime.

Regime	Period	Frequency per week	Standard on completion
Bin High	Summer: 1 st April to 30 th September	7 (daily)	Bins empty
	Winter: 1 st October to 31 st March	2	Bins empty
Bin Medium	Summer: 1 st April to 30 th September	3	Bins empty
	Winter: 1 st October to 31 st March	2	Bins empty
Bin Low	All year round	Monthly	Bins empty

- 2.2 The Contractor is expected to be responsive and deal with reports of overflowing bins if they arise.
- 2.3 All operations relating to bin emptying and disposal of the associated waste shall be carried out in accordance with The Environmental Protection Act 1990 and the associated code of practice, (hereafter referred to as the EPA).
- 2.4 The number of bins on the Contract is stated by site in the bills of quantity. The bins are a mixture of litter and combined waste. The majority are single with a volume averaging 80 litres. A small proportion are double with a volume of approximately 105 litres. Bins specifically for dog waste are currently emptied by the Council's waste and street cleaning contractor and are not included in this Contract.
- 2.5 Having undertaken this cyclical operation, bins should be empty at the time the Contractor leaves the site.
- 2.6 The Contractor shall be responsible for the disposal of all rubbish, arisings, debris, litter and dog waste produced during the execution of any works and the associated disposal costs. This material shall be taken and disposed of at a suitably licensed, legally registered waste management site at the expense of the Contractor.
- 2.7 The temporary storage of rubbish on site shall only be permitted at specific locations approved by the Client.

3 GRASS CUTTING

General

- 3.3 Grass maintenance is categorised into three cutting regimes as set out in the table below.
- 3.4 Amenity Grass 16 will apply to children’s play areas and the highest profile and more ornamental sites only including Bexhill’s seafront, Egerton Park and Rye Gun Garden. The majority of sites will be maintained under the Amenity Grass 12 regime. The Environmental Grass 1 sites will require an element of Amenity Grass 12 maintenance to create informal paths for pedestrian access and alongside formal paths and around seating. Cutting heights refer to the height of grass on completion of the work.
- 3.5 There may need to be some flexibility in the start and finish dates of the cutting period in response to the growing conditions. Any variations will be subject to agreement between the Contractor and the Client.
- 3.6 Since it is not possible to anticipate the precise number of cuts which may be required on any site in any one year, the Bills of Quantities includes a given number of cuts based on two standards; 12 cuts and 16 cuts. The Contractor shall then be paid in accordance with the rates in the Bills of Quantities for more or less than this number, as this shall be dependant upon the prevailing weather conditions throughout the growing season.

Regime	Collect Grass	Cuts per annum	Cutting Height	Strimming around obstacles	Cutting Period
Amenity Grass 12	No	12	20-30mm	On every other cut	1 st March to 30 th September
Amenity Grass 16	No	16	20-30mm	On every cut	1 st March to 30 th September
Environmental Grass 1	No	1	50mm	After the one cut	1 st to 30 th September

- 3.7 When any grass cutting operation is undertaken, all strimming and standard edging shall be carried out on the site at the same time as required, such as along edges, fence lines and around obstacles. The Contractor shall allow for this combination of tasks in their rates. All grass shall be cut cleanly and evenly, to the same height and without damaging the existing surface.
- 3.8 The Contractor shall follow and keep to an approved system of cut to ensure that all areas are cut on a rota basis where applicable. Any rota shall be in accordance with the work programme. The Client may at their discretion, advance or delay the cutting dates.
- 3.9 The Contractor shall complete one area of grass cutting on the full area of the site, up to the paving, fencing and any other boundaries, before moving onto the next unless agreed in advance by the Client.
- 3.10 Soft vegetative growth, such as clover, shall be deemed to be part of the Contract where it

occurs within larger areas of grass.

- 3.11 Prior to cutting any area, the Contractor shall remove all stones over 20mm, as well as any litter, bottles and other litter and debris, including dog faeces and small branches.
- 3.12 Soil from molehills shall be spread evenly over surrounding ground or removed from site dependant upon the Client's instructions.
- 3.13 Areas containing naturalised bulbs or corms, shall not be cut until six weeks after flowering ceases, but shall not be left uncut for more than eight weeks. The Contractor shall cut these areas in order to return them to the standard of the surrounding areas.
- 3.14 The Contractor shall remove all grass clippings arising from mowing, from paved areas, mowing margins, channels, steps etc. immediately after mowing. Generally this shall be by sweeping or by the use of an electric vacuum device or electric blower.
- 3.15 Grass cutting on areas containing rare or unusual species of wildflowers may be suspended on the instructions of the Client until flowering has finished.
- 3.16 The area within 150mm of the base of all trees in grass areas shall not be cut by strimming or mowers.
- 3.17 Care must be taken not to damage any obstacles within the area to be cut, and the Client must be notified of any damage that does occur by the end of the next working day. Any costs incurred in correcting such damage shall be met by the Contractor.
- 3.18 The Contractor is deemed to have considered existing site obstructions when submitting their tender. No additional payments will be made for obstructions present at the commencement of the Contract.
- 3.19 The football and cricket pitches, including a run-off, are maintained by others (sports clubs) and the Contractor should not take machinery over them at any time unless agreed with the Client.
- 3.20 The Contractor shall ensure public safety at all times and cease grass cutting in areas of high public usage until it is safe to continue.
- 3.21 The Contractor will be responsible for any damage to vehicles arising as a result of grass cutting.

EDGING

- 3.22 The edges of grass areas which abut planted beds shall be trimmed using long handled edging shears (not strimmer) to produce a well-defined edge with a neat, straight and even appearance with no grass overhanging the finished edge. The arisings are to be removed. This shall be carried out on each occasion of cutting and within 5 working days of the grass being cut.
- 3.23 The edges of grass areas which abut paths, play area safety surfacing or other hard surfaces shall be trimmed annually using long handled edging shears (not strimmer) to produce a well-

defined edge with a neat, straight and even appearance with no grass overhanging the finished edge. The arisings are to be removed. This shall be carried out over the winter.

STRIMMING

- 3.24 Strimming shall be carried out around obstacles such as bollards and bins and alongside walls, fences, buildings within 5 working days of the grass being cut and to the above frequency. There is to be no strimming around trees.

- 3.25 Sites which have steep banks, limited access or limited size or shape for a larger machine, shall be cut using a strimmer where appropriate.

4 HARD SURFACES

- 4.1 No routine maintenance to hard surfaces is required except at Egerton Park and as detailed under Tennis Courts.
- 4.2 Litter management to hard surfaces is covered elsewhere in the specification.
- 4.3 Sweeping and herbicide application, if required, will be undertaken through works orders.
- 4.4 An electric leaf blower or an electric vacuum may be used to remove loose matter from hard surfaces. However, in small areas such as under seats where embedded soil, moss and detritus cannot effectively be removed by this means, manual or mechanical sweeping will be required.
- 4.5 It is not expected that established weeds growing in path cracks or edges are removed.
- 4.6 Arisings constituting organic matter that is small in size may be collected and spread evenly at the back of borders where it will not blow back on to paths. Where this is not possible, the organic arisings should be collected and disposed of with other green waste as appropriate.
- 4.7 Arisings must not be blown into drains.
- 4.8 Litter and dog faeces should be appropriately disposed of in accordance with the LITTER PICKING specification.

5 HEDGE MAINTENANCE

GENERAL

- 5.1 Special care must be taken to ensure no damage is caused to any service cables over or in the vicinity of the hedge and the Contractor shall be liable for any damage he causes thereto. The Contractor is also responsible for ensuring the operators safety and so the appropriate precautions must be taken when working near overhead cables.

Regime	No. of cuts per annum	Extent of cut	Cutting Period
Hedge cut 1	1	Remove all annual growth	October / November
Hedge cut 2	2	Remove all current season growth	June and September

TRIMMING ESTABLISHED HEDGES

- 5.2 Trim carefully and neatly under normal maintenance to regular line and shape, maintaining the existing dimensions and form. The Contractor shall at all times provide a stable hedge. Hedges must remain impenetrable where applicable.
- 5.3 Use sharp secateurs, shears or mechanical cutters according to the type and location of the hedge; all as stated in the Contract. Correct equipment and attachments must be used.
- 5.4 Large easily accessible highway hedges may be maintained by tractor mounted cutting equipment (e.g. flail). When cutting highway hedges of any type all highways regulations must be strictly adhered to.
- 5.5 Prune all hedges as set out in the Bills of Quantities. Avoid disturbing birds during the nesting season and comply with the Wildlife and Countryside Act (1981).
- 5.6 Clear all arisings, including clippings lodged in the hedge from the site by the end of each working day.
- 5.7 Ensure the base of the hedge clean, tidy, weed and litter free following cutting.

6 HERBICIDE APPLICATION

- 6.1 Except as part of routine maintenance to planted areas, as detailed under PERMANENT PLANTING, there is no routine use of herbicides on the Contract.
- 6.2 Where the application of herbicides is required, the Contractor must comply with the requirements as set out in STAFF QUALIFICATIONS AND EXPERIENCE and PERMANENT PLANTING.
- 6.3 It is the Contractor's responsibility to comply with relevant industry guidelines and legislation, including, but not restricted to the following, as amended or superseded from time to time:
 - a) The Environmental Protection Act (1990) (EPA).
 - b) The Control of Pesticides Regulations (1986) (COPR).
 - c) The Health and Safety at Work etc. Act (1974).
 - d) The Water Act (2014).
 - e) The Control of Pollution Act (1974).
 - f) The Control of Substances Hazardous to Health Regulations (2002) (COSHH).
- 6.4 The Contractor will ensure that all staff have appropriate protective clothing, access to such washing and cleaning facilities as required.
- 6.5 Only chemicals approved under the EPA and the Control of Pesticides Regulations (1986) and by the Client may be used.
- 6.6 The Contractor must keep appropriate records, as required by law and these must be made available to the Client, by email, within 24 hours of request.

7 LITTER COLLECTION

GENERAL

7.1 Litter picking will be managed under three regimes as detailed below. The majority of sites will be maintained under the Litter Medium regime.

Regime	Period	Frequency per week	Standard on completion
Litter High	Summer: 1 st April to 30 th September	7 (daily)	Litter free
	Winter: 1 st October to 31 st March	2	Litter free
Litter Medium	Summer: 1st April to 30th September	3	Litter free
	Winter: 1 st October to 31 st March	2	Litter free
Litter Low	All year round	Monthly	Litter free

7.2 The Contractor is expected to be responsive and deal with reports of broken glass etc. as they arise.

7.3 All operations relating to litter collection and disposal shall be carried out in accordance with The Environmental Protection Act 1990 and the associated code of practice, (hereafter referred to as the EPA).

7.4 All litter operations shall also include the removal of animal droppings and dog faeces from areas, as detailed under the EPA and the Litter (Animal Droppings) Order (1991).

7.5 Sites should be litter-picked in their entirety including all planted areas (shrub beds, rose beds and bedding areas), watercourse and hard surfaces such as paths and tennis courts.

7.6 The Council works with volunteer groups who carry out occasional litter picking activities on parks sites. The Contractor is expected to collect and dispose of any waste arising from these activities.

7.7 Having undertaken this cyclical operation, the site should at the time the Contractor leaves it, be in a tidy and clean condition essentially free of litter, furniture clean and free from spilt food or other unpleasant deposits.

7.8 The Contractor shall be responsible for the disposal of all rubbish, arisings, debris and litter produced during the execution of any works and the associated disposal costs. This material shall be taken and disposed of at a suitably licensed, legally registered waste management site at the expense of the Contractor.

7.9 The temporary storage of waste on site shall only be permitted at specific locations approved by the Client.

7.10 No litter picking is required at St Peters and St Marks Churchyards, the Council's car parks, Yates Close, Camber, Peasmarsh and Udimore workshops, other than prior to grass cutting.

8 PERENNIAL MEADOW AREAS

- 8.1 Various flower beds are permanently planted with a perennial meadow mix.
- 8.2 Allow to cut plant growth on request from the Client during May or June to delay or stagger the flowering period. Carefully rake up and dispose of all arisings.
- 8.3 Remove any large weeds on a monthly basis.
- 8.4 After flowering cut vegetation, rake up and dispose of all arisings leaving the site tidy at a time agreed with the Client.

9 PERMANENT PLANTING

GENERAL

- 9.3 The majority of permanent planting comprises shrub beds. There is also a small amount of perennial planting which is largely confined to three Bexhill sites; West Parade, Egerton Park and Manor Gardens. Roses are covered separately.
- 9.4 Maintenance is categorised into three regimes as detailed in the table below.
- 9.5 The majority of sites will be maintained under the Shrub bed 2 or 4 regime. These beds will generally have established planting covering a large proportion of the bed and will include low profile beds. High profile and more ornamental planting will be maintained under the Shrub bed 9 regime.
- 9.6 Routine maintenance comprises weeding only with the exceptions of West Parade, Egerton Park and Manor Gardens where some annual pruning will be required.

Regime	No. of visits annually	Timing
Shrub bed 2	2	1 visit during June or July. 1 visit over the winter.
Shrub bed 4	4	3 visits during growing season: (1) April/May (2) June/July/August (3) September/October. 1 winter visit.
Shrub bed 9	9	8 visits in the period 1 st March to 31 st October. 1 visit during the winter.

Weeding

- 9.7 Weeding may be by hand, by herbicide application or a mixture of both, as appropriate taking into account the season, conditions, proximity of cultivated plants and type and size of weed. Beds should be weed free once visited and left in a neat and tidy condition.
- 9.8 Brambles, sedges, self-sown trees, tri-cornered leek, bindweed and thistles should be dug out by hand so as to remove the roots.
- 9.9 Only glyphosate-based translocated herbicides will be permitted. Residual herbicides may not be used. Katoun Gold is not permitted.
- 9.10 Disturbance to the soil by digging, forking or hand-hoeing should remove the minimum amount of soil and cause minimum disturbance to mulched surfaces, bulbs and herbaceous plants.

9.11 Any organic matter or other debris which is spread onto adjoining grass or hard-surfaced area during the course of maintaining the shrub beds should be carefully removed.

Mulching

9.12 West Parade planting is generally mulched with fine granite material supplied by the Client. Application will be via a works order.

9.13 The Contractor may apply woodchip, composted green waste or other approved organic mulch to planted areas in order to assist with weed control but only with the prior agreement of the Client.

Pruning

9.14 Pruning is excluded from the Contract with three exceptions of :

- Egerton Park – allow for 30% of the permanent planting areas annually.
- West Parade – allow for 30% of the permanent planting areas annually.
- Manor Gardens – allow for 20% of the permanent planting areas annually.

9.15 Any additional pruning required will be dealt with through a works order.

9.16 Below is a basic general guide to the timing of pruning. The Client will liaise with the Contractor regarding the timing and method of pruning wherever it is required. Pruning is to be carried out using secateurs, not hedge trimmers unless otherwise agreed with the Client.

- Winter flowering: Prune in Spring.
- Early flowering shrubs flowering in April, May and June: Prune immediately after flowering.
- Summer/early autumn flowering shrubs: Prune in March/April.
- Evergreens: Prune in April after the danger of frost has passed.
- Cornus: Cut back in March.
- Grasses: Late March/early April.

Green waste

9.17 Green waste shall either be recycled by the Contractor or disposed of at an authorised facility which recycles the waste. It may be temporarily stored in a tidy pile for a period of no more than two weeks at the following locations:

- Egerton Park contractor's compound
- Designated area of Manor Barn car park
- Designated area of the Polegrove adjacent to the bowls greens

10 PLAY AREAS

10.1 Play areas must be maintained in a safe, clean and well-presented order, fully compliant with current British standards. Moving parts should be repaired quickly once damaged and more serious problems reported to the client immediately. It is the Council's aim to upgrade play sites where possible and to deliver the most exciting play opportunities to the widest age range. The Contractor should note some existing playgrounds may be removed and new sites may be added in due course.

General

10.2 Play areas shall include grass, grassmat, play bark, sand, concrete and tarmacadam areas on which are sited moving and static items of play equipment, seats, litter baskets, fencing and gates, safety surfacing, other features and signs.

10.3 It is a requirement of this Contract that all named inspectors of the workforce will be subject to police checks prior to undertaking this duty. All staff must be competent and trained to RPII Outdoor Operational Inspector standard to undertake all tasks they are expected to perform with this updated every three years.

10.4 All information regarding accidents to be brought to the immediate attention of the Client.

Repairs and Replacements

10.5 At all times repairs and replacements of the equipment, surfacing, fencing and gates shall be affected using the correct parts and materials supplied by the manufacturers and shall be in accordance with BSEN 1176 parts 1 to 7, BSEN 1177 and BSEN 15312 and any amendments and additions thereto.

10.6 The Client will be responsible for replacement of any major equipment resulting from accredited inspectors' recommendations or because of modernization/upgrading etc.

10.7 Following weekly / daily inspections carry out all measures necessary to maintain all aspects of children's play areas in a safe working condition, clean, hygienic and secure in every respect including removal of graffiti.

10.8 Where graffiti is painted or scratched into a bar/panel etc., the surface of the bar/panel will need to be painted in its entirety; Undercoats/primary coats from a stock of approximately 5 different colours are to be used. All wood surfacing will require sanding down to remove any graffiti or sharp edges and wood stained over the entire surface to leave a uniform finish across the entire space.

10.9 Carry out minor repairs of worn or defective parts and structural components and submit to the Client a list of works carried out on a monthly basis split into the parts and labour used. For repairs to any one unit where the value of parts exceeds £1,000, the Client's approval must be obtained in the first instance.

10.10 Where necessary prevent use of equipment by signing and fencing off until repairs are completed.

10.11 Immediately repair or replace items or parts thereof which have been vandalized or incurred a

fault which renders the item unsafe or likely to fail.

10.12 If repairs cannot be made immediately due to the required parts not being readily available or the damage or fault is of a major nature, prevent access to the item of equipment by signing and fencing off until such time as repairs are completed.

10.13 All acts of vandalism affecting any aspect of play areas are to be reported to the Client immediately following inspections and repairs.

10.14 Order replacement parts that are required immediately following inspections and allow for fitting replacements within 3 days of receipt.

Inspection Reports

10.15 The Contractor shall submit to the Client in writing details of the inspections monthly and details of the three-monthly inspections as soon as available. The form of documentation and method of logging information is to be supplied by the Client at the start of the Contract.

Regular Visual Inspections - weekly

10.16 Carry out throughout the year inspections to frequency specified to ensure all items in all play areas are in a safe working condition, clean hygienic and secure in every respect for use by children.

10.17 Inspect on a weekly programme throughout the year:

- Collington Wood, Bexhill
- Egerton Park Adizone, Bexhill
- Galley Hill Play Area and Skate Park, Bexhill
- Seabourne Road Recreation Ground and Play Area, Bexhill
- Sidley Recreation Ground Play Area, skate park and BMX track, Bexhill
- Barrack Hall Park, Bexhill
- Bending Crescent, Bexhill
- Bexhill Down Laundry Site
- Bexhill Down (Upper site)
- Crowhurst Lane, Bexhill
- Little Common Recreation Ground, Bexhill
- Sidley House, Bexhill
- Southlands, Bexhill
- Levetts Field, Bexhill
- Preston Road, Bexhill
- Fair Salts, Rye
- Kings Avenue, Rye
- Masons Field, Rye
- Darvel Down, Netherfield
- Coronation Gardens, Battle
- Levetts Lane Play Area and Skate Ramp, Bodiam

Regular Visual Inspections – daily and weekly.

