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Planning Department
Rother District Council
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Our ref: 9050

23 July 2024

Dear Sir/ Madam

Rother District Council Local Plan Update (2020-2040) – Regulation 18 Stage Consultation.

On behalf of our clients, the Trustees of Steellands Farm, who are landowners of two sites in Ticehurst, we wish to submit representations to the Rother District Council Draft Local Plan Regulation 18 Consultation.

Rother District Council is carrying out a Regulation 18 consultation as part of the preparation of their new Local Plan and these representations focus on the compliance with the basic conditions and other matters.

Regulation 18 plays an important role in the plan-making process through initiating early and meaningful consultation into the development of Local Plans. It ensures that local planning authorities engage with the community and other stakeholders from the beginning, enabling a more informed, transparent, and inclusive planning process.

The following sites belonging to our clients have been identified in the Regulation 18 documentation as potentially developable sites:

- Site Ref: TIC0043 - Land at Cherry Tree Field, Lower Platts, Ticehurst, and
- Site Ref TIC0044 - Land at Steellands Farm, Ticehurst.

We therefore focus our representations on the relevant questions set out in the Regulation 18 document that relate to housing development, development boundaries, sustainable development in rural areas, affordable housing and active travel. The ambition is to give Rother District Council the confidence that these sites should be formally allocated in the Local Plan.

These representations should be read alongside:

- Indicative Layout prepared by Fibonacci Architects drawing number 6104 P60



Representations

Below is our responses to the questions set out in the Rother Local Plan Draft Regulation 18 Document April 2024 version. We have only answered the questions considered relevant to the client and their development ambitions.

Q. 2 What are your views on proposed twin Overall Priorities to be ‘Green to the Core’ and ‘Live Well Locally’?

Objective 2- Live Well Locally

The principles of Live Well Locally as set as the Overall Priority 2 are supported by our client and through their proposals. The priority to ensure that rural communities are able to live in connected and compact neighbourhoods is one of the key elements for our client’s proposed development. The two sites mentioned are adjacent to the development boundary set out in the Ticehurst Neighbourhood Plan (Policy H1) and are roughly 1km from the Centre of Ticehurst meaning it would take 13 minutes to walk or 4 minutes to cycle into Ticehurst Village Centre.

Furthermore, there are bus stops on Lower Platts (180m away) which would connect residents onto the many bus services between Hawkhurst, Hastings and Flimwell.

The proximity of the sites to the village ensures that there is sustainable and inclusive access to the facilities of the village and will help inspire a sense of belonging whilst also reducing the high reliance on the use of private cars by its sustainable location and would help promote active travel.

The village of Ticehurst is also identified as a Moderately Sustainable settlement as set out in the Settlement Study Report. This shows that the settlement can accommodate new homes due to its high sustainability score. It will be able to accommodate new residents and provide many essential services to future residents.

Our clients’ sites both benefit from a local primary school in Steellands Rise in the immediate vicinity, the Ticehurst and Flimwell Church of England Primary School.

Q 3. What are your views on the key issues (listed at paragraph 2.13) that have been identified and is there anything significant missing?

We overarchingly agree with the principles of these policies, however, would highlight in the second criterion the need to focus on housing delivery.

Rother District Council has had historic issues with the delivery of new housing, granted this is due to the many landscape designations primarily. The ambition of the new local plan should be to help boost the delivery of all forms of housing on an annual basis alongside meeting the local need.

The identified housing needs as set out in the Rother and Hastings HEDNA Update sets out that Rother needs 737 dwellings per annum, and this is “considerably higher than the currently adopted housing requirement policies”. The details set out in 2.13 should have a specific target for housing delivery to meet the identified housing needs as set out in the HEDNA. Rother currently only delivers 41% ¹of its required housing and needs to deliver more in order to meet its identified needs.

¹ Housing Delivery Test- December 2023



Q 4. What are your views on the Council's objectives for the Local Plan?

Our client supports the general principles set out in the spatial objectives, particularly those which address the delivery of housing in rural locations. The ambition of delivering net zero carbon ambitions is also supported by the client.

The location of the two proposed sites within walking distance of a wide range of services and transport options are elements of the development which the proposed sites will be able to comply with.

As mentioned, the sites are in a settlement which has been identified as a moderately sustainable location and the fact the sites are located within 1km of the village centre offering a wide range of services within a suitable distance for active travel options.

