

Boyer

# Rother Local Plan 2025 - 2042 – Regulation 18 Draft Local Plan Consultation

Representations on Behalf of Wates  
Developments

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**REPORT CONTROL**

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## **TABLE OF CONTENTS**

<b>1. Introduction</b>	<b>3</b>
<b>2. Response to Draft Local Plan Questions</b>	<b>4</b>
<b>3. Conclusion</b>	<b>8</b>

## 1. INTRODUCTION

- 1.1 These representations have been prepared by Boyer on behalf of Wates Developments ('Wates') in response to the current Rother District Council ('RDC') Draft Local Plan 2025 – 2042 Regulation 18 consultation, which runs until 23 March 2026.
- 1.2 As a leading national land promoter, Wates has experience bringing forward sites ranging in scale from hundreds to thousands of new homes, in addition to strategic employment sites and commercial developments.
- 1.3 Following this, Wates has several land interests within the Rother District that are proposed for allocation in the Draft Local Plan. Therefore, it has engaged teams of specialist consultants to assess and demonstrate their suitability, sustainability, and capacity for prompt delivery.
- 1.4 Accordingly, Wates has prepared and submitted separate, site-specific representations to the current consultation regarding its sites at:
  - BT2 – Land at Breadsell (Boyer)
  - BT7 - Almonry Farm, Battle (Andy Black Consulting)
  - BX18 - Breeches Farm, Bexhill (CBRE)
- 1.5 Distinct from the above, the representations outlined in this document focus on cross-cutting / Plan-wide issues.
- 1.6 The aim is to highlight, where relevant, areas where the emerging Plan should be amended or where additional evidence is required, to ensure it can be deemed sound at Examination, in line with the tests set out in the National Planning Policy Framework (NPPF) paragraph 36.
- 1.7 Whilst some concerns are raised in respect of soundness, it is considered that these can be adequately remedied at this stage of the plan making process through modifications ahead of regulation 19 stage.
- 1.8 Accordingly, the following sections of these representations (as presented in this document) are set out as follows:
  - Section 2 – Sets out the response to relevant questions as set out in the consultation document.
  - Section 3 – Provides a summary and conclusions.

## 2. RESPONSE TO DRAFT LOCAL PLAN QUESTIONS

### **Question 1. Do you have any comments on the amended Rother Local Plan Strategic Spatial Objectives shown in Figure 1?**

- 2.1 Wates broadly supports the principle of, as well as the proposed amendments to, the Plan's Strategic Objectives. However, Wates believes that greater emphasis should be placed on delivering sufficient new homes to meet identified housing needs. This will help address the significant economic and social impacts of leaving such needs unaddressed.

### **Question 2. Do you have any comments on the Council's proposed housing target for the Local Plan of 8,427 dwellings over the 17-year plan period, or 495 dwellings annually?**

- 2.2 The updated Local Plan identifies an increased housing requirement when compared to its previous, Regulation 18, iteration. This is welcomed. It is also acknowledged that the Plan area is subject to significant constraints, notably the prevailing extent of the High Weald National Landscape, which washes over most of the district.
- 2.3 Notwithstanding this, Wates believes the Plan should do more to accommodate a higher proportion of the 912 dwellings per annum (dpa) Local Housing Need (LHN) figure, as identified through the Standard Method. This amounts to 15,504 homes over the entire Plan period.
- 2.4 In contrast, the Plan, as presently drafted, proposes an annual housing requirement of 495 dpa or 8,427 homes over the Plan period. This results in a shortfall of approximately -7,077 dwellings over the Plan period compared to the LHN (15,504). This level of shortfall is substantial, and (as outlined in paragraph 3.45 of the Draft Local Plan) there is no realistic possibility of this deficit being met by any neighbouring Local Authorities.
- 2.5 Undoubtedly, a key question at a future Local Plan Examination will be whether the Plan has gone far enough in addressing housing needs. Wates considers that the level of shortfall envisaged poses a risk at Examination because it infers that the objectives outlined in NPPF paragraphs 11(b), 23, 61, and 62 (aimed at fully meeting objectively assessed housing needs) have not been appropriately balanced against the (paragraph 189) requirements to conserve and enhance National Landscapes.
- 2.6 The Plan is therefore vulnerable to a judgment that it is not positively prepared, justified, or aligned with national policies (as per NPPF paragraph 36). Wates believes that, in simple terms, the Plan should set a higher housing requirement - to reduce the risk of it being deemed unsound. Indeed, as seen in the recent intervention by the Minister of State for Housing and Planning regarding the emerging Three Rivers Local Plan, there is an expectation that Local Plans meet identified needs as far as possible.
- 2.7 Overall, Wates believes that RDC has not yet reached a point where it can confidently claim that an appropriate balance has been achieved between fulfilling housing needs and respecting the district's environmental characteristics and constraints. Linked to this, and as

noted in our response to Question 68, the Interim Sustainability Appraisal (SA) does not yet clearly justify the proposed housing requirement.

