



Monday 22nd July 2024
666/A3/JJA

The Planning Policy Team
Rother District Council
Town Hall
London Road
Bexhill-on-Sea
East Sussex
TN39 3JX.

By Email

Dear Sirs

**Re: Rother Local Plan 2020 – 2040
Draft (Regulation 18) Version - April 2024
Representations submitted on behalf of Persimmon Homes**

I write with reference to the above. I act for Persimmon Homes who have an interest in a sound plan being delivered for Rother.

Having regard thereto, having reviewed the Regulation 18 Draft Local Plan (April 2024), and associated evidence base, especially the Sustainability Appraisal - Interim Report (SA) and associated appendices, Housing and Economic Land Availability Assessment (HELAA), Local Housing and Economic Needs Assessment (HEDNA), Development Strategy Background Paper (DSBP), Housing Background Paper (BP), Settlement Study (SS), and Infrastructure Delivery Plan (IDP), and Viability Assessment and CiL Review (VA); we have the following comments on the Draft Regulation 18 Rother Local Plan (April 2024), and associated evidence base.

1 The Plan Period

1.1 We note that the 2024 LDS suggests adoption of the Local Plan (Regulation 26) in Quarter 3 2026/27. As a result, the plan period advocated in policy SS2 will be less than 15 years from adoption. In order to comply with paragraph 22 of the NPPF, the plan period should we believe start at 1st April 2023 and be extended to 31st March 2042 as this will ensure it looks ahead for a minimum of 15 years from adoption. As a result, additional housing allocations need to be made to help address this additional requirement.

2 The Housing Requirement, Supply and Trajectory

2.1 Local Housing Need, and the Minimum Housing Requirement

2.1.1 We note that the proposed overall spatial development strategy as set out on p112 of the Reg 18 Draft Plan is to deliver a minimum of 5,158 to 7,286 dwellings over the plan period (2020 - 2040) i.e. 258-364 dpa.

2.1.2 Having reviewed the housing requirement against the standard method and the advice in the PPG about the need to consider the application of a cap, we note that adopting the standard methodology, and adjusting the figures to the base date of the local plan and using the latest local affordability ratio, the position is as set out below.

Step 1: Setting the Baseline	Household Projection = 523.4 ¹ dwellings per annum
Step 2: Adjustment for Affordability	Local Affordability Ratio = 13.82 ² Adjustment Factor = 1.61 $Adjustment\ factor = \left(\frac{13.82 - 4}{4} \right) \times 0.25 + 1$
Minimum Local Housing need	523.4 x 1.61 = 842.6

2.1.3 As set out in section 5 of the HEDNA a cap is applied to limit the level of increase, depending upon the stage that the local authority is at with regards to its strategic policies for housing. Where the policies have been adopted within the last 5 years, the LHN figure is capped at 40% above the average annual housing requirement figure as set out in the existing policies. Where the relevant policies were adopted more than 5 years ago (as is the case in Rother), the LHN is capped at 40% above whichever is higher of:

- The average annual projected household growth identified in Step 1; or
- The average annual housing requirement figure as set out in the most recently adopted strategic policies.

Having done this, we note the following:

		40% cap
The average annual projected household growth identified in Step 1	523.4	732.7
The average annual housing requirement figure as set out in the most recently adopted strategic policies	335 ³	469

2.1.4 Given the above the LHN in Rother is reduced from 842 dpa to 733 dpa. That said, while the cap reduces the minimum number generated by the standard method, it does not reduce housing need itself. Therefore, strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible. The PPG is clear that the standard method is a minimum number and that in areas such as Wealden where the cap reduces the local housing need “*consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies*”⁴. For Rother this would mean considering whether to deliver 842dpa. It is also important to note that the LHN figure is a minimum starting point, and it does not produce the Housing Requirement⁵.

2.1.5 In the context of the above, we note that the overall spatial development strategy in looking to deliver a minimum of 5,158 to 7,286 dwellings over the plan period is in effect only looking to deliver between 35% and 50% of the capped LHN.

2.1.6 We further note that the HEDNA is clear in the executive summary on both the scale of the LHN (737dpa at the time), and the findings of the housing growth scenario, indicating that there are ‘no exceptional local circumstances’ that would justify deviating from the Standard Method in Rother.

¹ From table 406, 2023 = 46.005 and 2033 = 51.239 51.239 - 46.005 = 5234/ 10 = 523.4

² From table 5c of March 2024 tables

³ Policy OSS1 of Rother Local Plan Core Strategy - Sept 2014 -5,700 dwellings (net) over the period 2011-2028 = 335dpa.

⁴ Housing and Economic Needs Assessment chapter of the PPG – Paragraph: 007 Reference ID: 2a-007-20190220
Revision date: 20 02 2019

⁵ Housing and Economic Needs Assessment chapter of the PPG – Paragraph: 002 Reference ID: 2a-002-20190220
Revision date: 20 02 2019

2.1.7 Whilst the inference in the plan is that the level of housing growth that is proposed is supply led (i.e. reflects the level of suitable sites assessed through the HELAA process) and constrained by the High Weald AONB, the Pevensey levels, the Strategic Gaps around Hastings and the SSSI around Rye, this is adopting a policy on approach to a situation that should be policy off.

2.1.8 Thus, not only is it unclear why the plan is not looking to deliver the LHN as identified in the HEDNA, but why it has not also looked at the uncapped need given the issues surrounding the unmet needs of its neighbours (see below). PPG⁶ identified a number of circumstances where it might be appropriate to plan for a higher housing need figure than the Standard Method indicates. Such circumstances can include:

- Instances where housing need is likely to exceed past trends; and
- Where the authority agrees to address unmet need arising from neighbouring authorities.

2.1.9 The PPG is not exhaustive in its examples as to what may be a sound reason for considering an uplift. Matters such as a high affordability ratio that is following a rising trend, along with significant affordable housing need, and of course the importance of ensuring an adequate buffer to cater for under supply, or instances where the Plan strategy fails to deliver as expected, are all sound reasons for considering an uplift.

2.1.10 In the context of the above we note that the SA in section 5, in reviewing the Spatial Development Strategy Options, does not appear to look at different scales of growth relative to the LHN (both capped and uncapped) or the implications of only delivering the scale of housing proposed, just a variety of different spatial options where the scale of development is unquantified, despite the fact one of the SA objectives is that *'More opportunities are provided for everyone to be in a suitable home to meet their needs.'* The above belies the evidence base and the various reasons why the council need to meet their LHN / an uplift to the LHN should be considered further, as summarised in the commentary below.

