

Rother Draft Local Plan : Stage 18 Consultation Comments from Wild About Burwash submitted 16th July 2024



General Comments:

- 1) It is encouraging to read that one of the twin priorities of Rother's Draft Plan is "Green to the Core". Unfortunately, given the undeniably harmful effects on the natural world which results from the scale of building identified, the draft does not demonstrate that the Plan will leave Rother a 'greener' place. The housing numbers in the Plan are very significantly higher than any levels achievable to date and will likely increase further under the new government. Construction uses vast amounts of energy, releases quantities of carbon, starves soil and destroys habitats more quickly and effectively than any mitigation or offset. In planning for "recovery" Rother does obliquely acknowledge the coming attrition, but it would be more transparent for the document to recognise that planned new building of houses and infrastructure will inevitably intensify the challenge of the Climate and Biodiversity Crisis.
- 2) A Local Plan is, understandably, a Plan to facilitate building, but we would expect to see greater energy directed to repurposing existing buildings and brownfield development, rather than saying it's difficult. How exactly has this been investigated and this assumption reached? Where can we see the Background Evidence?
- 3) Of concern is the absence of any detail for Local Nature Recovery; Rother is meant to be producing an interim report but we cannot find it. A recent webcast confirmed that SLNR can "flag issues but cannot tackle the sources of those pressures" (i.e. development) and their role is to "inform" the planning process. How that works in practice remains to be seen and is highly relevant to meet the "Green to the Core" policies. Intentionally or otherwise, Local Nature Recovery, Biodiversity and HWNL are at the bottom of the list of 9 Green to the Core Policies.
- 4) Is there any reason why the plan does not include a requirement for Swift bricks on new buildings? This is a standard requirement by Brighton and Hove City Council for all new builds over 5 metres high and should be adopted by RDC.
- 5) This consultation process is not accessible to the overwhelming majority of residents. There is no clear summary of the key points and projected impact. Aspirations and visions are not a substitute for hard facts and clear analysis.

- 6) In terms of aspirations, many are excellent, but many, when the detail is read, can be “mitigated”, diluted or waived to the point of being meaningless, if they stand in the way of meeting targets.
- 7) We would like to see more input in the Plan of the recommendations of the **Rother Climate Change Study Net Zero Carbon Evidence Base Report** especially in relation to Carbon Sequestration e.g:
 Key Findings 2.3: *Planning requirements for new development should consider the sequestration potential of the selected sites, prioritise development in sustainable settlements and intensification, and require the maximisation of sequestration through design. Development should be avoided in areas with high carbon sequestration potential.* and: 10.1.5: *Carbon Sequestration Carbon sequestration potential is also assessed in this work. The development of brownfield areas and the intensification of urban centres should be prioritised and land with high sequestration potential is advised to be protected and enhanced wherever possible.*
- 8) We would like to see:
- clarity on what Rother defines as ‘major’ development (this swings throughout the Plan from defined to interpretive which allows the latter to prevail) especially in relation to small / rural settlements in the National Landscape
 - a commitment to objectivity in assessments of landscape and biodiversity impacts and full measurements of carbon impact for planning applications. There are well-published examples of how the BNG matrix can be manipulated. Ecology reports should be from independent ecologists and not selected by developers. A Biodiversity Records Office report should be obtained and included in any Ecology report (so far as data can be published), with full details of the report shared with the County Ecologist / Sussex Nature Recovery.
 - a better understanding within the Plan that “Dark Skies” is not simply a traditional way of life which respects the rural natural environment, but an integral policy in addressing the Climate and Biodiversity Crisis i.e. reducing energy wastage and light pollution. Dark Skies should be an aspiration for the whole district and such lighting policies should apply to all newbuildings. There should be reference to the Dark Skies Reserve Initiative which is supported by around 8 Rother parishes.

Comment on document clauses and policies:

[Vision, Overall Priorities and Objectives p.19](#)

Major development (7) will be focused in places where sustainable development can be achieved. All development will be net zero carbon ready and provide biodiversity net

gain (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.).

It is helpful to see RDC's definition of major development set out clearly within the Vision statement as 10 or more homes etc. On p 57, in setting policies for the AONB / High Weald National Landscape, reference is made to "major" as defined in Para 183 of NPPF (where the footnote states that the definition is up to the decision maker as to what constitutes major). It is assumed that RDC's definition in the Vision represents the Council's overarching decision on what constitutes "major".

Strategic Spatial Objectives p.27

Although there is mention of use of brownfield as a first choice in other parts of the draft Plan, this does not appear in any of RDC's 10 key objectives for their development vision. It should be in there.

