



**Representations to Rother  
Local Plan 2020 - 2040 Draft (Regulation 18)  
Version Consultation**

**Land East of Waites Lane, Fairlight Cove, Rother**

**On behalf of  
Welbeck Strategic Land III Limited**



**July 2024**



## Document Control Sheet

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# 1 Introduction

## 1.1 Representations

- 1.1.1 These representations are submitted by Stantec on behalf of Welbeck Strategic Land III Limited in response to the Regulation 18 Local Plan 2020 - 2040 Draft Version consultation in respect of Land East of Waites Lane, Fairlight Cove allocated within the adopted Local Plan (Policy FAC2) representing a sustainable development to support the growth and vitality of the village.
- 1.1.2 Welbeck Strategic Land III Limited are in the process of preparing a planning application in respect of Land East of Waites Lane, Fairlight Cove. Acknowledging that such an application will be determined in view of currently adopted Local Plan policy, these representations are made to assist the Council's considerations for Fairlight Cove and respond to questions raised within the consultation document.
- 1.1.3 We wish to reserve the right to comment on policy wording or where it relates to the soundness of development management policies.
- 1.1.4 The remainder of this report is structured as follows:
- Section 2: National Planning Policy
  - Section 3: Response to the Local Plan Draft Version
  - Section 4: Fairlight Cove
  - Section 5: Summary

## 1.2 Land East of Waites Lane, Fairlight Cove

- 1.2.1 Land East of Waites Lanes represents a sustainable development location, identified through and allocated via Policy FAC2 within the adopted Development and Site Allocations Local Plan (DaSA, Dec 2019).
- 1.2.2 Adopted Policy FAC2 allocates the site for a comprehensive scheme comprising residential development, doctor's surgery and amenity open space. The Allocation Policy accounts for approximately 30 dwellings. The most recent planning decision in respect of Land East of Waites Lane (Application: RR/2020/151/P for 43 homes) confirmed that the NHS did not need a new doctor's surgery in this location and found that a reasonable interpretation of the FAC2 allocation policy for 'approximately 30 dwellings' meant up to 35 homes. The prior application therefore was deemed to conflict with the spatial strategy on the basis of the housing numbers proposed only, and subsequently impact the High Weald National Landscape resulting from a denser scheme, and also due to the need for a sequential test to have accompanied the application.
- 1.2.3 Whilst it is required to undertake a Sequential Test assessment it is also just as important to ensure a development will be made safe, taking account of the vulnerability of its users, without increasing flood risk elsewhere.
- 1.2.4 A suitably robust Flood Risk Assessment that considers all sources of flooding has been undertaken in accordance with the requirements of the NPPF and we provide a brief summary, as follows. The site is located within Flood Zone 1 'Low Probability' of Flooding, defined as less than a 0.1% annual probability of flooding from rivers or sea. Surface water from the development will be proposed to mimic the existing drainage regime and discharge to the Ordinary Watercourse located along the southern boundary of the site. Discharge rates will be restricted to greenfield runoff rates, therefore retaining status quo. The surface water

management strategy will incorporate Suds measures. In terms of foul drainage, the site lies within the catchment of the Fairlight Wastewater Treatment Works (WTW), which has spare capacity to accept additional flows subject to the upgrading of the local Foul Water sewer, which as confirmed by the prior planning determination (RR/2020/151/P) can be dealt with via appropriate conditions.

- 1.2.5 Therefore, we confirm that Land East of Waites Lane will be subject to a forthcoming planning application that addresses the remaining matters identified by prior planning determinations and that the Site remains 'suitable', 'available', and 'achievable'. Land East of Waites Lane will deliver much needed housing for Fairlight Cove, in general accordance with current local plan policy and appropriate consideration of the previous planning application, early within the emerging Local Plan period 2020-2040 and therefore constitutes a 'developable' and 'deliverable' Site as defined within the NPPF Glossary.

