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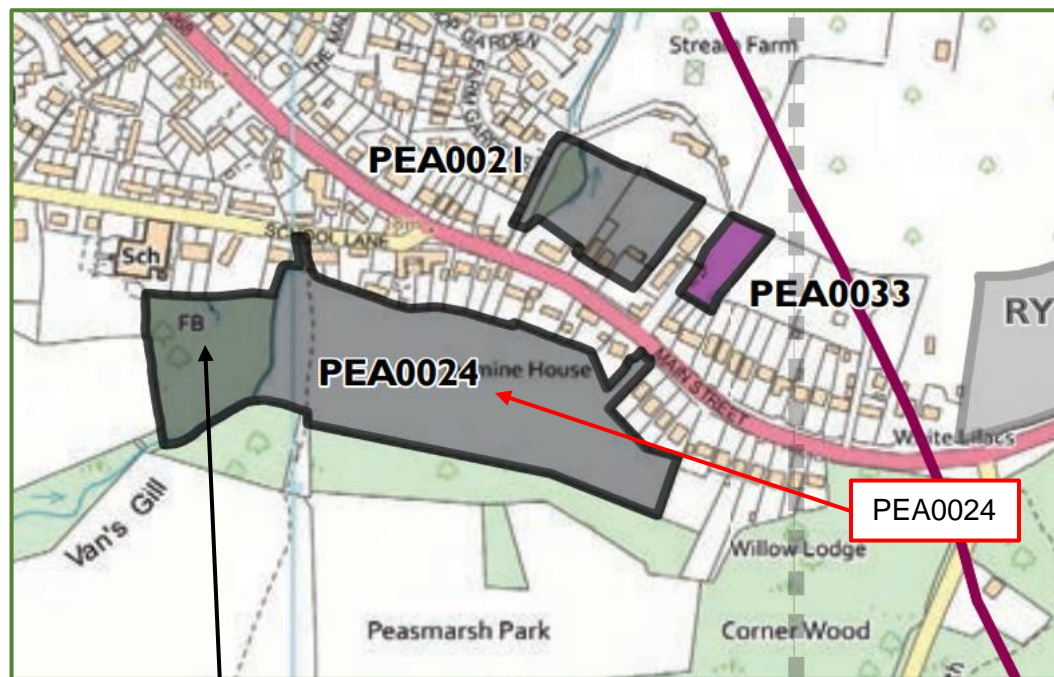
July 2024

**Rother Draft Local Plan Regulation 18 Consultation
Support for Site PEA0024 – Tanyard, Main Street, Peasmarsch**

1) Introduction

1.1 This representation supports a site which has been recently assessed by Rother District Council within the Housing and Economic Land Availability Assessment (April 2024). This forms key background evidence forming part of the draft Rother Local Plan (2020 – 2040) consultation. The Site is known as ‘Tanyard, Main Street, Peasmarsch’ (site ID PEA0024). This is referenced to as ‘The Site’ throughout this document. The Assessment Map for Peasmarsch and the Site Assessment Sheet for Site ID PEA0024 from the HELAA are reproduced in **Appendix 1**.

1.2 An extract from Assessment Map 4.9 showing The Site’s location is provided below;



Land not forming part of The Site

1.3 For reference purposes only, The Site does not include the section of green shown on the above plan, as this is not in the Landowner’s ownership.

- 1.4 The Council's assessment of Site ID PEA0024 in the HELAA is provided below;

This is a wide, open field at the rear of development fronting School Lane, containing a public right of way. It slopes up from the edge of the village and is visible from many public and private viewpoints including heritage assets. It has landscape value as an open area between the edge of the village and adjoining woodland, important to the rural setting of the village. Development would be prominent in views from the village, especially in the southern part of the site (on the highest ground), and would extend the footprint of the village significantly, contrary to the historic linear settlement pattern. Development of this site at the scale considered through the HELAA would be harmful to the rural character and setting of the village within the High Weald National Landscape.

