

Date 17 July 2024
Our Ref PL010-645 HR

Planning Policy Team
Rother District Council

By email only: draftlocalplan@rother.gov.uk

Dear Sir/Madam

ROTHER DISTRICT COUNCIL – LOCAL PLAN REGULATION 18 CONSULTATION 2024 REPRESENTATIONS ON BEHALF OF MR S FAULKNER

Land opposite St John the Baptist Church, Vicarage Lane, Westfield

On behalf of my client, Mr S Faulkner, I write to make submissions to the Rother District Regulation 18 Local Plan consultation. My client has control over land opposite St John the Baptist Church, Vicarage Lane, Westfield along with [REDACTED]. The land has been identified as WES0039 in the April 2024 HELAA, see figure 1 below. My client also owns the land identified as WES0035 and the field in between WES0035 and WES0039. The land most suitable for immediate development is considered to be WES0039, however the entire site is put forward for consideration in the emerging plan for completeness.

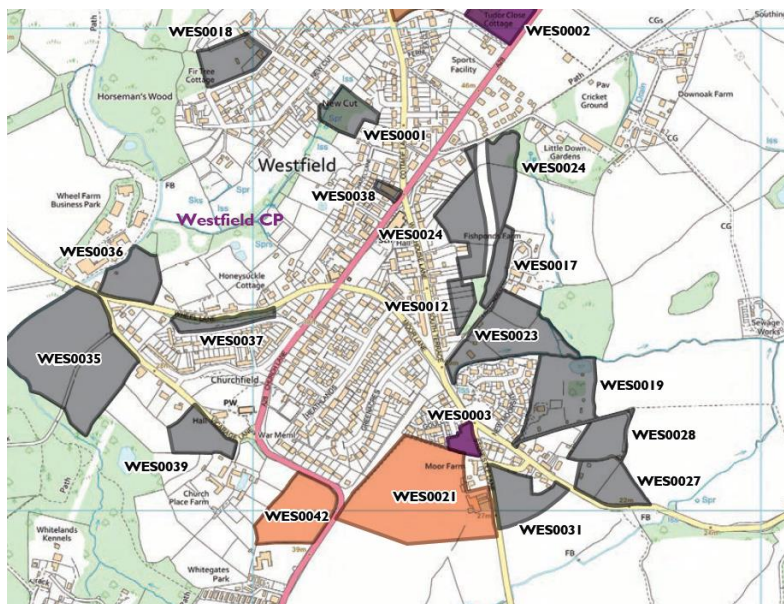


Figure 1: Extract of Westfield from 2024 HELAA

These representations relate in particular to the following parts of the Regulation 18 document, titled Rother Local Plan 2020-2040:

- Housing Need
- Proposed Policy DEV3: Development Boundaries
- Proposed Policy DEV5: Development on Small Sites and Windfall Development

A site plan outlining the land promoted for development is included at Appendix 1. The land put forward for consideration under WES0039 is edged in red with blue edging denoting other land within the ownership of Mr S Faulkner which may be considered appropriate for development at a later stage either in the latter stages of this plan or in the next plan period.

Housing Need

The key objective to significantly boost the supply of housing remains a focus of planning policy at all levels. Paragraph 60 of the NPPF states that to support this aim it is important to ensure a sufficient amount and variety of land can come forward where it is needed.

In addition, paragraph 11b of the NPPF states:

'Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

The Regulation 18 consultation identifies the housing need in the district as 14,660 homes for over the twenty-year plan period 2020 to 2040. This figure was identified in the Housing and Economic Development Needs Assessment (HEDNA, 2024), and was derived using the Standard Method, as required by the NPPF and accompanying Planning Practice Guidance (PPG). This amounts to 733 dwellings per annum. It is not clear from the Regulation 18 consultation whether this figure includes a 20% buffer to be applied as a result of under delivery as set out at paragraph 77 of the NPPF. If the 20% buffer has yet to be applied, housing requirement would increase to 879 dwellings per annum -17,580 dwellings over the plan period.

In any event, the Council have confirmed they do not in fact intend to meet their full housing need (as calculated by the standard method) for a number of reasons, most notably the significant landscape and flooding constraints which exist across the district.

We accept that footnote 7 of paragraph 11 of the 2023 NPPF allows for a reduction in housing delivery in areas restricted by certain designations, including National Landscape, of which a significant part of the Rother District falls within. However, we do not consider the lower housing figures offered in the Regulation 18 Consultation have been justified or that sufficient reason has been given for not meeting the higher housing need figure identified within the 'range' put forward by the LPA, as discussed below.

It is acknowledged that the Council have stated that the final figures to be put forward for adoption will be 'minimum' figures. However, the history of under delivery of housing since the adoption of the Core Strategy is well documented (as set out paragraph 5.3 of the Regulation 18 Plan) which makes all the more pressing case for the Council to be taking a more radical approach to positively plan for a higher level of housing.