## 2 National Planning Policy

### 2.1 National Planning Policy Framework

2.1.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The NPPF has been subject to consultation and the December 2023 version replaces the previous September 2023 version. The implementation and applicable national planning policy context for Local Authorities in the process of preparing is clarified within Annex 1 of the NPPF (December 2023).

2.1.2 Paragraph 230 of the NPPF (December 2023) states that:

**The policies in this Framework (published on 19 December 2023) will apply for the purpose of examining plans, where those plans reach regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre submission) stage after 19 March 2024.**

2.1.3 The current consultation in respect to the Rother Local Plan 2020 - 2040 Draft (Regulation 18) Version April 2024) is held from 30<sup>th</sup> April 2024 to 23<sup>rd</sup> July 2024. In accordance with Annex 1 of the NPPF (December 2023), the relevant national planning framework for the emerging Rother Local Plan is at present identified as the December 2023 version.

2.1.4 The NPPF (December 2023) states that when it comes to rural areas 'planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.'

2.1.5 Moreover, NPPF Paragraph 83 is explicit in stating that:

**To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.**

2.1.6 Paragraph 83 has not substantially changed since the first publication of the NPPF in 2012 (then Paragraph 55). The first limb of NPPF Paragraph 83 has been extensively examined. most notably in the Court of Appeals Decision in *Braintree DC v SSCLG* [2018] EWCA Civ. 610 at paragraph 29 of the judgement. It is accepted in relevant case law that (*Braintree DC v SSCLG* [2018] EWCA Civ. 610) the concept of "vitality" is wide and undefined and that 'the policy sees a possible benefit of developing housing in a rural settlement with no, or relatively few, services of its own'.

2.1.7 The second limb was inserted by the July 2018 version, constituting an additional clarification that 'Planning Policies should identify opportunities for villages to grow and thrive'. Therefore, national policy makes clear that, as a baseline, there is an expectation for planning policies to explore opportunities for the growth of villages in a broad view and that special attention may be given to where this would also support local services.

2.1.8 The last limb returns to emphasise the local circumstances held between smaller settlements that are located nearby each other and that development may support services where there exists a clear spatial relationship between villages.



## **2.2 Governmental Change**

2.2.1 Following the Parliamentary elections on the 4<sup>th</sup> of July a new Labour Government has been elected with a manifesto in part focused on national planning policy reform. The Labour Manifesto (June 2024) includes the intentions to:

- immediately update the National Policy Planning Framework; and
- ensure that planning authorities have up-to-date Local Plans and reform and strengthen the presumption in favour of sustainable development.

2.2.2 Recent Announcements made by Rachel Reeves, Chancellor of the Exchequer, indicate an impending consultation on a new 'growth-focussed approach to the planning system' with revisions to the NPPF to be made.

2.2.3 Therefore, it is expected that a revised NPPF following the outcomes of a future consultation will create a stronger emphasis on the need to deliver homes where these represent sustainable development, such as Land at Waites Lane, Fairlight Cove.

## 3 Response to the Local Plan Draft Version

### 3.1 Plan Period

- 3.1.1 Paragraph 5.4 within the Local Plan Draft Version consultation confirms that the emerging Local Plan period is set from 2020 to 2040 covering a 20-year timespan and acknowledges the need to have the plan look forward for the next 15 years from when it is adopted. Consequently, the Local Plan period overlaps with that of the currently adopted Local Plan (2011-2028). The emerging Draft Plan is correct to identify and include allocations within the adopted Local Plan that have been tested and found sound following the Examination of the Development and Site Allocations Local Plan (Dec 2019).
- 3.1.2 As set out within this report, an application will be expected to be submitted ahead of timescales set for the emerging Local Plan to be adopted and therefore to be determined in accordance with the current adopted Local Plan. However, it is right for the Council to continue to include and allocate the site given the Local Plan period and the site will be able to deliver much needed homes early within the emerging Local Plan Period.

### 3.2 Development Strategy and Principles

- 3.2.1 Section 5 'Development Strategy and Principles' within the consultation document states at Paragraph 5.1 that:

The NPPF requires all local plans to promote a sustainable pattern of development that seeks to:

- meet the development needs of their area;
- align growth and infrastructure;
- improve the environment;
- reduce the overall need to travel and maximise opportunities for sustainable travel;
- mitigate climate change (including by making effective use of land in urban areas); and
- adapt to its effects.