- 1.5 As such, the site was not considered suitable for a site allocation as part of this exercise, with this representation seeking to address the concerns and promote the site for a specific use, as affordable housing for local people and also for nurses and carers employed by nearby Rye & Winchelsea Memorial Hospital.
- 1.6 The Landowner also wishes to reference that they wish to expand their current care provision at Peasmarsh Residential Care Home to meet demand, but are unable to do so due to the building being Grade II listed. As such, a specialist form or care or sheltered accommodation could also be considered at this site. The care home has been providing high quality care for over 40 years.

2) Grounds of The Site being allocated for housing development

- 2.1 It is considered that The Site is available, achievable and deliverable for up to 15 affordable housing dwellings and this section sets out the material planning policy and other considerations in favour of The Site being a draft site allocation at the next stage of the draft Local Plan.

i) Sustainable relationship to the village and the provision of affordable housing

- 2.2 The Site relates well to the existing built form and local amenities of Peasmarsh, situated on its south eastern side. There are two existing points of access, both onto School Lane (to the north west) and Main Street (to the north east). Both of these access points link to paved footpaths that in turn link directly to the village. It is proposed that the School Lane access could be for pedestrians and cyclists only, with the vehicular access being onto Main Street. This part of Main Street has a 30 MPH speed limit and the existing access has good visibility in both directions.

Extract showing potential vehicular access onto Main Street



- 2.3 There are two bus stops within a close proximity to the potential School Lane entrance (adjacent to the junction between School Lane and Main Street) and the site is also within a close proximity of the primary school and The Horse & Cart public house.
- 2.4 It is proposed that The Site allocation would be for affordable housing for local people which is strongly supported by both the Rother District Council Housing Background Paper (forming part of the evidence base for this draft Local Plan consultation) and also the background evidence and policy wording of the recently adopted Peasmarsh Neighbourhood Plan.
- 2.5 Regarding the Council's Housing Background Paper, this states that following;

The HEDNA [Housing and Economic Development Need Assessment] finds that the extent of the rent/buy gap in Rother (households able to afford lower quartile market rents but not open market property prices) indicates that the Council should strongly support opportunities for schemes proposing 100% provision of affordable housing. Recent evidence suggests a high demand for these schemes incorporating a high proportion of shared-ownership units.

There is a need for policy to address how planning applications for 100% affordable housing schemes are considered, and set out criteria for such schemes to be supported. This could include a policy option which enables the percentage of affordable housing to increase post-permission. Where schemes are proposed for 100% affordable housing, the tenure split needs consideration, as well as how the different tenures are pepper-potted throughout the site.

It is also necessary to consider whether Core Strategy Policy LHN4 [Sites for Wholly or Substantially Affordable Housing] should be carried forward and/ or changed. It is likely that the criteria in each of these policies would be similar. In this interim period

before the adoption of a new Local Plan, the Council has published a Technical Advice Note on 100% affordable housing schemes (January 2023) which explains how adopted Local Plan policy will be applied in situations where planning applications for 100% affordable housing are submitted.

- 2.6 Regarding the delivery of affordable housing, the Council's Affordable Housing Technical Advice Note (January 2023) states that;

Since 2011, only 516 affordable rented dwellings have been built, which averages 52 dwellings/year (contrasting strongly with the need, identified in the HEDNA 2020, for 295 affordable rent properties to be built each year). The long-term average is reflected in the most recent years, with 67 affordable rent dwellings completed in 2020/21 and 50 in 2021/22.

232 shared ownership properties have been built since 2011, an average of only 23 dwellings/year (again contrasting with the HEDNA 2020, which identifies a need for 203 affordable home ownership properties per year). 35 shared ownership dwellings were completed in 2020/21 and 62 dwellings in 2021/22.

- 2.7 As such, there is a clear imbalance between the delivery of affordable housing against the high demand.

- 2.8 In order to address the lack of affordable housing delivery in the District, the Housing Background Paper recommends the following, under Policy Option 4 (page 65);

Option

Carry forward Policy LHN4 of the Core Strategy, to allow for site allocations for 100% affordable housing, and include a new policy to guide planning application for 100% affordable housing developments

Comments and recommendation

It is considered that two policies will help clarify the intended approach, which is to give as much planning policy support as possible to affordable housing, recognising that it will not all be delivered as a proportion of general housing through a planning obligation and that there are other routes to its delivery, as identified in the HEDNA (2024). Recommended.