The Council have made a passing reference in the regulation 18 plan to a couple of reasons as to why they cannot meet their housing need figure calculated using the standard methodology including:

- Landscape constraints
- Constraints resulting from areas lying within flood zones

Beyond a passing reference to environmental constraint, the Council has not set out in detail why they cannot meet their full identified housing need yet seem to acknowledge the need to plan for higher levels of growth by running an additional call for sites alongside the Regulation 18 consultation.

The draft plan states *'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.'* Westfield is identified as having 'greater opportunities for growth' putting it in the highest category in the settlement hierarchy however the plan then goes on to suggest only 50-100 new dwellings within the village when identifying proposed growth for each parish and no employment floorspace. Only 50 units have been

proposed in the village itself and they are on two allocations left over from the last plan rather than new allocations. To have no new allocations proposed within a settlement identified as having the greatest opportunities for growth suggests that the Council have not taken serious steps to seek to meet their housing requirements and indicate that the plan has not been positively prepared.

Of the 2 allocated sites within the village, one site has been allocated since 2019 but has not come forward for development in the following 5 year period and one which was also allocated previously and is identified for 40 dwellings but has instead has a recently refused application for a 64 bedroom care home. There is therefore no clear indication that either site is likely to meet the 50 dwellings proposed in the emerging plan and therefore it is essential that additional sites within Westfield, where the owners have made it clear that they intend to bring forward development immediately, are allocated within the emerging Local Plan.

The land at WEA0039 could bring forward an immediate planning application for a sensitively designed small scale housing scheme delivering quality family housing in the short term. The wider land could then be used for on site BNG delivery, landscaping enhancements to screen the site from nearby listed buildings and a potential further phase of development if the council consider that appropriate in the future. Small-scale development on the submitted site would relate well to the existing built form of Westfield and would be well-screened by existing development and swathes of ancient woodland. The site is also in close proximity to the two sites that have already been allocated.

Paragraph 70 of the NPPF recognises that small scale developments can deliver housing at a faster rate. The land is owned outright by the Faulkner family and so there are no third party ownership issues which might prevent or delay delivery. It is anticipated that a small-scale development here could be delivered at a relatively quick rate to help meet local housing needs swiftly.

In accordance with the Government's objective of significantly boosting housing supply we contend the Council should pursue a higher growth strategy to fully meet the full identified housing need for the plan period. Adopting this approach will allow the Council to develop a long-term sustainable growth strategy which provides flexibility to adapt to changes in demand and allow for the inevitable cases where development does not come forward for some reason or under delivers. This is particularly the case given the history of under delivery in the district, especially within Westfield. It would also allow for a more consistent delivery rate, allowing for a wider range of smaller sites, such as the land identified as WES0039, to be delivered while the infrastructure is put in place to serve larger developments.

Proposed Policy DEV3: Development Boundaries

Proposed Policy DEV3 states that 'Development boundaries define the area within sustainable settlements where development will be permitted, provided it is consistent with this Local Plan'.

The explanatory text for this policy explains that settlements identified within Figure 38 will have their development boundary reviewed as part of the next stage of the Local Plan process.

The development boundary of Westfield is currently set out in the adopted Local Plan, as included in Appendix 2. The boundary on the southern side of Westfield currently excludes the site subject of these representations, although it immediately abuts the development boundary and is largely surrounded by land included within the boundary. It is considered logical that the development boundary should be extended to round off the settlement and include at least the red line land identified at Appendix 1 within the development boundary.

Proposed Policy DEV5: Development on Small Sites and Windfall Development

This policy recognises that historically, small sites and windfall development have played a role in the delivery of housing growth in the District and seeks to continue this reliance. We support the inclusion of this policy.

Site Specific Considerations

The submitted land identified at Appendix 1, immediately adjoins the current development boundary of Westfield which has been identified as a moderately sustainable settlement.

Footpaths within the vicinity of the land provide access to a range of facilities within Westfield, with a public footpath running through the churchyard opposite directly into the village. The evidence base document Settlement Study identifies Westfield as being moderately sustainable, however it has 4 out of the 5 essential services used in the scoring matrix. It states that the main factor holding back Westfield from being considered more sustainable is the lack of employment sites however the local plan does not seek to allocated any sites for new housing which again indicates the plan has not been positively prepared. Furthermore Westfield is just 4 miles north of Hastings on the A28 meaning most employment opportunities within Hastings would also be available to residents of Westfield.

Facilities include a pub, a primary school, a restaurant and a church as well as a local store with a Post Office, a hairdresser, a beautician a butcher and a pet grooming shop. All these facilities are within walking distance of the proposed site on Vicarage Lane. Also within the parish is the Carr Taylor vineyard and a business park for 13 small rural enterprises. Bus stops within walking distance of the site provide regular services to Hastings, Battle and Bexhill all of which have train stations providing services to London amongst other locations.