- 3.2.2 Section 5 continues on to confirm that the Council is committed to supporting the growth of rural communities in a way that promotes improvements to sustainable transport options whilst acknowledging the difficulty for rural settlements to function as highly sustainable. As confirmed in the HEDNA (April 2024) Rother is classified as 'Largely Rural' with around 50% of the population resident in the rural area or rural settlements, and smaller hub towns up to 30,000 persons.

- 3.2.3 Due to the strong rural setting of many areas in Rother it is critical to emphasise the Council's commitment to supporting potentially sustainable rural settlements, such as Fairlight Cove, and village clusters. It is right to give special consideration to villages where development can support local services, however, there is a risk that by focusing on the transport connectivity in a rural context that the ability of development to contribute towards social sustainability may be neglected. Therefore, the Spatial Strategy risks potentially falling short of requirements set within NPPF Paragraph 83.

- 3.2.4 We, in principle, support the underlying intentions and principles for the overall development strategy, however, propose that a stronger recognition of NPPF Paragraph 83 is made by including '*identify opportunities for villages to grow and thrive, especially where this will support local services*' within the list of NPPF requirements set out at Paragraph 5.1.

### 3.3 Spatial Development Strategy

- 3.3.1 In principle we support an overall Spatial Development Strategy that considers all reasonable alternatives and seeks to deliver a balanced strategy to enable residents of Rother to live well locally. Therefore, we support the identification of spatial sub-areas and the associated sustainable housing growth within those, such as at Fairlight Cove and provide commentary on Figures and relevant matters at 3.4 below. Furthermore, we support an evidence-based approach where emerging planning policy recognises that there is a need to sustainably plan for all areas within Rother whilst recognising that there exist spatial differences that result in stronger local-level connections of settlements that are located closer to each other or serve a similar function.
- 3.3.2 Whilst we support the approach to identify and tailor the development strategy to focus appropriate growth to the distinct local circumstances of the five spatial sub-areas, there exists no clear strategic policy that sets out the overall spatial strategy, such as adopted Policy OSS1 within the Adopted Core Strategy. In accordance with NPPF Paragraph 20 and 21, Local Plans are required to have strategic policies which set out the overall strategy for the pattern, scale and design quality of spaces and for these to be explicitly recognisable as strategic policies.
- 3.3.3 Moreover, whilst the 'Visions' for each sub-area based on the evidence findings are expressed within the Draft Version plan, these do not constitute strategic policies. The emerging Draft Plan requires a clear strategic policy for each sub-area to deliver the vision and intended policy approach to each of the spatial sub-areas that exist. Such strategic policies should be clear and identify the settlements and their role within the sub-area, and identify the amount of allocated growth and any recognition for how these are intended to grow and thrive over the plan-period.

### 3.4 Vision for Hastings Fringes and Radial Settlements

- 3.4.1 In accordance with Section 18 of Town and Country Planning (Local Planning) (England) Regulations 2012, consultations are held to invite representations to the local planning authority about what a local plan with that subject ought to contain. Whilst views can be expressed overall on matters that ought to be contained in the Local Plan, the Rother District Local Plan 2020 - 2040 Draft Version invites specific comments based on questions provided. We provide further specific response to questions raised within the Local Plan Draft Version below.

Q.59 What are your views on the vision for Hastings Fringes and surrounding settlements?