- 2.9 As such, it is recommended that site specific allocations that delivery 100% affordable housing are created. This recommendation has been carried forward to create draft Policy HOU3 (100% Affordable Housing Developments). The policy wording is as follows (and is reproduced in **Appendix 2**):

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.*

2.10 Therefore, it is considered that all of these criteria can be met. As explained, the site is within a close walking distance of bus stops and other services in the village. The Jempson's Superstore is also within walking and cycling distance on the western side of the village. On this basis therefore, it should be strongly considered for a specific affordable housing allocation.

2.11 Turning to the specific need for affordable housing in Peasmarsch, the Peasmarsch Neighbourhood Plan (Made in May 2024) states that;

In view of the community aspiration to secure affordable housing for local people, the approach adopted is to support developments that meet this aspiration.

This applies whether they are small infill sites within the development area or small-scale sites within the bounds of the village.

RDC policy LHN4 is concerned with development sites wholly or substantially for affordable housing. The policy requires identified local need for affordable housing which has been demonstrated in Section 5 of the Plan. Sites must be in a rural area – which is correct for all of Peasmarsch – and either within or adjacent to the settlement boundaries.

The supporting text acknowledges that a small amount of open market housing to incentivise development is possible. It also notes that larger sites [defined as 15 or more dwellings] would probably be contrary to the aim of achieving mixed, balanced communities.

Although the policy includes a requirement that the affordable housing remains so in perpetuity, but it doesn't require that priority is given to people with local connections. Therefore, a specific policy is required :

Policy H2 : Rural Affordable Housing Sites

In the case of development for affordable housing sites delivered in accordance with RDC Policy LHN4, a legal agreement will be required 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.

- 2.12 The conclusion of the housing section of the Plan states the following;

To meet the needs of the community there is a need for small-scale, high-quality housing – including smaller properties to balance the parish age profile.

Because of the high prices of houses in the parish and the relatively low incomes for many of the households, there is strong requirement for much of that housing to be truly affordable, specifically reserved for those with local connections. In this context, truly affordable does not mean at 80% of open market price as is required by district practice, it means more like 50% of that price.

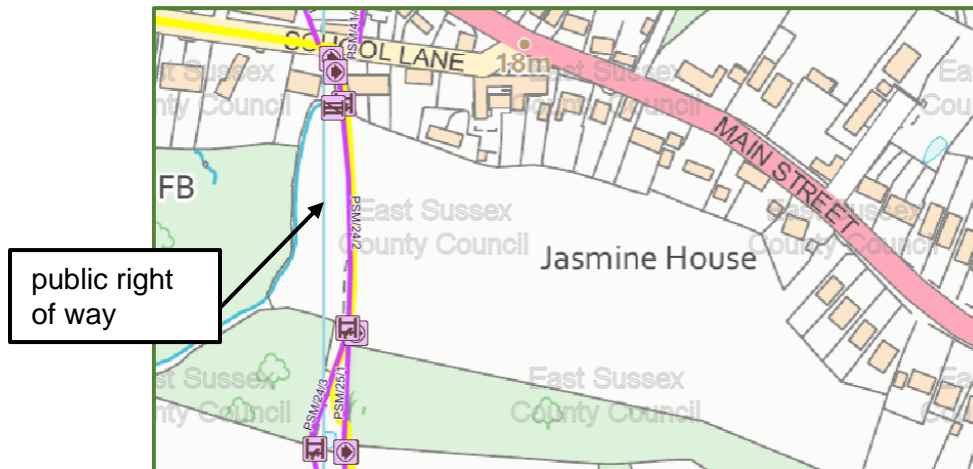
Based on the RDC waiting list, 26 homes will be needed up to 2039. Including those not on the list would double the need and adding those wanting to buy would add another 30 homes. The need is for two-bedroom properties with some single and some four bedroom, truly affordable, ones. It is not possible to satisfy the full needs for a number of reasons.