10.18 Egerton Park Play Area must be inspected daily for a six-month period starting prior to Easter bank holiday weekend or the start of the easter school holidays, whichever is soonest. This will revert to a weekly inspection for the remainder of the year.

Inspection Visits

10.19 Inspection visits will include the following.

Egerton Park Sand/Bark Loose Fill

- Check thoroughly for contamination i.e. debris, sharps, excreta, rubbish, stones etc and remove.
- Following the removal of any contamination, the sand or other loose fill must be treated with a suitable disinfectant. The loose fill bark material is to be raked and re-levelled daily and topped up as required to maintain at 300mm depth. The sand pit level is to be maintained at 450mm and is to be raked and re-levelled daily and topped up as required. Additional material is to be purchased and supplied by the Contractor at their expense as required.

All sites

Maintain Surfaces

- Sweep all surface areas leaving in a clean, tidy condition free of litter, mud, broken glass, excreta and other debris.
- Remove arisings from site immediately.
- Sweep to remove standing water after rain.
- During periods of snow/ice the Contractor shall make due allowance for salting and removal of ice/snow to prevent slippery conditions.
- Maintain free of moss, algae and weeds all impact absorbent surfaces and tarmac to ensure that clean non-slip surfaces are maintained.
- Report all incidences of damaged or missing impact absorbent surfacing to the Client.
- Make minor repairs to wet pour impact absorbent surfacing using respective proprietary surface repair kit.
- Where grass is used as a safer surfacing for play equipment with a critical fall height of up to 1.5m the grass must be inspected in the same way as other types of surfacing and any defects such as compaction and lack of grass cover reported to the Client.

Empty Litter Bins

- Empty litter baskets during routine playground inspection and dispose to approved tip.

Maintain Gate/Fence/Boundary Treatment

- Ensure fencing is intact and gates are secure.
- Lubricate locks and hinges as necessary to maintain effective use.
- Erect temporary high visibility plastic pedestrian fencing, secured with plastic cable ties around unsafe items where repairs cannot be effected immediately and maintain in a safe and secure condition until

repairs to the equipment are carried out. In high risk situations or if repairs cannot be carried out within one week Heras fencing must be used.

Maintain Seats

- Seating must be left clean at the end of each visit.
- Any damage to benches to be reported immediately to the Client and made safe prior to leaving site.

During Inspections of Equipment Generally

- Ensure all fittings are correctly positioned and all fixings are properly secure.
- Remove minor protrusions and sharp edges to ensure normal safe use and repaint to prevent corrosion as appropriate to the item of equipment. Erect warning signs to prevent use until surface finishes have properly hardened.
- Ensure all moving parts are working in a smooth, quiet and efficient manner.
- Ensure paintwork and other finishes are in a good condition and free from corrosion.
- Ensure all safety measures installed around or fixed directly to items of equipment are in a good condition and fully effective for the purpose for which they are intended.
- Check for damage from whatever cause to timber components/items.

During Inspections of Specific Features

Swings:

- Check for damaged seats.
- Ensure that shackles and chains are in a good and safe condition for use.
- Check that main frame/structure is fully secure.

Slides:

- Ensure that the sliding surface, including the run-out point, is complete, secure, safe and free from protrusions and obstructions.
- Ensure that the steps, handrails and slide entry are complete, secure and in a safe condition for use.
- Check that main frame/structure is fully secure.

Zip Wires:

- Check for damaged seats.
- Ensure that the seat attachment is not knotted.
- Ensure that cable is not damaged.

Rotating/Rocking Equipment:

- Ensure that all bearings are working in a smooth, quiet and efficient manner.
- Ensure that seating platforms, footboards, side panels and handgrips are complete, secure, free from protrusions and obstructions and are in a safe condition for use.

All Other Structures/Equipment:

- Ensure that each item is complete, with fittings correctly positioned and all fixings properly secure.
- Check that main frame/structure is fully secure.

Quarterly Operational Inspections

10.20 Throughout the contract period carry out detailed inspections every three months of all items of equipment in all children's play areas. Such inspections shall include all checks specified below and following inspections, carry out all necessary works to maintain all aspects of children's play areas to the specified standards without in any way altering the construction or design of the equipment.

Check

- paintwork/preservative is in good condition.
- all parts including bolts and screws are present and secure.
- supports are firmly fixed
- for corrosion throughout the equipment
- for corrosion or decay at ground level
- impact absorbent surface is in good and safe condition and securely adhered to the general surface of the playground, loose fill is to be maintained at correct consistent level.
- for sharp edges, protrusions and damaged cables showing exposed wire rope strands
- that timber components are in good safe condition having no breaks or splintering or cracking sections
- that moving parts are working correctly
- wear on individual chain links on swing chains
- swing seats are at correct height, in good safe condition with fixings secure
- multi-section slide chutes for gaps in sliding surface and chute sides
- height of slide run-out sections ensuring no water is retained
- steps are secure and each one is in good safe condition
- side panels/rails to steps and slide entries are secure and in good safe condition
- all platforms and footboards are in good safe condition, to correct levels/heights and are secure
- ground clearances are correct when stationary and in motion
- bearings are working smoothly, efficiently and quietly and are correctly lubricated.
- ends of rocking equipment do not touch the ground
- tube plugs are secure
- nuts, bolts and other fixings/fastenings are properly secure
- safety features are in good condition and effective for the purpose of which they are intended.
- surface beneath equipment is free from glass, grit or other debris.
- fibre glass and plastic components for damage
- drainage gullies are clear with correct gratings properly positioned.
- general surface freespace areas are in good safe condition
- tunnels are clean and clear of litter and other debris.
- check the condition of ropes
- gates operate satisfactorily and check for closing time not less than 5 seconds
- erosion/wear to grass mounds has not exposed hard/sharp surfaces/materials or caused trip hazards.

10.21 During inspections remove all arisings occurring as a result of the specified checks to approve

site.

Skate Parks – Facilities for users of Roller Sports Equipment

10.22 A concrete skate bowl is provided at Sidley Recreation Ground, a smaller set of skate ramps at Galley Hill and a single steel ramp in Bodiam. The skatepark on Rye Cricket Salts is not the responsibility of the Council.

10.23 Inspect all three sites on a weekly basis. Additional inspections may be required immediately prior to and following skating events during the summer.

10.24 Remove litter, sharps and debris from bowl and surrounding areas that form part of the skating surface.

10.25 Check barrier railings and other site features for stability and safety.

10.26 Report incidences of vandalism, damage, wear and tear and flooding of bowl to Client.

10.27 Maintain inspection reports for each visit (playground inspection report format applies). The Contractor is not to undertake any structural repairs without prior agreement.

BMX race track and jump park (Sidley Recreation Ground)

10.28 This is included in the playground inspection and maintenance regime including all relevant maintenance elements listed above.

10.29 Malicious damage and unauthorized modifications to the track must be made safe and reported to the Client.

11 PONDS AND LAKES

EGERTON PARK LAKES

General

- 11.1 The lake in Egerton Park is a saltwater lake fed mainly by sea water via an inlet pipe.
- 11.2 During times of extreme cold weather, the Contractor may be required by the Client to break the ice and display warning signs.
- 11.3 Care must be taken during the breeding season that any operation undertaken around the lake area does not disturb nesting birds. The Contractor's attention is therefore drawn to the Countryside and Wildlife Act (1981).
- 11.4 The Contractor shall clear all litter, debris, leaves and any harmful or larger items such as shopping trollies and bicycles to ensure the lake is kept clean at all times. The Contractor should have equipment to enable light items to be scooped up and removed from within 2m of the lake edge and a boat and waders to enable heavier items or items further out into the water to be removed.
- 11.5 The Contractor is not expected to remove algae growth, except by specific request from the Client with an associated works order.
- 11.6 The Contractor is to apply a small quantity of liquid product such as barley straw extract on a monthly basis to reduce the risk of algae from March to October inclusive. The Client will provide the product(s).
- 11.7 Any pollution shall be reported to the Client immediately.
- 11.8 During the months of October to February inclusive, the Contractor shall put out a daily feed of split maize provided by the Client for the waterfowl.
- 11.9 Each lake has a small island. No routine work is undertaken to the island adjacent to the play area and refreshment kiosk, but a proportion of the grasses on the smaller island accommodating the folly are cut back annually in early February, prior to the start of the waterfowl breeding season. This requires use of a boat.

Maintenance of water level

- 11.10 The Contractor shall monitor the water level and in consultation with the Client shall lower it as necessary by manually opening the outlet to ensure the lake does not overflow when excessive or prolonged rainfall is forecasted. The site-based member of staff will be best-placed to do this, but provision must be made as necessary at times when they are absent.
- 11.11 The Contractor will need to take into account high tides at which time water cannot be successfully released to sea. As a rule, water must not be discharged to sea during the bathing season except with consent from the Environment Agency, via the Client.
- 11.12 The Contractor shall monitor the water level and in consultation with the Client shall raise the level as necessary by opening the inlet at the chamber in the southeast corner of the park.

11.13 The Client may require the level to be lowered for specific reasons, (ie: repair of sidewalls, etc). The Contractor may be required to display warning signs provided by the Client at such times. Adequate notice shall be given to the Contractor for this operation. The lake must not be emptied for any other reason without the prior consent of the Client.

EGERTON PARK SMALL POND

General Maintenance

11.14 The Contractor shall clear all litter, debris, leaves, algae growth, glass or any harmful items to ensure the water is kept clean at all times.

11.15 The overflow shall be checked and cleaned out as necessary, particularly in the winter months, to ensure there is no blockage which could cause the pond to overflow.

11.16 The aquatic vegetation including bulrushes and purple loosestrife shall be cut back annually in the first half of February and the arisings disposed of.

MANOR GARDENS POND

GENERAL

11.17 There is one small ornamental pond at Manor Gardens. The Contractor is required to maintain this pond using management techniques that shall facilitate a balanced, healthy, disease and pest free environment for plants, fish, amphibians, insects and other pond life.

11.18 Where in the opinion of the Client damage, death or disease is incurred to any aspect of the pond and the life it supports, as a result of the Contractor's negligence, the Contractor shall bear the cost of any necessary remedial action, repair or replacement.

11.19 Fish must only be fed once daily during the period, end of February to mid-November. The Contractor shall purchase and supply suitable fish food.

11.20 Incidents of infestation of pests and diseases to either plants or animals must be immediately reported to the Client.

11.21 As fish are prone to highly infectious fungal diseases the Contractor shall report incidents of death and disease immediately and the Contractor shall take whatever remedial action is required by the Client.

11.22 The Contractor must ensure that water levels are topped up by hose, regulating the flow of water to a gentle trickle to minimise disturbance to fish and other pond life, from the nearest stand pipe as may be necessary. At no time should water levels be allowed to fall by greater than 25mm.

11.23 Chemically based fertilizers or pesticides should not be used within 10metres of the pond, without prior approval of the Client.

SEASONAL MAINTENANCE - SPRING

11.24 The Contractor shall remove, when specified, all decaying vegetation from plants which have died back during the Winter together with any other deleterious matter and general litter.

SEASONAL MAINTENANCE - SUMMER

11.25 The Contractor shall inspect the pond and remove all litter, debris and decaying vegetation.

11.26 The Contractor shall remove invasive weeds such as blanket weed when required, in order to keep the water clear and to maintain the natural balance of the pond.

SEASONAL MAINTENANCE - AUTUMN/WINTER

11.27 The Contractor shall remove dead withering leaves as necessary and remove seed heads from plants. Plants whose leaves lie under the surface of the water should be cut well back and the arisings removed. The exception to this is evergreens which should only have dying leaves removed. Spent leaves and flowers of water lilies must also be removed. When dead, hollow stemmed plants, e.g. bullrushes, should be cut back to a few centimetres above the water line.

11.28 During freezing weather conditions the Contractor shall ensure that ice is not allowed to form entirely over the pond for any longer than four consecutive days. A heavy implement must not be used to smash the ice as this can concuss and kill fish. The ice must be melted in several places over the surface to allow gaseous exchange, and the Contractor shall remove some of the water from under the ice to leave a gap which shall facilitate oxygen circulation.

12 ROSE BED MAINTENANCE

GENERAL

- 11.3 There are only two sites with rose beds on the Contract; Egerton Park and Manor Gardens.
- 11.4 All pruning operations shall be carried out using sharp secateurs.
- 11.5 Beds will be weeded four times per annum; three times during the period 1st April to 30th September and once in late October or early November immediately before applying the winter mulch. The beds should be weed free upon completion with any dead roses removed.
- 11.6 Deadhead roses on two occasions during the summer flowering period. At the same time cleanly remove any suckers as close as possible to the base of the plant.
- 11.7 All arisings from maintenance operations should be disposed of appropriately off site.
- 11.8 Every November apply 100mm depth of well-rotted farmyard manure over the whole surface of the bed ensuring the graft is not buried.
- 11.9 Prune all plants in the dormant season to remove 50 to 75% of the previous season's growth together with any dead, diseased and damaged material.
- 11.10 The application of any insecticides or fungicides to control pests and disease will be carried out through a works order, as and when needed.

12 SEASONAL BEDDING

GENERAL

- 13.1 The Contractor will be responsible for maintaining a small quantity of seasonal bedding at the war memorial in St. Mary's Churchyard in Rye, the war memorials at Little Common and Marina in Bexhill and in some of the Bexhill Town Centre planters.
- 13.2 Bedding displays shall be maintained in a neat and tidy manner at all times, so as to provide an attractive appearance for the maximum period of time, in accordance with the requirements of high quality planting.
- 13.3 Plants to be grown in Plantpak 18 growing tray or similar and in peat free compost. Contractor to provide evidence on request. Plants must be well-established and pest and disease free.
- 13.4 Bed preparation: Beds to be dug over or rotavated prior to planting. All stones exceeding 20mm, weeds, litter and other debris shall be removed. Consolidate by treading and rake to obtain a fine tilth. For summer bedding only, incorporate a suitable fertilizer in accordance with the manufacturer's recommendations.
- 13.5 Planting: All plants shall be correctly firmed into place, avoiding excessive compaction and damage to the roots or the aerial part of the plant.
- 13.6 Stripping: Unless otherwise instructed by the Client, no bed shall be stripped in excess of seven days in advance of planting, and no bed shall be stripped unless bed preparation is to be completed within five days. No bed shall be stripped and left in an uncultivated condition over a weekend.

Summer bedding

- 13.7 Summer bedding will be a two-yearly rotation of bedding pelargoniums (geraniums) in year one and African or American marigolds in year two planted in the last two weeks of May or the first week of June at a density of 30 plants per square metre.
- 13.8 Maintain the beds monthly by hoeing or cultivating, remove weeds and rogue plants, including rogue bulbs. Deadhead at the same time. Beds should be weed free after each monthly visit.
- 13.9 Irrigate summer bedding evenly, to ensure healthy and sustainable flowering. Care should be taken to avoid scorching of the plants and water damage to the soil structure and the plants themselves. A low-pressure hose or similar should therefore be used and the beds flooded. During hot weather this shall only be carried out in the early morning or evening, not during the day.

Winter/Spring bedding

- 13.10 Winter/spring bedding will be single colour wallflowers planted in October at a density of 25 plants per square metre interplanted with complimentary tulips at a density of 50 bulbs per square metre. The same colour should not be repeated in consecutive years.

13.11 Maintain the beds in March by hoeing or cultivating to remove weeds and rogue plants taking care not to damage emerging bulbs. Beds should be weed free after the visit.

13 SITE PRESENCE

- 13.3 During the working week, the Contractor is required to provide a full time member of staff at, Egerton Park and another at Bexhill Seafront (includes Galey Hill, East Parade Marina Gardens and West Parade).
- 13.4 The site-based staff will be expected to perform the full range of grounds maintenance duties, supported by mobile maintenance teams, as required.
- 13.5 A full time presence shall mean the following hours: Monday to Friday – 7.30am to 4.30pm or equivalent if variable hours are worked Summer and Winter.

14 STAFF QUALIFICATIONS AND EXPERIENCE

GENERAL

- 14.3 As a minimum, the two site-based members of staff on the Contract must have a recognised qualification in horticulture and at least two years of experience in fulltime paid horticultural employment undertaking tasks comparable to those in this Contract. The Contractor will be required to provide evidence of this at the start of the Contract. During the course of the contract, replacement staff must also meet this criteria.
- 14.4 Contract staff must comply with all relevant laws and legislation whilst engaged in delivering this Contract including those related to the use, maintenance and storage of vehicles, machinery, chemicals and the use of illegal substances.
- 14.5 The Contractor must be fully aware of all relevant safety legislation and codes of practice, with particular attention to the safe use of machinery and power tools.
- 14.6 All staff are expected to hold a full driving licence. Tractor drivers must have a minimum of two years experience in tractor and plant operation.
- 14.7 All staff must comply fully with the requirements of The Environmental Protection Act.
- 14.8 At all times, at least one member of staff must hold an up-to-date PA1 and PA6 qualification for the safe use of pesticides using a hand held applicator. Evidence of this will be required at the start of the Contract.
- 14.9 The requirements for the Play Area Inspector is covered under PLAY AREAS.
- 14.10 The Contractor must consider at all times their obligations towards the workforce under the Health and Safety (First Aid) Regulations 1981 and the current related Approved Code of Practice. At all times, at least one member of staff working locally during the working week (Monday to Friday) must hold an HSE approved Certificate in First Aid.
- 14.11 The Contractor is encouraged to consider the employment of horticultural students during their Industrial placement years, who are studying for appropriate and relevant qualifications.
- 14.12 The Contractor is also encouraged to provide for staff to attend day-release courses and other skills training to maintain and enhance the skills base.

15 TENNIS COURTS

GENERAL

- 15.3 There are five public tennis courts and one kickabout court at Egerton Park. The two other courts are the responsibility of Egerton Park Tennis Club. There is one public tennis court alongside one basketball court at Little Common Recreation Ground.
- 15.4 Only the five public tennis courts at Egerton Park will receive routine maintenance under the Contract. The basketball pads at various sites are also excluded. Works orders will be issued for any additional court maintenance needed.
- 15.5 The Egerton Park tennis courts are kept locked and members of the public can only access them via the keypad entry system after making a booking.

Surface cleaning

- 15.4 The surface will be cleaned using an electric leaf blower or electric vacuum to the regimes below. Sweeping is not permitted. Moss and weed management, jet washing and line marking are excluded.