- 3.4.2 We support an approach that results in the identification of sub-areas based on robust analysis of settlements, their functions, physical constraints and a vision that promotes sustainable growth and development to meet the needs of Rother and the local communities within the district.
- 3.4.3 The vision for Hastings Fringes and surrounding settlements describes a spatial and functional connection between the seaside town of Hastings and close-by smaller settlements. We understand that this existing relationship is made apparent and supported by findings within section 2 of the HEDNA (February 2024). However, the emerging Draft Version fails to clearly identify the interrelationship of smaller settlements and village clusters. Therefore, where no growth is proposed, the emerging Local Plan could fail to account for settlement clusters that rely on each other to **maintain existing local services** and risks stagnation or even decline of select rural settlements in Rother.
- 3.4.4 By way of example, it is not made clear by the Vision for Hastings Fringes and Radial Settlements what spatial or functional relationship is shared between either Friar's Hill, Pett,

Pett Level, Fairlight Cove, and Fairlight or additionally whether these share any local relationship at all with the more distant settlements of Crowhurst or Westfield other than being well-connected to Hastings. We are aware that the Rural Settlements Study (November, 2008) underpinning the adopted Core Strategy identified the clear existing relationships between rural settlements. The Rural Settlement Study (November, 2008) included analysis outcomes at appendices two to seven that show a clearer picture of the rural settlements of Rother. We acknowledge that an updated analysis may exist within 'Part 3 Settlement Study Appendices', however, this was not publicly accessible at the time of writing. Notwithstanding this, and even in the event that the emerging Local Plan has been prepared in light of an updated Settlement Study that accounts for the local relationships between rural villages, this is not made apparent within the Draft Version for consultation. In comparison to the adopted Local Plan no rural settlement hierarchy is proposed based on evidence findings and consequently no clear settlement hierarchy is provided that would allow the identification of any service villages or larger villages that have potential to sustainably support surrounding rural areas, such as Fairlight Cove.

Q60. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 17, 18 & 19?

- 3.4.5 We support the distribution and recognition of opportunities for growth at Fairlight Cove within the Hastings and Radial settlements spatial sub-area. We provide further comment as Paragraph 5.32 states that:

**The figures are divided into 'identified' growth and 'potential additional' growth. Identified growth includes those sites which are allocated for development, or which have an extant planning permission or a current planning application which has a resolution to grant, subject to a legal agreement. Potential additional growth includes those sites which may be suitable, available and achievable for development over the plan period (as listed in the draft HELAA), subject to further assessment work and the result of the Regulation 18 consultation.**

- 3.4.6 This categorisation is shown to originate from and be consistent with the approach set out in Section 7 of the HELAA (April 2024). Therefore, sites that have been allocated within the adopted Local Plan, such as Land East of Waites Lane, Fairlight Cove (DaSA Policy FAC2) are to be appropriately identified within Figures and tables.
- 3.4.7 In this respect '*Figure 17: Hastings Fringes and Radial Settlements Development Strategy: Housing: Summary*' requires amending by moving the 35 homes to the column titled '*Identified Level of Housing Growth*' to ensure a consistently sound approach is pursued by the emerging Local Plan and in light of these representations made confirming the Site is 'suitable', 'available', 'achievable', 'developable' and 'deliverable'.
- 3.4.8 The corresponding '*Figure 20: Hastings Fringes and Radial Settlements: Development Sites - Identified*' therefore also requires amending. The purpose of Figure 20 is to present 'Identified' sites and their current capacity allocated within the adopted Local Plan. Consequently, Figure 20 should be updated to account for Land East of Waites Lane, to be highlighted in orange, and include the already accepted capacity for the Site.
- 3.4.9 The HELAA (April 2024) identifies the circumstances of the Site as an allocated site, determining a potential of 35 homes to be delivered on-site. Therefore, '*Figure 36: Proposed growth in each parish*' should also be corrected on that basis to show a baseline of 35 homes to be delivered at Fairlight Cove. Furthermore, in light of matters raised within Section 4 of these representations Rother District Council should consider whether it is more appropriate to increase the expected housing delivery at Land East of Waites Lane, Fairlight Cove.

Q61. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Hastings Fringes and surrounding settlements?

- 3.4.10 We support, in principle, the identification of Land East of Waites Lanes (Site ID: FAI0001; Adopted Local Plan Ref: FAC2) within the draft HELAA and its potential to deliver 35 much needed homes for the local area. However, as set out above, and in accordance with the methodology set out at Paragraph 7.1 and 7.2 of the HELAA (April 2024) the site should be considered an 'identified site' that will deliver within the early part, the first five years, of the plan-period.