- 2.13 Therefore, there is a clear need to significantly boost the supply of affordable housing, both at District level and specifically at Neighbourhood level in and around Peasmarsch. It should be noted that there was only one site allocation within the Neighbourhood Plan which is for just five dwellings, so this would make a minimal (or nil) contribution towards affordable housing. As such, the promotion of additional sites that specifically deliver affordable housing should be actively supported.
- 2.14 In this case, it is considered that this site is suitable for up to 15 affordable housing dwellings, which can be provided at the northern part of the site closest to the village. It is proposed that this would be for local people and also for employees of the nearby Rye & Winchelsea Memorial Hospital. Correspondence has previously taken place with the Hospital who would strongly support the creation of housing for their employees.
- 2.15 It is proposed that the eastern and southern parts of the site would be retained for public access and landscape improvements, which is explained in more detail in part ii) below.

ii) Landscape impact

- 2.16 The Site lies within the High Weald National Landscape, which washes over this part of Rother District.
- 2.17 The Site lies between an established ribbon of development on the southern sides of School Lane and Main Street and a dense tree belt to the south and east. As such, The Site is well contained by its boundaries.
- 2.18 It is proposed that the housing would be located at the northern part of the site adjacent to the existing housing. The southern and eastern parts of the site would

be retained for public open space and also landscape and biodiversity improvements. This would reinforce and improve the existing tree belts adjoining the site. There is an existing public right of way that runs from north to south at the western part of the site (from the existing School Lane entrance). This would be retained (with a connection from the housing scheme), with additional landscape planting and open space provided on each side.



2.19 As such, a potential indicative layout of the site has been provided below.



Connection to
public right of way

Existing Tree Belt

2.20 As such, it is considered that any landscape harm can be suitably mitigated via the above indicative site layout approach. Any harm would be outweighed by the benefits associated with the delivery of affordable housing on the site.

iii) Neighbouring amenity

2.21 There are a number of dwellings that adjoin the northern boundary of the site, with many of these properties benefitting from long rear gardens. There is plenty of space on the site to achieve a suitable separation distance from all neighbouring properties, with new landscape planting also being provided at the northern boundary to increase the degree of separation from these properties. The proposed access would be between two existing dwellings on Main Street, although there would be a sufficient separation distance from these dwellings, as shown on the image on Page 2. Any impact can be mitigated further through additional landscape planting.

iv) Other matters

2.22 The scheme would be designed to have no impact upon the adjoining woodland or historic hedgerows on the site. Indeed, these would be enhanced by the new landscape planting and ecological buffer proposed.

2.23 An archaeological report can be submitted with any application.

2.24 The site layout can be designed to avoid or mitigate the small parts of the site that are of 'low risk' from surface water run-off.

2.25 While there are listed buildings within the wider vicinity of the site, the only asset within a closer vicinity is The Horse & Cart Inn located to the north (see the blue icon on the image on the previous page). As such, there is already a degree of separation and intervening built form between the asset and The Site, but this can be mitigated further as part of the site layout.

2.26 The Site is of sufficient size to deliver the affordable housing while also delivering biodiversity net gain. As referenced, the vast majority of The Site would be retained as a landscape buffer with biodiversity improvements.

