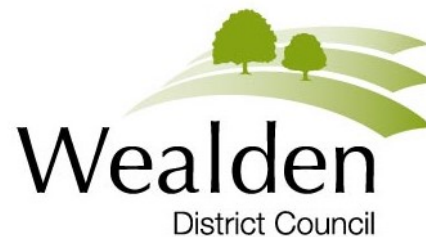


OUR REF: NW/dp
ASK FOR:
DATE: 18 July 2024
YOUR REF:



Rother District Council

Head of Planning Policy, Economy &
Climate Change

By email

Dear Sir/Madam

Rother Local Plan 2020 – 2040: Draft (Regulation 18) Version

Representation on behalf of Wealden District Council

Wealden District Council (WDC) welcomes the opportunity to formally comment on the draft (Regulation 18) version of the Rother Local Plan 2020-2040. We have maintained close engagement and cooperation with RDC through ongoing and effective duty to cooperate meetings throughout the production of our respective Local Plans. WDC supports continual engagement with RDC that would help both Councils to explore opportunities for future joint working, to gather useful information and evidence, and to develop policies in support of our respective Local Plans, which already have close synergies at this stage.

It is noted that the draft Rother Local Plan does not contain formal site allocations at this stage, although it does contain a preferred spatial development strategy at pages 112 -113 of the Plan. We have made comments on this in general terms.

Considerable growth is planned across East Sussex. Therefore, WDC supports integration and alignment of our strategic spatial priorities which are critically important to support this growth. It is therefore vital for RDC, along with WDC and other relevant neighbouring authorities in East Sussex continue to work together to join up the strategic priorities in the County. The following letter provides the formal consultation response to the draft (Regulation 18) version of the Rother Local Plan 2020-2040. It focuses on issues relating to strategic cross-boundary planning matters of importance to WDC currently.

Strategic Cross-Boundary Issues

Housing and Employment Needs

Like other local authorities in East Sussex, Rother's housing need is a major strategic planning issue facing the district. WDC understands that RDC have taken a positive approach to the assessment of housing development potential within the



district to establish whether housing growth could be significantly increased but RDC's delivery rate for new housing over the Plan period is still likely to be substantially short of the levels of the housing need identified by the 'standard method', as prescribed under paragraph 61 of the National Planning Policy Framework (NPPF) (December 2023).

We note that the Government's 'standard method' provides an annual housing need figure of **733** dwellings per annum (dpa) for Rother District (base date 2023). However, the draft Rother Local Plan confirms that at the current time, RDC is only able to identify a potential supply of between **5,158** to **7,287** dwellings, at an average rate of 258 to 364 dpa, against the Government's 'standard method' target of **14,660** dwellings if extrapolated over the proposed twenty-year plan period from 2020 to 2040, which represents a significant shortfall. WDC notes that this would result in a potential unmet housing need of between **7,947** to **9,502** dwellings within the plan period.

Paragraph 5.4 of the draft Rother Local Plan confirms that the Plan period is 2020-2040. It is noted that RDC could bring forward the base date of the draft Rother Local Plan (i.e. to 2023) to reduce its potential unmet housing need, although it is recognised that paragraph 22 of the NPPF stipulates that strategic policies should continue to look ahead over a minimum of 15-year period from adoption. Nonetheless, this should be considered for the Regulation 19 version of the Rother Local Plan.

We also note that the draft Rother Local Plan identifies a need for **74,189** sqm of employment floorspace that was established through the Rother and Hastings joint Housing and Economic Development Needs Assessment (HEDNA) (2024). The draft Rother District Plan confirms, except for storage and distribution uses (Use Class B8), that employment needs can be met through identified sites in the draft Rother Local Plan, but flexibility needs to be allowed for growth in rural locations and the changing economic market and projections. Overall, as set out in Figure 11 (page 118) of the draft Rother Local Plan, the current supply of employment floorspace in the district of **106,600** sqm represents a potential oversupply of employment floorspace of **32,411** sqm against RDC's employment need, and this is supported by WDC.

It is recognised that Rother's plan area is significantly constrained by environmental designations, with approximately 83% of the district being within the High Weald National Landscape, and a further 7% of the district containing other nationally or internationally important habitat designations such as the Pevensey Levels or Dungeness complex of habitats sites, which prevents higher levels of development coming forward in those locations.

We note from your Housing and Economic Land Availability Assessment (HELAA) report (April 2024) that RDC's 'Call for Sites' has remained open following the completion of the initial 'Call for Sites' period in December 2020, and that the Council will continue to accept site submissions beyond the publication of the draft Regulation 18 Rother Local Plan. WDC does support the early positive steps that are being taken by RDC to take forward the proposed development strategy.

WDC has noted the response from RDC dated 10 May 2024 in response to our letter on unmet housing and employment needs of WDC (dated 25 April 2024) to make us aware that it is unlikely that RDC will be able to meet its own housing requirement, and therefore, is unable to accommodate some, or all of WDC's unmet housing need. It is also noted in that letter that although RDC may be able to meet its employment needs through identified sites in the draft Rother Local Plan, it has been identified that RDC needs flexibility to allow growth in rural locations, and to account for changing economic market and projections. It also notes that the Functional Economic Market Area (FEMA) for RDC is shared with Hastings Borough Council (HBC). Therefore, RDC confirmed that it is not able to assist with meeting either housing or employment needs.

WDC is committed to maintaining continued close working with RDC on this strategic issue, and we look forward to progressing a Statement of Common Ground (SoCG) that will confirm, amongst other matters, the level and distribution of identified needs within both plan areas once further work has been undertaken for both emerging Local Plans.

