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Our Ref: PL010-642

Planning Policy Team
Rother District Council

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Tunbridge Wells
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By email only:
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Dear Sir/Madam

ROTHER DISTRICT COUNCIL – LOCAL PLAN REGULATION 18 CONSULTATION 2024

REPRESENTATIONS ON BEHALF OF MR & MRS HEDGES LAND EAST OF HOP GARDENS, NORTHIAM ROAD, STAPLECROSS AND LAND SOUTH OF WATTS WOOD, STAPLECROSS

On behalf of my client, Mr & Mrs Hedges, I write to make submissions to the Rother District Regulation 18 Local Plan consultation. My client has control over land east of Hop Gardens, Northiam Road, Staplecross and Land South of Watts Wood, Staplecross both which have been assessed under the Council's Housing and Economic Land Availability Assessment (HELAA) under references EWH0009 and EWH0018. The remainder of this letter will consider these two sites as a single entity.

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

- Housing Need
- Preferred Spatial Development Options
- Relevant Draft Local Policies

A site plan outlining the land promoted for development is included at **Appendix 1**. The land put forward for consideration is edged in red with other land in our client's ownership edged in blue.

Housing Need

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

In addition, paragraph 11b of the NPPF states:

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;*

or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

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

In any event, the Council have confirmed they do not in fact intend to meet their full housing need (as calculated by the standard method) for a number of reasons most notably the significant landscape and flooding constraints which exist across the district. We accept that footnote 7 of paragraph 11 of the 2023 NPPF allows for a reduction in housing delivery in areas restricted by certain designations, including National Landscape, of which a significant part of the Rother District falls within. However, we do not consider the lower housing figures offered in the Regulation 18 Consultation have been justified or that sufficient reason has been given for not meeting the higher housing need figure identified within the 'range' put forward by the LPA, as discussed below. It is acknowledged that the Council have stated that the final figures to be put forward for adoption will be 'minimum' figures. However, the history of under delivery of housing since the adoption of the Core Strategy is well documented (as set out paragraph 5.3 of the Regulation 18 Plan) which makes all the more pressing case for the Council to be taking a more radical approach to positively plan for a higher level of housing.

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

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

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

Our clients land at Staplecross would not be constrained by the flooding constraints cited by the Council as reason to not meet full identified housing need being entirely within flood zone 1.

Whilst the land it is located within in the High Weald National Landscape (formerly AONB) area it is considered capable of accommodating some development without adverse effect on the natural beauty of the High Weald which underpins the designation of this area.

As highlighted in the accompanying Landscape Statement prepared by ADAS Landscape found at **Appendix 2** the site bears a strong relationship to the existing residential development and the settlement of Staplecross and is strongly enclosed to the north by the Ancient Woodland of Watt's Wood and Bowling Alley Wood, which negate further wider impacts on the wider High Weald National Landscape. As highlighted in the proposed landscape strategy there is opportunity here to enhance and reinforced the boundary between the new settlement edge and the wider landscape to the north and east of the site, through the introduction of a strong vegetated boarder.

As highlighted in paragraph 4.1.4 of the Landscape Statement the HELAA noted *'the site forms and important gap in ribbon development along Northiam Road, contributing to the rural character of the village'* However at this point within the village semi-detached residential properties line the road frontage along the southern edge of Northiam road, providing the sense of continuous settlement. As such the existing settlement of Staplecross is not currently clearly defined on the northern or eastern edge and development of the site offers the opportunity to implement a robust landscape strategy that will create strong and clearly defined edges to the settlement that are recognisable on the ground, utilising the existing enclosure provided by Bowling Alley Wood and Watt's Wood, will extend and enhance the habitats and character of the AONB, in line with Policy EN1: Landscape Stewardship.

Footpaths within the vicinity of the land provide access to a range of facilities within Staplecross. Bus stops within walking distance of the site provide services to Hastings which has a full array of day-to-day services including a train station providing services to London amongst other locations. The proximity of the site to the Staplecross Recreation Ground provides additional opportunity for increasing access from the existing settlement of Staplecross to the wider countryside, by connecting the Recreation Ground, through the site, to PRoW EWH/24/.

Paragraph 70 of the NPPF recognises that small scale developments can deliver housing at a faster rate. The land is owned outright by Mr & Mrs Hedges and so there are no third party ownership issues which might prevent or delay development. It is anticipated that a small-scale development here could be delivered at a relatively quick rate.

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

of smaller sites to be delivered while the infrastructure is put in place to serve larger developments.

Proposed Strategy: Overall Spatial Development Strategy

The Regulation 18 draft local plan identifies a number of spatial strategies across the district to respond to different circumstances, including some additional development within Staplecross.

We support the principle of employing a number of spatial strategies to provide the flexibility to respond to differing circumstances and as a village with some services and connectivity to higher tier settlements Staplecross makes a logical focus for additional growth. This is particularly the case as Staplecross is the largest village in the parish of Ewhurst (as identified in paragraph 12.16 of the adopted Development and Site Allocations Plan).