3) Summary

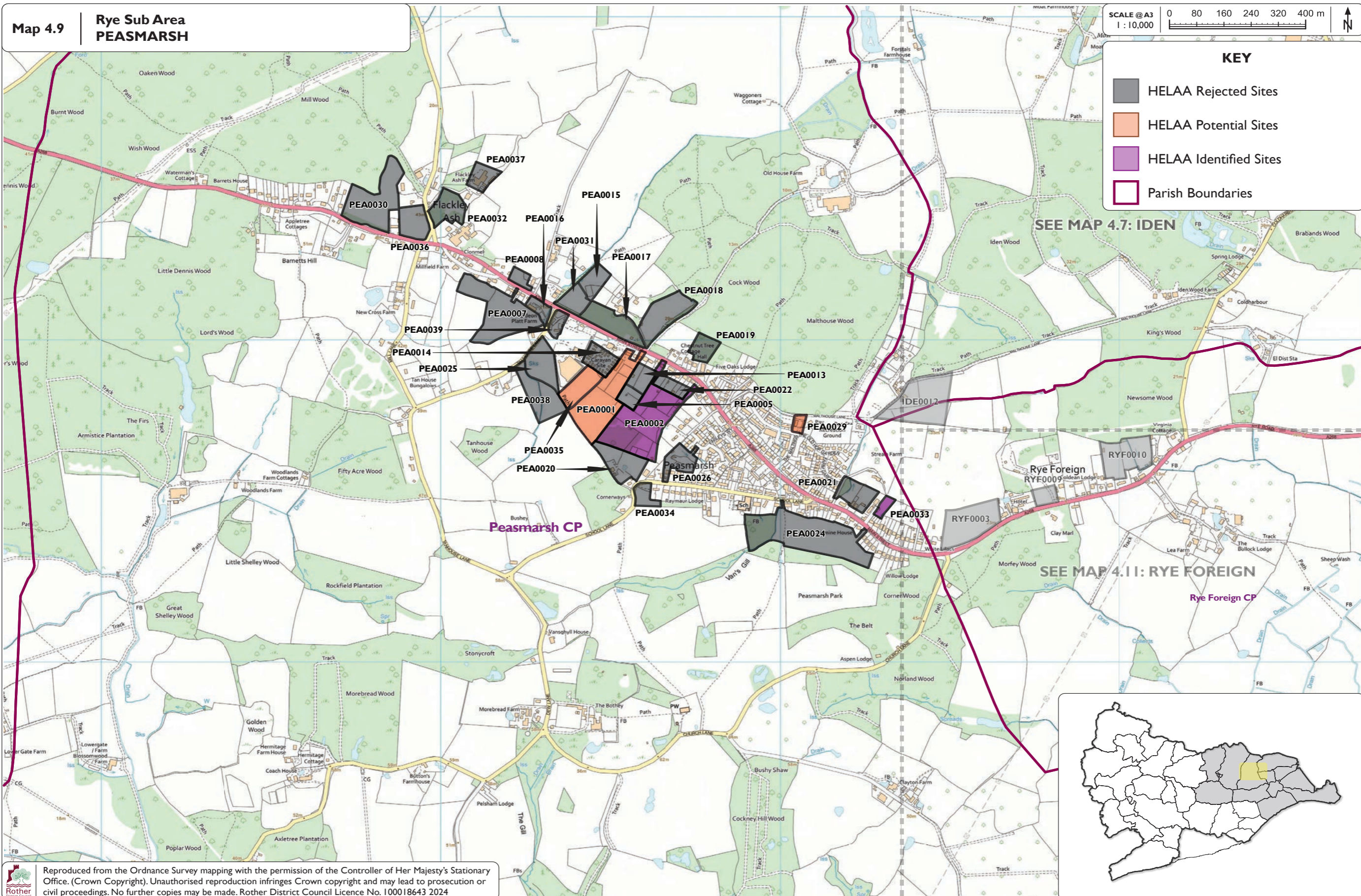
3.1 Overall, The Site is available, achievable and deliverable for up to 15 affordable housing dwellings. The Site is well-related to the village and is within walking distance of bus stops and other village amenities. The Site is well-contained by established housing and natural boundary features on all sides, with the southern and eastern parts of any proposed scheme being retained as public open space and landscape buffers. Overall, for the reasons stated The Site should be taken forward as a draft site allocation for up to 15 affordable housing dwellings at the next draft Local Plan stage.

Map 4.9 Rye Sub Area PEASMARSH

SCALE @ A3 1 : 10,000 0 80 160 240 320 400 m

KEY

- HELAA Rejected Sites
- HELAA Potential Sites
- HELAA Identified Sites
- Parish Boundaries



