



Planning Policy,
Rother District Council
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Our ref; MTP-FE-Rother Reg18 - 180724

18th July 2024

BY EMAIL ONLY

Dear Sir/Madam,

Representation on Rother District Council's emerging local plan and regulation 18 consultation.

Mission Town Planning Ltd, have been engaged by my client Frontier Estates Ltd to make representation to the emerging Rother District Council Local Plan consultation closing on 23rd July 2024.

We have been commissioned to make representations on the plan so far as it impacts sites that are of interest to my client, specifically with site WES2 that is currently allocated within the Development and Site Allocations Plan 2019. The site is currently allocated with a very restrictive policy which requires a large number of specific elements to deliver the redevelopment of the site. This site remains undeveloped and has to date not been bought forward within the plan period for the allocated use.

Representations

These Representations are focused solely on matters of direct relevance to my client's land interest within Rother District Council's authority.

We have set out these Representations by reference to the relevant chapter or subject heading in the proposed Regulation 18 Local Plan along with reference to the specific policy and page number where appropriate. While we note that the Council have used a web-

based and questionnaire style system, we have endeavoured to address those elements that are relevant to the site mentioned above within these representations.

The purpose of this representation is to comment in relation to the allocation of site within the current and adopted DaSA, and emerging policy HOU10.

As a starting point it is worth noting that the regulation 18 that; *“This is the Regulation 18 public consultation version of the Rother District Local Plan. Once adopted, it will replace Rother’s Core Strategy (2014) and Development and Site Allocations (2019) Plans.”* (Paragraph 1.4).

Specific to this representation, as set out within para 1.40 ... *“Individual site allocation policies will form chapter 13, but this is not part of this Regulation 18 consultation because we wish to consult on the development strategy and draft Housing and Employment Land Availability Assessment (HELAA) before final site selection and specific site allocation policies.”*

Given the above it is considered critical to set out the issues with the delivery of the allocation of policy WES2, and to ensure that any future allocation has sufficient flexibility as to ensure that the development is deliverable.

The national planning position set out within the NPPF (National Planning Policy Framework) at paragraph 61 which states;

Within this context of establishing need, the size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers²⁸; people who rent their homes and people wishing to commission or build their own homes²⁹.

While the statements from government on the status of the current NPPF are noted, this is unlikely to change this specific element in the requirement of Councils to consider allocated sites Paragraph 126 of the NPPF states the following;

Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

- a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and*
- b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area*

Turning to the existing policy WES2, the site has been allocated for a specific use with the policy stating the following;

Policy WES2: Land at the former Moorhurst Care Home, Westfield

Land at the former Moorhurst Care Home, as shown on the Policies Map, is allocated for housing with care. Proposals will be permitted where:

- (i) some 40 dwelling units are provided, of which 40% are affordable;*
- (ii) access is provided to the A28, with preference to utilising the previously established access;*
- (iii) screen tree planting is provided on the north-eastern boundary of the site, and trees and vegetation on other boundaries are retained and enhanced, with new native species landscape planting provided to fill in gaps;*
- (iv) communal gardens/ amenity open space is provided on site to a minimum of 25 sqm per dwelling unit; and*
- (v) provision is made for;*
 - a) an upgraded footway along the A28 connecting to the village core, together with safe means of accessing it from the site;*
 - b) pedestrian access to footpath 27 on the south-western boundary of the site; and*
 - c) a bus stop adjacent to the site.*

Application RR/2021/3010/P, which was supported by Officers, provide significant amounts of information in regard to the allocation. This proved to the satisfaction of officers the following;

- The site had been marketed for a significant period of time with no interest in bringing the site forward for its allocated use.
- Operators provided commentary that the site is not suitable for the allocated use.

It is also unclear given the historic use of the site as a care home, and planning history for a replacement care home, why the use was excluded from the allocation.

My client would support an allocation for use for accommodation for the elderly in line with policy HOU10.

The need for care is set out within the explanatory text of the policy, however, while policy 8.90 states there has been a historically downward trend, this does not appear to consider the forward projections of policy as set out within para 6.4. This highlights the ageing population of Rother with a median age of 53. While adaptability of homes will address issues for some, this is not going to be appropriate for all, and those with mobility and dementia issues will require specialist provision which will be delivered via care homes.

It is noted in paragraph 8.92 that *“At the same time, it is acknowledged that over the Plan period there are likely to be some closures of existing care homes, as older properties become outdated (for example those with shared bedrooms or shared washing facilities) and cannot viably be brought up to the required standards”*. However, this is somewhat contradicted by the statement at 8.91 which states *“Given this downward trend, it is not appropriate to make specific land allocations for additional care homes for older people, but instead support such developments, if required, on a windfall basis, on suitable sites in sustainable locations.”*

The above would appear to be contrary to the NPPF para 61, and there seems little consideration of the ageing population and the need for care homes to be significantly improved and upgraded. This was really proven during the COVID-19 pandemic, where homes that are unable to upgrade their facilities to provide separate areas did not fare as well as those newer facilities. The failure to carefully consider the quality of the existing stock and the future demographic demands, in relation to future allocations.



Summary

I trust that these representations are of assistance in considering the current drafting and submission of the Local Plan. My client would request that we continue to be engaged in the plan making process and we look forward to hearing from you with regard to the next steps.

If you require any further information in support of these representations, please do not hesitate to contact me.

Yours sincerely,



Alex King – Managing Director
Mission Town Planning