2.1.11 The reasons for uplifting the LHN should be set into two categories, firstly those that indicate an uplift is required for the District itself and secondly any uplift that might arise from meeting unmet need from neighbouring authorities.

Affordability

2.1.12 Rother is an inherently unaffordable place to live as acknowledged at paras 1.15, 8.20 and 8.21 of the Reg 18 Plan which refer to the issues of the significant deterioration in affordability within the district. The HEDNA (2024) identifies a significant need for affordable housing in Rother in the Plan period. This is due to a high, and increasing, house-price to earnings (affordability) ratio, meaning that growth in house prices is significantly outstripping growth in wages, and housing is becoming less affordable for people who live, work, and retire within the district.

2.1.13 To this end, we note, when looking at the ONS 'House Price to Workplace-Based Earnings Ratio - March 2024' that the ratio of median house price to median gross annual workplace-based earnings by local authority district, England, and Wales, 1997 to 2023 indicates that the ratio of

⁶ Housing and Economic Needs Assessment chapter of the PPG – Paragraph 010 Reference ID: 2a-010-20201216
Revision date: 16 12 2020

median house price to median gross annual workplace-based earnings in RDC has increased significantly over the past 10 years from 10.53 to 12.84⁷.

2.1.14 The rapid increase in the affordability ratio is clear evidence of the lack of housing delivery that has taken place over the last 10-year period within the District. Failing to deliver the LHN will only increase the rate of decline in affordability. For an improvement in the affordability situation to occur, decisive action is required through the provision of more housing over and above the capped LHN.

2.1.15 The matter of affordability alone clearly indicates that the Council should be planning for more than the capped LHN.

Affordable Housing Need

2.1.16 Linked to the issue of affordability is the significant need for affordable housing identified in the District. A symptom of a rising affordability ratio is the fact that more members of society are priced out of the open market and consequently require affordable housing in one form or another. Again, the Council acknowledges this in the Draft Plan and in the Feb 2024 HEDNA that accompanies the consultation pack.

2.1.17 The HEDNA indicates that the total net annual affordable housing need for the period 2021 to 2044 is 325 dpa, which is equivalent to 44% of the capped LHN figure (based on 733 dpa). Whilst policy HOU2 does not indicate what level of affordable provision the council will be looking to deliver, policy LHN2 of the adopted core strategy looks to deliver 30% affordable housing on sites in Bexhill and Hastings Fringe, and Rye, 35% in Battle and 40% in the rural areas. Even if the Council were to adopt a 40% requirement across the board, this will only be triggered for those sites that meet the qualifying criteria. It is therefore highly unlikely that the affordable housing need will be met. Indeed, given the decreasing trend in terms of affordability set out above, the gross affordable housing need of 325 dpa is highly likely to increase over the plan period, leading to an increase in the net shortfall and in turn a higher number of people in need and on the Council’s housing waiting list.

2.1.18 Whilst the councils latest AMR does not provide any information on affordable housing delivery, we note that the Governments Affordable housing supply statistics (AHS) 2022-23 table 1011C indicates that over the past 10 years RDC only delivered 887 affordable completions. An average of 89 (rounded up) affordable completions per annum, which just 27% of the average annual affordable need of 325 affordable dwellings per annum identified in the HNA.

JAA table 1a – Affordable Housing Provision 2013 - 2023

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	Total
Total affordable dwellings	80	123	103	20	56	60	130	126	15	174	887

2.1.19 Furthermore, whilst if you compare the level of affordable provision against total housing completions over the past 5 years this averages 38.7% of total housing completions, it fluctuates significantly and prior to this was averaging significantly less.

⁷ ONS House price to workplace-based earnings ratio – March 2024 – table 5c
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

JAA table 1b – Affordable Housing Provision as a percentage of overall housing delivery 2016 - 2023

	18-19	19-20	20-21	21-22	22-23	Total
Net additional dwellings	255	247	175	237	390	1,304
Total affordable dwellings	60	130	126	15	174	505
% of total	23.5%	52.6%	72%	6.3%	44.6%	38.7%

2.1.20 Given the above, even if one assumes an average of 38%, this suggests that the plan would need to deliver over 855⁸ dpa to meet the identified affordable housing needs of the District.

2.1.21 Whilst we are not advocating this level of growth, the above demonstrates the need for the plan to deliver the LHN in full/ an uplift to the LHN figure to boost the supply of open market and affordable homes and thus help address the affordable housing needs of the District. Said approach would also reflect on spatial objective 4 – to respond to the housing crisis and help facilitate the delivery of housing to meet the needs of different groups in the community, by maximising the potential opportunities for residential development in sustainable and deliverable locations, helping to deliver affordable housing, and ensuring development is viable and supports growth in the district by providing certainty for developers through site allocations and clear planning policies.

2.1.22 The SA in reviewing the merits of the alternative spatial options appears to have paid little regard to these fundamental points.

Past Under Delivery

2.1.23 We note the Councils Five Year Housing Land Supply Statement – 1 April 2023 (published in December 2023) suggests that the Council is able to demonstrate a 3.09 year housing land supply for the period 01/04/23 to 31/03/28, and that the HDT results for 2022, as published in December 2023 was, as set out below, just 41%.

JAA table 2 - Result of 2022 Housing Delivery Test

Area	Number of homes required			Total number of homes required	Number of homes delivered			Total number of homes delivered	Housing Delivery Test: 2022 measurement	Housing Delivery Test: 2022 consequence
	2019-20	2020-21	2021-22		2019-20	2020-21	2021-22			
Rother	363	490	740	1593	247	175	239	661	41%	Presumption

2.1.24 We further note that RDC housing delivery has over the past few years been somewhat mixed, with the Council failing to meet their annual housing requirement on a number of occasions, which has led to a deficit that suggests that there has been a record of under delivery that should be addressed by an uplift to the LHN figure.

A Buffer

2.1.25 Given the issues of the affordability and the affordable housing needs of the district identified above, as well as the issue of past underdeliver rates, we feel that at the very least a buffer should be built into the housing requirement for the Plan. Introducing a buffer into the housing requirement would ensure that the Council plans positively for the future in a manner that at least meets the

⁸ 100/38 x 325 = 855dpa

minimum LHN rather than the capped figure, or indeed the 'capacity' based figure it currently looks to deliver. This would in reality also provide an uplift to reflect the acute affordability problem and in turn the rising affordable housing need. Given the time horizon of the plan, the Council should also consider the need for flexibility to be built into the strategy so that it can be resilient to unforeseen changes that may occur during the latter years of the plan period.