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| Site ID | Site Address | Site size (hectares) | Summary of Environmental Constraints | Site Identification | Site Assessment | Availability |
|---------|---|----------------------|---|---------------------|---|-----------------------|
| PEA0021 | Land at Stream Farm, Main Street, Peasmarsh | 0.78 | The site is within the High Weald National Landscape. Much of the site is at risk of surface water flooding. Largely within an Archaeological Notification Area and there is a Listed Building to the south east. | Previously assessed | The site consists of garden land at the rear of properties on the northern side of the A268. A significant part of the site is at risk of surface water flooding. Furthermore, development at the scale considered through the HELAA would result in the loss of trees and would extend the built form into an area of rural character, impacting the landscape and character of the High Weald National Landscape and the rural setting of the village. The impact on the setting of the adjoining grade II listed buildings is a further constraint. | Unknown |
| PEA0022 | Land rear of Welbeck, Main Street | 0.41 | The site is within the High Weald National Landscape and an Archaeological Notification Area. | Previously assessed | The site is formed of garden land to the rear of multiple residential properties along the southern side of Main Street, within multiple ownerships and highly unlikely to be available. Development at the scale considered through the HELAA would impact on residential amenity and be out of keeping with the settlement pattern. Access is a further constraint. | Unknown |
| PEA0024 | Tanyard, Main Street, Peasmarsh | 3.60 | The site is within the High Weald National Landscape. Contains Deciduous Woodland Priority Habitat. Small areas at risk of surface water flooding. Largely within an Archaeological Notification Area. Historic Field Boundaries. Listed Buildings nearby. A public right of way runs through the site. | Submitted site | This is a wide, open field at the rear of development fronting School Lane, containing a public right of way. It slopes up from the edge of the village and is visible from many public and private viewpoints including heritage assets. It has landscape value as an open area between the edge of the village and adjoining woodland, important to the rural setting of the village. Development would be prominent in views from the village, especially in the southern part of the site (on the highest ground), and would extend the footprint of the village significantly, contrary to the historic linear settlement pattern. Development of this site at the scale considered through the HELAA would be harmful to the rural character and setting of the village within the High Weald National Landscape. | Potentially available |
| PEA0025 | Land at Tanhouse Lane, Peasmarsh | 1.01 | The site is within the High Weald National Landscape. Small area at risk of surface water flooding. Partly within an Archaeological Notification Area. Historic field boundaries. Public rights of way run through the site. | Submitted site | This is a small, irregularly shaped sloping field, detached from existing development by its topography, forming an exposed and prominent section of the gently undulating open countryside to the south-west of the village. It contains public rights of way and historic field boundaries. Its development at the scale considered through the HELAA would result in a harmful intrusion into an area of strong rural character, out of keeping with the settlement pattern, and would harm the landscape and character of the High Weald National Landscape and the rural setting of the village. | Potentially available |
| PEA0026 | Land between Farleys Way and School Lane, Peasmarsh | 0.66 | The site is within the High Weald National Landscape. Contains protected trees. Some small areas at risk of surface water flooding on adjoining land. Adjacent historic field boundaries. | Previously assessed | The site comprises garden land between residential properties on Farleys Way and School Lane. There is no access point, and no evidence the site is available for development. In any event, development of the site would result in the loss of trees and the loss of an open area between dwellings, impacting residential amenity. | Unknown |
| PEA0030 | Land at Flackley Ash, Peasmarsh | 2.09 | The site is within the High Weald National Landscape. It adjoins ancient woodland and Priority Habitat. Partly at risk of surface water flooding. Partly within an Archaeological Notification Area. Grade II listed buildings nearby. A public right of way nearby. | Council search | The site comprises an irregularly shaped and prominent field, a medieval assart bounded by ancient woodland, characteristic of the High Weald National Landscape. It affords long views across the countryside to the north and is an important and characteristic undeveloped open gap within the settlement of Flackley Ash, integral to the settlement's rural character. Development at the scale considered through the HELAA would represent an intrusion into the countryside, impacting the landscape and character of the National Landscape. | Unknown |

Proposed Policy HOU3: 100% Affordable Housing Developments

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

Policy Wording:

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

- i) The site location accords with the Live Well Locally policies including in relation to access to services and public transport.
- ii) A mix of affordable housing tenures should be provided. The exact tenure mix of the affordable dwellings shall be identified through discussions with the local authority and informed by the latest Government guidance and relevant assessment of local housing need, having regard to the significant need for social/affordable rented dwellings throughout the district, as well as local and site circumstances.
- iii) The different affordable housing tenures to be provided should be designed to the same high quality to create tenure-neutral and socially inclusive homes and spaces. The different tenures should be in small clusters and where this is not proposed it should be robustly justified.
- iv) In all cases, planning permission will be subject to a planning obligation to clarify definitions, tenure split and nomination rights and to ensure the affordable housing remains as such in perpetuity.

Explanatory Text

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

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

Regulation 18 Commentary:

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

Question Box

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

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

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