Regime	Period	Blowing Frequency
Courts 1 & 2	Summer: 1 st April to 30 th September	monthly
	Winter: 1 st October to 31 st March	weekly
Courts other	Summer: 1st April to 30th September	monthly
	Winter: 1 st October to 31st March	monthly

Tennis nets

- 15.6 The nets are to be adjusted as needed. As the courts can only be accessed by paying customers it is not anticipated that they will be subject to vandalism and they should only need adjusting on an occasional basis.
- 15.7 Damaged nets should be reported to the Client in a timely fashion so that replacements can be ordered by the Client. The Contractor will be required to take down the damaged nets and put up the replacements.

16 WATER COURSES AND DITCHES

MONTHLY MAINTENANCE

- 17.1 Remove all rubbish, litter and obstructions from the water across the entire width of the watercourse. Remove and dispose of any fly tipped items and recover items such as park seats and return to their proper locations. Leave the site in a clean and in a tidy condition upon completion of the works.

QUARTERLY MAINTENANCE

- 17.2 Cut or strim banks, excluding trees and bushes to 50mm. All arisings are to be removed from site.

Leaves and Debris

- 17.3 Clear leaves and debris from culverts, outfalls, overflows and grills monthly during the winter (1st October to 31st April) and on two occasions during the summer.

OTHER MAINTENANCE

- 17.4 There may be an occasional need to remove debris or fly-tipped items in response to concerns about pollution, safety or the risk of flooding. In such situations, a works order will be issued if required.
- 17.5 There may be an occasional need to clear grills in addition to the routine maintenance, particularly during the winter before and during heavy rain to ensure they don't become blocked.
- 17.6 Any other maintenance, including silt removal will be managed through works orders, as need.

17 WEEKEND DUTIES

- 17.3 The Contractor shall arrange for litter to be collected and bins emptied to the specified frequency.
- 17.4 The Contractor shall arrange for gates to be locked / unlocked as directed by the Client. At the time of letting the Contract this is limited to St Mary's Recreation Ground Car Park – Bexhill. This is done at the same time as Bexhill Cemetery.
- 17.5 Egerton Park playground daily inspection includes weekends for 6 months commencing at Easter.

18 WOODLANDS

- 19.1 No routine work is to be undertaken to woodlands except for litter management which is covered elsewhere.
- 19.2 Trees works is largely undertaken through the Council's three year call-off contract with Elite Arborists. The services of other specialist arboricultural contractors are used when needed.
- 19.3 If, in the course of carrying out litter duties, the Contractor observes any issues with dangerous or damaged trees, seats or fences, major fly tipping or abandoned vehicles, the Contractor should inform the Client within one working day.

Rother District Council

Report to: Cabinet

Date: 4 March 2024

Title: Capital, Investment and Treasury Management Strategy 2024/25

Report of: Deputy Chief Executive (s151 Officer)

Cabinet Member: Councillor Jeeawon

Ward(s): All

Purpose of Report: To present the Capital, Investment and Treasury Management Strategy for approval

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL:** That the:

- 1) Capital Strategy as set out at Appendix A be approved and adopted;
- 2) Treasury Management Strategy as set out at Appendix B be approved and adopted;
- 3) Annual Investment Strategy as set out at Appendix C be approved and adopted;
- 4) Minimum Revenue Provision Policy Statement 2024/25 be approved;
- 5) Prudential and Treasury Indicators as set out within the report be approved;
- 6) Authorised limits in this report be approved; and
- 7) the Deputy Chief Executive (s151 Officer), in conjunction with the Portfolio Holder for Finance and Governance is granted delegated authority to further develop guidance in relation to non-treasury investments in line with best practice.

Reasons for

Recommendations: To gain approval for the Capital, Investment and Treasury Management Strategy 2024/25, including the MRP Policy Statement.

Introduction

1. The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments in line with the Council's open risk appetite, providing adequate liquidity before considering investment return.
2. Another key function of the treasury management service is to manage the funding of the Council's capital programme. It determines borrowing needs in respect of longer-term cash flow planning so that the Council can deliver its

capital plans. This involves arranging long and short-term loans as well as the use of cash flow surpluses. It can also involve restructuring existing debt if this reduces costs or risk exposure to interest rate increases.

3. The Treasury Management function looks to optimise interest income and reduce debt interest payments whilst ensuring that the Council has enough liquidity to meet all its spending commitments. Since cash balances generally consist of reserves and balances, it is paramount that investments are placed as securely as possible as any loss will result in a hit on the General Fund.
4. The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
5. Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day-to-day treasury management activities.

Reporting requirements to Members

Capital Strategy

6. The CIPFA 2021 Prudential and Treasury Management Codes require local authorities to prepare a Capital Strategy Report. This is contained within Appendix A.
7. The Strategy aims to give Members an overview of the Council’s approach to capital. The objectives of the Code are to ensure, within this clear framework, that the capital investment plans of local authorities are affordable, prudent, and sustainable.

Treasury Management Reporting

8. The Council is required to receive and approve at least three main treasury reports each year. These are detailed below:
 - a. **Prudential and treasury indicators and treasury strategy** – This is included in this report and is forward looking. It covers:
 - the capital plans, (including prudential indicators);
 - the Minimum Revenue Provision (MRP) policy, (the statutory revenue charge to repay loan debt used to finance capital expenditure);
 - the Treasury Management Strategy (Appendix B), (how investments and borrowings are to be organised), including treasury indicators; and
 - an Annual Investment Strategy (Appendix C), (how Investments will be managed).

- b. A mid-year treasury management report** – This is a progress report that updates Members on the capital position, and reviews prudential indicators and policies. In addition, the Council will receive quarterly update reports.
- c. An annual treasury report** – This report reviews performance over the past financial year of performance indicators and treasury operations against the estimates in the strategy.
9. The reports are scrutinised by the Audit and Standards Committee before being recommended to Full Council.
10. Quarterly reports – In addition to the three major reports detailed above, since 2023/24 quarterly reporting (end of June/end of December) is also required. However, these additional reports do not have to be reported to Full Council but do require to be adequately scrutinised. This role is undertaken by the Audit and Standards Committee (the reports, specifically, should comprise updated Treasury/Prudential Indicators).

Consultation

11. At the end of December, the Department for Levelling Up, Housing and Communities (DLUHC) announced two related consultations on options for additional capital flexibilities, and the changes to the MRP regulations and statutory guidance. The main principles of these consultations are as follows:

Final consultation on changes to MRP regulations and statutory guidance

This relates to the final consultation on changes to the MRP regulations and statutory guidance. The key principles focus around adequate provision for borrowing through MRP charges and the potential use of capital receipts to offset these charges. The consultation closed on 16 February and the Council submitted a response within the stipulated timescales.

Additional capital flexibilities

At the provisional settlement, DLUHC announced that they would engage with local authorities to explore and develop options for additional capital flexibility. The focus is around two key themes:

- **Supporting invest-to-save activity.** Increasing the flexibility to use capital receipts and borrowing to finance the costs of transformation and efficiency projects.
- **Local management of budget pressures.** Providing greater flexibility on the use of capital receipts, including the scope to meet general budget pressures, and potential additional flexibility where the proceeds relate to the sale of investment properties.

This consultation closed on 31 January 2024 and the Council submitted a response within the stipulated timescales.

12. Option 1 within the ‘additional capital flexibilities’ consultation is considering the potential use of capital receipts to fund general revenue cost pressures, although the focus seems to be around certain pressures, such as TA. There

are, however, several caveats to this potential proposal, with the condition that the authority must put in place and commit to delivering an efficiency plan to reduce costs, with a defined payback period on any capitalised spend. The intent is that any use of the flexibility must be part of an overall plan to move back to financial sustainability within the Medium Term Financial Plan. This would also be subject to the availability of capital receipts.

13. It should however be noted that, as with any consultation, this is all subject to change and as with all proposals the devil will be in the detail once any proposals are finalised. As such and given the deadlines for both the consultation response and the committee schedule for setting the budget and council tax levels for next year, it is very unlikely that the Council will see any benefit from these proposals at this stage. Subject to whatever is finally agreed, however, this is something that could be reviewed and considered as part of the 2024/25 budget monitoring process and future year forecasts.

Environmental Implications

14. The environmental considerations of the projects within the Capital Programme will be assessed as part of the design, development, and delivery of each project to ensure they align with the organisation’s strategic objectives and policies. Relevant internal functions will be consulted on the proposals.

Risk Assessment

15. Failure to produce a Capital, Investment and Treasury Management Strategy would mean that the Council would not be complying with the relevant CIPFA Codes of Practice and would be at risk of making inappropriate investments. This could lead a major loss of resources or the setting of an unaffordable Capital Programme.

Conclusion

16. The expectation is that 2024/25 will see a return to some sort of stability in the investment environment following the turbulences resulting from the post-pandemic economic climate and spiralling levels of inflation. The strategies proposed in this report, together with the interest rates forecast, are in line with the assumptions made when preparing the 2024/25 revenue and capital budgets. The costs of treasury operations are contained within the 2024/25 revenue budget.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

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e-mail address:	Duncan.Ellis@rother.gov.uk
Appendices:	Appendix A – Capital Strategy Appendix B - Treasury Management Strategy Appendix C Annual Investment Strategy

Relevant Previous Minutes:	None
Background Papers:	2024/25 Budget report to Cabinet 5 February 2024
Reference Documents:	None

1. Introduction

- 1.1 Capital expenditure is where the Council spends money on assets, such as property or major equipment that will be used for more than one year. In local government, this includes spending on assets owned by other bodies or individuals (e.g. disabled adaptations) and loans and grants to other bodies enabling them to buy assets.
- 1.2 The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not normally capitalised and are charged to revenue in year. Further details of the Council's policies on capital expenditure are contained within the [Statement of Accounts](#).
- 1.3 The Capital Strategy gives a high-level overview of how capital expenditure, capital financing and treasury management activities contribute to the provision of local public services. It also provides an overview of how associated risk is managed and the implications for future financial sustainability. The Strategy is intended to be a longer-term view of investment and go beyond the detailed five-year Capital Programme. The Strategy is updated annually in line with the requirements of CIPFA's 2021 Prudential Code. And should be read in conjunction with the Treasury Management Strategy to get a full understanding of the Council's investment activities and relevant Prudential Indicators.

2. Corporate Priorities – Putting our Residents at the heart of all we do

- 1.4 In July 2021 the Council implemented a new Corporate Plan which set out the intent and ambition of the authority for the period 2020 – 2027, a copy of which can be found [here](#). The Plan detailed the Council's vision for the next seven years, 'Putting Residents at the heart of all we do'. This provided the framework and context for the Council's service provision, project interventions and resource allocation (financial and staffing) for the period through to 2027.
- 1.5 The Corporate Plan reflected the essential needs and aspirations of our customers and communities and how the Council can best use its resources to deliver services and outcomes that make a positive difference for everyone who lives in, works in, or visits the district of Rother.
- 1.6 The broad range of services we provide make planning challenging and this is set within the context of competing demands for increasingly scarce resources. All our services are committed to making improvements and finding savings, so that the Council remains efficient, effective and meets the day to day needs of the communities we serve. The purpose of the Corporate Plan is to focus on those priorities where we need to give specific attention. It will help us target better our dwindling capital and revenue resources and helps direct and focus any bids for external grant support. The Plan also provides a framework against which we can assess our progress to support the needs of our customers and communities.

- 1.7 Underpinning the Corporate Plan is the day-to-day business that departments undertake, and which will be reflected in departmental Service Plans. All Service Plans are linked to the Corporate Plan. These plans will also include the performance measures by which the delivery of wider improvement activity can be managed. The priorities within the Corporate Plan were developed by talking with, and listening to the community, Elected Members, staff and other key stakeholders all of whom have helped to shape the content of the Plan. Following the elections in May 2023 the Corporate Plan is in the process of being updated.

3. Strategic Objectives

- 1.8 The Capital Strategy is a key strategic document for the Council, linking and supporting several of the Council's other key strategies and policies including;

- Corporate Plan
- [Medium Term Financial Strategy \(MTFS\)](#)
- Treasury and Investment Strategy (update contained below)
- [Property Investment Strategy \(PIS\)](#)
- [Local Development Plan \(LDP\)](#)
- [Climate Strategy](#)
- Fit for the Future financial resilience programme
- [Housing, Homelessness and Rough Sleeping Strategy](#)
- [Risk management framework](#)

- 1.9 The aim of the Capital Strategy is to drive the authority's capital investment ambition, ensuring capital expenditure, capital financing and treasury management are appropriately aligned and managed to support the Corporate Plan priorities whilst also enabling sustainable, long term delivery of services.

- 1.10 To enable delivery of this aspiration the following key objectives have been identified;

- To take a long-term perspective on capital investment and to ensure this contributes to the achievement of the Corporate Plan through allocation of funding to key priorities;
- To ensure investment is prudent, affordable, and sustainable over the medium term and adheres to the Prudential Code and other regulatory requirements;
- To maintain the arrangements and governance for investment decision-making through the established Committees and governance boards;
- To make the most effective and appropriate use of the funds available in long term planning and using the most optimal annual financing solutions; and
- To establish a clear methodology to prioritise capital proposals to ensure the Council's resources are focussed in the most appropriate way.

- 1.11 The Council will achieve this by ensuring;

- Our resources are allocated to meet our short, medium, and longer term Corporate priorities;

- We encourage and support invest to save and invest to earn initiatives and projects which generate an ongoing revenue return and/or economic benefit;
- Development of an Asset Management Plan (AMP) to help manage and understand ongoing revenue maintenance costs and how capital investment can help to reduce these while identifying surplus or poor performing assets which can move through a disposal process to generate new capital resources;
- Capital spending plans are affordable and integrated with the Medium-Term Financial Plan (MTFP);
- Inward investment into the district is encouraged and innovative approaches to investment such as partnerships with the private sector, collaborative arrangements with other local authorities and creation of new delivery vehicles are actively explored; and
- We demonstrate the Council works within the Prudential Code framework and demonstrates robust and linked capital and treasury management.

4. Capital Investment Ambition

- 1.12 The Authority continually seeks to identify assets that are surplus to requirements and to undertake disposals accordingly. This not only generates a capital receipt, but also reduces maintenance costs and liabilities. As a principle we will review and dispose of underutilised or poorly performing assets and ensure that the top performing assets are adequately maintained.
- 1.13 The Council produced a Property Investment Strategy (PIS) in 2018 which was subsequently updated in 2020. It established an initial capital budget of £35m to support the programme to enable the delivery of the Council's regeneration ambitions which support the rationale for acquiring property, and regeneration objectives have underpinned the acquisitions that have been undertaken. To date, about £31.7m has been expended or committed on 15 properties/sites. Income of approximately £1.6m (£1.6m 2023/24) is included within 2024/25 revenue budget for assets acquired as part of the PIS.
- 1.14 All the properties that have been acquired have been located within Rother District, and comprise a mix of retail, industrial and office properties, along with development sites.
- 1.15 Rother DC Housing Company Ltd (RDCHC) has been established to undertake development of the Council's land to improve housing outcomes with the ultimate aspiration to deliver 1,000 new homes by 2035.
- 1.16 For each RDCHC project, subject to agreement, the Council will provide a shareholder loan which will earn interest at market rates, supporting the Council's revenue budget. The Council may also provide a land purchase loan and an additional construction loan, subject to agreement.
- 1.17 The company has been established to meet several key strategic objectives which are as follows:

- a) Speed up the rate of policy compliant development to meet Local Plan targets
- b) Improve the environmental standard of local homes
- c) Develop affordable/social rented housing
- d) Develop housing for affordable ownership
- e) Delivering stalled sites
- f) Produce a return to the Council
- g) Discharge statutory homelessness duty

1.18 Council approved a loan facility of £80m for the housing company, which is included within the current capital programme but as outlined above, release of funding is based upon individual assessment of relevant sites and successful business cases. The sites initially shortlisted for consideration were Blackfriars, Cyprus Place, Putting Green, Mount View Street and King Offa.

1.19 Best practice recommends that activities defined as ‘non-treasury’ activities follow the same guidelines and principles as treasury activities. It is therefore recommended that delegated authority is given to the Deputy Chief Executive (s151 Officer), in conjunction with the Portfolio Holder for Finance and Governance, to further develop guidance in relation to non-treasury investments in line with best practice

Investment in Service and for Regenerative Purposes

1.20 Investments for service or commercial purposes are together referred to as non-treasury investments. In the past, the Council has made, on occasion, investments through loans to assist local public services, such as the Hastings Furniture Service.

1.21 The Council currently invests in existing property but is also open to delivery of new property within the District. Due to the low net returns (target in the region of 2% after all costs), the main driver for the activity is to support the area’s economic sustainability by retaining employment space and delivering new employment opportunities. This activity is driven through the Council’s Property Investment Strategy (PIS) outlined above. This current activity is in addition to historic investments the Council has made to providing commercial workspace.

1.22 Recommendations regarding property investments are made by officers and are subject to the support and agreement of the Property Investment Panel (PIP). The Panel comprises five Members and four officers, and this process is further supported by the Corporate Programme Board Property investments are capital expenditure and purchases will therefore need to be approved as part of the Capital Programme through the formal committee structures.

1.23 With this type of investment, the Council accepts higher risk on property investment than with treasury investments. These risks are actively managed. It is important that property investments remain proportionate to the size of the authority and contingency plans are in place, which include disposing of assets and restructuring debt arrangements, should expected yields not materialise. Decisions on service investments are made by the PIP, Cabinet and Council.

1.24 The authority complies with paragraph 51 of the Prudential Code in relation to investments for commercial purposes, in particular the requirement that an

authority must not borrow to invest primarily for financial return. All the Council's current investments are for regeneration purposes, where the focus is on improving the outcomes for the District rather than on maximising yield.

5. Current Capital Forecasts

- 1.25 The current projected outturn for 2023/24 is £20m. In 2024/25, the Council is planning capital expenditure of £86m based on the current estimates for slippage, tables 1 and 2 within Appendix B provide a high-level summary of the forecast expenditure and financing. Projections from 2025/26 to 2028/29 add a further £63m giving a total scheme value of nearly £170m. The main capital projects in 2024/25 include the housing development schemes and temporary accommodation to be delivered by the Council and RDCHC, Property Investment Strategy investments and Levelling Up Fund schemes for the Heart of Sidley and De La Warr Pavilion.
- 1.26 All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves, and capital receipts) or debt (borrowing or leasing for example). The Council is currently reviewing its financing of those schemes where funding is yet to be identified.
- 1.27 Debt is a temporary source of finance in that loans and leases must be repaid, from revenue or via capital receipts, generally from selling assets. The Minimum Revenue Provision (MRP) is the calculation used to repay the debt or use of the asset and is charged to the revenue budget annually.
- 1.28 The Council's cumulative outstanding amount of debt finance is measured by its Capital Financing Requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The CFR (table 3 – Appendix B) is expected to be £135m during 2024/25 (£140m 2023/24).
- 1.29 Projected levels of the Council's total outstanding debt are shown within table 4 (appendix B) and are compared with the CFR. Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from the table, the Council expects to comply with this in the medium term.
- 1.30 The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit (Table 11, App B).
- 1.31 Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs, which is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants (Table 6, App B).
- 1.32 Further details on the borrowing strategy are contained in the Council's treasury management strategy.