**Question 5. Do you have any comments on infrastructure needs or priorities to support the proposed Development Strategy?**

- 2.8 Wates supports, in principle, the approach to delivering infrastructure as part of the proposed Development Strategy, and as set out in the supporting text to this question.
- 2.9 Evidently, there is a need for an updated Infrastructure Delivery Plan (IDP) to be prepared to support the Regulation 19 Stage, in order to detail what is expected regarding the infrastructure categories identified in Figure 6 of the Plan. Wates strongly recommends that the parties promoting sites proposed for allocation are engaged at an early stage to assist in identifying infrastructure and delivery strategies for their respective land interests. This will provide greater certainty when the Plan is subject to Examination.
- 2.10 In some instances, such as with the proposals for Land at Breadsell, RDC will need to consider how infrastructure can be funded and delivered cohesively across the administrative boundary with Hastings Borough. This is noting that RDC has adopted a Community Infrastructure Levy (CIL) Schedule, whereas HBC has not. Therefore, the IDP will need to address these issues.
- 2.11 Similarly, it is essential that a Plan-wide Viability Assessment be prepared, with necessary input from those parties responsible for delivering sites identified for allocation. It is particularly important that engagement occurs before the Regulation 19 stage, as the draft Plan has not yet specified an affordable housing requirement, which is a key factor in determining whether development is viable and deliverable. This will, in turn, influence the Plan's overall effectiveness (as a test of soundness).

**Question 6. Do you have any comments on the Council's assessment of the additional Development Strategy options?**

- 2.12 Wates concurs that RDC should plan for growth at various locations within the district to help achieve a balanced portfolio of allocations and assist in maintaining a consistent housing supply across the Plan period. Wates also acknowledges that growth should nonetheless still be weighted towards the most sustainable locations in the Housing Market Area (HMA). This includes areas such as Battle, Bexhill, and the outskirts of neighbouring Hastings.
- 2.13 Wates does not comment on the additional proposed strategic options (SDO13 and SDO13), except to note that neither of these options, nor those listed in the Draft Plan's appendices, nor indeed the scenarios and/or alternatives in the SA, contemplate delivering a materially higher housing requirement through the allocation of additional housing sites. Testing of options seems instead to focus on assessing the feasibility of higher development densities, as further addressed in our response to Question 68.

**Question 7. Do you have any comments on the preferred approach for housing density shown in Figure 9, or on the updated Density Study (2026)?**

- 2.14 In general terms, Wates supports increasing development densities, aligning with national planning policy objectives outlined in the NPPF and the National Design Guide. However, this must be balanced with a practical understanding of site-specific constraints and physical features, including gradients, which also influence design.
- 2.15 As such, the approach to density in Figure 9 requires careful consideration, as the high levels of density sought at the Plan-making stage might not be acceptable or viable at the decision-making stage. This could potentially cast doubt on the effectiveness of the Local Plan's policies and overall objectives.
- 2.16 Indeed, RDC's justification for promoting a housing requirement lower than the LHN is that much of the Plan area is covered by National Landscape or other protected designations. The design of any future developments must respond to these characteristics and sensitivities, making higher densities potentially unsuitable when planning applications are assessed.
- 2.17 Wates separate representations for BT2, BT7 and BX18 remark on site specific density considerations.

**Question 8. Do you have any comments on the Council's proposed Overall Development Strategy?**

- 2.18 Wates supports the Overall Development Strategy. However, Wates emphasises that the proposed housing requirement and the resulting shortfall relative to the objective assessment of housing needs should be addressed to reduce the risk of the Plan being judged unsound at Examination.
- 2.19 Based on a review of the Housing Economic Land Availability Assessment (HELAA), there would seem to be opportunities to secure a higher level of growth, whilst remaining within the framework of the spatial strategy/development strategy outlined in the Plan.