The development of the sites will do everything possible to comply with the ambitions in terms of delivering net zero carbon, improving nature recovery, protecting the High Weald National Landscape, promoting high quality design, creating prosperity in rural areas, delivering growth in sustainable locations, enhancing sustainable connections and sustainable transport methods, supporting safe, healthy, vibrant and mixed communities, and deliver strategic planning opportunities.

Q.5 Are there any alternatives or additional objectives and/or the ways to achieve the objectives the Council should be considering?

The client considers the overarching objectives to be acceptable. However, we would suggest that a quantifiable housing target should be implemented within these objectives. As mentioned above, there is an identified housing need of 737 dwellings per annum and a history of underdelivering on housing. A target should specifically be included within the overarching strategic targets for the new local plan.

Q.6 What are your views on the Council's proposed policy for net zero standards and which parts of the policy do you support?

The principles and targets for delivering net zero standards set out in the draft policy are supported by the landowner/clients and they will strive to incorporate standards into the development of the sites where reasonable and appropriate, should the sites be allocated for development.

Q7. How important is it for Rother to seek to set high standards?

The landowner/clients is of the opinion that these standards are essential for the delivery of a net zero carbon world. They consider these to be very important.

Q13. What are your views on the proposed policy for water efficiency?

The principles of the policy are supported by the client.

Q22. What are your views on the Council's proposed policy for Biodiversity Net Gain?

The general principles of the policy are in line with The Environment Act 2021. We do note however that the 30-year maintenance requirement is not embedded within the policy, and we believe that it should be as a matter of completeness. We will comment on the minimum requirement below.

Q23. What are your views on the Council going above the national minimum requirement of 10%?

The Environment Act mandates a 10% Biodiversity Net Gain for new developments, which must be maintained for at least 30 years. Since the policy exceeds this minimum there needs to be further justification as to why across the entire district exceeding the minimum is suitable.



As mentioned a number of times, Rother District Council is an area which is rural in character and has a significant area of the district within the High Weald National Landscape, alongside other landscape designations which reduce the overall development capacity.

Furthermore, the District has a historic lack of delivery of housing as evidenced by the most recent Housing Delivery Test Figures (41%). The introduction of a higher BNG requirement will contribute to a continued underdeliver. Granted the levels of off-site opportunities are significant in Rother, in comparison to other parts of the country, but this has been exclusively set out as a last resort by Natural England.

Developers, particularly with sites in more rural areas will most likely be hamstrung by this policy rather than urban areas. We agree with the significant role that the links between our natural environment to our economic growth play in delivering sustainable development, however when we consider that the evidence base does not exist, yet it is clearly premature to insist on the 20% uplift. This will severely limit the level of development in rural areas.

Q25 What are your views on the Council's proposed policy for the High Weald National Landscape?

The client's sites are located within the High Weald National Landscape. We agree with the overarching objective to ensure that new development should fit into the landscape and not harm the said landscape. We recognise that this has the highest status of protection, but it must be made clear that due to the historic lack of delivery of housing in the district, sites which can deliver housing in sustainable locations within the High Weald National Landscape should be supported, as long as they are sensitive to the objectives set out within the NPPF. There is a clear need for housing development and given the significant portion of Rother District Council being located within the High Weald National Landscape, that it is necessary for the council to support development within it.

Q27. What are your views on the Council's proposed policy on compact development?

We support the overarching principles of compact development. Our clients' sites will contribute to these overarching principles of compact development by providing sites of appropriate density to support the local community, services and economy. Our clients' sites as mentioned, are 1km from Ticehurst Village Centre and will be able to promote suitable active transport methods such as walking, cycling and wheeling to the village.

Q28. What are your views on the area types and densities proposed as a key driver to Live Well Locally?

We believe that the proposed densities are considered sensible. We do believe however that Ticehurst, given it is identified as a Moderately Sustainable settlement as set out in the Settlement Study Report, could expand its development boundaries to include our client's sites. This sustainability score and the sites' proximity to key services would allow for them to be within the "village area" designation and would ensure that the level of development proposed would be suitable.

Q30. What are your views on the Council's proposed policy on facilities and services?

The policy sets out that all new development of one dwelling must meet a number of key criteria including being in an accessible walking distance to village centres. The sites are 1km or less from the heart of Ticehurst and 1 km from the Ticehurst GP Surgery, under 100m of the nearby Ticehurst and Flimwell Church of England Primary School, 500m to Ticehurst Village Hall, and less than 100m from the Cherry Tree Pub, and 950m from the Ticehurst Village Post Office and Londis, which sells fresh fruit and vegetables. Furthermore, there is a bus stop less than 50m from the sites' entrance.