The land at Vicarage Lane is within the High Weald National Landscape (formerly AONB), however the scale of housing considered, especially within the area identified as WES0039 would be a small-scale proposal and would be considered minor development within the AONB/ National Landscape. The site could be development with a low level of family housing without adversely affecting the natural beauty of the High Weald, which underpins the designation of this area. The site is extremely well screened by mature vegetation, some of which is Ancient Woodland and would therefore not be visible from wider ranging views.

Flooding constraints are also cited by the Council as reason to not meet full identified housing need but the entirety of this land subject of these representations, and the wider village of Westfield, are in flood zone 1 and are therefore not at risk of flooding.

There is ancient woodland onsite however there is ample land to allow for more than the required development buffers. There are a number of listed buildings within close proximity to the site however a well-designed, landscape led scheme could be delivered without detrimentally impacted the setting of the Heritage Assets.

The site has extensive road boundaries meaning the existing access could be upgraded to improve visibility without requiring third party negotiations. The existing access allows visibility up to the nearest junction joining the A28.

It is therefore considered that the site is a sustainable and suitable location for small scale family housing and furthermore the owners have instructed these representations to be prepared demonstrating the land is available and therefore significantly more likely to be deliverable.

We do not believe the plan in its current form has been positively prepared and therefore propose that the Council consider a greater housing provision across the district, particularly within sustainable smaller settlements including Westfield that have good connectivity to largely settlements and service centres in the district. We propose that part of this additional housing is delivered on the land identified in red in Appendix 1 to allow for quality family housing to be brought forward in the immediate

future, meeting a current local need. We propose that when the settlement boundary of Westfield is reviewed, it is rounded off to include the land identified in Appendix 1.

I trust that the enclosed information is clear and I look forward to receiving confirmation of receipt of this submission.

In the meantime, should you require any further information, please do not hesitate to contact me.

Yours faithfully



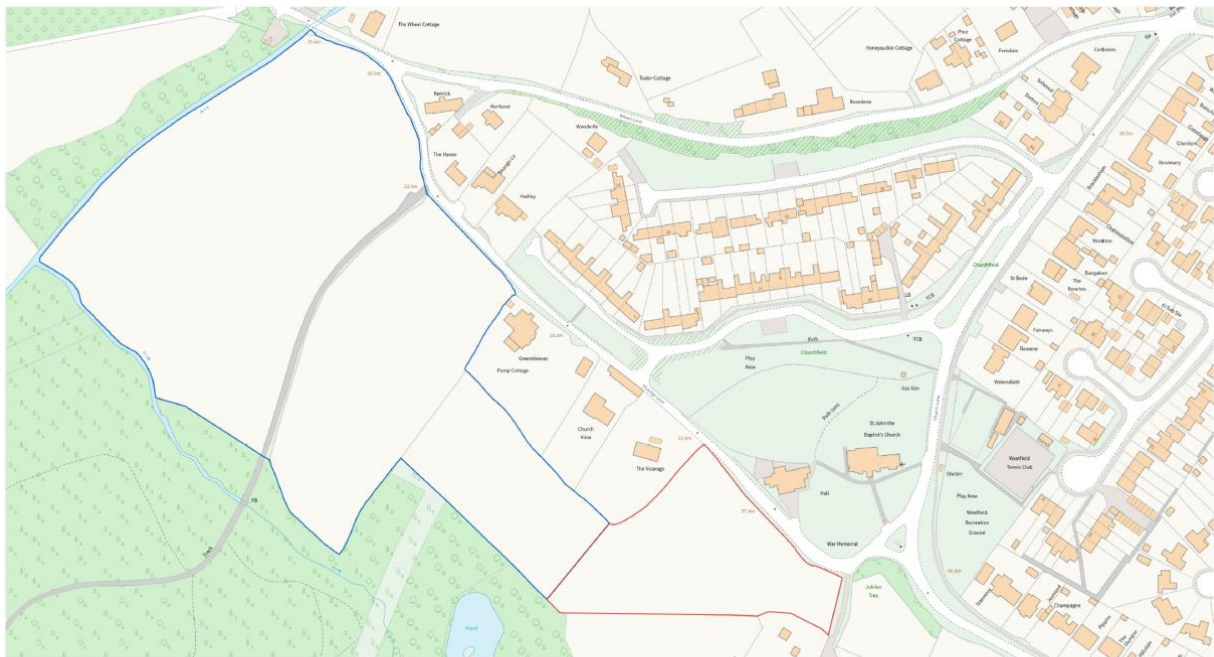
Harriet Richardson BA (Hons) MSc MRTPI

APPENDIX 1

Land proposed for immediate allocation (red) and land proposed for onsite BNG provision and future allocation (blue)



Land opposite St John the Baptist Church,
Vicarage Lane, Westfield



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APPENDIX 2 Current development boundary of Westfield