### **3.5 Development Potential and Targets**

Q76. What are your views on the district-wide development potential for the Local Plan up to 2040 which is presented in 4, 35 and 36?

- 3.5.1 Our comments on the district-wide development potential are limited to Figures 35 and 36 and we do not wish to comment in detail on the overall housing supply or requirement at this stage but may do so at a later stage of the plan-making process.
- 3.5.2 We support, in principle, Figure 35 and the identification of growth opportunities within Fairlight Parish, however, suggest that Fairlight could be reconsidered to be included within Parish areas for 'Medium growth' in light of the potential risk of proposed emerging Local Plan Draft Version policy significantly displacing residents and the ability to deliver the proposed Live Well Locally Policy LWL1: Compact Development.
- 3.5.3 To ensure consistency within the Council's approach for identifying sites and in light of an impending planning application to be determined with the adopted Local Plan, '*Figure 36: proposed growth in each parish*' should be updated to form a baseline of 35 homes to be accommodated in the 'Level of Housing' column for Fairlight Cove and a range also applied upwards of the baseline 35 homes to be delivered at Land East of Waites Lane should this be required to further support the vitality and growth of villages in the Fairlight Parish area.

## 4 Fairlight Cove

### 4.1 Restricted Boundaries

- 4.1.1 Identifying the issues for rural villages, the adopted Local Plan Core Strategy (September 2014) acknowledges at Paragraph 12.2 that:

**despite their often picturesque nature, the vitality of villages has tended to be undermined over time by a shortage of affordable housing, high levels of out-commuting, limited access to jobs and services, a decline in community services (particularly local shops) and limited public transport.**

- 4.1.2 A key driver in improving the vitality of villages and measure to prevent social stagnation and the decline of services is to enable the delivery of sustainable local housing growth to support rural communities, such as at allocated Land at Waites Lane (FAC2) within the adopted Local Plan.
- 4.1.3 Currently adopted Local Plan policies notably restrict the settlement boundary of Fairlight Cove, and this approach is carried forward within the emerging Local Plan Draft Version. Proposed Policy DEV6 carries forward the designation of the Fairlight and Hasting Strategic Green Gap to prevent the expansion of the settlement west of Fairlight Cove. The coastline represents an evident further physical constraint restricting any development south of Fairlight Cove. The northern and eastern boundary is adjoined by the High Weald National Landscape (NL), previously known as a designated Area of Outstanding Natural Beauty. Therefore, in accordance with the Draft Version's Proposed Policies '*GTC9: High Weald National Landscape (AONB)*', '*DEV3: Development Boundaries*', and '*HOU13: New Dwellings in the Countryside*' significantly restrict Fairlight Cove's opportunity to grow to the north and east of Fairlight Cove by limiting development beyond the development boundary to such that can be small-scale sensitive or a 'rural exception site'. Consequently, Fairlight Cove is clearly one of the settlements at risk of having its vitality undermined by way of physical and policy constraints and is dependent on making effective use of suitable land within the development boundary such as at Land at Waites Lane.
- 4.1.4 Fairlight Cove is not alone in the restrictive approach to growth as the Local Plan Draft Version identifies that 83% of Rother District falls within the High Weald National Landscape. However, the additional constraints represented by the coastline and carried forward Fairlight and Hasting Strategic Green Gap should encourage the Council to seek to maximise growth opportunities within the Development Boundary at Land East of Waites Lane, particularly in light of emerging evidence and Proposed Policies ENV4 and LWL1.