Proposed Policy GTC6: Renewable and Low Carbon Energy p.27

There should be an assessment of harm to Biodiversity not just harm to landscape character assessment / trees / woodland / hedgerows etc

Proposed Policy GTC7: Local Nature Recovery Areas p.50

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.

As mentioned in Comment 3) above, this is a vital policy in the Plan. The objectives of the LNRS must be considered in all planning applications. The East Sussex LNRS Report is expected to be published Summer 2025. In the meantime, a RDC interim report, which will assist in guiding planning decisions, is apparently being prepared. How and when will this be published? How is it monitored and updated?

Proposed Policy LWL2: Facilities & Services p. 69

For village and countryside developments access to the listed mix of local amenities is allowed to be more than 800m by walking or cycling. There is no suggestion as to how far is reasonable and therefore this does not prevent applications for car-based developments.

There is also a requirement for safe walking access to a “suitable bus stop facility”. To this should be added (as is the case for non-rural developments in the Plan) the description **“effective and convenient”**. A service that only runs infrequently does not qualify as providing a reasonable alternative to car-based transport arising from such developments.

Q71. What are your views on a potential 30-year vision for the A21 transport corridor? (p 162)

There is no detail on where the by-passes around Flimwell and Hurst Green would be routed, in order to accommodate suggested housing development along an A21 “transport corridor”. The additional concreting of green fields and additional road network, would, in the absence of any meaningful details beyond the A21 having bus priority, appear to be harmful to the environment, the landscape and biodiversity.

Proposed Policy DEV6: Strategic Green Gaps p.195

The policy relating to green gaps is good, but it would only appear to relate to 5 identified strategic gaps in the district. There is no reference to green gaps in general, especially in rural areas between village settlements / hamlets. Burwash, Burwash Common and Burwash Weald each have separate identities as settlements and the green gaps between them should be recognised and protected. The same applies to gaps between the neighbouring parishes.

Proposed Policy HOU13: New Dwellings in the Countryside p.286

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..... 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.

There is no reference to negative Biodiversity impact arising from the infill of green spaces and the general suburbanising ‘creep’ effect of such development. In Clause 4.61 it is acknowledged that infill is not appropriate for “large green gaps between buildings, in more rural locations where this is the established street character.” The above proposed new policy appears to be in direct contradiction to the policy it replaces and, whilst it claims not to contradict the strict criteria for building in open countryside as set out in the NPPF, it very much seems to do so.

Proposed Policy GTC7: Local Nature Recovery Areas p50

Proposed Policy GTC8: Biodiversity Net Gain p53

There are many reasons to have strong reservations about BNG as i) an assumption that it is doing some positive good when it possibly isn't - nature is inevitably harmed and the 'compensation' is a manmade decision for nature which does not easily relocate or translocate and ii) it allows a monetisation of biodiversity between the developer and seller of BNG credits. The ability to manipulate the metrics is well-known to officers and planning committees and the absence of a robust independent ecology service to either assess the initial proposal or monitor BNG over 30 years leaves biodiversity protections as fragile as ever. The Plan makes the following statement without giving further details on what the "strong and effective response" will be. Details are awaited from Sussex Nature Partnership; in the meantime, we will make contact with them as a local community group that seeks to protect and enhance biodiversity and the landscape.

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.

The **Rother Climate Change Study Net Zero Carbon Evidence Base Report** by ARUP included this recommendation: *Similarly, references to green infrastructure and habitat connectivity do not appear to be included within the proposed framework. The maintenance of existing and creation of new green infrastructure is key to securing resilient and coherent ecosystems and is also of relevance to adaptation to climate change. We suggest the inclusion of text which recognises the importance of green infrastructure and habitat connectivity, including the protection and enhancement of existing features but also the creation of new features, which can align with any BNG approaches developed for your area.*

The recommendation does not seem to have been carried through to the Local Plan other than by reference to Biodiversity Opportunity Areas which will be identified by Sussex Nature Recovery. This appears to limit the protections to specific areas rather than as a principle. Clarification on this would be beneficial:

HELAA:

The inclusion of the HELAA at this stage is confusing and unworkable for a consultation process; it has to be searched for as a separate document and is flagged as not forming part of this Consultation Stage and yet the Council has asked for comments. Each site deserves proper scrutiny and input from the community. This will presumably take place at the next consultation stage.

We hope the above comments from our group are helpful and would appreciate any guidance on points raised where we may have misunderstood the intention behind or the impact of the drafted policies.

Anne Newson
For and on behalf of Wild About Burwash