2.1.26 To this end, we would stress the need for the SA to not only look at various Spatial Development Strategies, but to express these in the context of overall housing provision and assess not only a strategy that reflects the capped LHN, but both the uncapped LHN and indeed something that falls short of the capped LHN so that the effects of all reasonable alternatives are properly taken into consideration. As currently drafted the SA does not in our opinion adequately address the issues raised above or look to address the issue of unmet needs from adjacent authorities – see below.

2.1.27 Having regard to the above we consider a buffer of circa 10% i.e. circa 1,466⁹ additional dwellings should be added to the capped LHN over the plan period to ensure the Plan proceeds on a robust footing.¹⁰

2.2 Unmet Need

2.2.1 We note that the Reg 18 Plan makes no specific reference to the Duty to Cooperate (DtC) with neighbouring authorities over the issue of unmet need, there being no reference to the unmet needs of neighbours either. We also note that whilst the HEDNA recognises the fact that Hastings and Rother, together with their intrinsic sub-areas, comprise a self-contained Housing Market Area and Functional Economic Market Area, it does not comment upon the relationship of the HMA to adjacent HMA's and their unmet need, there being only passing recognition of the fact that Wealden is within the influence of and overlapped by the Hastings and Rother HMA. Nor is there any commentary on how Rother's reg 18 Plan will look to address the unmet needs of Hastings, despite the joint statement agreed with Hastings BC on p16 of the Reg 18 Plan.

2.2.2 Similarly, whilst the Housing Background Paper advises at para 5.14 that the Council is committed to its duties in relation to the Duty to Co-operate, and in summer 2020 prepared a Duty to Co-operate Action Plan which outlines how and at what stage it intends to engage and consult with organisations on the development of the Local Plan, the Engagement and Duty to Cooperate Statement in commenting upon the engagement to date with Hastings BC, and in particular the matter of housing need, merely says at para 6.11 that '*The Standard Methodology sets a housing need figure of 737 dwellings per annum for Rother and 481 for Hastings. Hastings Borough Council made a formal request to Rother District Council on 3rd December 2021, along with requests other authorities, as to whether Rother could accommodate any of Hastings' residual unmet need.*'

2.2.3 This does not confirm the scale of Hastings unmet need, which we understand to be in the region of 5,525 dwellings¹¹ or Rother's response to Hastings' request, and as such does not suggest active, ongoing, and constructive engagement.

2.2.4 Similarly, in commenting upon engagement with Wealden, para 6.23 of the Engagement and Duty to Cooperate Statement advises that: '*The Standard Methodology sets a housing need figure*

⁹ 733×20 (to reflect a plan period of 2020 to 2040) = $14,660 \times 10\%$ = 1,466.

¹⁰ If a revised plan period of 1st April 2020 to 31st March 2042 is adopted the figure would be circa 16,126 ($733 \times 22 = 16,126 \times 10\%$ = 1,622 rounded)

¹¹ Hastings are looking to deliver 4,275 dwellings against a target of 9,800.

of 737 dwellings per annum for Rother and 1,212 for Wealden, however, in their respective Plans, Rother has set an annual target of between additional 243-343 dwellings per annum, while Wealden sets a per annum target of and additional. Both sets of targets fall short of the need figures derived from the Standard Methodology. At this stage in Plan development, neither district has yet made a request in respect of unmet need.'

2.2.5 As is clear from the above Wealden's target of 22,800 dwellings has actually been omitted from the document, as has reference to the implications in terms of Wealden's unmet need of 7,071 dwellings¹².

2.2.6 Not only does the Engagement and Duty to Cooperate Statement fail to address the issue of how this unmet need will be tackled, but also makes it clear that Rother has not yet made a request to surrounding districts in respect of its unmet need, this despite the fact Wealden have for example just completed their reg 18 consultation. Again, this does not suggest active, ongoing, and constructive engagement, or due regard to the implications of the increasing scale of unmet need that is emerging in this part of East Sussex, a matter one would have expected the SA to have regard to in terms of the wider social, economic, and environmental consequences.

2.2.7 The lack of any MoU or SoCG with Hastings BC given their request of 3.1.21 is also of concern, as is the current lack of Mou or SoCG with Wealden DC, albeit we note one is in preparation and will we assume be available for scrutiny at Reg 19.

2.2.8 As the council will be aware, in order to demonstrate that the consultation on strategic cross boundary issues such as housing and unmet needs has been effective, continuous and ongoing, and the requirements of the Duty to Cooperate (DtC) have been addressed in terms of the overall housing requirement, MoU or SoCG will need to be produced and reviewed and updated regularly if they are to be relied upon.

2.2.9 Only through a rigorous approach to the issue of the DtC will the Council be able to demonstrate that its housing requirement is right, and that the spatial strategy is correct in its approach to growth. As things stand, we do not believe there to be sufficient evidence in place to demonstrate the DtC has been complied with, and as such can only conclude that the plan is legally flawed.

Conclusions on the Housing Requirement

2.2.10 Not only are the Council failing to meet their LHN as calculated by reference to the Standard Method i.e. 14,660 dwellings (733 dpa), but the shortfall of 7,374 – 9,502 dwellings is between 50% and 65% of the capped LHN. This is a significant shortfall exacerbated by the fact the LHN is a capped figure, and as the PPG is clear the LHN is only the starting point.

2.2.11 There are a range of factors relevant to the calculation of the housing requirement for the Draft Plan that the Council needs to consider when arriving at its overall housing requirement. These include:

- The inherent lack of affordability and the increasing affordability ratios;
- The poor levels of affordable housing delivery, and attendant increasing need for affordable homes; and

¹² Wealden recent Reg 18 LP indicated they were only looking to deliver 15,729 dwellings.

- The importance of including a buffer above the LHN to ensure adequate housing delivery particularly given the Council's historically poor track record of delivery as set out above.

2.2.12 When these factors are properly scrutinised, they demonstrate clear and rational reasons as to why there should be an uplift to the LHN. Having regard to the above Persimmon Homes t believe that at the very least the plan should provide for the uncapped need i.e. 733 dpa to ensure the Plan proceeds on a robust footing. Over a plan period of 1st April 2020 to 31st March 2042 this would equate to some 16,126 dwellings, circa 8,840 - 10,968 dwellings more than the plan is currently looking to provide for.

2.2.13 Setting the housing requirement at this level would significantly improve the affordability situation within the District and would deliver more affordable homes for those members of the community in the most need.