In terms of accessible centres, these sites meet the relevant requirements for villages.



In terms of the Public Squares and Spaces and Play, sports, Food Growing Opportunities and Recreational Facilities, in principle there is no objection to these. However, we would recommend that all contributions are agreed in the form of a Supplementary planning document.

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?

As set out in the above, we believe that our clients site meets the requirements for villages. The policy sets out that villages should be able to have a slightly wider radius than that of larger centres. All of these distances support the principle of 20-minute neighbourhood. We would recommend that the wording of the policies is slightly changed to set out a specific distance radius for villages.

Q35. Specifically, what are your views on the requirements set regarding public transport, such as the 400m walking distance proximity requirement?

We support this policy. Our client's sites are located 50m to 100m away from bus stops which provide public transport options to future residents. The location of these sites will comply with the ambitions of the council.

Q36. What are your views on the Council's proposed policy on walking, wheeling, cycling and public transport (within the site)?

We support the design principles set out in this policy. We also support the principles of ensuring that the High Weald Nation Landscape is protected.

In terms of the re-use of materials, this is generally acceptable in principle but clear design guides for rural villages within the High Weald National Landscape should be carried out.

Q42. What are your views on the Council's proposed policy on built form?

We agree with the principles of the proposed policy, however we believe that the policy should be underwritten by the fact that the district has a history of failing to deliver on housing. The need for housing and the protection of the landscape should be given similar value in a planning assessment.

Q.54 What are your views on the Council's proposed spatial development strategy and proposed minimum targets for housing and employment growth?

We fundamentally disagree with the approach that the council has set out to housing delivery. We appreciate that the final housing target is to be determined, however the council has provided clear evidence that the identified housing needs in Rother imply the construction of 737 new dwellings per annum over the plan period. This is "considerably higher than then currently adopted housing requirement policies" as identified in the HEDNA, yet the strategy wording sets up a target to reach a minimum average rate of 258-364 a year.

Even if the district was to adopt the higher end of the threshold, this would still be less than 50% of the homes needed in the district. Given the fact that Rother currently only delivers 41%² of its required housing and needs to deliver more in order to meet its identified needs.

Though this sets out sensitive development in other rural settlements of the district will be included, it is considered that many villages, in particular Ticehurst has the capacity to accommodate further sensitively

² Housing Delivery Test- December 2023



located housing given the services provided in the village. The landowner's/clients sites will comply with the principles of the 20-minute neighbourhood, and this should be a consideration as part of the wider strategy.

Overarchingly, a more significant commitment is required to the delivery of housing in sustainable locations in rural villages which can accommodate development which are in line with the key objectives of the local authority.

Q.68 What are your views on the vision for Northern Rother?

Generally, our clients agree that sensitive and sustainable housing developments will help deliver the aims of the plan, however the proposed vision overarchingly suggests that no new development sites are required other than those already identified in the Ticehurst Neighbourhood Plan. This is considered unacceptable given the significant levels of lack of delivery of housing. They identify the clients two sites. TIC0043- Land at Cherry Tree Field, Lower Platts, Ticehurst and TIC0044- Land at Steellands Farm, Ticehurst, as potential additional growth. We believe that they are sustainably located and can be designed in a manner to minimise any impact on the National Landscape through sensitive design.

Q69. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 29, 30 & 31?

We believe that the suggested identified distribution lacks the overarching needs for the wider district. Sites for housing delivery where they are in a sustainable settlement in terms of services should be increased.

Robertsbridge seems to have a disproportionate number of homes allocated for a smaller settlement than Ticehurst.

We believe that a more sustainable way to deliver housing would be to even the spread of development across the northern villages. The over delivery of housing in one village and being over-reliant on that village to meet the development aims of the district can lead to a disproportionate and

Q70. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Northern Rother?

The views are that the district is in desperate need of housing across its entirety due to the historic under delivery of housing over the course of many years. This has contributed in turn to greater levels of unaffordability in the district and the provision of more housing could directly address this topic.