6. Available resources

- 1.33 This section explains how we will manage our capital resources to deliver our current and foreseeable capital programme. From 2024/25 to 2028/29 the Council will need to invest to advance the priorities stated within the Corporate Plan and other related strategies and will adopt a responsive and flexible approach to how we invest in services.
- 1.34 The Council will set a de-minimis limit of £10,000 for expenditure to be considered for capitalisation providing it meets the criteria for capitalisation as per the capital regulations (SI 3146) and the CIPFA Accounting Code.
- 1.35 Regulations state that expenditure on repair and maintenance which does not increase the life, value, or extent of use of an asset is not deemed as capital expenditure. The de-minimis is not applicable to capital grants which may be of any value and are made as a contribution to a larger capital scheme. The Council sometimes receives directives that grant contributions are to be applied as Capital expenditure. Should such directives be received, the Council will treat the grant as capital expenditure if the spend is deemed to meet grant conditions.
- 1.36 Appendix B Table 3 sets out the position of the Capital Financing Requirement (CFR), adjusted for expected capital programme spend and forecast sources of funding as at February 2024.

Capital Receipts

- 1.37 The forward availability of capital receipts is an important part in both the timing and scope of the capital programme. The Council is looking to manage its assets in such a way as to obtain Best Value and deliver improved outcomes. Surplus assets are reviewed for potential disposal with re-investment in better performing and new assets.

Section 106 (S106) – Planning obligations

- 1.38 When the Council adopts land for open space or play area the developer pays a commuted sum under a 'section 106 agreement'. This is held on the balance sheet and the principle is that the interest earned offsets the future maintenance costs of the recreation asset. The Council also seeks to secure the provision of infrastructure and facilities to mitigate the effects of development through section 106 agreements.

Community Infrastructure Levy (CIL)

- 1.39 The idea of CIL is that it's fairer, faster, and more certain than the system of S106 planning obligations, which are negotiated on a case-by-case basis. Under the system of S106 planning obligations, only 6% of all planning permissions nationally made any contribution to the cost of supporting infrastructure. The council must use the CIL receipts passed to it to support the development of the Council's area by funding the provision, improvement,

replacement, operation, or maintenance of infrastructure; or anything else that is concerned with addressing demands that development places on the area.

External Grants and Contributions

- 1.40 The partnership approach to service delivery is a core belief of the Council. Through its services, partnership working, supportive funding and innovation, the Council will seek to attract investment into the district. We seek to maximise external funding to support our programme. This tends to be for specific purposes. Working with public and private sector partners we can make better use of Council money. Central government funding is likely to be constrained as capital for existing and new programmes continues to be reduced or other areas are prioritised for “Levelling Up”.

Revenue contributions

- 1.41 The Council’s budget and MTFP sets out the approach to the allocation of reserve balances and this Council’s approach to managing its surplus cash. The budget makes provision for annual revenue contributions in support of some capital expenditure. Where applicable specific contributions are identified from reserves or revenue contributions from specific services.

Balances and Reserves

- 1.42 The Council continues to hold a level of specific reserves. This reflects the robust financial management and policy decisions made in recent years and enables internal borrowing and cash flow to be managed. The availability of reserves to finance capital expenditure is however limited given the Council’s current financial position.

7. Affordability

- 1.43 The Council considers all finances from a prudent perspective; this includes the assessment of affordability of all capital investments. At the point of approval of a scheme, both the funding implications and any ongoing revenue implications are evaluated to enable informed decisions to be made regarding investment opportunities and this includes consideration of the whole life cost of an asset.
- 1.44 The short, medium, and longer-term impacts are all assessed considering any other wider policy implications which could impact on the decision. As much of the capital programme is funded by borrowing, assumptions and decisions on the cost and affordability of the Council’s borrowing is linked to the Public Works Loan Board (PWLB) interest rates, prudential indicators and the approved borrowing strategy as set out in the Treasury Management Strategy 2024/25.
- 1.45 The Council’s main objectives when borrowing is to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Council therefore seeks to strike a balance between short-term and long-term fixed rate loans where the future cost is known but higher.

- 1.46 Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by short term borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Council is typically cash rich in the short-term as revenue income is received before it is spent, but cash poor in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing, this is known as 'internal borrowing'.

Revenue Budget Implications

- 1.47 Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs, which is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants (see table 6 - within Appendix B). Further details on the revenue implications of capital expenditure are contained in the 2024/25 revenue budget.
- 1.48 Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 50 years into the future. The Section 151 Officer is satisfied that the proposed Capital Programme is prudent, affordable, and sustainable because borrowing is linked to assets that will make a financial return sufficient to meet these costs. This position is kept under review and there are contingency plans in place where this does not turn out to be the case, such as asset disposals.
- 1.49 Due to the current economic climate and cost of both borrowing and construction, several of the schemes are currently undergoing review to ensure that the original business cases and anticipated outcomes can still be delivered. The budgets have been kept at the same levels while the review work is concluded (rather than any budgets being removed at this stage), and any impacts will be dealt with by separate committee reports as required.

8. Capacity to deliver

Knowledge and Skills

- 1.50 The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Section 151 Officer is a qualified accountant with over 20 years' post qualification experience. While the Council's Property Investment and Regeneration Manager has recently retired, recruitment for a permanent replacement is ongoing and temporary support is in place.
- 1.51 The Council has access to specialist legal, valuation, surveying, and procurement advice services. The Council pays for junior staff to study towards relevant professional qualifications including Chartered Institute of Public

Finance and Accountancy, Association of Accounting Technicians, Royal Institution of Chartered Surveyors, and other relevant qualifications.

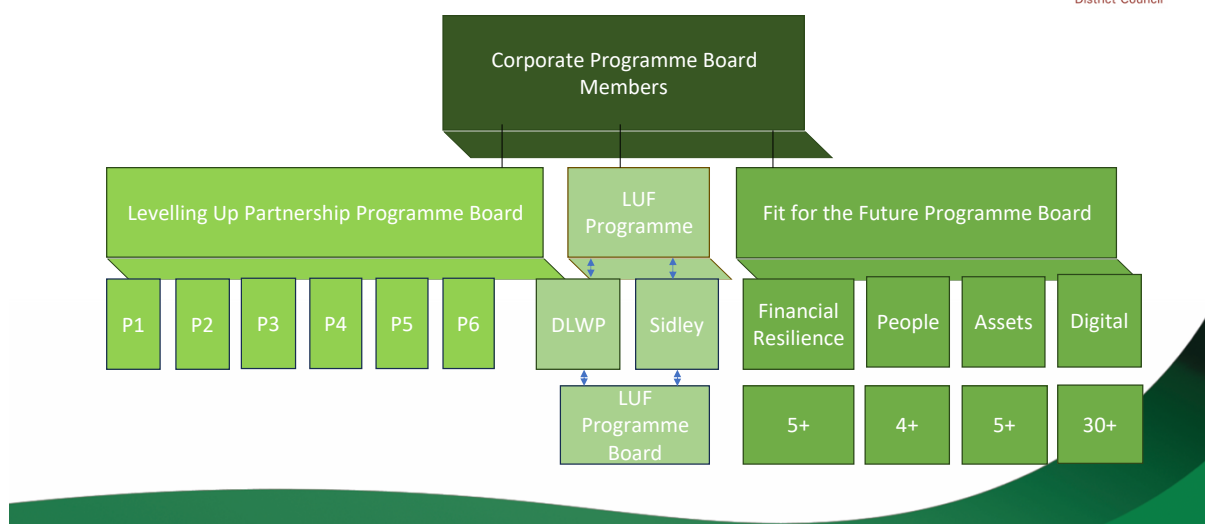
- 1.52 Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Link Asset Services as treasury management advisers. This approach is more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.
- 1.53 As Members will be aware we have a significant capital programme at around £170m. There are also new opportunities emerging in respect of potential additional funding through the Levelling Up Partnership (LUP) which could see the programme reach around £200m. One of the challenges in terms of capacity is that we currently have no permanent resource within the finance team to focus on capital, the current single resource is only a fixed term position which is due to end in April 2024. Provision will therefore be made for the introduction of two posts to help support this work. The benefit of these posts is that they can be capitalised so there will be no impact on the revenue budget, where possible we will also draw down grant funding to cover these costs.

9. Monitoring performance

- 1.54 Governance arrangements have been strengthened at Rother under the direction of the new Chief Executive and following various internal and external audit recommendations. Senior Leadership Team (SLT) now meet weekly and follow structured agenda with recorded decisions and consider all issues arising from the corporate management of the Council. They act as the Performance Board, monitoring performance across all service areas, including service risks and issues and the achievement of Key Performance Indicators (KPIs). SLT also acts as the Risk Review Board to consider escalated service risks and corporate level risks. Officers are also following the development of the Office of Local Government (OFLOG) Local Authority Data Explorer. Currently half of the measurements on this site do not apply to District Councils but this should change in the coming months.
- 1.55 A new Corporate Programme Board has been established comprising of Cabinet Members, SLT and key officers including the newly appointed Development Programme Manager. The role of the Board is to govern the Corporate Programme which includes: the Development Programme, Corporate Plan, Levelling Up Partnership Programme, Levelling Up Fund Programme, Fit for the Future Programme (this includes the Financial Resilience Programme) and Capital Programme; it considers other projects as required. The Board is responsible for Project Initiation Document (PID) sign off, business case and scope approval, programme risks and issues, change requests, lessons learned, financial monitoring and the important introduction of project gated reviews (decision making points in the lifecycle of a project where go/no go decisions are made). The Board is reviewing all current capital projects and will make recommendations on which ones should continue and on what basis, taking account of the financial position of the Council.

- 1.56 A Statutory Officers Group has been introduced comprising of the Head of the Paid Service, Monitoring Officer, and the Section 151 officer. They meet monthly as required to discuss any political, financial, legal, or financial issues and are responsible for the Annual Governance Statement (AGS).
- 1.57 The Corporate Management Team (CMT) forum continues to meet on a fortnightly basis with a remit to ensure effective and robust governance across the district. A subgroup of which is the new Key Strategies Group to oversee the development of key council strategies and the development of the Corporate Plan. A Managers Forum has been introduced as another subgroup of CMT and this meets with all managers on a bi-monthly basis to ensure awareness and participation in the achievement of corporate objectives. The Corporate Health and Safety Group continues to ensure our responsibilities are being met in relation to this area. The diagram below illustrates the new arrangements;

Governance



- 1.58 In terms of governance around new capital items, Services can request that projects be included in the Capital Programme during the budget setting process. However, for the programme to be flexible, bids can be prepared and evaluated at other times of the year. Strategic Leadership Team (SLT) initially reviews all bids before further review by the Corporate Programme Board who will assess their relevant priority against other schemes and the affordability of any associated financing costs. All new bids are reported to Cabinet for approval and recommendation to Full Council.
- 1.59 The best practice assessment process for the allocation of capital funding involves the following steps and it is important that the Council follows this, working closely with the Corporate Programme Board;
- The assessment of the available funding resources
 - Assessment of proposed schemes and business cases
 - Prioritisation of schemes

- Recommendations of approval of schemes within the programme
 - Approval of change control to Capital schemes where this changes funding requirements
- 1.60 Following approval of a capital project there are several functions associated with the management of the approved Capital Programme as follows;
- Allocation of capital funding and funding mix (to maximise Value for Money for the taxpayer)
 - Monitoring and reporting of delivery of the capital programme
- 1.61 These functions will be undertaken by the Senior Leadership Team (SLT), Cabinet, Overview and Scrutiny and Full Council which allows a continuous cycle of monitoring and forecasting.
- 1.62 In summary, the capital budget is agreed annually along with any revenue implications, which are factored into revenue planning. The budget is set in accordance with the timetable laid out in the MTFS. The programme is approved by Full Council in February to allow schemes to commence during the following year. The capital bidding process continues to be developed and improved in conjunction with the Corporate Programme Board and supporting governance structures.
- 1.63 Release of funding will not require further approval unless the Constitution requires it or there are specific caveats put in the business case, such as individual scheme loan allocations for RDCHC. Officers are expected to accurately report progress on their allocated capital funding and spend to their service accountants each month which is then reviewed by the committees on a quarterly basis as part of the budget monitoring process. This should include detailing any issues arising that may affect delivery of the project as anticipated when funding was allocated.
- 1.64 Monitoring and reporting of progress of the delivery of Capital Programme involves the following tasks:
- Regular review of project progress and forecasting including achievement of key milestones, outputs, and outcomes
 - Management of risks and issues
 - Removal of barriers to delivery
 - Approval of any changes to schemes not requiring funding changes
 - Reporting on required funding changes
 - Post implementation review (depending on the scale of the project) taking account of any corporate learning opportunities
 - Reviewing resources
- 1.65 Budgets for individual schemes are assigned to lead officers who are responsible for delivering the project on time and to budget. The lead officers are responsible for managing capital projects, including capital proposals, risk assessment, checking parameters, project initiation documents (PID's), procurement, contract management, delivery, and post implementation reviews.

- 1.66 Progressing schemes in accordance with agreed timescales is an important aspect to managing the capital programme and can also impact on cash flow forecasting and potential investments returns through our treasury activities. Costs incurred compared to budget are monitored monthly in line with revenue budgetary control.
- 1.67 Financial progress against the capital programme is reported to Cabinet and Overview and Scrutiny on a quarterly basis as a minimum and more often as required. This allows a continuous cycle of monitoring and forecasting.
- 1.68 To deliver the Corporate Plan priorities, we need to deliver efficiencies, seek additional funding, and periodically review both the use of our capital resources and our stated priorities. We will ensure this happens through following 6 core principles;
1. *Transparent decision making*
 - Ensuring that due diligence has been carried out on all non-financial investments and is in accordance with the risk appetite of the authority
 - Maintaining a schedule of financial and non-financial investments
 - Using Treasury Management Strategy Statements (TMS's) which specifically deal with how non treasury investments will be carried out and managed
 2. *Effective approval and pre/post appraisal*
 - Ensuring appropriate use of project management tools relative to the project scale and complexity which help to objectively assess scheme prioritisation
 - Use of standardised capital request templates, appraisal, and business case methodology
 - Robust financial evaluation to assess the whole life costs of projects, due diligence, risk, and Value for Money
 3. *Revenue budget implications*
 - Setting a rolling 5-year capital programme annually, identifying future risks/unfunded items to support longer term decision making/prioritisation
 - Promoting capital investment which allows either invest to save outcomes or generates revenue/capital income to support the corporate objectives of the Council
 - Ensuring capital investment decisions do not place additional pressure on the revenue budget and our Medium Term Financial Plan

4. *Effective reporting*

- Ensuring responsibility for the delivery of the capital programme is clearly defined and the relevant parties have adequate expertise to deliver
- Reporting the capital programme alongside the quarterly revenue budget monitoring to Cabinet and Overview and Scrutiny

5. *Sustainable investments*

- Assessing environmental impacts of capital schemes, seeking expert advice to inform decision making and mitigating any impacts as appropriate

6. *Optimising use of capital resources*

- Disposal of surplus or poor performing assets and reinvesting the proceeds
- Accessing external funding wherever possible
- Working in partnership wherever possible to improve outcomes and increase additionality

10. Risk

- 1.69 The Council is faced with diminishing capital finance and reduced grants which means we will need to monitor spend against available funds carefully to ensure that we do not spend or commit in advance of receiving funding. The Capital Financing Requirement (CFR) will need to be monitored carefully. Risk is therefore addressed throughout this strategy by setting out clearly how projects will be appraised, approved, monitored, and reported on. The strategy is closely aligned to the MTFs and the Treasury Management Strategy which contains the Council's Prudential Indicators.
- 1.70 Significant capital projects are managed through the Council's Corporate Programme Board. All risks that may affect a project are considered and this is further supported by the Risk Review Board. These can include political, economic, legal, technological, environmental, and reputational as well as financial. Large projects will use appropriate project management tools in accordance with the size of the project.
- 1.71 Emerging legislation such as the Environment Act 2021, which deals with food waste (and other areas of waste services) may add further pressure to available finances and this will be reviewed to ensure any further cost pressures are identified as soon as practicable.
- 1.72 A specific risk as a VAT registered body is the recovery of exempt VAT only up to a value of 5% of all the VAT it incurs. This is known as the partial exemption calculation and represents the de-minimis limit. Monitoring and control of exempt input tax is essential for the council as where exempt input tax exceeds the 5% limit the whole amount is irrecoverable and will represent an additional cost to the council. Each capital investment will be closely reviewed to assess its VAT implications.

Inflation

- 1.73 Over the couple of years inflation has significantly eroded the Council's spending power. Inflation has however fallen significantly over recent months when we compare the Consumer Price Index (CPI) level of 10.5% in December 2022, compared to the level of 4.0% as at December 2023. At the meeting of the Bank of England's Monetary Policy Committee (MPC) on 31st January, it was agreed to maintain the bank base rate at 5.25% to help to ensure inflation is under control before the rates start to come down.
- 1.74 Annual CPI inflation is expected to fall to around 2.75% towards the end of this year, petrol and utility prices have fallen over the past year, and some other prices are now rising much more slowly, including food prices. The bank predicts there might be some 'bumps' along the way, lower oil and gas prices could mean that inflation temporarily drops to 2% for a brief period, only to rise later in the year, but they will maintain interest rates at higher levels to ensure inflation returns to the 2% target level.
- 1.75 Both new and existing proposals will need to take account of the impact inflation will have on the viability and affordability of business cases and assumptions will need to be tested and reviewed as projects and proposals progress through the various governance process to ensure schemes continue to remain viable.
- 1.76 Where this is not the case the Council may need to take the decision not to progress certain schemes and to re-allocate capital resources to alternative projects.

Risk appetite

- 1.77 Risks must be assessed against the Council's risk appetite. Risk appetite can be defined as the level of risk that an organisation is willing to accept, tolerate, or be exposed to in pursuit of its objectives.
- 1.78 A risk appetite has been formalised as part of the Council's updated Risk Management Policy which provides clear guidance to all officers, Members, and partners on the level of risk which can be accepted. It should be used to ensure consistency in, and accountability for:
- The reporting and management of existing or emerging risks;
 - The extent of governance arrangements and controls required; and
 - Assessments of the suitability of proposals (savings, strategies, policies etc).
- 1.79 A high-level summary of the Council's current risk appetite is shown below;

Risk Appetite	Statement
Cautious/Open (Medium/High Risk)	The Council's ambitions makes it necessary to be open to a certain level of risk. However, we will be cautious not to jeopardise our ability to sustainably deliver social value and our political promises to our community. In this effort, we will only accept minimal risk to our environmental goals and to our technology infrastructure.

11. Other considerations

- 1.80 There are several other factors which must be considered when considering capital investment including;

Sustainability

- 1.81 The Council declared a Climate Emergency in September 2019 and subsequently agreed the Environment Strategy in September 2020. In December 2023 Full Council approved the new Climate Strategy, which 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. The council has declared its commitment to be net zero as an organisation by 2030. All capital projects are now required to assess their environmental impacts and to identify suitable mitigation measures to address those impacts.

Procurement

- 1.82 The purchase of capital assets should be conducted in accordance with the Procurement Strategy, ensuring value for money, legality, and sustainability at all times. Contract standing orders and rules governing the disposal or write-off of assets are contained in the Constitution which is continuously reviewed.