2.2.14 It is clear that the SA has as yet to assess the merits of delivering the LHN in full, a higher figure or indeed a lower one. It is also clear from the Engagement and Duty to Cooperate Statement that the council have yet to fully assess the effects of their neighbours' unmet needs or to explore through the DtC, whether any of their neighbours could assist.

2.3 Housing Supply

2.3.1. Nowhere in the Reg 18 Plan is there a trajectory setting out how the housing requirement will be met or a rolling five year housing land supply maintained. Thus, in terms of supply all that is available is the information set out within table 34 of the Reg 18 Plan which indicates that the housing supply comprises the following:

	Source of housing supply	
a	Constructed 1 April 2020 – 31 March 2023	802
b	Known completions and commencements on large sites since 1 April 2023	340
c	With Planning Permission	1,693
d	DaSA & Neighbourhood Plan allocations without permission brought forward	1,660
e	Additional HELAA potential sites	2,129
f	Windfall projection (across the district)	663
	Total Range	5,158 ¹³ - 7,287 ¹⁴

2.3.2 In reviewing the above there is nowhere in the evidence base where one can review and assess the deliverability of those sites with outstanding planning permission that have yet to start on site, allocated sites without permissions or the additional HELLA sites. The councils Housing Land Supply and Housing Trajectory (April 2023 position statement), within its appendices provides details of the following:

- Delivery by financial year of large site permissions (2,140 of which 1261 are only have outline consent))
- Delivery by financial year of large sites delegated to approve subject to S106 (555, of which only 2 sites delivering 17 dwellings are for full planning permission, the majority being outline schemes))
- Delivery by financial year of DaSA allocations (520, of which an appeal for one site for 40 dwellings has been dismissed))

¹³ a to f minus e

¹⁴ a to f

- Delivery by financial year of Neighbourhood Plan allocations (253 of which sites delivering only 34 are subject to applications)) and
- Small site permissions (316)

2.3.4 As the above does not tally with the figures in table 34 it is impossible to scrutinise the housing land supply properly and ensure it is truly deliverable. All we can note is that the number of large sites with outline permission only that are due to start delivering in the next 5 years seems rather high, as do the number of large sites with a resolution to grant outline permission subject to S106. We would also ask that the next iteration of the plan the council produce a more detailed evidence base to demonstrate that the proposed commitments will deliver as suggested and that the council can maintain a robust and rolling 5 year housing land supply.

2.3.5 In the context of the above, we would suggest that the Council consider further whether a buffer of say 10% should be applied to those sites with planning permission that have yet to commence to take into account any potential non-delivery/ delay in delivery of the dwellings contained within this category which at 1,693 equates to nearly a third of the supply¹⁵. Similarly, the sites contained within the DaSA & Neighbourhood Plan allocations without permission, which equate to a comparable proportion of the total supply. Alternatively, the Council need to undertake a more detailed critique of the proposed commitments to ensure what is being put forward is truly deliverable within the plan period. Either way we believe this would generate the need to find land to accommodate a further 335 dwellings¹⁶.

2.3.6. Turning to windfalls, para 5.131 of the reg 18 plan indicates that windfall development forms an important part of the councils housing land supply and that the Council will continue to rely on windfall development as part of its development strategy. To this end table 34 of the Reg 18 Plan reports a figure of 663 windfalls over the plan period, and proposed policy DEV5 suggests a windfall development projection of 39 dwellings per annum for the plan period¹⁷. This is however slightly at odds with the findings of Table 3 of the councils Housing Land Supply and Housing Trajectory (April 2023 position statement), which suggests an annual average of 45 windfalls a year. Clearly clarity is required on this, as whilst para 6.9 of the Housing Land Supply and Housing Trajectory (April 2023 position statement) suggests that work is currently underway on producing an updated windfall methodology background paper in support of the new Local Plan, which will reassess the likely contribution from windfall sites in the future, as well as the period over which any allowance should be applied, no such document appears within the evidence base. As the council will be aware, they will, in accordance with para 72 of the NPPF, need to provide compelling evidence that the windfall trajectory is a reliable source of supply, and cannot just rely upon a headline review of past windfall delivery rates without any analysis of expected future trends.

2.3.7 Finally in terms of the additional HELAA potential sites, we note that the HELLA in listing Identified Sites (existing allocations and sites with planning permission), and Potential Sites (Sites are potentially suitable, potentially available and potentially deliverable, subject to further assessment or investigation), discounts an unquantified number of 'Other Potentially Suitable Sites Where Availability is Unknown' and Rejected Sites (sites assessed as currently unsuitable/ unavailable/ unachievable), and that it is unclear how releasing some of these sites would come to enabling the council to meet their LHN if the assessment criteria were reviewed/ the sites themselves reassessed in terms of the overall area to be developed/ development capacity were reviewed. Given the scale of the unmet need we would respectfully suggest that no stone should be left unturned in

¹⁵ Assuming the lower end of the range (5,158 dwellings) 23% assuming the upper end of the range.

¹⁶ $1,693 + 1,660 = 3353 \times 10\% = 335$

¹⁷ $663 / 17 = 39$

looking to achieve the LHN and that whilst not all of the rejected sites will be acceptable, some may, with further consideration, have been suitable, such that the overall quantum of deliverable sites and thus the plans 'capacity' based housing figure could be higher. We would thus recommend that in order to demonstrate the housing supply figure is fully justified the council provide further evidence to this effect at Reg 19.

Conclusions on the Housing Supply

2.3.8 Having reviewed the component parts of the Housing Land Supply as best we can given the lack of available evidence to justify the position set out in table 34 of the Reg 18 Plan, we note that the figures relied upon to meet the Councils proposed 'capacity' based housing requirement require:

- 100% reliance on all current commitments (existing detailed, and outline permissions, as well as sites with a resolution to grant and sites allocated in the DaSA and Neighbourhood Plans). This is not justified and a 10% buffer should be introduced to allow for non-delivery/ slower than expected delivery i.e. circa 335 dwellings.
- 100% of the proposed housing sites delivering the quantum proposed within the plan period. This is however subject to all of said sites being found acceptable by the Local Plan Inspector/ site promoters confirming the sites can deliver this quantum of development in light of all the other policy requirements set out in the plan, such that a contingency may be sensible.
- 663 dwellings to come forward as windfalls. The proposed windfall allowance is not based on a credible evidence base and is not justified. At 9 - 13% of the residual requirement, it is a significant part of the overall supply and needs to be reviewed to ensure a realistic approach is adopted at Reg 19.