**Question 9. Do you have any comments on the proposed growth opportunities in the sub-areas as shown in Figure 10?**

- 2.1 Wates supports the proposed approach to growth within the identified Sub-Areas and agrees with the broad distribution envisaged. Notwithstanding this, as indicated, the Draft Local Plan's housing requirement does not fully meet the LHN figure, and the significant shortfall that results is unlikely to be addressed by neighbouring Local Authorities and will remain 'unmet'.
- 2.2 The scope for additional allocations / additional delivery within the identified growth opportunity areas should be further examined and tested through the SA. This will help to reduce the risk of the Plan being deemed unsound during Examination.

**Question 66. Do you have any comments on the proposed changes to Policy LWL7 (A) (i) (Streets for All)?**

- 2.3 Wates fully endorses the aim of Policy LWL7 to lessen the severity of road accidents and enhance community and individual well-being by encouraging walking and cycling. However, it is essential that the final wording of the policy does not limit the scope for development proposals to address site-specific constraints and opportunities through good design. As such, the proposed amendments to the policy text are welcomed.

**Question 68. Do you have any comments on the Interim Sustainability Appraisal in support of the Regulation 18 stage consultation on the Development Strategy and Site Allocations (January 2026)?**

- 2.4 At this stage, the SA (which Wates recognises as ‘interim’) does not yet offer a sufficiently strong justification for the scale of housing proposed in the Draft Local Plan, which (as discussed in our response to previous questions) results in a shortfall of 7,077 dwellings.
- 2.5 A concern is that the various options presented do not test a reasonable alternative scenario where significantly higher levels of housing growth are achieved, other than through a strategy of densification (e.g., density scenarios Options B and C). It is also notable that even the high-density scenario (Option C), which is ruled out as unsuitable, would not fully meet the LHN.
- 2.6 The current presentation of the SA also makes it somewhat difficult to understand how its evaluation informed the preferred strategy outlined in the draft Plan. It seems that the preferred approach is a combination of SDO1, SDO2, SDO3A, SDO4, SDO5, SDO6, SDO11, and SDO13. Wates suggests there is room for clarification, noting that the preeminent question at a future Examination will be whether the Plan has gone as far as possible to sustainably meet housing needs. The Interim SA has not yet provided a clear answer to this.
- 2.7 Wates recognises the need to balance the objectives outlined in NPPF paragraphs 11(b), 23, 61, and 62 with those that require the protection of National Landscapes (paragraph 189) and other environmental designations. However, the Government’s recent intervention in Three Rivers indicates that a significant shortfall in meeting objectively assessed housing needs could pose a risk to the Plan when it is examined. The SA should consider reasonable alternatives, including additional allocations, to address a larger portion of the LHN.

### 3. CONCLUSION

- 3.1 These representations have been prepared by Boyer on behalf of Wates Developments ('Wates') in response to the current Rother District Council ('RDC') Draft Local Plan 2025 – 2042 Regulation 18 consultation.
- 3.2 Wates welcomes the preparation of a new Local Plan and clearly strongly supports the proposal to allocate three of its sites for residential development. Wates has provided separate site-specific representations to demonstrate the suitability and derivability of;
  - BT2 – Land at Breadsell (Boyer)
  - BT7 - Almonry Farm, Battle (Andy Black Consulting)
  - BX18 - Breeches Farm, Bexhill (CBRE)
- 3.3 However, in respect of the content of the overarching representations outlined in this document, Wates has expressed concerns regarding the proposed housing target and the significant shortfall against the LHN identified through the standard method. The recent intervention by the Minister of State for Housing and Planning in the Three Rivers Local Plan highlights this risk.
- 3.4 While it is certainly recognised that statutory constraints and designations cover large parts of the Plan area, the proposed housing requirement is considerably lower than the objective assessment of need. The draft Plan, evidence base, and SA suggest that this gap could partly be bridged by increasing development density. Although efficient land use remains a priority in national policy, the SA itself raises doubts about the feasibility of achieving higher densities. These concerns are shared by Wates.
- 3.5 In any case, even the very high-density scenario tested through the SA (discounted as unsuitable) would not allow the Plan to fully meet housing needs. Clearly, the only way to meaningfully reduce the gap between the proposed housing requirement and the LHN is through additional and/or expanded allocations.
- 3.6 Wates raises these matters, as the level of deficit places that Plan at increased risk of failure, when it is examined against the tests of soundness.