Value for Money

- 1.83 The Council recognises that effective procurement lies at the heart of delivering value for money and is essential if the Council is to obtain real improvements to quality and service costs. The Council seeks to achieve value for money by applying rigorous procurement standards in the selection of suppliers and contractors, to ensure efficiency, economy and effectiveness are received throughout the life of a contract. The significant resources applied to capital expenditure require the adopted principles of value for money to be at the heart of our Capital Strategy. Specifically, we look to include robust outcome indicators as part of post project reviews.

Disposals

- 1.84 When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets, enhancing current assets or to repay debt. Repayments of capital grants, loans and investments

provided by the Council also generate capital receipts. The Council has several potential disposals in 2024/25. However, it is prudent not to rely on these until the sale is agreed.

- 1.85 Any proceeds from the disposal of assets, such as land in excess of £10,000 are determined to be a 'capital receipt'. The policy to sell small pockets of land often brings in income of less than £10,000. This income is classed as 'revenue income' and is posted to the revenue income and expenditure account.

Asset management

- 1.86 To ensure that capital assets continue to be of long-term use, the Council is currently developing a Strategic Asset Management Plan (SAMP) which will;
- set out the Council's strategy for acquisitions, disposals, and development to meet our Corporate Plan objectives and statutory requirements;
 - take a proactive approach to acquisitions to invest in the local economy and generate income to the Council, in accordance with the Council's updated [Property Investment Strategy](#) (PIS);
 - identify surplus and underperforming assets for disposal which will then provide new capital receipts to fund priority assets;
 - establish the approach to maintaining our assets in a usable state of repair informed by better use and management of property data; and
 - address issues relating to governance, risk management, performance management and monitoring.

Consultation

- 1.87 At the end of December, the Department for Levelling Up, Housing and Communities (DLUHC) announced two related consultations on options for additional capital flexibilities, and the changes to the MRP regulations and statutory guidance. The main principles of these consultations are as follows:

Final consultation on changes to MRP regulations and statutory guidance

This relates to the final consultation on changes to the MRP regulations and statutory guidance. The key principles focus around adequate provision for borrowing through MRP charges and the potential use of capital receipts to offset these charges. [The consultation can be found here](#), and ran until 16 February. and the Council submitted a response within the stipulated timescales.

Additional capital flexibilities

At the provisional settlement, DLUHC announced that they would engage with local authorities to explore and develop options for additional capital flexibility. The focus is around two key themes:

- **Supporting invest-to-save activity.** Increasing the flexibility to use capital receipts and borrowing to finance the costs of transformation and efficiency projects.

- **Local management of budget pressures.** Providing greater flexibility on the use of capital receipts, including the scope to meet general budget pressures, and potential additional flexibility where the proceeds relate to the sale of investment properties.

This consultation closed on 31 January 2024 and the Council submitted a response within the stipulated timescales.

- 1.88 Option 1 within the ‘additional capital flexibilities’ consultation is considering the potential use of capital receipts to fund general revenue cost pressures, although the focus seems to be around certain pressures, such as TA. There are, however, several caveats to this potential proposal, with the condition that the authority must put in place and commit to delivering an efficiency plan to reduce costs, with a defined payback period on any capitalised spend. The intent is that any use of the flexibility must be part of an overall plan to move back to financial sustainability within the Medium Term Financial Plan. This would also be subject to the availability of capital receipts.
- 1.89 It should however be noted that, as with any consultation, this is all subject to change and as with all proposals the devil will be in the detail once any proposals are finalised. As such and given the deadlines for both the consultation response and the committee schedule for setting the budget and council tax levels for next year, it is very unlikely that the Council will see any benefit from these proposals at this stage. Subject to whatever is finally agreed, however, this is something that could be reviewed and considered as part of the 2024/25 budget monitoring process and future year forecasts.

Capital Risk Metrics

- 1.90 The Levelling Up and Regeneration Bill gives government specific powers to intervene where local authorities undertake high-risk capital investment. A review and possible intervention will be triggered by periodic reporting by local authorities against several risk metrics. The government believes that this is a fairer approach than introducing further general restrictions on local authority capital investment.
- 1.91 Underlying the government’s regulatory response is a concern that some local authorities have taken on excessive levels of debt for investment, in some cases, in projects that are outside normal local government operating activities and expertise. In particular, the government is concerned about investment in commercial property for financial return. The consultation paper notes that several local authorities have experienced significant financial difficulties because of such activities.
- 1.92 A DLUHC consultation was launched on 13 July 2023 and closed on 25 September to which the Council responded. The consultation focused on the proposed capital risk metrics to be used in assessing the level of risk accepted by local authorities in undertaking capital expenditure.
- 1.93 As part of the Council’s response work was undertaken to complete the draft metrics. Based on these calculations for 2020/21 to 2022/23, no thresholds

were triggered. However, the impact of large capital schemes such as Blackfriars will be monitored closely over the next few years.

- 1.94 It is important to note that, whilst this consultation ended last September, there have been no further updates since this time and the proposed metrics have not been implemented so officers will continue to monitor the position and update Members as appropriate.

12. Improvement Plan

- 1.95 The Council is continually improving governance, approval, and assessment processes, both pre and post project completion. The following however summarises some areas which we will continue to develop to help improve the overall management, prioritisation, and allocation of capital resources to ensure outcomes are maximised.

- 1.96 Without a thorough capital assessment process there is a risk that resources are allocated to schemes which are not the top priorities. It is therefore essential that there continues to be a close working relationship with the Corporate Programme Board and SLT to ensure;

- The assessment of the available funding resources
- Assessment of proposed schemes and business cases
- Prioritisation of schemes
- Recommendations of approval of schemes within the programme
- Approval of change control to Capital schemes where this deviates significantly from budget and/or scope

- 1.97 Officers have also undertaken work to help better assess and categorise the various schemes within the current programme between 'development schemes' and more 'business as usual' type capital spend but both form part of the wider Capital Programme.

- 1.98 This is because a considerable proportion of Rother DC's Capital Programme entails development projects, specifically projects which have the following consistent features:

- Speculation/investment – Capital *at risk* rather than day-to-day expenditure, with the specific intention of adding value to the underlying asset as part of a regeneration scheme. As Local Authority, the Council has a much wider definition of 'value' than purely financial considerations however, the point still holds true;
- Projects all within the Property Development sector – either Land or buildings.

- 1.99 Projects of this nature differ significantly from 'business as usual' Capital Projects that the Council may undertake, generally requiring a different set of controls and management processes and having very different implications for risk and finances.

1.100 It is therefore recommended that both the Capital Programme and ‘Development Programme’ be defined. This is a part of the Capital Programme and must be considered, reported, and monitored as such, whilst at the same time having a different, or additional, set of requirements.

Definition of the Capital Programme

1.101 The following statement of purpose of the Capital Programme is therefore proposed:

“The purpose of the Capital Programme is to achieve an uplift in value through the delivery of capital development projects, where value is assessed as both:

- (1). Achieving or ensuring specific outcomes in line with corporate priorities, and;*
- (2). Generating surplus revenue.*

Projects should generally deliver an appropriate balance of outcomes between (1) and (2) above. Individual projects may be undertaken in relation to (1) only (value other than financial) where;

- (a). The benefit of the value added under (1) outweighs the potential benefit afforded to (2), and*
- (b). This is acceptable in the context of the Capital Programme as a whole.*

In general the Council is unlikely to undertake projects in relation to (2) only.”

Definition of the Development Programme

1.102 The Development Programme could be defined as:

“A Programme comprised of all projects that Rother District Council undertakes where it invests capital speculatively in property (land or buildings) with the intention of increasing its value – accepting that value will rarely be solely financial. More broadly, the Development Programme represents all those projects where the Council acts as Developer rather than Contractor or other position. This includes acquisition of buildings and/ or land where these are acquired with the specific intention of adding value (development), as well as projects seek to develop/ redevelop or regenerate existing Council property assets.”

1.103 It should be noted that to comply with current PWLB borrowing requirements these schemes will always have a focus on regeneration and wider social and economic benefits and not primarily for yield.

1.104 All Capital Projects within the Development Programme are undertaken to add value to or to acquire an underlying asset and a degree of risk is accepted in doing so. In addition, there are two ways in which ‘added value’ could be understood:

- (1) To achieve or ensure specific outcomes in line with corporate priorities, and;

(2) To generate surplus revenue within this context or at the very least to cover any borrowing costs incurred.

1.105 Moreover, whilst (1) may be undertaken in isolation from (2), it is highly unlikely that projects will be undertaken only in relation to Point (2) and as noted above, there will always be wider social benefits driving the investment. Most projects would need to offer an appropriate balance between (1) and (2) in combination.

1.106 The Council already has a programme of development projects which are part of the Capital Programme. These have a different set of requirements and implications to 'business as usual' Capital Projects. The Definition and Statement of Purpose will help set clear parameters around the 'Development Programme' which can be used as the starting point for identifying, setting targets, monitoring, and assessing all relevant projects. To further support the rigour and challenge around development investment new assessment criteria are being established for the programme.

1. The strategy covers two main areas:
 - a. **Capital**
 - the capital expenditure plans and the associated prudential indicators;
 - the Minimum Revenue Provision (MRP) policy.
 - b. **Treasury Management**
 - the current treasury position;
 - treasury indicators which limit the treasury risk and activities of the Council;
 - prospects for interest rates;
 - the borrowing strategy;
 - policy on borrowing in advance of need;
 - debt rescheduling;
 - the investment strategy;
 - creditworthiness policy; and
 - the policy on use of external service providers.
2. These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, MRP Guidance (Department for Levelling Up, Housing and Communities (DLUHC)), the CIPFA Treasury Management Code and the DLUHC Investment Guidance.
3. As mentioned within the Capital Strategy above, due to the current economic climate and cost of both borrowing and construction, several of the schemes within the capital programme are currently undergoing review to ensure that the original business cases and anticipated outcomes can still be delivered. The budgets have been kept at the same levels while the review work is concluded (rather than any budgets being removed at this stage), and any impacts will be dealt with by separate committee reports as required. This does however make the forecasting of things like borrowing requirements incredibly difficult at the current time.

Training

4. The CIPFA Treasury Management Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny.
5. Furthermore, the Code states that they expect “all organisations to have a formal and comprehensive knowledge and skills or training policy for the effective acquisition and retention of treasury management knowledge and skills for those responsible for management, delivery, governance, and decision making.
6. The scale and nature of this will depend on the size and complexity of the organisation’s treasury management needs. Organisations should consider how to assess whether treasury management staff and Board/Council Members have the required knowledge and skills to undertake their roles and whether they have been able to maintain those skills and keep them up to date.

7. As a minimum, authorities should carry out the following to monitor and review knowledge and skills:
 - Record attendance at training and ensure action is taken where poor attendance is identified.
 - Prepare tailored learning plans for treasury management officers and board/council members.
 - Require treasury management officers and board/council members to undertake self-assessment against the required competencies (as set out in the schedule that may be adopted by the organisation).
 - Have regular communication with officers and board/council members, encouraging them to highlight training needs on an ongoing basis.
8. In further support of the revised training requirements, CIPFA's Better Governance Forum and Treasury Management Network have produced a 'self-assessment by Members responsible for the scrutiny of treasury management', which is available from the CIPFA website to download.
9. Training was undertaken by Members on 15 July 2023 and further training will be arranged as required.
10. The training needs of treasury management officers are periodically reviewed.
11. A formal record of the training received by officers central to the Treasury function will be maintained by the Section 151 Officer.

Treasury management consultants

12. The Council uses Link Asset Services, Treasury Solutions as its external treasury management advisors.
13. Responsibility for treasury management decisions always remains with the Council, which ensures that undue reliance is not placed upon its advisors. Decisions will be undertaken with regards to all available information, including that of the advisors.
14. There is a value in employing external advisors in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed, documented, and subjected to regular review.
15. The scope of investments within the Council's operations includes treasury management investments and service type investments. The latter are investments in property in the district to support the Council's regeneration objectives expressed in the Property Investment Strategy (PIS) updated in 2020. These investments require specialist advisors and the Council uses appropriately qualified companies in relation to this activity.

Expected Investment Returns 2024/25

16. The 2024/25 Revenue Budget reported to Cabinet on the 5 February 2024 assumes income of £1.3mk (£1.3m 2023/24 quarter 3 budget monitoring) from treasury activities. This income has been calculated on the following basis;
- (i) Bank current & deposit accounts up to 5.35%;
 - (ii) Investments with other institutions/local authorities – up to 4.50%; and
 - (iii) Property Fund investments – 4.00%
17. The forecast for the next five years sees returns lowering as cash balances decrease and interest rates reduce.

The Capital Prudential Indicators

18. The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist Members' overview and confirm capital expenditure plans.
19. Due to the current economic climate and cost of both borrowing and construction, several of the schemes are currently undergoing review to ensure that the original business cases and anticipated outcomes can still be delivered. The budgets have been kept at the same levels while the review work is concluded (rather than any budgets being removed at this stage), but this does make forecasting incredibly difficult at the current time.

Capital expenditure

20. This prudential indicator is a summary of the Council's capital expenditure plans approved by Members (table 1) as part of the 2024/25 budget process.

	2022/23 Actual	2023/24 forecast	2024/25 Budget	2025/26 Budget	2026/27 Budget	2027/28 Budget	2028/29 Budget
	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)
Regeneration Investments	10,933	993	22,301	0	0	0	0
Housing development schemes	5,821	8,907	50,090	7,759	253	26,303	0
General Fund Services	6,605	10,239	13,590	16,129	8,672	1,860	1,735
Total	23,359	20,139	85,981	23,888	8,925	28,163	1,735

21. Table 2 below summarises the above capital expenditure plans and how they will be financed. Any shortfall in resources is funded from borrowing.

	2022/23 Actual	2023/24 forecast	2024/25 Budget	2025/26 Budget	2026/27 Budget	2027/28 Budget	2028/29 Budget
	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)
Capital receipts	0	2,100	60	50	0	0	0
Capital Grants	5,207	9,357	11,385	15,844	8,437	1,625	1,625
Capital reserves	0	427	0	0	0	0	0
Revenue	298	1,002	453	110	110	110	110
Net financing need for the year	17,854	7,253	74,083	7,884	378	26,428	0
Total	23,359	20,139	85,981	23,888	8,925	28,163	1,735

The Council's borrowing need (the Capital Financing Requirement)

22. The Council's Capital Financing Requirement (CFR) is shown in table 3 and represents the total historic capital expenditure, which has not yet been paid for from either revenue or capital resources. It is a measure of the Council's indebtedness and thus its underlying borrowing need. Any capital expenditure which has not immediately been financed by revenue, grants or capital receipts will increase the CFR. It does not increase indefinitely because it is reduced by the statutory annual MRP charge to the revenue budget. It broadly reduces indebtedness in line with each asset's life.

	2022/23 actual £ (000)	2023/24 forecast £ (000)	2024/25 Budget £ (000)	2025/26 Budget £ (000)	2026/27 Budget £ (000)	2027/28 Budget £ (000)
Regeneration Investments	10,933	993	22,301	0	0	0
Housing development schemes	2,745	2,511	49,321	7,759	253	26,303
General Fund Services	4,176	3,749	2,461	125	125	125
Total CFR	43,469	50,243	123,803	130,656	129,910	155,174
Movement in CFR	17,518	6,774	73,560	6,853	(746)	25,264
Net financing need for the year (above)	17,854	7,253	74,083	7,884	378	26,428
Less MRP/VRP and other financing movements	(336)	(479)	(523)	(1,031)	(1,124)	(1,164)

23. The CFR includes long-term liabilities such as Private Finance Initiatives and finance leases. Whilst these increase the CFR, and therefore the Council's borrowing requirement these types of schemes include a borrowing facility by the PFI/PPP lease provider and so the Council is not required to separately borrow for these schemes. The Council currently does not have any such arrangements.

Table 4 below shows the planned external borrowing anticipated over the coming years.

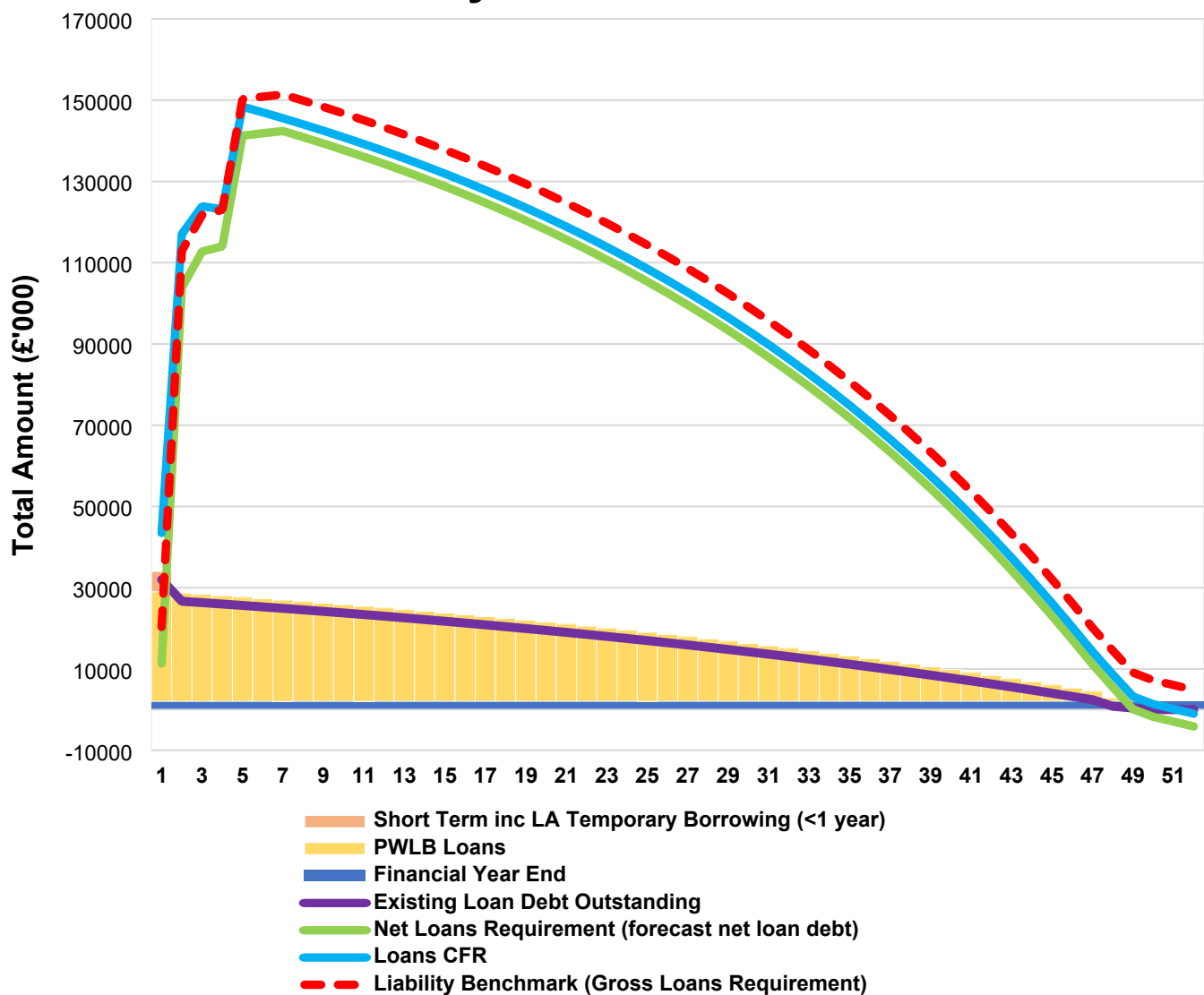
External borrowing	2022/23 actual £ (000)	2023/24 forecast £ (000)	2024/25 Budget £ (000)	2025/26 Budget £ (000)	2026/27 Budget £ (000)	2027/28 Budget £ (000)
Regeneration Investments		0	22,301	0	0	0
Housing development schemes	5,000	0	49,321	7,759	253	26,303
General Fund Services	0	10,000	2,461	125	125	125
Total	5,000	10,000	74,083	7,884	378	26,428

Liability Benchmark

24. The Liability Benchmark (LB) is shown in table 5 below. The Council is required to estimate and measure the LB for the forthcoming financial year and the following two financial years, as a minimum.
25. There are four components to the LB: -

- Existing loan debt outstanding: the Council's existing loans that are still outstanding in future years.
- Loans CFR: this is calculated in accordance with the loans CFR definition in the Prudential Code and projected into the future based on **approved** prudential borrowing and planned MRP.
- Net loans requirement: this will show the Council's gross loan debt less treasury management investments at the last financial year-end, projected into the future and based on its **approved** prudential borrowing, planned MRP and any other major cash flows forecast.
- Liability benchmark (or gross loans requirement): this equals net loans requirement plus short-term liquidity allowance.