Vision for Northern Rother

The vision for Northern Rother indicates that

'Northern Rother's rural settlements and communities will continue to thrive, through small-scale sensitive residential development and growth in villages to create sustainable forms of development and protect and enhance the landscape character and scenic beauty of the High Weald National Landscape. This will ensure that health and wellbeing and community cohesion is maintained and improved.'

Our client's land at Staplecross is located on the edge of one of the villages within Northern Rother so in principle is in line with this aspect of the proposed policy. The land has the potential to deliver small-scale development which is respectful of the character of the High Weald National Landscape it lies within.

As demonstrated in the landscape statement the existing settlement of Staplecross is not clearly defined on its northern or eastern edge. Development on the site will present the opportunity to create a strongly defined settlement edge. This is in line with the aspirations set out within the Landscape Management Guidelines for Rother Valley, which aims to **"establish defined development edges to villages with new tree planting"**. This could be achieved by bringing forward the site for small scale residential development. The site relates strongly to existing built form within the settlement, and residential development will enable the creation of strong and defined boundaries that are physical recognisable on the ground.

Figure 29 of the Regulation 18 plan sets out the potential housing growth for settlements in Northern Rother. In respect of Staplecross it is currently only identified for the growth of 16 additional houses. In light of our commentary earlier on in this letter about the need to plan for a higher level of housing growth it is considered that the capacity of Staplecross to accommodate a higher level of housing growth should be considered. If the Council do decide to increase the level of housing growth at Staplecross our client's land is considered to be appropriate for accommodating additional growth.

Proposed Policy DEV3: Development Boundaries

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

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

The development boundary of Staplecross is currently set out in the Development and Site Allocations Plan (DaSA), as included in **Appendix 3** and currently abuts our client's land to the west. It is considered that our client's land make a logical extension to the development boundary for Staplecross to allow for more housing growth.

Site Specific Considerations

The submitted land identified at Appendix 1, lies on the outskirts of Staplecross which has been identified as a settlement capable of accommodating additional housing growth.

Staplecross has been identified in the Regulation 18 Consultation as location for additional residential development under the preferred option which seeks to focus growth in a number of core areas. Subject to site specific considerations it is therefore in a location where the Council have shown support for further development in principle.

Our client has control over a large landholding at Staplecross as shown in the attached plan. As set out above they have previously submitted two parcels of land for consideration which immediately abut the development boundary of Staplecross and extend to some 2.76 hectares. It is currently accessed via field parcels to the east which are not being put forward for consideration as such a new access would be required. However our client's land immediately abuts the highway on Northiam Road and it is considered that a new access could be created that would meet the relevant standards in respect of width and visibility.

The land is currently vacant agricultural land which is not subject to any ecological designations. There are two parcels of ancient woodland to the north which any forthcoming scheme would maintain an appropriate buffer from.

The land does lie within the High Weald National Landscape but as referred to above site is highly contained within the wider landscape with the ancient woodland to the north providing a definitive boundary which would prevent further expansion to the north and screens the land from the wider High Weald National Landscape. By bringing forward development in this location the wider character of the area will not be negatively impacted, and the northern edge of the settlement could be more clearly defined on the ground. The site would provide accessibility to facilities and services within the village and would not result in scattered or ribbon development as the land lies within the existing developed envelope of the village. This is inline with Policy OSS2 of the DaSA.

On the basis of a capacity of 24-45 dph dwellings per hectare (in accordance with proposed policy LWL1) the site would be capable of accommodating up to 66 dwellings as a minimum. However, taking account of the plot sizes surrounding the site and the need to set aside areas for biodiversity net gain it is considered that a lower level of dwellings would be more appropriate likely to be in the region of 40 dwellings.

As referred to above there is a footpath directly adjacent to the southern boundary of our client's land which provides pedestrian access to the centre of Staplecross. Staplecross has a number of facilities which are within walking distance of the site including a church, recreation grounds, bowls club, village hall, public house, village shop & post office and a primary school.

The site lies in Flood Zone 1 so is not at significant risk of flooding. As referred to above the site borders two parcels of ancient woodland to the north which appropriate development free buffers would be maintained from in any forthcoming scheme. There is an existing public right of way which cross the north-eastern boundary of the site, consideration would be had on the impact of development on this in any forthcoming scheme but in principle it is considered that with an appropriate buffer the impact on this right of way could be minimised.

Staplecross as a settlement contains a number of listed buildings. However only one of these is considered to have a visual connection with our client's land this is Brayburn Farm which is a Grade II listed building to the east of the land put forward for consideration. Any forthcoming scheme would have consideration to the impact of development on their significance and setting. As a point of principle however it is so it is considered that a scheme could be developed that would be respectful of the significance and setting of Brayburn Farm. Pertinently it is noted that the relevant HELAA assessments did not raise concerns about impact on heritage assets.

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

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

Yours faithfully

A black rectangular box used to redact the signature of Christine Dadswell.

Christine Dadswell MRTPI