2.3.9 As a result of the above, we would submit that as the predicted supply is effectively dictating the overall requirements – i.e. we are looking at a 'capacity' based housing requirement, the fact there is no flexibility in the proposed supply is of grave concern as in effect the overall supply could be a lot less than predicted unless additional sites are added in to address our concerns about the commitments, and windfalls and help provide a buffer / address the issues of affordability and DtC we have raised above. As it stands the plan would be incapable of accommodating any fluctuations in the market and could leave the council open to speculative applications very early in the plan period. The council's assessment of potential housing sites in the HELLA and SA needs to be reviewed and no stone left unturned when it comes to identifying sites and addressing perceived constraints. Likewise, the councils rationale for the yields they have attributed to the proposed allocations needs to be fully justified as, as we explain below, we do not think they are when the policy requirements set out in the draft plan are properly taken into consideration.

3 The need for a Stepped Trajectory

3.1 We note that para 5.102 of the Reg 18 Plan suggests that the Council would require a considerable step change in housing delivery in order to deliver a significant uplift compared to current and historic delivery rates over the last ten years. Figure 37 then illustrates that over the past 12 years the council have on average delivered 219dpa, albeit in the last two years they have delivered 237 and 390 dpa, respectively. Whilst the LHA at 733dpa would require a sea change in delivery, the current proposition, of a supply led target of 258 – 364dpa is clearly within the realms of that which has been achieved of late – reflecting the indeed, if the trajectory in appendix 7 of the Housing Land Supply and Housing Trajectory (April 2023 position statement) is correct the council

are anticipating an average of 544 dpa following over the next 5 years¹⁸: whilst this tails off after 28/29, this is because the trajectory is based on existing commitments (permissions and allocations) if, with a new plan in place additional sites were allocated, there is no reason why higher levels of growth could not be sustained longer term. There is thus no justification within the evidence base to support a stepped trajectory. Indeed para 5.102 of the Reg 18 Plan appears to suggest that delivery rates have been significantly impacted by the economic downturn and the effect of the coronavirus pandemic in recent years, such that while a number of current allocated sites have been permitted there have been significant delays in the build out of sites. This does not support a stepped trajectory it merely justifies past performance which with an economic upturn should begin to ensure a more robust and steady supply. Furthermore, as two thirds of the proposed supply is already committed there can be no justification for a stepped trajectory.

4 The Growth Options for Sub Areas

4.1 Whilst having no direct interest in the growth options, we do note that when looking at figure 33 that a considerable amount of the proposed growth, both committed and proposed through the additional sites identified through the HELAA that 46% of the proposed growth is in and around Bexhill, with only 9% being directed towards Battle, only 3.6% to the Hastings fringe. Whilst we acknowledge that Bexhill is the least constrained of the main centres, one has to wonder if this is a sustainable approach, especially given the public transport links and level of services available in the likes of Battle and Robertsbridge. Comparing figure 35 of the Reg 18 Plan (the opportunities for housing growth) with Figure 12 of the settlement study (part 1) (Settlement Sustainability Score Table), the level of growth proposed in the Sustainable and Moderately Sustainable settlements seems to be significantly less than that proposed in Bexhill, which whilst it is the only 'Highly Sustainable' settlement seems somewhat out of proportion and one has to wonder whether this could lead to market saturation and actually prejudice housing land supply.

5 Development Principles Policies

5.1 We note that DEV2 requires: *'Planning applications (whether in outline or full format) must relate to an entire development site to ensure a comprehensive approach, including where sites are in multiple ownerships.*

When an outline application is submitted, a masterplan defining key parameters for the entire site must be submitted by the applicant to indicate how the overall development of the site can be achieved.'

5.2 Where sites are in multiple ownership, we would suggest that as long as a framework masterplan covering the whole site, and an infrastructure delivery strategy has been agreed, either through the site promoters and the council or via an SPD, there should be nothing to stop one party looking to promote their site in advance. As long as the application reflects the framework masterplan and s106 proceeds in accordance with the infrastructure delivery plan we fail to see how this would prejudice the plan. Indeed, it may well allow sites to proceed more quickly and thus actively assist the council in their housing land supply.

¹⁸

	23/24	24/25	25/26	26/27	27/28	Total	Average
Net additional dwellings	307	363	567	807	674	2718	543.6

5.3 We note that DEV3 indicates that: *'Development boundaries define the area within sustainable settlements where development will be permitted, provided it is consistent with this Local Plan.*

Priority shall be given to reuse of brownfield sites, in order to make efficient use of previously developed land in sustainable settlements. Some greenfield development will be necessary in order to deliver housing and employment need, but this will be limited to inside development boundaries.'

5.4 Whilst in the first instance we assume the development boundaries will be redrawn to reflect the proposed allocations, we would also suggest that given the shortfall in the housing land supply, that the council should look to have a criterion based policy that enables development immediately adjacent to the limits of built development subject to certain criteria. For example, within Mid Sussex, policy DP6 provides for:

The growth of settlements will be supported where this meets identified local housing, employment, and community needs. Outside defined built-up area boundaries, the expansion of settlements will be supported where:

1. The site is allocated in the District Plan, a Neighbourhood Plan, or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and
2. The site is contiguous with an existing built up area of the settlement; and
3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.

The developer will need to satisfy the Council that:

- The proposal does not represent an underdevelopment of the site with regard to Policy DP26: Character and Design; or
- A large site is not brought forward in phases that individually meet the threshold but cumulatively does not.

5.5 A similar policy approach would we believe be appropriate here and would assist the council in meeting their LHN.

5.6 We note that DEV5 refers to the windfall rate of 39dpa. Given our comments above, this will need to be properly justified within the evidence base for the Reg 19 Plan.

5.7 Turning to DEV6, and the Strategic Green Gaps, the current strategic gap between Bexhill and Hastings should not be seen as a constraint on development on a par with the AONB or any other NPPF footnote 7 constraint, and should not in our opinion be carried over from the current core strategy without first being reviewed to establish if they can accommodate some growth to assist the council in meeting their LHN/ meeting the unmet needs of their neighbours, especially Hastings.

6 Health and Wellbeing Policies

6.1 We note that policy HWB2 requires a HIA to be undertaken on all applications for development of 100 (+) dwellings/ sites of more than 5ha. Whilst Persimmon Homes would agree that HIA are an essential part of plan making to ensure the Council understand the health outcomes of its strategy and is thus able to ensure these are effectively addressed, this should be achieved through the preparation of a whole plan HIA which will help inform the Council that the policies the plan contains address the key health outcomes for the area. As the plan and the policies it contains has been prepared to address the key health issues it is unnecessary for future development proposals that accord with this plan to undertake a separate HIA. If a development meets the policies in the plan, then it is by default addressing the health outcomes already identified by the Council. A HIA as part of the application would merely be repetition of the work the council has already

undertaken. The only circumstance where an HIA may be appropriate would be for a larger unallocated site where the impacts may not have been fully considered by the council as part of the plan wide HIA. Policy HWB2 needs to be revised accordingly.