Liability Benchmark



Rother's Liability Benchmark chart shows a significant gap between the borrowing portfolio and the liability benchmark which indicates a large borrowing need for the purposes of the greatly expanded capital programme.

The gap is large since for the last two years the council has been using internal cash balances to fund its capital expenditure to avoid excessive interest rates being charged by the market in the climate of high inflation. The very small gap

between the Loans CFR and the Net Loan Requirement indicates that these cash balances have now been depleted and there is no capacity for further internal borrowing exposing the Council to increased interest payable going forward. This is however subject to the ongoing review of the capital programme and any amended borrowing requirements and potential reductions because of that process.

Affordability Prudential Indicator

26. Prudential indicators are required to assess the affordability of capital investment plans. These provide an indication of the impact of the capital plans on the Council's overall finances. The **Ratio of Financing Costs to Net Revenue Stream** indicator below in table 6 shows the trend in the level of financing costs, (net of investment income), against the net revenue stream.

	2022/23 actual	2023/24 estimate	2024/25 budget	2025/26 budget	2026/27 budget	2027/28 budget
Net Financing costs (£000)	281	(170)	(166)	430	462	621
Proportion of net revenue stream (%)	2.03	(1.18)	(1.10)	2.94	3.04	3.93

27. The table shows that the proportion of the Council's net revenue stream (council tax, share of business rates and grants) peaks at 3.93% in 2027/28, which is largely due to the projected borrowing to support the Capital Programme.

Incremental Impact of Capital Investment Decisions on Band D Council Tax

28. This indicator (table 7) identifies the revenue costs associated with the capital programme, net of treasury investment returns. The assumptions are based on the budget, but will invariably include some estimates, such as the level of Government support, which are not published over a five-year period.

	2022/23 Forecast £ (000)	2023/24 Forecast £ (000)	2024/25 Budget £ (000)	2025/26 Budget £ (000)	2026/27 Budget £ (000)	2027/28 Budget £ (000)
Net Financing Costs	281	(170)	(166)	430	462	621
Council Tax Band D	7,392	7,650	8,017	8,344	8,727	9,148
% of Council Tax funding Net Financing Costs	3.80%	(2.22%)	(2.07%)	5.16%	5.29%	6.79%
Average Band D Council Tax	193.38	198.60	£204.54	£210.68	£217.00	£223.51
Amount of Council Tax used to fund Net Financing Costs	£7.35	(£4.41)	(£4.23)	£10.87	£11.48	£15.18

Core Funds and Expected Investment Balances

29. The application of resources either to finance capital expenditure or other budget decisions to support the revenue budget will have an ongoing impact on investments unless resources are increased by, for example, the sale of assets. Table 8 below details estimated year-end balances for each resource:

Year End Resources	2022/23 Actual £(000)	2023/24 Estimate £(000)	2024/25 Estimate £(000)	2025/26 Estimate £(000)	2026/27 Estimate £(000)	2027/28 Estimate £(000)	2028/29 Estimate £(000)
Fund balances / reserves	25,788	28,232	25,409	22,868	20,581	18,523	16,671
Capital receipts	0	0	0	0	0	0	0
Provisions	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total core funds	25,788	28,232	25,409	22,868	20,581	18,523	16,671
Working capital*	9,000	9,000	9,000	9,000	9,000	9,000	9,000
Under/(over) borrowing**	11,480	8,582	8,394	7,704	6,929	6,120	5,067
Expected investments	23,308	28,650	26,015	24,164	22,652	21,403	20,604

**Working capital balances shown are estimated year-end; these may be higher mid-year*

Minimum Revenue Provision (MRP) Policy Statement

30. The Council pays off an element of the capital expenditure financed through loan debt (the CFR) each year through the statutory revenue charge known as the MRP. It may also make additional voluntary payments if desired (Voluntary Revenue Provision - VRP).
31. DLUHC regulations require Full Council to approve an MRP Statement in advance of each financial year. A variety of calculation methods are available, and the Council can choose whichever one suits it best, so long as it is deemed to be prudent.
32. In previous years the Council took the following approach:
 - Asset life method (straight line)** – where MRP was based on the estimated life of the assets, in accordance with the regulations. This provided for a reduction in the borrowing need over the assets' life.
 - Asset life method (annuity)** - For investments supporting the Council's PIS, MRP was based on an annuity-based method over the asset's life.
33. It is proposed that the calculation for all assets in future years is based on the annuity method. This has the benefit of a reduction in MRP charges in the near term offset by higher charges at the end of the assets life although overall the charge remains the same. This option is as prudent as the current option since the asset lives currently being used will not be changed. It can be argued that the annuity method provides a fairer charge than the straight-line method since it results in a consistent charge over the asset's life, considering the time value of money. This change will lower next year's MRP allocation by c£40k.
34. Statutory guidance allows the Council to review its policy every year and set a policy that it considers prudent at that time. The impact of a revised MRP policy will be kept under regular review to ensure that the annual provision is prudent.
35. For schemes which provide capital expenditure for the acquisition of share capital or loan funding to third parties, repayment(s) of such loans using the

annuity method or return(s) received from the share capital for 20 years will be set aside in lieu of MRP.

36. Where no principal repayment is made each year, MRP will be charged at a rate in line with the life of the assets funded by the loan. Capital expenditure incurred during 2023/24 will not be subject to an MRP charge until 2024/25, or until the year after the asset becomes operational.
37. **MRP Overpayments** – DLUHC guidance allows for any VRP charges to be reclaimed in later years and used in the revenue budget if deemed necessary or prudent. The policy must disclose annually any such charges made. Up until the 31 March 2023 the total VRP overpayments were nil.
38. As mentioned within the Capital Strategy above, at the end of December, DLUHC announced two related consultations on options for additional capital flexibilities, and the changes to the MRP regulations and statutory guidance. The main principle of the latter consultation is as follows:

Final consultation on changes to MRP regulations and statutory guidance

39. This relates to the MRP regulations and statutory guidance. The key principles focus around adequate provision for borrowing through MRP charges and the potential use of capital receipts to offset these charges. The consultation runs until 16 February, officers are currently reviewing the proposals and will submit a response in line with the timescales outlined.

Borrowing

40. The treasury management function ensures the Council’s cash is managed in accordance with the relevant professional codes and that sufficient cash is available to meet the requirements of its revenue budget and capital strategy. This involves both the organisation of the cash flow and appropriate borrowing facilities. The strategy covers the relevant treasury and prudential indicators, current and projected debt positions, and the Annual Investment Strategy.

Current Portfolio Position

41. The overall treasury management portfolio as at 30/01/23 and the position as at 30/01/2024 are shown in table 9 below for both borrowing and investments.

TREASURY PORTFOLIO				
	actual 31.3.23	actual 31.3.23	current 31.01.24	current 31.01.24
Treasury investments	£000	%	£000	%
Lloyds Call Accounts	16,597,410	41%	15,194,485	54%
Bank of Scotland Call	16	0%	16	0%
Barclays Call	5,046,272	12%	1,000	0%
Santander Call	2,999,214	7%	214	0%
Santander 31 Days’ Notice Account	2,000,000	5%	5,000,000	18%
LA Loan (Thurrock BC)	6,000,000	15%	0	0%
Total managed in house	32,642,912	80%	20,195,715	72%

Property Funds				
CCLA Local Authority	5,000,000	12%	5,000,000	18%
HERMES	2,999,998	7%	2,999,998	11%
Total managed externally	7,999,998	20%	7,999,998	28%
Total treasury investments	40,642,910	100%	28,195,713	100%
Treasury external borrowing				
Local Authorities	5,000,000	16%	5,000,000	16%
PWLB	26,998,543	84%	26,702,356	84%
Total external borrowing	31,998,543	100%	31,702,356	100%
Net treasury investments / (borrowing)	8,644,368		(3,506,643)	
Non-treasury investments				
Loans to RDC Housing Company Ltd	2,745,000		4,635,300	
Net Investments / (borrowing)	11,389,368		1,128,657	

42. The prudential indicators include those that ensure the Council operates its activities within certain limits. One of these is to ensure that the Council's gross debt does not exceed, (except in the short term), the total of its CFR in the preceding year plus its estimated CFR for the following two financial years. This allows some flexibility for limited early borrowing for future years but ensures that borrowing is not undertaken for revenue or speculative purposes.
43. The Council's forward projections for borrowing are summarised in table 10, which shows the actual external debt, against the underlying capital borrowing need, (the Capital Financing Requirement - CFR).

<i>£000</i>	2022/23 Actual	2023/24 Budget	2024/25 Budget	2025/26 Budget	2026/27 Budget	2027/28 Budget	2028/29 Budget
Debt at 1 April	27,312	31,989	41,661	115,409	122,952	122,981	149,054
Expected change in debt	4,677	9,672	73,748	7,543	29	26,073	(355)
Actual gross debt at 31 March	31,989	41,661	115,409	122,952	122,981	149,054	148,699
Capital Financing Requirement (CFR)	43,469	50,243	123,803	130,656	129,910	155,174	153,766
Under / (over) borrowing	11,480	8,582	8,394	7,704	6,929	6,120	5,067

44. The Section 151 Officer reports that the Council has complied with this prudential indicator in 2023/24 and does not envisage difficulties in future years. This view takes account of current commitments, existing plans, and the budget proposals.

Treasury Indicators: limits to borrowing activity

45. **The operational boundary.** This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to

the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing from cash resources.

46. **The authorised limit for external debt.** This prudential indicator is a control on the maximum level of borrowing. It is a legal limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It effectively gives the Council some limited headroom over its operational boundary limit.
47. Section 3 (1) of the Local Government Act 2003 allows the Government to retain the option to control either the total of all Council's plans, or those of a specific Council, although this power has not yet been exercised.
48. Members are asked to approve the limits contained within table 11 below:

£000	2022/23 limit	2023/24 limit	2024/25 limit	2025/26 limit	2026/27 limit	2027/28 limit	2028/29 limit
Authorised limit - total external debt	169,012	192,833	194,770	196,050	196,050	196,050	196,050
Operational boundary - total external debt	160,012	183,833	185,770	187,050	187,050	187,050	196,050

Prospects for interest rates

49. The Council has appointed Link Group as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. Table 12 below gives their view, as at 8 January 2024, of rates at the 31 March. It should be noted that the current base rate is 5.25%.

Link Group Interest Rate View 08.01.24													
	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
BANK RATE	5.25	5.25	4.75	4.25	3.75	3.25	3.00	3.00	3.00	3.00	3.00	3.00	3.00
3 month ave earnings	5.30	5.30	4.80	4.30	3.80	3.30	3.00	3.00	3.00	3.00	3.00	3.00	3.00
6 month ave earnings	5.20	5.10	4.60	4.10	3.70	3.30	3.10	3.10	3.10	3.10	3.10	3.10	3.10
12 month ave earnings	5.00	4.90	4.40	3.90	3.60	3.20	3.10	3.10	3.10	3.10	3.10	3.20	3.20
5 yr PWLB	4.50	4.40	4.30	4.20	4.10	4.00	3.80	3.70	3.60	3.60	3.50	3.50	3.50
10 yr PWLB	4.70	4.50	4.40	4.30	4.20	4.10	4.00	3.90	3.80	3.70	3.70	3.70	3.70
25 yr PWLB	5.20	5.10	4.90	4.80	4.60	4.40	4.30	4.20	4.20	4.10	4.10	4.10	4.10
50 yr PWLB	5.00	4.90	4.70	4.60	4.40	4.20	4.10	4.00	4.00	3.90	3.90	3.90	3.90

Investment and borrowing rates

50. Investment returns improved in 2023/24 as the Bank of England's Monetary Policy Committee (MPC) progressively increased the Bank Rate to its current level at 5.25%, there was an increased focus on treasury activities and through the reduction in borrowing and higher cash balances because of the pause and review of the capital programme. Borrowing interest rates remain at around 5% but the Council has not taken out additional borrowing for capital investment during 2023/24. Caution must be exercised in respect of all interest forecasts. Link will monitor events and will update their forecasts as and when appropriate.
51. The policy of avoiding new borrowing by using cash balances has served the Council well in recent years but further borrowing may well be unavoidable in 2024/25 if the Council is to deliver the Capital Strategy And associated

programme in its entirety, although as mentioned it is currently subject to review.

Borrowing Strategy

52. The Council is currently maintaining an under-borrowed position in that its CFR has not been fully funded by loans because the Council has been able to use cash reserves and balances as a temporary measure. This is a prudent strategy because medium and longer dated borrowing rates are expected to fall from their current levels once prevailing inflation concerns are addressed by tighter near-term monetary policy.
53. Against this background and the risks within the economic forecast, caution will continue to be adopted with the 2024/25 treasury operations. The Section 151 Officer will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances, for example:
- if there is a significant risk of a sharp FALL in long and short-term rates, long term borrowing plans may be postponed;
 - if there is a significant risk of a sharp RISE in long and short-term rates fixed rate borrowing may be drawn whilst interest rates are lower than forecasted.
54. Any decisions will be reported to Cabinet and the Audit and Standards Committee at the soonest available opportunity.

Policy on borrowing in advance of need

55. The Prudential Code and CIPFA guidance says that the Council must not borrow more than or in advance of their needs purely to profit from the investment of the extra sums borrowed. This does not apply to its PIS investments, which are essentially focused on the delivery of economic sustainability and regeneration in the Rother district.
56. However, the Council has some flexibility to borrow funds in advance of need for use in future years. The Section 151 Officer may do this under delegated power whereby, for instance, a sharp rise in interest rates is expected, and so borrowing early at fixed interest rates will be economically beneficial or meet budgetary constraints. Whilst the Section 151 Officer will adopt a cautious approach, where there is a clear business case for doing so, borrowing may be undertaken to fund the approved Capital Programme.
57. Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

Debt rescheduling

58. The main reasons for debt rescheduling are to generate cash savings or to rebalance the debt portfolio maturity.
59. Rescheduling of the current borrowing in the Council's debt portfolio is unlikely to occur as there is still a very large difference between premature redemption

rates and new borrowing rates. Any rescheduling will be reported to the Audit & Standards Committee and Cabinet at the earliest opportunity.

New Financial Institutions as a Source of Borrowing and / or Types of Borrowing

60. Currently the PWLB Certainty Rate is set at gilts + 80 basis points which is just over 5% for 50 year borrowing on an annuity basis. However, consideration may still need to be given to sourcing funding from the following sources for the following reasons:
- Local authorities (primarily shorter dated maturities out to 3 years or so – generally still cheaper than the Certainty Rate).
 - Financial institutions (primarily insurance companies and pension funds but also some banks, out of forward dates where the objective is to avoid a “cost of carry” or to achieve refinancing certainty over the next few years).
 - UK Municipal Bonds Agency and UK infrastructure Bank may also be considered if may be advantageous.
61. Our advisors will keep us informed as to the relative merits of each of these alternative funding sources.

Proportionality

62. The Council will consider proportionality alongside affordability and needs when analysing funding projects through borrowing. The costs and risks associated with borrowing will be reviewed with reference to the overall financial position so that the Council does not undertake a level of borrowing, which exposes it to an excessive level of risk.

ANNUAL INVESTMENT STRATEGY

Investment policy – management of risk

1. DLUHC and CIPFA have extended the meaning of ‘investments’ to include both financial and non-financial investments. This report deals solely with financial investments, (as managed under treasury management). Non-financial investments, the purchase of income yielding assets, are covered in the Capital Strategy.
2. The Council’s investment policy has regard to the following:
 - DLUHC’s Guidance on Local Government Investments;
 - CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2021; and
 - CIPFA Treasury Management Guidance Notes 2021.
3. The Council’s investment priorities will be security first, portfolio liquidity second and then return.
4. The above guidance documents place a high priority on the management of risk. This authority has adopted a prudent approach to managing risk and defines its risk appetite by the following means: -
 - a. Minimum acceptable **credit criteria** are applied to generate a list of highly creditworthy counterparties. This also enables diversification and avoids a concentration risk. The key ratings used to monitor counterparties are the short term and long-term ratings.
 - b. **Other information** - ratings will not be the sole determinant of the quality of an institution. It is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets (credit defaults swaps). To achieve this, the Council will engage with its advisors to monitor market pricing and consider that information in addition to credit ratings.
 - c. **Other information sources** used will include the financial press, share prices and other relevant information to establish a robust scrutiny process on the suitability of potential investment counterparties.
 - d. The council has defined the list of **types of investment instruments** that the treasury management team are authorised to use. There are two lists in Appendix D, namely, ‘specified’ and ‘non-specified’ investments.
 - **Specified investments** are those with a high level of credit quality and subject to a maturity limit of one year or have less than a year left to run to maturity if originally, they were classified as being non-specified investments solely due to the maturity period exceeding one year.