Potential development sites close to Wealden's boundary

The most significant impacts of growth to Wealden would be in areas close to the district's boundary. We are aware that RDC has and will continue to consider sites in areas close to the WDCs boundary, particularly to the north and west of Bexhill. The vision for Bexhill within the draft Rother Local Plan (page 123) confirms that there is potential to deliver a minimum of between 2,163 and 3,398 dwellings in the Bexhill sub area with the vast majority of those dwellings coming forward to the north and west of Bexhill (only 298-353 dwellings within the urban area).

We note that there are no draft site allocations in the Regulation 18 version of the Plan. Whilst we recognise that the site allocation process is still in an early development stage, it should still be possible for both Council's to discuss and consider the detail of the impacts of potential sites close to Wealden's boundary, including the cumulative impacts on the key routes within the transport network such as the A259 Strategic Road Network and other secondary routes into Wealden, along with wider infrastructure impacts. We note that RDC is currently carrying out a further 'Call for Sites' and is being proactive in looking to see if there are additional sites that will be put forward to be considered through the HELAA as part of the new Rother Local Plan. We would also suggest that RDC revisits all the sites previously submitted to ensure the Council has exhausted all avenues, 'leaving no stone unturned'. We welcome the opportunity for cross-boundary joint working on this matter.

Gypsy, Traveller and Travelling Showpeople Accommodation Needs

We note that the joint East Sussex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2022) identifies that Rother district will need to provide an additional 22 pitches for gypsies and travellers to meet their accommodation needs over the emerging Local Plan period. Similar to WDC, the ongoing 'Call for Sites' exercise RDC is undertaking will provide an opportunity for the relevant stakeholders to put forward sites to be considered for allocation for gypsy and traveller pitches or travelling showpeople plots through the emerging Local Plan. WDC recognises that this will require further technical work and that this is ongoing.

Climate Change and Biodiversity Net Gain (BNG)

WDC supports the provisions set out in these policy areas, and this reflects the joint working we have undertaken so far. We are pleased to note the importance placed on climate change mitigation and adaptation, which fully supports the transition to a net zero economy and resilient future in terms of tackling changing climate across Rother district. The climate change policies within draft Rother Local Plan are rightly put at the forefront of the document and cover similar themes to WDCs emerging Local Plan in terms of achieving net zero, reducing energy consumption for existing buildings, sustainable design and construction, water efficiency and supporting renewable and low carbon energy schemes. These policies are supported by WDC.

We also note that Proposed Policy GTC8 (Biodiversity Net Gain) recommends that all qualifying developments should at least deliver a minimum of 20% BNG within the district using Defra's Statutory Biodiversity Metric. This again reflects the stance of WDC in terms of its own emerging Local Plan policy (Policy NE2).

Paragraphs 3.48 and 3.49 of the draft Rother Local Plan set out that this higher level of BNG is justified as there are opportunities available to deliver this off-site, if necessary,

locally. It also states that the viability of development is unlikely to be unduly impacted in most cases. This paragraph also confirms that further evidence is being collated by the district, in collaboration with the Sussex Nature Partnership and neighbouring local planning authorities to justify going above the 10% mandatory requirement, and this is noted with interest. We would like RDC to note that WDC has undertaken its own viability evidence¹ on this issue and this came to conclusion that there would be very little difference in the impact between meeting 20% BNG or a lower net gain of 10% or 15%.

Sustainable Surface Water Drainage and the Pevensey Levels SAC/Ramsar

We strongly support RDC's policy approach to sustainable drainage in the district in the draft Rother Local Plan (Proposed Policy ENV2: Sustainable Surface Water Drainage) which also reflects the joint working we have undertaken to date. Both authorities have confirmed that within the hydrological catchment of the Pevensey Levels, a minimum of three stages of treatment will be required. As part of RDC's response to WDC's Regulation 18 draft Local Plan, RDC had asked us to review the area that is identified as the Pevensey Levels hydrological catchment (in Figure 16) within the draft Wealden Local Plan, which differs from that which has been identified in Rother's Habitats Regulations Assessment in support of the draft Rother Local Plan 2020-2040 (Regulation 18) Version (April 2024). We note this comment, and we are committed to engaging constructively with RDC on this strategic matter to ensure that the same approach in terms of the levels of treatment are applied in the Pevensey Levels hydrological catchment area. We will work with our own consultants for the HRA, and we will respond separately to you on this strategic matter.

We also support RDC's commitment to joint working in relation to developing a Coastal Change Management Area evidence paper for the adjoining coastlines around the Pevensey/Normas Bay area and will explore with RDC whether a complementary policy approach in relation to adjoining coastlines around Pevensey/ Normans Bay would be beneficial.

Other strategic matters

WDC is committed to engaging constructively with RDC on the consideration and production of further technical work, such as the water cycle study, which has been identified by both Councils and other relevant stakeholders. This is expected to align the work that already exists in relation to water supply, wastewater and flood management and could be progressed by both Councils as our Local Plans move forward. We also look forward to the opportunity of working closely with RDC on the development of a Statement of Common Ground (SoCG), which will provide detail on the strategic planning matters of importance to both authorities in support of the next stages of our respective Local Plans.

WDC would also suggest that RDC undertakes a viability assessment following this consultation to ensure that the cost of development does not prevent the strategy set out in the draft Rother Local Plan from being delivered.

Thank you for consulting with WDC on the draft (Regulation 18) version of the Rother Local Plan 2020-2040. Please contact us if you want to discuss this response further. We look forward to working with you as your Local Plan moves forward.

Yours faithfully,



Nichola Watters
Head of Planning Policy, Economy and Climate Change

¹ [Wealden Local Plan Viability Assessment and CIL Review, March 2024](#)