6.2 We also note that criterion 5 of HWB5 requires developments of 300 (+) dwellings to provide playing pitches on site in line with the recommendations of Rother's Playing Pitch and Built Facilities Strategy and Sport England's standards. Whilst not opposing this criterion, Persimmon Homes would suggest that the following is added to criterion 5 'unless evidence suggests that this is unachievable' as a sites topography may not make this possible/ economies of scale may mean providing / contribution to offsite provision is in certain circumstances preferable; or that this would fetter a developer's ability to deliver BNG on site as such facilities do not assist in trying to deliver BNG. Indeed, they can actively prejudice it.

7 Infrastructure Policies

7.1 We note that policy INF1 (A) indicates that '*Where new infrastructure capacity is required, it must be demonstrated that it can be delivered upfront or early in the development phasing.*' As the councils will be aware, the question of the supply of utilities to support development (including residential development) is a matter that is dealt with through separate statutory regimes. Providers such as the water and energy companies are required, among other things, to ensure a supply of services adequate to meet the needs of the plan-led system. As such policy INF41 (A) should not require applicants for planning permission to demonstrate that there is sufficient capacity with regard to provision of utilities such as water and power. Furthermore, when considering other infrastructure requirements, the policy should have regard to the cash flow implications of this criteria and be caveated accordingly.

8 Housing Policies

HOU1 Mixed and Balanced Communities

8.1 In noting the unit mix proposed in policy HOU1, we would in the first instance question the extent to which policy HOU1 should look to be prescriptive on the market housing to be delivered across the district for the whole of the plan period; rather the Council should recognise the need for flexibility, as per the NPPF and PPG, as the fact is the needs of the area may well change over the lifetime of the plan, particularly given the current uncertainty in the housing market, and that different areas will inevitably deliver different forms of housing i.e. apartments within more urban town centre locations and family housing in suburban areas; and that it is the combination of the two that will ultimately address the overall need.

HOU2 Affordable Housing

8.2 We note that no percentage has been provided in this policy to clarify the level of affordable provision to be provided on qualifying sites. We look forward to seeing and being able to comment upon the final requirement at Reg 19. In addition, we note that policy HOU28 also looks to see the affordable units well-integrated and designed to the same high quality to create tenure-neutral and socially inclusive homes and spaces; and that the affordable housing should be apportioned individually or in small clusters and where this is not proposed it should be robustly justified. Whilst we appreciate and support the need to ensure integration and to create more balanced communities, that has to be weighed against the management objectives of the affordable provider, who often find small clusters to be inefficient, such that this requirement needs to provide for those instances where the affordable provider feels a different approach is justified in that particular instance.

HOU8 Access Standards

8.3 We note that policy HOU8 requires all new homes to be NDSS, and that as has already been established in the adopted development plan, there is a requirement for all new dwellings in the district to be M4(2) compliant, and 5% of affordable dwellings to meet M4(3)(2)(b) standards where a need exists. In addition, however, policy HOU8 includes a requirement for 5% of new market housing to meet the “wheelchair adaptable dwellings” standard in Part M4(3)(2)(a). Whilst para 8.71 of the plan suggests that these policy expectations are justified by the district’s ageing population and levels of disability, and the need for homes to appropriately meet the demands of occupiers throughout their lifetimes, this is not in our opinion clear and convincing evidence to justify this requirement and as such we would submit that this part of policy HOU8 should be deleted.

HOU9 – Specialist Housing for the Elderly

8.4 We note that policy HOU9 requires all developments of 100 (+) dwellings to set aside at least 10% of the total number of dwellings as specialist housing for older people. It is not clear whether this is in addition to, or as part of, the requirement also being set out in policy HOU8, or whether this could just be bungalows, or buildings that have to have communal areas. As drafted the policy is unclear and thus ineffective. In addition, subject to clarity it could be overly onerous when coupled with other requirements and thus likely to affect a sites viability.

HOU12 Self-Build and Custom Housebuilding

8.5 We note that policy HOU12 requires 5% Self/ Custom-Build Housing on all sites of 20 dwellings (+). Whilst the councils Self-build and Custom Housebuilding (SCHB) Headline Data Report 2023¹⁹ indicates that as of 30.10.23 there were 197 individuals and 3 associations on the self-build and custom housebuilding register, it is not clear from the evidence base how many plots would be required if the existing commitments were taking into consideration. This needs to be established to ensure the proposed policy is justified and will be effective in meeting the outstanding demand.

8.6 In the context of the above, whilst noting the scale of the demand, we understand that before seeking to require the proposed developments to provide a proportion of the homes delivered as self-build plots the Council will need to examine other opportunities for meeting the needs of those who want to self-build. Under the Self Build & Custom Housebuilding Act 2015 and para 63 of the NPPF (2023), it is the Councils responsibility to ensure that sufficient permissions are given to meet demand. Further detail is provided in paragraph 57-014 of PPG with regard to the Council’s duties and whilst this recognises that it should take account of self-build registers when preparing planning policies, it also outlines that consideration needs to be given by Councils to the disposal of their own assets in order to meet the need for self-build plots or whether self-build could support the regeneration of brownfield sites. A need for self-build plots should not automatically lead to a policy requiring their provision on sites of 20 (+) dwellings. PPG also notes at paragraph 57-025 that local authorities should be encouraging developers and landowners to consider providing plots for self-build and custom house building but makes no reference to requiring their provision. The Government clearly sees the role of the local authority as working to identify opportunities with developers rather than placing responsibility on to the development industry.

¹⁹ <https://rdcpublish.blob.core.windows.net/website-uploads/2024/02/SBHC-Headline-Data-Report-2023-with-cover.pdf>

8.7 The Council will also need to consider whether it is feasible that all sites of 20 (+) dwellings can deliver self-build plots. Often, especially on the larger sites, there are multiple contractors and large machinery operating on-site, and the development of single plots by individuals operating alongside this construction activity raises both practical and health & safety concerns. Any differential between the lead-in times / build out rates of self & custom build plots and the wider site may lead to construction work outside of specified working hours, building materials stored outside of designated compound areas and unfinished plots next to completed and occupied dwellings, resulting in consumer dissatisfaction. Whilst some sites may be able to locate self-build plots in a manner that reduces these potential risks, on others this will be impossible with developers unable to co-ordinate the provision of self & custom build plots with the development of the wider site. Such concerns must be given full consideration by the Council when preparing any policies on self-build to be included in the Local Plan.