### 4.2 Emerging Policy and Local Plan Evidence

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

- 4.2.1 Proposed Policy LWL1: Compact Development states that:

**Proposals for new residential development must contribute to achieving well-designed, attractive, and healthy places that make efficient use of land and deliver appropriate densities. The following density ranges, expressed as dwellings per hectare (dip), will apply to different area types, as defined by Rother's Density Study:**

a. Urban areas in Bexhill, Battle and Rye: 60-90+ depth, with higher densities around transport hubs and town and district centres.

b. Suburban areas in Bexhill, Battle, Hasting Fringes and Rye: 45-75 tph.

c. Live well locally areas: 45-60 depth.

d. Village areas (with development boundaries): 25-45 dph.

e. Countryside areas (including villages and hamlets without development boundaries): in the instances where residential development is supported by policies in this plan, the density should reflect the existing character of the area.

**Development proposals must meet the minimum density in the ranges above, unless there are overriding reasons concerning townscape, landscape character, design, and environmental impact. This will support a critical mass for multiple local services/facilities and the viability of public transport including Demand Responsive Transport (DRT), shuttle bus services and car clubs.**

4.2.2 'Figure 8 Proposed Density Areas' within the Local Plan Draft Version identifies Fairlight Cove as a Village Area type, which based on the evidence within the Density Study (April 2024) and for the purposes of Proposed Policy LWL1 must meet the minimum density in the range of 25-45dph unless overriding reasons exist. Land East of Waites Lane is not subject to coastal area and management constraints, not within the Fairlight and Hastings Strategic Gap nor within the designated High Weald National Landscape.

4.2.3 Whilst recent planning determination (RR/2020/151/P) in respect of a revised scheme for 43 dwellings stated that such a development would be 'around 25 dwellings per hectare', in the context of Proposed Policy LWL1 it is crucial to clarify the resultant density of the Emerging Local Plan Draft Version proposed 35 dwellings for Land East of Waites Lane. The Gross Site Area identified within the HELAA (Site Ref: FAI0001) is 3.24 hectares and at 35 dwellings results in a gross density of approx. 10dph, which includes attenuation requirements and landscape features. Assuming the most compact net density is formed by the previous application's (RR/2020/151/P) Residential Site Area of 2.18 hectares, **the Site results in a density of 16dph at 35 dwellings.**

4.2.4 When considering the approach to density the NPPF requirements are clear throughout the Framework but also made explicit within Paragraphs 128 and 129. NPPF Paragraph 128 states that:

**Planning policies and decisions should support development that makes efficient use of land, taking into account:**

**a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;**

**b) local market conditions and viability;**

**c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;**

**d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and**

**e) the importance of securing well-designed and beautiful, attractive and healthy places.**

4.2.5 Relevant matters to the Plan-making process are further explained at Paragraph 129, which continues on to state that:

**Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:**

**a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;**

**b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and**

4.2.6 We wish to express strong concern for the achievability of Proposed Policy LWL1, noting that 83% of Rother falls within the National Landscape designated area, if by example a Site such as Land East of Waites Lane, which sits outside of the National Landscape and within the Development Boundary is not shown within the Emerging Draft Plan for more than 35 dwellings.

4.2.7 Whilst we do not wish to comment on the overall housing figures in detail it is clear that the Preferred Strategy within the Draft Version to plan for the delivery of 5,158 to 7,287 homes represents an expected **7,373 to 9,502 shortfall** in the minimum number of homes that are needed over plan-period. The Council will also be aware of their currently existing housing supply shortfall as set out in the Authority Monitoring Report (September 2023).

4.2.8 NPPF Paragraph 129 cannot be more clear that 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site'. **Rother District not only has an existing shortage but also an anticipated shortage of land as to meeting housing needs over the 20-year plan period.**

4.2.9 Therefore, we consider the emerging Local Plan Draft Version to risk leaning too far towards the tendency to undermine the vitality of villages across Rother as initially identified in the adopted Local Plan and that appears to continue to exist.

4.2.10 In light of the intention for Proposed Policy LWL1 to contribute to achieving well-designed, attractive, and healthy places that make efficient use of land and deliver appropriate densities that support a critical mass for multiple local services/facilities and the viability of public



transport we propose the Council consider additional housing delivery beyond the 35 dwellings (16dph) at Land East of Waites Lane.

Q191. What are your views on the Council's proposed policy on the Fairlight Cove Coastal Change Management Area?

