



CORBIL PLANNING

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*The Planning Policy Team
Rother District Council
Town Hall
Bexhill-on-Sea
TN39 3JX*

*--- sent by email to
draftlocalplan@rother.gov.uk ---*

Our Ref: CBL-0724414-LPR

Dear Sir/Madam,

Powdermills Hotel, Powdermill Lane, Battle, East Sussex

We write on behalf of our client, Powdermills Prop Co UK Ltd, who is the owner of the Powdermill Hotel in Battle, East Sussex.

This letter relates to comments that we would like to make against specific policies and questions raised in the Rother Local Plan 2020-2040 (Draft Reg 18 Version) April 2024.

We have completed the Council's consultation form with the details of the applicant and agent. This letter is enclosed with the completed consultation form.

Our comments are made under the relevant policies referenced in our sub-headings.

PART B: COMMENTS

Policy ECO1: Supporting New Employment Development
Q157. What are your views on the Council's proposed policy on supporting new employment development?

With reference to the section entitled 'Employment Development Outside Development Boundaries' we would endorse this and comment that the growth of existing employment sites within the rural area can bring about substantial social-economic benefits to an area. Reference to '*small-scale*' should be changed to '*justified and appropriate in scale and kind*' to the existing established use of the site. This new wording would prevent any arbitrary restriction in size to what may otherwise be a sustainable and justified growth of an already established business enterprise, such as a hotel.

Policy ECO2: Protecting Existing Employment Sites and Premises
Q159. What are your views on the Council's proposed policy on protecting existing employment sites and premises?

The wording of this policy should encourage the sustainable expansion and growth of existing businesses, particularly in protected rural areas, as a means of retaining their employment base and securing their viability into the future. Otherwise, the policy is negatively worded, and deters growth.

Under section B of this policy, rather than simply permit those re-use of existing buildings where access and environmental impacts can be controlled, the policy should seek to actively encourage the re-use of these buildings as part of the sustainable growth of rural enterprise. This includes the re-use of vacant or under-used buildings associated with hotel and holiday accommodation within the district.

The policy should include a paragraph that deals directly with the re-use and conversion of buildings in the historic environment to support the growth of existing businesses, with a view to providing for the long-term protection of designated heritage assets.

Policy ECO5: Tourism Activities, Facilities and Accommodation

Q166. What are your views on the Council's proposed policy on tourism activities, facilities and accommodation.

We endorse the policies sub-text which highlights the important part that tourism has to play in terms of the growth of the rural economy, including the benefits to Battle and surrounding area, which is one of the three sustainable and accessible towns where tourism based growth should be located. Established hotels in the surrounding area of Battle play an important role in terms of providing quality accommodation to those visiting this historic town. The additional employment that can be gained from supporting the sustainable development of hotels within the area, such as Powdermills, will add to the attractive and beneficial growth of the existing +30% of Rother's population currently benefitting from employment within the tourism industry.

Whilst there are certainly areas in which the Council may wish to bring into effect additional controls and restrictions on the use of tourism based facilities, we would recommend against a blanket approach across the district and prefer a targeted approach to problem areas only. The market should be left to adjust and determine the most effective use of hotels and associated uses, and permitted development rights should not be withheld and restricted without evidence.

We support the inclusion of the following statement under policy ECO5:

Tourism is an influential factor in the diversification of the rural economy, including the growing market for local produce and viticulture.

We recommend a paragraph to be inserted into the policy to encourage economic growth of existing businesses, especially those within rural locations, where it would support the preservation and / or enhancement of designated heritage assets.

Policy ECO6: Holiday Sites

Q168. What are your views on the Council's proposed policy on holiday sites?

We fully endorse the need to safeguard the intrinsic landscape character of the High Weald National Landscape, however national policy in the NPPF does not require this to be a stagnation of protection from development. The provision of hotel accommodation within the High Weald National Landscape can be done sustainably and enable the growth in visitors who wish to use the area for holidays and recreational purposes.

We recommend an additional sentence or paragraph within this policy that states that the sustainable growth of hotel accommodation and facilities on sustainable sites within the High Weald National Landscape will be actively encouraged by the LPA. This will ensure that the policy is not negatively worded and used for development enabling purposes as a frustration or arbitrary restriction on new development where it comes forward on existing sites.

We would recommend a definition of 'purpose-built holiday accommodation' in respect of whether this is meant to include existing and new hotels, as well as their sustainable growth in terms of the provision of ancillary services and facilities.

Policy INF1: Strategic Infrastructure Improvements

Q111. Specifically, what are your views on requiring the submission of appropriate evidence to demonstrate that there is, or will be, sufficient infrastructure capacity to meet the demands of a new development?

It would be unreasonable and too costly for small developments to be able to demonstrate at the application stage that they could provide this level of information and evidence on infrastructure capacity. For small and medium sized developments, it should be the LPA that identifies areas of inadequate infrastructure within its district and secure CIL monies accordingly. A threshold needs to be placed into the wording of this policy with it being targeted towards large-scale major developments only.

Policy INF2: Digital Connectivity

Q112. What are your views on the Council's proposed policy on digital connectivity?

This is not going to be known at the pre-submission of an application. It should be a condition of permission on small-scale major developments and not an up-front validation requirement.

Policy LAN2: Trees, Woodlands and Hedgerows

Q180. What are your views on the Council's proposed policy on trees, woodlands and hedgerows?

The principles established in this policy are sound but the requirement for a CAVAT is problematic. This is because firstly, the threshold for when the assessment is required relates to even the loss of an individual tree of indiscernible quality and regardless of impact, and secondly because a CAVAT can only be carried out by a qualified Arboriculturist, and it will therefore be a significant cost for an applicant to bear on submission of an application regardless of the tree to be removed.

The threshold for when a CAVAT is required needs to be significantly high to bear the cost of its production. Any CAVAT should also not be used just to generate monies for the Council and so there needs to be a requirement for the Council to use such monies appropriately.

Policy ENV5: Habitats and Species

Q194. What are your views on the Council's proposed policy on sites protected for their habitats and species?

In respect of criterion (vi) and (vii), and the sub-text in paragraph 11.55, we would not advocate the application or prescription of minimum buffers within the text of planning policy notwithstanding how desirable the overall intentions are to protect Ancient Woodland. Instead, we would recommend that

the 'use of buffer zones is recommended in standing advice unless it can otherwise be demonstrated as not being required and alternative measures are put in place to protect Ancient Woodland'.

[End of Comments]

We trust that these comments will be taken into account in the Council's review of the Regulation 18 Plan, and we would be grateful to be included on the mailing list of any updates as the plan process evolves further forward, specifically in respect of the HELAA and Icklesham sites.

Yours faithfully,

James Hutchison MRTPI
Planning Director

Corbil Planning Ltd