8.8 Having regard to the above we would submit that the requirement to deliver 5% Self/ Custom-Build Housing on all sites of 20 (+) dwellings is likely to deliver very little in the way of tangible benefits, whilst creating significant difficulties for the builders involved. It would be a lot more effective for the Council to identify self-build sites or allocate certain sites to deliver a higher proportion of Self/ Custom-Build Housing.

8.9 Given the above we would suggest that the council review their requirements and are more explicit as to what they want, where and why, as at present policy HOU12 does not look to be properly justified or effective.

9 Green to the Core

GTC1: Net Zero Development Standards

9.1 We note that policy GTC1 requires all residential development to achieve: 'a) *LETI Total Energy Use Intensity (TEUI) Target for Operational Energy of 35 kWh/m²/year (GIA).*
b) *For new buildings, a 4-star Home Quality Mark (HQM) score; or for conversions to residential development, a Building Research Establishment Environmental Assessment Method (BREEAM) 'Excellent' standard as minimum.*
c) *A maximum space heating demand for new buildings (small scale housing) of 15 kWh/m² per year.*
d) *If LETI, Home Quality Mark or BREEAM is updated or replaced during the plan period the equivalent replacement requirements will be applied.*

9.2 It goes on to advise that 'to demonstrate compliance, a Building Research Establishment (BRE) Home Quality Mark post-construction assessment or similar must be undertaken at practical completion.'

9.3 And that in terms of embodied carbon: 'All new development proposals must demonstrate, through an energy statement, how the following embodied carbon standards will be met:
(i) *All residential development must achieve a LETI C rating for embodied carbon emissions, equating to 600 kgCO₂/m² upfront embodied carbon and 970 kgCO₂/m² total embodied carbon. From 1 January 2030, a LETI A rating must be achieved, equating to 300 kgCO₂/m² upfront embodied carbon and 450 kgCO₂/m² total embodied carbon.'*

9.4 Whilst Persimmon Homes support the Government's approach set out in the Future Homes Standard, we note that the Government have set out a clear roadmap as to how low carbon homes will, alongside the decarbonisation of the national grid, ensure that the Government can meet its commitments to net zero by 2050; and that the way forward being taken by the Government

recognises that the improvements in energy efficiency of new homes should be a transition which ensures that new homes continue to come forward to meet housing needs whilst still being sufficiently challenging to significantly reduce the carbon emissions of new homes from 2025. This is set out explicitly in the Written Ministerial Statement of the Minister of State for Housing on the 13th December 2023, when he indicated that:

*'The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, **the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations.** The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*

That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).'²⁰

9.5 As the council will be aware, the challenge to the WMS have been dismissed. Given the above, whilst the aspirations in Policy GTC1 are worthy and Persimmon Homes are committed to the delivery of Zero Carbon Homes/ Carbon Neutrality on all their sites, wherever it is practical and viable to do so, there is in our opinion no need for additional standards to be placed on developments through additional Local Plan policies that vary from that required in national government guidance. The plan has to acknowledge the implications of the transitional period and the need for flexibility during this period, in accordance with the aims and objectives of national policy. As such, not only is policy GTC1 overly complex and likely to impact on delivery/ viability, it is also clearly inconsistent with the approach advocated in the WMS. As a result, and having regard to our comments below on the lack of any Viability Assessment to support the reg 18 plan and the associated assessment of the implications of the emerging local plan policy on Net Zero Carbon, we would suggest that Policy GTC1 revert to the requirements set out in Building Regs.

GTC7: Local Nature Recovery Areas

9.6 We note this policy requires all new development to meet the objectives of the East Sussex (including Brighton and Hove) Local Nature Recovery Strategy (LNRS). We do not believe it is inappropriate to require all new development to meet the objectives set out in a document that is not a development plan document. Whilst the council can suggest that development has regard to the LNRS it is not consistent with national policy to require them to meet these objectives. It would also be perverse to require all new developments to adhere to a set of objectives that the council itself only has a duty to have regard to in its decision-making processes. We would therefore recommend that this policy is amended to advise that all new development has regard to the objectives set out in the LNRS

GTC8: Biodiversity Net Gain

9.7 We note that policy GTC8 requires all qualifying development proposals to deliver at least a 20% measurable biodiversity net gain attributable to the development. Whilst there does not appear to be any justification as to why a 20% BNG requirement is needed, such that we would submit the

²⁰ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/HCWS123>

policy is unsound; Persimmon Homes are committed to doing as much as possible to meet the councils' aspirations and as such would suggest that rather than require development to deliver at least 20% BNG, the Council recognises in policy that the 10% mandatory requirement is a minimum and that they will look favourably on development that seeks to go beyond this figure. If, however, the 20% BNG requirement is retained the council need to set out that where 20% is not deliverable it will seek to negotiate the viable level that can be provided over the 10% minimum required by the Environment Act 2021.

9.8 Such an approach would facilitate an element of flexibility that would take account of the potential implications delivering 20% BNG may have on viability/ overall dwelling numbers and would thus ensure a more effective policy approach, that is consistent with the aims and objectives of national policy as set out in the biodiversity net gain planning practice guidance of 14 February 2024 which at 006 Reference ID: 74-006-2024 states:

'Plan-makers may seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development. However, such policies will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.' My emphasis.

9.9 In the context of the above the council need to have regard to the ecological baseline and the difficulties delivering 10% BNG, let alone 20% can have where the baseline is already high, such that offsite credits will be required, the level of which for smaller sites would be financially prohibitive such that the actual capacity of said sites may need to be revisited. To this end we are aware of anecdotal evidence that suggests that to deliver 20% BNG a sites net to gross will fall from circa 75 to circa 65%, which can as a result impact on its overall development capacity and the councils associated housing land supply.

9.10 Notwithstanding our thoughts on the justification behind the 20% BNG requirements and its associated implications on a site's development capacity, as well as its viability, there needs to be more in the plan to ensure the provision of a strategic network of sites that can deliver BNG offsite in Rother or within the same national character area (NCA); as whilst important in delivering 10% this is even more important if the Council introduces 20% BNG. At present there is little evidence that there will be sufficient local offsite credits in the short and medium term to support schemes that cannot deliver a 10/ 20% BNG on site. Nor is there any recognition of the fact that by requiring a 20% net gain the council are effectively adding to the pressure on the market for credits as more sites will be required to purchase offsite credits to meet this higher level of BNG. This increases costs and will more than likely delay sites that cannot secure these. Whilst we recognise the fact that there is the option of buying national credits, the cost of these is set well above the market to promote local solutions and will impact significantly on the viability of development meaning many developers will have to wait until local credits are available, which will prejudice the councils rolling 5 year housing land supply position.