- 4.2.11 The Local Plan Draft Version presents '*Proposed Policy ENV4: Fairlight Cove Coastal Change Management Area*' as new policy incorporating adopted DaSA Policy DEN6. Proposed Policy ENV4 further restricts the southern extents of Fairlight Cove and considers new residential development unacceptable within the proposed extents of a Fairlight Coastal Change Management Area which are modelled to erode by 2105. Regulation 18 commentary provided confirms that whilst engineering works were undertaken to control erosion and loss of land, that these do not prevent this from occurring.
- 4.2.12 It is made evident by Proposed Policy ENV4 and accompanying explanatory text that a future decline at Fairlight Cove is expected as a result of physical coastal erosion. Therefore, it remains even more crucial for the Local Plan to support the vitality of local communities at Fairlight Cove and ensure the village can sustainably grow and thrive. Therefore, we believe that it is right that an application for Land East of Waites Lane that is to be forthcoming as soon as reasonably practicable and to be determined swiftly in accordance with the adopted Development Plan and relevant material planning considerations,

## 5 Summary

- 5.1.1 We, in principle, support the underlying intentions and principles that form the basis of the overall development strategy. Moreover, we support the Council's intended commitment to supporting the growth of rural communities in a way that promotes improvements to sustainable transport options whilst acknowledging the difficulty for rural settlements to function as highly sustainable.
- 5.1.2 We however note that NPPF Paragraph 83 consists of three parts and that national policy requires local plan policies as a general baseline to identify opportunities for villages to grow and thrive and that special attention is also to be paid to those where this would support local services, such as at Fairlight Cove.
- 5.1.3 These representations are made in respect of the allocated site of Land East of Waites Lane (Adopted DaSA Policy FAC2) and express our concerns with the emerging Local Plan Draft Version. A summary of these representations is provided below.
- Land East of Waites Lane remains 'suitable', 'available', and 'achievable' and will deliver much needed housing for Fairlight Cove early within the emerging Local Plan period 2020-2040 and therefore represents a 'developable' and 'deliverable' allocated Site;
  - The impending application will be prepared to appropriately address the remaining matters identified by prior planning determinations and will be required to be determined in accordance with the adopted Development Plan and relevant material planning considerations, such as current and anticipated housing supply;
  - Figures presented within the Local Plan Draft Version require updating to align with the methodologies set out within evidence documents in respect of DaSA Allocation FAC2;
  - The Preferred Strategy plans for the delivery of 5,158 to 7,287 homes which represents an expected **7,373 to 9,502 shortfall** in the minimum number of homes that are needed over plan-period as required by the Standard Method;
  - The new Government has announced consultations on a revised National Planning Policy Framework that is expected to be growth-focused and to emphasise housing need;
  - We support the intention behind the proposed policy LWL1 that encourages density uplifts to allow villages and their communities to 'Live Well Locally' and ensure villages create the critical mass that can support local services/facilities, as required by national policy. However, by way of example of recent planning determination approaches we cannot see this as achievable;
  - Fairlight Cove's boundary is notably constrained by physical and policy restrictions, including the coastline and the High Weald National Landscape, thereby restricting the potential to meet local housing need. Moreover, it is made clear that the coastal erosion is being mitigated but cannot be prevented and the effects are likely to result in displacement and decline or loss of land on the southern edge of Fairlight Cove;
  - The emerging Local Plan continues to follow tendencies of undermining the vitality of villages across Rother as initially identified in the adopted Local Plan (2014). Therefore, the emerging Local Plan risks stagnation or even decline of select rural settlements in Rother and will be highly dependent on suitable sites such as allocated Land East of Waites Lane (FAC2) to deliver the homes needed for rural communities.

In light of the newly available evidence and the emerging Local Plan Draft Version we are acutely reaffirmed of the difficulties faced by rural communities in particular and across Rother as a whole. Therefore, we find there is an exceptional need for developable and deliverable Sites such as the allocated Land East of Waites Lane to come forward and deliver the much needed homes for local areas as early as possible in view of the material planning considerations of up-to-date evidence.