- **Non-specified investments** are those with less high credit quality, may be for periods more than one year, and/or are more complex instruments, which require greater consideration by Members and officers before being authorised for use.
- e. **Non-specified investments limit.** The Council has determined that it will limit the maximum total exposure to non-specified investments as shown in Appendix D.
 - f. **Lending limits**, (amounts and maturity), for each counterparty will be set through applying the matrix table in paragraph 7 below.
 - g. **Transaction limits** are set for each type of investment.
 - h. This authority will set a limit for its investments which are invested for **longer than 365 days**.
 - i. Investments will only be placed with counterparties from countries with a specified minimum **sovereign rating**.
 - j. This authority has engaged **external consultants**, to provide expert advice on how to achieve an appropriate balance of security, liquidity, and return, given the risk appetite of the Council in the context of the level of cash balances and need for liquidity throughout the year.
 - k. All investments will be denominated in **sterling**.
 - l. In November 2018, the DLUHC, concluded a consultation for a temporary override to allow English local authorities time to adjust their investments portfolio by announcing a delay to the implementation of IFRS 9 until the 31 March 2023. This statutory override has been extended until 31 March 2025. Any such future changes could impact on the revenue budget as the proposed requirement is for Council's to consider the implications on its investments that could result in an adverse change in their value and subsequent charge to the General Fund at the end of the financial year.
5. The Council will pursue value for money in treasury management and will monitor the yield from investment income against appropriate benchmarks for investment performance. Regular monitoring of investment performance will be reported to the Audit & Standards Committee during the financial year.

Creditworthiness policy

6. The Council uses the creditworthiness service provided by the Link Group. This is a sophisticated model, which utilises credit ratings from the three main credit rating agencies, namely Fitch, Moody's, and Standard & Poor's. The credit ratings of counterparties are supplemented with the following information:
 - 'watches' and 'outlooks' from credit rating agencies;
 - Credit Default Swap (CDS) spreads to warn of likely changes in ratings;
 - sovereign ratings to select counterparties from only the most creditworthy countries.

7. This approach combines the above to produce a weighted score, which is combined with CDS data to produce a series of colour coded bands indicating the creditworthiness of counterparties. The Council uses the colour codes to determine the suggested duration for investments. It will therefore use counterparties within the following durational bands:
- Yellow 5 years
 - Dark pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.25
 - Light pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.5
 - Purple 2 years
 - Blue 1 year (only applies to nationalised or semi nationalised UK Banks)
 - Orange 1 year
 - Red 6 months
 - Green 100 days
 - No colour not to be used
8. Typically, the minimum credit ratings criteria the Council use will be short-term (Fitch or equivalents) of F1 and a long-term rating of A-. Counterparty ratings can marginally vary between agencies but may still be used. In these instances, the whole range of ratings, or other market information will be used.
9. Credit ratings are monitored weekly and reported to the Chief Executive. The Council is alerted to changes of all three agencies through its use of the Link creditworthiness service. If a downgrade means the counterparty/investment scheme no longer meeting the minimum criteria, its use as a new investment will be withdrawn. In addition to the use of credit ratings the Council will be advised each day of movements in CDS spreads against the iTraxx European Senior Financials benchmark and other market data the 'Passport' website, (a portal provided exclusively by Link to its customers). Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.
10. Sole reliance will not be placed on the use of this external service. The Council will also use market data and market information as well as information on any external support for banks to help support its decision-making process.
11. The time and monetary limits for institutions on the Council's counterparty list are as shown within table 13 below, (these will cover both specified and non-specified investments).

Y	Pi1	Pi2	P	B	O	R	G	N/C
1	1.25	1.5	2	3	4	5	6	7
Up to 5yrs	Up to 5yrs	Up to 5yrs	Up to 2yrs	Up to 1yr	Up to 1yr	Up to 6mths	Up to 100days	No Colour
	Colour (and long-term rating where applicable)	Maximum Value and/or % limit	Transaction limit	Time limit				
Banks *	Yellow	£5m / 10%	£5m	5yrs				
Banks	Purple	£5m / 10%	£5m	2 yrs				
Banks	Orange	£10m / 30%	£10m	1 yr				
Banks – part nationalised	Blue	£10m / 30%	£10m	1 yr				
Banks	Red	£10m / 50%	£10m	6 mths				
Banks	Green	£10m / 50%	£10m	100 days				
Banks	No Colour	Not to be used	£Xm					
Limit 3 category – Authority’s banker (where “No Colour”)	XXX	£ Unlimited / 100%	£30m	1 day				
Other institutions limit	-	£10m / 30%	£10m	1 yr				
DMADF	UK sovereign rating	unlimited	£10m	6 months				
Local authorities	n/a	£10m / 50%	£10m	2 yrs				
Housing associations	Colour bands	£5m / 10%	£5m	As per colour band				
Money Market Funds CNAV	AAA	£10m / 90%	£10m	liquid				
Money Market Funds LVNAV	AAA	£10m / 90%	£10m	liquid				
Money Market Funds VNAV	AAA	£10m / 90%	£10m	liquid				
Ultra-Short Dated Bond Funds with a credit score of 1.25	Dark Pink / AAA	£5m / 30%	£5m	liquid				
Ultra-Short Dated Bond Funds with a credit score of 1.50	Light Pink / AAA	£5m / 30%	£5m	liquid				

Country limits

12. The Council has determined that it will only use approved counterparties from countries with a minimum sovereign credit rating of AA-. The list of countries that qualify using this credit criteria as at the date of this report are shown in Appendix E. This list will be amended by officers should ratings change in accordance with this policy.

13. Significant levels of downgrades to Short and Long-Term credit ratings have not materialised since the crisis in March 2020. In the main, where they did change, any alterations were limited to Outlooks. Accordingly, when setting minimum sovereign debt ratings, this Council will not set a minimum rating for the UK.

Non-specified treasury management investment limit.

14. The Council has determined that it will limit the maximum total exposure of treasury management investments to non-specified treasury management investments as being 10% of the total treasury management investment portfolio.

Other limits

15. In addition: -
- no more than 30% will be placed with any non-UK country at any time;
 - limits in place above will apply to a group of companies/institutions; and
 - sector limits will be monitored regularly for appropriateness.

Use of additional information other than credit ratings

16. Additional requirements under the Code require the Council to supplement credit rating information. Whilst the above criteria rely primarily on the application of credit ratings to provide a pool of appropriate counterparties for officers to use, additional operational market information will be applied before making any specific investment decisions. This information will be applied to compare the relative security of different investment opportunities.

Investment Strategy

17. Investments will be made with reference to cash flow requirements and the outlook for short-term interest rates. Greater returns are usually obtainable by investing for longer periods. While cash balances are required to manage the ups and downs of cash flow, where cash sums can be invested for longer periods, the value to be obtained from longer term investments will be carefully assessed. If it is thought that bank rate is likely to rise significantly within the time horizon being considered, most investments will be short term or variable. Conversely, if it is thought that bank rate is likely to fall, consideration will be given to locking in higher rates currently obtainable, for longer periods.
18. There is the prospect of Bank Rate peaking in the first half of 2024 and possibly reducing as early as the latter part of 2025 so an agile investment strategy would be appropriate to optimise returns.

Investment returns expectations

19. The bank rate is currently at 5.25% and is unlikely to increase further while inflation continues to drop. The suggested rates for returns on investments placed for periods up to about three months during each financial year are shown with table 14 below:

Average earnings in each year	Now	Previously
2023/24 (residual)	5.30%	5.30%
2024/25	4.55%	4.70%
2025/26	3.10%	3.20%
2026/27	3.00%	3.00%
2027/28	3.25%	3.25%
2028/29	3.25%	3.25%
Years 6 to 10	3.25%	3.25%
Years 10+	3.25%	3.25%

As there are so many variables at this time, caution must be exercised in respect of all interest rate forecasts.

20. **Investment treasury indicator and limit** - total principal funds invested for greater than 365 days. These limits are set regarding the Council's liquidity requirements and to reduce the need for early sale of an investment and are based on the availability of funds after each year-end. The Council is asked to approve the treasury indicator and limits contained in table 15 below:

Maximum principal sums invested > 365 days			
	2024/25	2025/26	2026/27
Principal sums invested > 365 days	£10,000,000	£10,000,000	£10,000,000
Current investments as at 31.01.2023 more than 1 year maturing in each year	nil	nil	nil

21. For its cash balances, the Council will seek to utilise its instant access and notice accounts, money market funds and short-dated deposits, (overnight to 100 days), to benefit from the compounding of interest.

Investment risk benchmarking

22. The Council will use an investment benchmark to performance of its cash deposit investments with a maturity date of up to one year.

End of year investment report

23. At the end of the financial year, the Council will report to Audit & Standards Committee on its investment activity as part of its Annual Treasury Report.

External Fund Managers

24. The Council may choose to invest in funds managed by External Fund Managers in which case the fund manager will comply with the Annual Investment Strategy. The agreement(s) between the Council and the fund manager(s) will additionally stipulate guidelines on duration and other limits to contain and control risk.
25. £8m of funds are externally managed on pooled basis by CCLA and Hermes.
26. The Council fully appreciates the importance of monitoring the activity and resultant performance of its appointed external fund manager. To aid this assessment, the Council is provided with a suite of regular reporting from its manager. This includes monthly factsheets, quarterly / semi-annual and annual reports, statements.
27. In addition to formal reports, the Authority also meets with representatives of the fund manager on an annual basis. These meetings allow for additional scrutiny of the manager's activity as well as discussions on the outlook for the fund as well as wider markets.

Policy on the use of external service providers

28. The Council uses the Link Group as its external treasury management advisors.
29. It recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.
30. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and assessment of their value are properly agreed and documented.

Scheme of delegation

31. Please see Appendix F.

Role of the Section 151 Officer

32. Please see Appendix G.

TREASURY MANAGEMENT PRACTICE – CREDIT AND COUNTERPARTY RISK

Specified Investments:

- All such investments will be in sterling, with maturities up to maximum of one year, meeting the minimum 'high' quality criteria where applicable.
- A variety of investment instruments will be used, subject to the credit quality of the institution, and depending on the type of investment made, it will fall into one of the following categories shown below:

	Min credit criteria / colour band	** Max % of total investments/ £ limit per institution whichever is lower	Max. maturity period
DMADF – UK Government	Yellow	100%	6 months
UK Government gilts	Yellow	50%/£10m	Year subject to guidance
UK Government Treasury bills	Yellow	20%/£10m	1 year subject to guidance
Bonds issued by multilateral development banks	Yellow	20%/£10m	1 year subject to guidance
Money Market Funds CNAV	AAA	90%/£10m	Liquid
Money Market Funds LVAV	AAA	90%/£10m	Liquid
Money Market Funds VNAV	AAA	90%/£10m	Liquid
Ultra-Short Dated Bond Funds, credit score of 1.25	AAA	100%	Liquid
Ultra-Short Dated Bond Funds, credit score of 1.5	AAA	100%	Liquid
Local authorities	Yellow	100%	5 years
Term Deposits with Housing Associations	Refer to Creditworthiness Policy	10%/£5m	1 year
UK Banks and building societies	Refer to Creditworthiness Policy	100%, Unlimited with Council's own banker, £10m limit in UK banks and building societies	1 year
Term deposits with banks and building societies	Refer to Creditworthiness Policy	100%/£10m limit in UK banks and building societies £2m in foreign banks	1 year
CDs or corporate bonds with banks and building societies	Refer to Creditworthiness Policy	100%/£10m limit in UK banks and building societies £2m in foreign banks	1 year
Gilt Funds	UK sovereign rating		

3. **Non-specified investments** – these are any other type of investment (i.e. not defined as specified above). The identification and rationale supporting the selection of these other investments and the maximum limits to be applied are set out below. Non-specified investments would include any sterling investments with:

	Minimum credit criteria / colour band	** Max % of total investments/ £ limit per institution whichever is lower	Max. maturity period
DMADF – UK Government	Yellow	10% / £10m	5 years subject to guidance
UK Government gilts	Yellow	10% / £10m	5 years subject to guidance
UK Government Treasury bills	Yellow	10% / £10m	5 years subject to guidance
Bonds issued by multilateral development banks	Yellow	10% / £10m	5 years subject to guidance
Local authorities	Yellow	10% / £10m	2 years
Term Deposits with Housing Associations	Refer to Creditworthiness Policy	10% / £5m	2 years
UK Banks and building societies	Refer to Creditworthiness Policy	10% / Unlimited with Council's own banker, £10m limit in UK banks and building societies	5 years subject to guidance
Term deposits with banks and building societies	Refer to Creditworthiness Policy	10% / £5m limit in UK banks and building societies, £2m in foreign banks	5 years subject to guidance
CDs or corporate bonds with banks and building societies	Refer to Creditworthiness Policy	10% / £5m limit in UK banks and building societies, £2m in foreign banks	5 years subject to guidance
Property funds –	The use of these instruments can be deemed to be capital expenditure, and as such will be an application (spending) of capital resources. This Council will seek guidance on the status of any fund it may consider using. Specific authorisation required from Members		
Property purchases.	The criteria for any purchase of property for investment purposes will meet the following broad criteria in the approved Property Investment Strategy (PIS). Appropriate due diligence will also be undertaken before investment of this type is undertaken.		

APPROVED COUNTRIES FOR INVESTMENTS

This list is based on those countries which have sovereign ratings of AA- or higher, and (except at the time of writing for Hong Kong, Norway, and Luxembourg), have banks operating in sterling markets which have credit ratings of green or above in the Link credit worthiness service.

Based on lowest available rating from Fitch, Moody's, and S&P

AAA

- Australia
- Denmark
- Germany
- Netherlands
- Norway
- Singapore
- Sweden
- Switzerland

AA+

- Canada
- Finland
- U.S.A.

AA

- Abu Dhabi (UAE)

AA-

- France
- Belgium
- Qatar
- U.K

****As at 8 January 2024***

1. Full Council

- receiving and reviewing reports on treasury management policies, practices, and activities; and
- approval of annual strategy.

2. Cabinet

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- budget consideration and approval;
- approval of the division of responsibilities; and
- approving the selection of external service providers and agreeing terms of appointment.

3. Audit and Standards Committee

- reviewing the treasury management policy and procedures and making recommendations to the responsible body; and
- receiving and reviewing regular monitoring reports and acting on recommendations.

4. Chief Executive and the Section 151 Officer

- In the event that a counterparty, subsequent to an investment being made, falls below the minimum ratings required, the following action is delegated to the Chief Executive or in their absence the Section 151 Officer;
 - Fixed term deposits – allow the investment to mature and not withdraw its funding unless advised otherwise by the Council's treasury advisors;
 - In all situations the Chief Executive and Section 151 Officer will take the best course of action to protect the value of the investment based on advice received from the Council's treasury advisors.

The Section 151 Officer's duties include:

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance,
- submitting regular treasury management policy reports,
- submitting budgets and budget variations,
- receiving and reviewing management information reports,
- reviewing the performance of the treasury management function,
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function,
- liaising with external audit,
- recommending the appointment of external service providers,
- preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments, and treasury management, with a long-term timeframe,
- ensuring that the capital strategy is prudent, sustainable, affordable, and prudent in the long-term and provides value for money,
- ensuring that due diligence has been carried out on all treasury and non-financial investments and is in accordance with the risk appetite of the authority,
- ensure that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing,
- ensuring the proportionality of all investments so that the authority does not undertake a level of investing, which exposes the authority to an excessive level of risk compared to its financial resources,
- ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long-term liabilities,
- provision to members of a schedule of all non-treasury investments including material investments in subsidiaries, joint ventures, loans, and financial guarantees,
- ensuring that members are adequately informed and understand the risk exposures taken on by an authority,
- ensuring that the authority has adequate expertise, both in house and external, to carry out the above,
- creation of Treasury Management Practices as set out in the Treasury Management code, which specifically deal with how non- treasury investments will be carried out and managed, to include the following:
 - Risk management (TMP1 and schedules), including investment and risk management criteria for any material non-treasury investment portfolios;
 - Performance measurement and management (TMP2 and schedules), including methodology and criteria for assessing the performance and success of non-treasury investments;
 - Decision making, governance and organisation (TMP5 and schedules), including a statement of the governance requirements for decision making in relation to non-treasury investments; and arrangements to ensure that appropriate professional due diligence is carried out to support decision making;
 - Reporting and management information (TMP6 and schedules), including where and how often monitoring reports are taken;

- Training and qualifications (TMP10 and schedules), including how the relevant knowledge and skills in relation to non-treasury investments will be arranged.

Rother District Council

Report to: Cabinet

Date: 4 March 2024

Title: Community Grants Scheme – Round 2

Report of: Corporate Policy and Projects Manager

Cabinet Member: Councillor Killeen

Ward(s): All

Purpose of Report: To present and recommend approval of Community Grants applications for Round 2, 2023/24

Decision Type: Non-Key

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) the Community Grants detailed within appendix a as recommended by the Grants Panel be approved, subject to specific conditions relating to each application;
- 2) all Members be requested to promote the various Community Grants schemes and the Rother Community Lottery within their wards.

Reasons for

Recommendations: To approve the Community Grants applications for Round 2, 2023/24 to enable the projects to proceed.

Introduction

1. The Council's Community Grants Scheme (CGS) makes provision for up to £130,000 per annum to be made available to community groups or organisations that meet the grants criteria of Rother District Council's (RDC) CGS.

Community Grants

2. The Community Grants Panel has delegated authority to award grants up to £1,000. Two applications have been awarded Rother Reduce, Reuse and Recycle grants in Round 2. They were The Studio Rye for £453 and Community Compost Solutions for £256.
3. Round 2 of the Rother CGS for 2023/24 closed on 30 November 2023. Eleven applications were received requesting £114,595 in total, exceeding the available remaining budget for 2023/24.

4. By working with RDC Officers and applicants, three applications are eligible to be funded through the UK Shared Prosperity Fund: Rural England Community Infrastructure Grants Scheme.
5. The Panel met on 25 January 2024 and have recommended awards for six applications. Two applications were declined due to ineligibility.
6. Cabinet is asked to consider the following applications for funding from the Council's CGS as set out in Table 1 (each application is summarised in Appendix A):

Applicant	Amount requested	Amount recommended
1. Little Gate Farm	£30,000	£30,000
2. Bexhill Family Collective	£4,948	£4,948
3. Bexhill Heritage	£2,657	£2,657
4. Crowhurst Parish Council	£19,250	£19,250
5. Icklesham Parish Council	£3,000	£3,000
6. Three Oaks Village Hall	£6,550	£6,550
Total:	£66,405	£66,405

Rother Community Grants 2024/25

7. Members are reminded of the following grants schemes available in 2024/25.
 - a. Small Community grant – up to £1,000 per application with a ringfenced total of £5,000 per annum. Open all year until the fund is allocated.
 - b. Rother Reduce Reuse Recycle grant – up to £1,000 per application with ringfenced total of £5,000 per annum. Open all year until the fund is allocated.
 - c. Medium and Large Community grants: £1,000 - £30,000. £120,000 available. Round 1 opens 1 April 2024, closing 6 July 2024.
8. Applicants are encouraged to make applications through the online application process. Support and advice can be accessed through Rother Voluntary Action (RVA), and it is recommended applicants contact RVA before the submission of an application.
9. It should be noted that all applications are to be driven by community support, and need to have an element of match funding, whether their own contributions or at least funding applications submitted to the total value of the project. This is to demonstrate it is fully costed, funded and ready to go. Applicants are strongly encouraged to seek funding from Parish and Town Councils.
10. Conditions are applied when awarding grants which include that full funding is obtained in advance of any Rother payments being made and that RDC is acknowledged in any publicity and promotional material associated with these projects. Other specific conditions will also be applied to grants as appropriate.
11. Further information on all grants schemes are available via the CGS section of the Council's website: <https://www.rother.gov.uk/benefits-grants-and-funding/community-grants-scheme/>

Rother Community Lottery

12. The Rother Community Lottery has 83 causes signed up. Since the first draw in April 2022, £42,000 has been facilitated going direct to the various good causes.
13. £12,350 has been won in cash prizes, including one lucky winner with £2,000 and 22 winning £250. £1,300 of cash prizes by 34 winners has been donated back to the organisation supported.
14. Approximately £15,000 of income generated is forecast to support the Rother Community Grants scheme in 2023/24.