The sites for which these representations relate are in a highly sustainable settlement and are in a highly sustainable location and hope to be delivered by people with a proven track record of delivering much needed housing in the National Landscape and in the village itself. We appreciate that the National Landscape will need to be protected as it should. However, through careful landscape led design, we believe that these sites can deliver much needed housing in a northern rural settlement.

Q82. What are your views on the Council's approach to development boundaries?

We believe that the Local Authority should as part of the new local plan process deliver a set of updated settlement boundaries which will include future sustainable allocations being included in the boundaries. We believe that the policy wording allows a significant amount of discretion to the local authority which



has a number of sustainable sites which have been promoted through the Call for Sites process which meet the 20-minute neighbourhood principles and can deliver high quality housing in the plan period.

In respect of small-scale development, there is a need for greater clarity on the test for ‘locally agreed need’. The documents do not set a housing requirement for all parishes in the district, so there must be another method of considering local need in these other parishes.

Furthermore, there is no suggestion the wording of the policy sets out that “Development boundaries form policy lines and they do not necessarily represent the exact edge of settlements as such”³. The policy clearly seeks that “the development boundaries to define the area within sustainable settlements where development is permitted”.⁴ This would set the policy position that development outside these boundaries would be unacceptable.

We have seen that new development boundaries have been made in Playden⁵ through the Regulation 18 process and we believe that the provision of an amended boundary in Ticehurst to accommodate development that is considered to be sustainable development by the Local Authority. This removes ambiguity for developers and residents alike.

Q114. What are your views on the Council’s proposed policy on mixed and balanced communities?

The proposed policy wording and mix of housing is considered to be justified. The proposed mix seems to comply with the findings of the HEDNA and is something that the client would try to comply with. We would recommend that the policy should make a provision for cases where this is unable to be complied with that this would only be acceptable subject to viability.

Q116. What are your views on the Council’s proposed policy on affordable housing?

The key issue with the proposed policy is that there is no percentage of affordable housing provided as part of the policy. The client accepts the principle of such policy, subject to viability, but cannot adhere to the policy wording as it stands in the absence of a percentage. Only once a percentage is included in the policy can there be a proper assessment of the policy wording.

Q137. What are your views on the Council’s proposed policy on Self Build and Custom Housebuilding?

The clients are supportive of policies aimed at boosting rates of delivery of self and custom build plots. However, the selected approach should go further. The policy suggests 5% self / custom build plots on sites larger than 20 homes, but this would not apply to allocations which are rolled forward. In the latter case, the policies for those allocations similar says “make provision for a portion of self-build” which is lacking in clarity and imprecise.

The Council is subject to a legal duty (as set out in the Self Build and Custom Housebuilding Act 2015) to grant planning permissions to meet identified need for self and custom build housing, as evidenced by the registers.

Site Submission: Land at Cherry Tree Field, Lower Platts, Ticehurst and Land at Steellands Farm, Ticehurst

³ Paragraph 5.118 of Rother District Local Plan 2020 – 2040 Regulation 18 Version

⁴ Policy wording for Proposed Policy DEV3: Development Boundaries.

⁵ Figure 38 of Rother District Local Plan 2020 – 2040 Regulation 18 Version



The Trustees of Steellands Farm have previously submitted a parcel of land between Land at Cherry Tree Field, Lower Platts, Ticehurst (ref: TIC0043) and Land at Steellands Farm, Ticehurst (ref: TIC0044) during the Council's Call for Sites.

The sites have capacity to deliver 26-35 dwellings directly adjacent to the settlement boundary of Ticehurst on a well contained parcel of agricultural land with mature boundary planting.

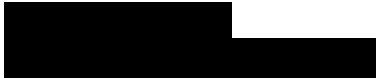
Submitted with these representations are the following:

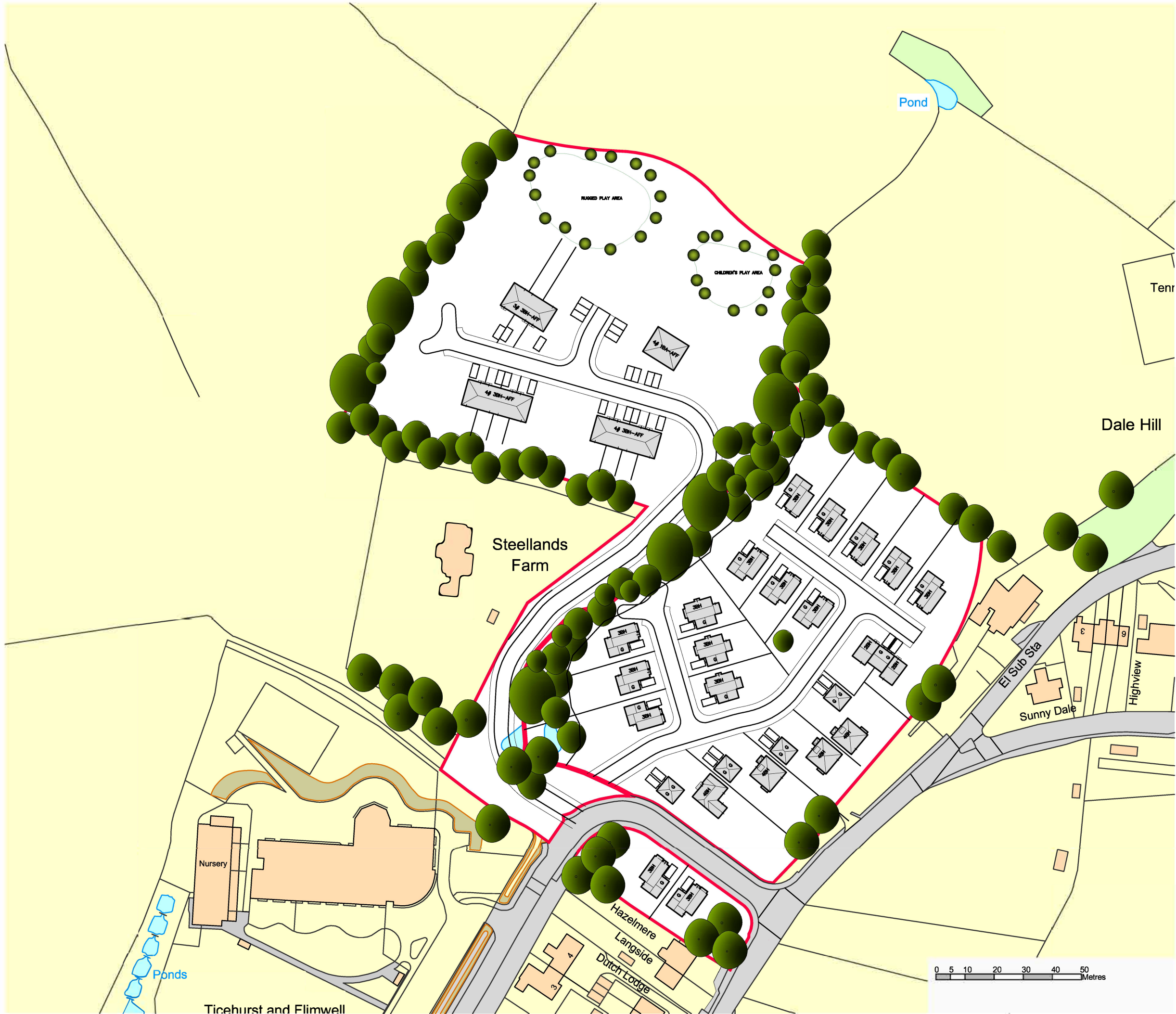
- Indicative Layout prepared by Fibonacci Architects drawing number 6104 P60

Yours faithfully

BELL CORNWELL LLP

**Geoff Megarity
Principal Planner**



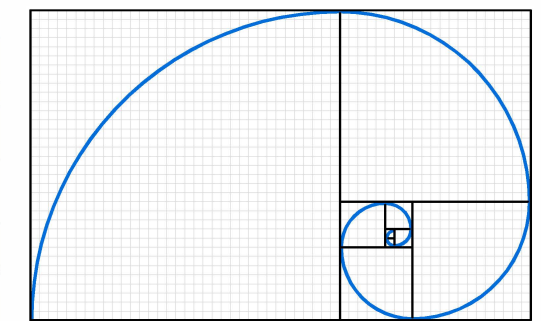


NOTES

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REVISION

REV	DESCRIPTION	DATE	BY	CHKD



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PROJECT

**LAND ADJACENT TO STEELLANDS RISE
 TICEHURST
 EAST SUSSEX TN5 7BY**

DRAWING

INDICATIVE LAYOUT

DRAWN	CHKD	DATE	SCALE	DRG No	REVISION
Cris	CJL	Dec.2018	1:1250 @ A3	6104 P 60	P4