10 Landscape Character

10.1 We note that policy LAN2 requires a CAVAT assessment to be submitted with all applications impacting on an individual or groups of trees in order to quantify their public amenity value. This is in our opinion totally unjustified and would question why a standard tree surveys would not suffice in the first instance, with a CAVAT assessment only being required where a tree of particular individual or group value is to be lost.

11 The SA of the Development Strategy

11.1 As set out above we note that the SA in scoring the Development Strategy, at Figures 11 and 12 does not actually comment upon the quantum of development the different options would deliver and how this would relate to the LHN, or indeed address the issue of the unmet needs of neighbours. Given SA objective 8 on housing this is somewhat surprising, as is the fact that no one option appears to have been chosen as the preferred option; albeit SDO3B (Bexhill Greenfield Growth Option 2: with New Multi-modal Transport Corridor) appears to score most favourable, followed by SDO6 (Brownfield Intensification and Redevelopment), which as it would totally fail to meet the LHN seems somewhat perverse, especially when figure 11 scores it as '*Option supports the objective, or elements of the objective on balance, although effects may be minor*'. Surely it would be '*Option appears to conflict with the objective on balance and may result in minor adverse effects*' or indeed even '*Potentially significant adverse effects*'. Similarly, the scoring of SDO11 (Growth in settlements with train stations or sustainable transport alternatives) in figure 12 seems somewhat odd²¹ given its based on sustainable transport. To this end we also note that in a number of occasions, SOD4 and SOD5 for instance, growth is said to be resisted by virtue of land availability based on environmental and topographical constraints. Given the scale of unmet need currently proposed we would respectively suggest the council need to do more to establish whether additional land in these areas is available/ could be developed as no stone should be left unturned in trying to meet the LHN. As it stands, the SA lacks the necessary robustness required as it is impossible to assess the impact and weigh benefits and harm of each development strategy without know scale of delivery associated with each option.

11.2 Having regard to the above we feel it's imperative that if the SA is to be effective the next iteration needs to assess the Development Strategy in the context of the LHN and how the council are to accommodate this/ the implications of not accommodating it/ over delivering to address adjacent authorities' unmet needs.

12 The Infrastructure Delivery Plan Viability Assessment

12.1 We are surprised to note that whilst an Infrastructure Delivery Plan (IDP) has been produced to support the Reg 18 Plan, as well as an Infrastructure Background Paper, there is no Viability Appraisal (VA) of the plan. Not only does the lack of a VA makes it difficult to comment on the proposed policies, but it also raises questions about the aspirations of the IDP i.e. how these have been tested, and whether they are realistic and deliverable. If the plan is predicated on the aspirations of the IDP then the whole plans approach is also open to debate as how can it be said to be justified and effective if it has not been subject to a robust VA.

13 Conclusions on Reg 18 Plan

13.1 We are concerned that the scale of growth proposed in the overall spatial development strategy as set out on p112 of the Reg 18 Draft Plan is to deliver a minimum of 5,158 to 7,286 dwellings over the plan period (2020 - 2040) i.e. 258-364 dpa, which is significantly less than the capped LHN of 733dpa/ the uncapped LHN of 850 dpa. In our opinion there is no justification for promoting a lower housing target than the capped LHN given the aims and objectives of national government guidance and the affordability issues that exist within the district, that the plan says it

²¹ 'Sustainable option, with direct benefits on sustainable transport and moving away from car use. Shorter term carbon emissions impact if road vehicles are to become electric vehicles, but still negative impacts in relation to traffic congestion, equality, and road safety.'

wants to address. The scale of the potential shortfall (between 7,286 and 9,502 dwellings over the plan period²²) is significant, and will we fear be exacerbated if the predicted supply does not deliver as forecast. Nowhere does the plan, or the evidence base demonstrate how this will be addressed. In addition, it does not appear to have been raised with adjacent authorities through discussions on the DtC. Nor does the plan/ its evidence base demonstrate how the acute levels of unmet housing need that exist within the area are to be addressed through constructive and active engagement so as to meet legal duties imposed by the DtC.

13.2 Similarly we are concerned that no evidence has been provided to demonstrate how the housing requirement will be met or how a rolling five year housing land supply will be achieved. The deliverability of the existing commitments needs to be demonstrated more evidentially than it has to date. Likewise, the evidence needs to be provided to demonstrate that the proposed allocations will deliver the quantum of development suggested when expected; and the plan needs to encompass compelling evidence to support the windfall rates expected rather than rely on historic trends.

13.3 We would also suggest that the plan period needs to be reviewed so that it provides for 15 years from adoption (i.e. till 31st March 2042).

13.4 Turning to the Development Strategy, the justification behind the Development Strategy and the clear preference for concentrating growth in and around Bexhill is not clear, the SA being silent on the quantum of development each Development Strategy could deliver and how the overall strategy related to the LHN.

13.5 In addition to the above we also have specific concerns about policies DEV2 (Comprehensive Development and Masterplanning), DEV3 (Development Boundaries), DEV5 (Development on Small Sites and Windfall), DEV6 (Strategic Green Gaps), HWB 2 (Health Impact Assessments), INF1 (Strategic Infrastructure Requirements), HOU1 (Mixed and Balanced Communities), HOU2 (Affordable Housing), HOU12 (Self-Build and Custom Housebuilding) , GTC1 (Net Zero Building Standards) and GTC8 (Biodiversity Net Gain), all of which we do not believe to be properly justified or consistent with national planning policy guidance as drafted.

In the context of the above we would like to highlight Persimmon Homes desire to work with Rother District Council on progressing a sound plan and that to this end we are happy to meet with officers to discuss our reps on the housing requirement, supply and trajectory and the other policies contained in the Reg 18 Plan/ its supporting evidence base.

Yours sincerely



JUDITH ASHTON
Judith Ashton Associates

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	Annual housing figure	20 year plan period (1 st April 2020 –31 st March 2040)	22 year plan period (1 st April 2020 – 31 st March 2042)
a	733	14,660	16,126
b	257.9	5,158	5,674
c	364.3	7,286	8,015
	Shortfall b to a	9,502	10,452
	Shortfall c to a	7,374	8,111

C.c. Kerri Ann Bland Planning Director Persimmon Homes