Conclusion

15. Members are requested to consider the applications attached at Appendix A and recognise the clear benefits these offer to their communities. The CGS offers a robust assessment process that benefits communities applying for grants and secures considerable additional value for money benefits for the Council.
16. Members be requested to promote the various Community Grants schemes and Rother Community Lottery within their wards.

Financial Implications

17. The assessment and monitoring system for Community Grants will mitigate the financial and reputation risks associated with handing over grant finance. The Council attaches specific conditions to grant applications to mitigate risk.

Environmental Implications

18. All community grants applications request for environmental considerations to be noted.

Risk Implications

19. We are often at the hands of voluntary groups to the amount of time, effort and other financial support they can commit to their projects. This is mitigated by the good working relationships that exist across the district, and the support provided by RVA.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	Yes	Exempt from publication	No

Chief Executive:	Lorna Ford
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Appendices:	Appendix A - Community Grants Round 2 2023-24 Summary
Relevant Previous Minutes:	CB08/115
Background Papers:	None.
Reference Document:	None.

Grant Applications – Round 2

1. Little Gate Farm

Total cost of project: £60,000

Funding secured: £30,000

Funding shortfall: £30,000

Amount requested: £30,000

Percentage of total project costs requested: 50%

Funding shortfall if full grant approved: Nil

Applicant and Grant Request Details

Little Gate Farm's purpose is to place adults with learning disabilities and autism into sustainable paid employment within Rother and the surrounding areas. They are requesting a grant of £30,000 to acquire a new diesel minibus with an accessible wheelchair ramp.

Benefits

Little Gate Farm rely heavily on ageing buses that are in constant need of repairs and maintenance. They have become a financial burden and limit their ability to serve their beneficiaries effectively due to the frequent breakdowns.

The new minibus will offer a reliable and efficient mode of transportation, significantly reducing breakdowns, repair costs, emissions, and operational disruptions. This improved reliability will allow Little Gate to provide uninterrupted services, ensuring people can access essential programs and activities without interruptions.

With a wheelchair ramp, the new bus will enable them to accommodate individuals with disabilities who use wheelchairs or have mobility impairments. This inclusive transportation option will empower their beneficiaries to participate fully in community activities, educational outings, and social events, fostering their independence and overall well-being.

The presence of an accessible minibus will enable Little Gate to expand their outreach and engage with more individuals who require specialised transportation services. They can collaborate with local schools, healthcare facilities, and community organisations, forging partnerships to enhance the overall impact of their programmes and services.

Support for the Project

Support for this project has been received from Councillors Ganly, Biggs and Bayliss, as well as East Sussex County Councillor Redstone, the community, and users of Little Gate's services.

Project Sustainability

Little Gate will establish a regular maintenance schedule for the minibus to ensure its optimal performance and longevity. This plan will include routine inspections, servicing, and repairs conducted by certified mechanics. By following a proactive maintenance approach, they will prevent breakdowns and costly repairs in the long run.

A portion of their existing budget and any additional funds received are allocated towards the ongoing maintenance and running costs of the minibus. This will include expenses such as fuel, insurance, licensing fees, and regular maintenance services.

Funding Details

Little Gate Farm have allocated £2,353.75 of their own funds towards this project. They have received a grant of £7,646.25 from The Big Give and £20,000 from The Gosling Foundation. This leaves a shortfall of £30,000 (nil if full grant awarded).

If successful, the applicant would acknowledge RDC's contribution by putting the RDC logo on the minibus, as well as on social media and their website.

Environmental Considerations

Little Gate Farm are replacing a 17-year-old diesel minibus with a brand-new diesel minibus. Newer diesel engines are more fuel-efficient than their older counterparts, leading to better mileage and reduced fuel consumption. The increased efficiency translates into lower carbon emissions, contributing to a smaller carbon footprint.

Little Gate Farm extensively researched the market for a replacement minibus for several months and had many discussions with support staff, drivers, and mechanics about the best option for Little Gate and for their trainees. This careful consideration led to deciding that whilst an electric bus was the preferred option, a diesel bus is the best option both financially for the organisation and for stability for the trainees.

Support staff and drivers raised concerns that the range of electric buses was not high. This is in addition to the concern that the district does not have the infrastructure in place to charge an electric bus and if the bus needed to be charged at the Farm the added distance of driving from the Farm to pickups would further reduce the range. Buses do multiple pickups around Hastings and Bexhill and then drive out to Beckley. The Farm is in a rural location down country lanes.

Update January 2024

Since the grants panel in July 2023, the applicant has reviewed their minibus strategy which included exploration of an electric/hybrid option that determined that there are no self-charging mini-buses available in the UK.

Further, in January 2024, the pathway for zero emission vehicle transition by 2035 became law, following a decision taken by the Prime Minister to delay the ban on new diesel and petrol cars from 2030, putting the UK in line with other major global economies. This should increase the options available to Little Gate Farm at their next review point of transportation options.

Panel Recommendation:

Grant £30,000 subject to standard terms and conditions.

2. Bexhill Family Collective

Total cost of project: £10,860.50

Funding secured: £5,661.72

Funding shortfall: £5,198.78

Amount requested: £4,948.78

Percentage of total project costs requested: 45%

Funding shortfall if full grant approved: £250

Applicant and Grant Request Details

Bexhill Family Collective Community Interest Company (CIC) work towards reducing the barriers to work, education and leisure for people in Bexhill and surrounding areas.

The grant will be used for the associated costs with setting up their community garden in Sidley. This includes erecting sheds, setting up rainwater collection systems and purchasing tools and equipment.

Benefits

This project intends to bring members of the Sidley community together. The aim of the project is to help fight food poverty, by giving people the opportunity to grow their own food and exchange gifts and knowledge. They also aim for the 'Collective Garden' to be a place that supports social cohesion by joining different generations together, and in turn decrease the amount of loneliness many people face in all phases of their lives.

The project will have a range of different planters on site to enable people of all ages to join in planting activities, for example building waist high planters with steps up the side so that the elderly and young children can work together on a shared project. They are making sure that the pathways around the site are wide enough for wheelchairs and mobility scooters.

Bexhill Family Collective are working with other community organisations, such as the Pelham, to ensure that the site runs a breadth of useful workshops and learning experiences. They will provide bushcraft and forest school workshops to help people not only grow their own fruit and vegetables, but also foraging skills.

Another part of the wider project is to help get people back onto the employment ladder. With regular involvement at the community garden, they will offer the opportunity for some people to undertake forest school training and Royal Horticultural Society (RHS) horticultural qualifications. Within the first year, they aim to train one person in Forest school leader training, which would provide them with the skills to hold forest school sessions with adults and children; and three people to undertake RHS horticultural training which can be provided by Ingram allotments community organisation.

Support for the Project

Support for the project has been received from Councillor Coleman, The Pelham, and the wider community. The funds of £5,661.72 were raised through a community crowdfunding campaign. As a result of the consultation held at Sidley Family Hub in October 2023, large amounts of positive feedback have been received and 17 people have volunteered for the project.

Project Sustainability

The estimated annual running costs are around £5,000. The applicant has advised us

that these costs can be met by profits raised in their community nursery school and fundraising activities.

They have employed a volunteer coordinator whose role will include ensuring they have an adequate number of volunteers to grow fruit and vegetables at the garden and help deliver the ambitious programme of workshops and learning opportunities.

Funding Details

The project is expected to cost up to £10,860.50. The applicant has committed £5,661.72, leaving a shortfall of £4,948.78 (£250 if full grant awarded).

If successful, RDC's contribution would be acknowledged on social media, and a plaque will be put up at the community garden. A formal launch will be held, with invitations to Councillors and local newspapers.

N.B. Bexhill Family Collective have approached Bexhill-on-Sea Town Council for funding and await the outcome of their decision due in February 2024.

Environmental Considerations

Bexhill Family Collective are working with The Pelham's Building Enterprise Scheme to use timber for structures and bases that have been reclaimed. They aim to plant hedgerows to increase the biodiversity of the site. Rainwater will be collected wherever possible to water plants etc. The rainwater collection units will be recycled from local vineyards. It is planned to hold a 'tool amnesty' so that garden tools and equipment can be donated for the community garden volunteers to use. A community composting scheme will be set up in the future.

Panel recommendation:

Grant £4,948.78 subject to standard terms and conditions.

3. Bexhill Heritage

Total cost of project: £5,313.50

Funding secured: £2,656.75

Funding shortfall: £2,656.75

Amount requested: £2,656.75

Percentage of total project costs requested: 50%

Funding shortfall if full grant approved: Nil

Applicant and Grant Request Details

Bexhill Heritage are a volunteer-led group whose aim is to conserve, protect and improve the Bexhill-on-Sea built environment.

Their project will see Bexhill Heritage restore the old red K6 telephone box on Normans Bay Road and convert into a community book exchange. An interpretation board detailing the history of the telephone box will also be installed.

Benefits

The book exchange will be a useful facility for all age groups and act as an informal meeting place within the neighbourhood, contributing to a sense of community cohesion.

The new book exchange will include books for all, including children's books. A non-slip floor will be added to cater for the needs of people with mobility problems. An area of hardstanding will be added immediately outside to cater for the temporary parking of mobility scooters, wheelchairs, and push chairs.

The associated interpretation board will further promote respect for the area's heritage by celebrating the life of architect, Sir Giles Gilbert Scott, designer of the K6 telephone kiosk who spent his formative years in Bexhill. The restoration will promote an interest in those local sites that inspired him.

Support for the Project

Support for the project has been received from Councillors Stanger and Winter, Bexhill Town Council, Normans Bay Residents Association (NBRA), and the wider community. NBRA were consulted on the appropriate use of the restored box and the book exchange was agreed.

Project Sustainability

Bexhill Heritage own the telephone box. NBRA will carry out ongoing day-to-day maintenance of the kiosk such as cleaning. Bexhill Heritage will inspect the kiosk at least annually to carry out minor repairs. In an exposed marine environment, there is an expectation that external redecoration will be required every third year. Bexhill Heritage officers would carry out or commission this work through funds raised.

Funding Details

The project is expected to cost up to £5,313.50. The applicant has committed £2,656.75 to the project. This leaves a shortfall of £2,656.75 (nil if full grant awarded).

If successful, RDC's contribution would be acknowledged prominently on the interpretation board.

Environmental Considerations

Bexhill Heritage will seek to minimise impact on the immediate environment by ensuring that dust from sandblasting is contained by using protective sheeting. Attention will be paid to the level of Volatile Organic Compounds in paints and solvents. All waste material will be reused or recycled if possible. Hazardous waste will be disposed of safely.

The restoration will be thorough. The application of a maintenance schedule will contribute to the longevity of the painted surfaces.

Books will be donated to the project, therefore being re-used and recycled.

Panel recommendation:

Grant £2,656.75 subject to standard terms and conditions.

4. Crowhurst Parish Council

Total cost of project: £38,500

Funding secured: £14,000

Funding shortfall: £24,500

Amount requested: £19,250

Percentage of total project costs requested: 50%

Funding shortfall if full grant approved: £5,250

Applicant and Grant Request Details

Crowhurst Parish Council (CPC) support the wellbeing of residents and conserve and protect the environment and heritage of the Crowhurst parish.

The grant will be used to fund the associated costs with converting the tennis court at Crowhurst Recreation Ground into a Multi-Use Games Area (MUGA).

Benefits

Crowhurst Tennis Court has been in situ for over 40 years and has had temporary renovation measures over its life. However, it is now unusable and unsafe as a community facility. Crowhurst has limited community facilities, and they wish to ensure that this all-weather outdoor facility is not lost.

CPC's aim for this project is to retain and increase access to physical activity within Crowhurst Village, for those who have little access to physical resources. This project would provide an all-weather facility for groups of all ages. Activities such as football, netball, basketball, yoga, and Tai Chi can be carried out in addition to the existing provision of tennis.

Active adults, children and young people will benefit from the extended range of activities. Children including those from the Youth Club adjacent to the Recreation Ground and court will be able to extend their activities to include physical sports and games. The pre-school children located at the Youth Club Hut will benefit from the all-weather play area. Families of all ages will benefit from the extended facilities. Older people will be able to access gentler outdoor exercise opportunities e.g. yoga or fitness groups.

Crowhurst Tennis Club has been established for over 40 years; improved facilities will enable the club to focus on increasing its membership within the community and providing longevity to the club.

It is acknowledged that there is not a footpath from the carpark to the proposed MUGA location, two residents in the consultation also observed and requested that accessibility is improved. CPC have advised that they will consider options and explore feasibility.

Support for the Project

Support for the project has been received by Councillor Pearce, Crowhurst Tennis Club, Active Rothers Sports Development Officer, and the community via a questionnaire designed to gather opinions on options for the facility.

Project Sustainability

CPC will be responsible for overseeing the maintenance of the MUGA and will include within their budgets going forward.

Funding Details

The project is expected to cost up to £38,500. The applicant has committed £14,000 of their own funds to the project. They have outstanding grant applications with Cash for Clubs (£2,000) and Sussex Community Foundation (£3,000) as well as completing further fundraising themselves. This leaves a shortfall of £250 if all grants are awarded.

If successful, RDC's contribution would be acknowledged in the Crowhurst news magazine, CPC reports and a grand opening which will be widely promoted.

Environmental Considerations

The base of the tennis court is stable and will be repurposed. The tarmac used will be semi-permeable in line with the aims and aspirations of the Crowhurst Neighbourhood Development Plan (2019) and CPC Climate and Ecological Emergency Resolution (2019). The work will be carried out by local tradespeople.

An additional benefit is that the new facility will provide a local resource, so that people in Crowhurst do not have to travel further afield.

Panel recommendation:

Grant £19,250 subject to standard terms and conditions and the following:

- a. Funding from other sources is confirmed.
- b. Confirmation that improved accessibility is explored for a future project.

5. Icklesham Parish Council

Total cost of project: £26,668

Funding secured: £23,000

Funding shortfall: £3,000

Amount requested: £3,000

Percentage of total project costs requested: 11%

Funding shortfall if full grant approved: Nil

Applicant and Grant Request Details

Icklesham Parish Council (IPC) wish to use a Rother Community Grant to purchase a new bus shelter and towards installation costs on Sea Road, Winchelsea Beach within a wider scheme to widen a footway and improve accessibility to those who travel by bus.

Benefits

It is proposed to install a bus shelter in the busiest part of the village, close to the Co-Op, Pub 31, Winchelsea Sands Holiday Park, and the Community Hall.

IPC have received many complaints from residents over the years regarding the lack of a bus shelter at this location. In consultation with East Sussex County Council (ESCC) and residents it is proposed to widen a footway and increase accessibility/ease for those who travel by bus and install a bus shelter.

It is observed that children in Winchelsea Beach who travel by bus to school can end up soaked whilst waiting for the bus in this exposed area. Widening the footway will also increase the safety for children waiting for the bus, ensuring they are standing further away from the road.

Many elderly residents rely on the bus service to access services in local towns such as Hastings and Rye and it is vital that these services are as accessible as possible. The proposed shelter will have a bench with back support. The bus shelter will also benefit tourists and holidaymakers, who visit in their thousands every year.

Support for the Project

Support for the project has been received from Councillor Osborne, ESCC and residents.

Project Sustainability

There will be very little running costs for the bus shelter. IPC add the bus shelter to its maintenance schedule. The costs are met via budgeting annually.

Funding Details

The project is expected to cost up to £26,668 to complete. The applicant has committed £12,268 of their own funds to the project, and ESCC have pledged £11,400 of community matched funding. This leaves a shortfall of £3,000 (nil if full grant awarded).

If successful, RDC's contribution would be acknowledged via a press release stating that the project was made possible via grant funding received from Rother District Council. IPC will also look at installing a plaque acknowledging Rother District Council's contribution.

Environmental Considerations

It is hoped that by installing the bus shelter and the wider scheme of kerb and footway widening would encourage more residents to use public transport, resulting in fewer cars travelling in the village. Currently, many parents drive their children to school when it is raining as they do not want their children to get wet whilst they are waiting for the bus.

Panel recommendation:

Grant £3,000 subject to standard terms and conditions.

6. Three Oaks Village Hall

Total cost of project: £13,100

Funding secured: £6,550

Funding shortfall: £6,550

Amount requested: £6,550

Percentage of total project costs requested: 50%

Funding shortfall if full grant approved: nil

Applicant and Grant Request Details

Three Oaks Village Hall Committee are a charity responsible for the maintenance and operation of the village hall for the benefits of the residents of Three Oaks and its vicinity.

The grant is proposed to be used to refurbish the village hall toilets which have not been modernised or updated since the hall was built in 1981/1982.

Benefits

The current toilet provision is outdated and not accessible to all. The project will provide modern facilities to include one of the two cubicles fitted out for accessible use, baby change facilities and widening of the corridor for accessibility.

The hall is regularly used by many local groups; a bi-weekly coffee mornings, whose activity programme includes a regular hearing aid clinic, and talks on topics such as fire prevention from East Sussex Fire & Rescue, crime prevention from Police Community Support Officer and stroke response from a nurse. There is a village art club, gardening club, exercise classes. The Three Oaks Village Hall also facilitates

larger village events such as a Summer BBQ, craft and Christmas fayre, charity fundraising evenings, birthday parties, dog training classes and as a rehearsal room by local bands. All users of the hall will benefit from the new facilities.

Support for the Project

Support for the project has been received from Councillor Coupar, Guestling Parish Council, and several of the groups who use the hall. A large amount of time to complete the project has been donated by local tradespeople (quoted at circa £6,500 in labour).

Project Sustainability

No additional running costs will arise from this project. The cost of maintaining the toilets is part of the general overheads of running the hall. This includes a cleaner who cleans the facilities once a week.

Funding Details

The project is expected to cost up to £13,100. The applicant has committed £5,050 of their own funds. Guestling Parish Council have donated £750, Hastings Rotary £100, Hastings Lions £150, and the Sussex Police Property Act Fund £500. This leaves a shortfall of £6,550 (nil if full grant awarded).

If successful, RDC's contribution would be acknowledged on social media, in the Parish newsletter, on the Parish website and they will explore the idea of a plaque in the hall.

Environmental Considerations

The walls, ceiling, and floors will be fully insulated, and a modern efficient heater will be installed, reducing carbon emissions. Local tradespeople are to be used.

Panel recommendation:

Grant £6,550 as per standard terms and conditions.

End of report