

Denbigh Properties Limited

Rother District Council: Draft Local Plan 2025-2042
Regulation 18 'Part B' Consultation

Policy Reference FW1: Land rear of Fruitfields, High
Street, Flimwell

DHA/37493

March 2026



Inspiring. Planning. Delivering

With nearly 40 years of knowledge and sector experience, DHA, the South East's largest independent planning and highways consultancy delivers solutions built for success.

The DHA team share the same values, vision and approach to our work and clients, and we benefit from the knowledge of our multiple business units, providing integrated solutions to reach the optimum outcome. We believe what keeps us unique is our ability to provide exceptional quality customer care and adaptability to the projects we take on.

Planning

Transport and Infrastructure

Masterplanning and Design

Environmental Impact Assessment

Flood Risk and Drainage

Land & Viability

GIS

Our Offices:

Kent

01622 776226

Gatwick

01293 221320

London

020 3005 9725

Leeds

0113 323 6669

www.dhaplanning.co.uk

info@dhaplanning.co.uk



DATE	Version	Revision Notes
04.03.2026	0.1	
20.03.2026	1.0	Finalised

CONTENTS

1	INTRODUCTION	4
1.1	PURPOSE OF THIS REPRESENTATION	4
1.2	REPRESENTATION STRUCTURE	4
1.3	SUPPORTING DOCUMENTS	5
2	BACKGROUND TO THE LOCAL PLAN 2025-2042	6
2.1	OVERVIEW	6
2.2	HOUSING CONTEXT	6
2.3	LOCAL PLAN TIMETABLE	7
2.4	CONSULTATION NPPF	7
3	LOCAL PLAN REQUIREMENTS	10
3.1	LEGAL TESTS OF SOUNDNESS	10
3.2	LEGAL COMPLIANCE	10
3.3	DUTY TO COOPERATE	11
3.4	HOUSING NEED	11
4	RESPONSE TO THE CONSULTATION QUESTIONS	15
4.1	OVERVIEW	15
4.2	RESPONSE TO QUESTIONS	15
5	DELIVERABILITY OF SITE ALLOCATION FW1	23
5.1	SITE AND SURROUNDINGS.....	23
5.2	TICEHURST NEIGHBOURHOOD PLAN ALLOCATION	24
5.3	INDICATIVE PROPOSALS	25
5.4	STRATEGIC JUSTIFICATION FOR ALLOCATION	28
6	CONCLUSION.....	30
6.1	SUMMARY.....	30

1 INTRODUCTION

1.1 PURPOSE OF THIS REPRESENTATION

- 1.1.1 Rother District Council ('RDC') is seeking views on the Development Strategy and Site Allocations Draft (Regulation 18) document as part of the emerging Rother Local Plan for the period 2025-2042.
- 1.1.2 The new Local Plan is stated by RDC as the blueprint for how Rother could develop and change up to 2042. It sets out where new homes, jobs, facilities and infrastructure may be located, while protecting the district's valued landscapes, heritage and character.
- 1.1.3 The consultation document contains draft site allocation policies and some area-specific policies and builds upon the 'Part A' Regulation 18 consultation in April 2024, which contained topic areas but did not include specific 'site allocations'.
- 1.1.4 By way of response, this representation is made on behalf of Denbigh Properties Limited ('Denbigh Properties' or 'our client') in relation to land referred to within previous submissions as 'Land north of Wardsdown House, Union Street, Flimwell'.
- 1.1.5 This representation does not repeat the comments made on policies or chapters included within the first consultation and we refer Policy Officers to representation reference July 2024 - DHA/33562.
- 1.1.6 The land is included as a draft allocation within the Development Strategy and Site Allocations Draft (Regulation 18) consultation document under policy reference FW1 (site name: 'Land rear of Fruitfields, High Street, Flimwell') for approximately 32 homes.
- 1.1.7 Our client's land is already partially allocated within the Ticehurst Neighbourhood Plan 2019 for nine residential dwellings (ref: 'Wardsdown House'). Despite developer interest in the site, the scheme as allocated within the Neighbourhood Plan is unviable owing to higher Community Infrastructure Levy ('CIL') charges and increased build costs associated with the land levels on-site.
- 1.1.8 Our client has therefore since promoted the wider site for residential allocation within the District Plan, with an increased capacity to secure the deliverability of the site and provision of policy compliant affordable housing.
- 1.1.9 With this in mind, Denbigh Properties welcomes RDC's progression of a new Local Plan. The purpose of this representation therefore is to set out our client's position on the development strategy and evidence base prepared at this stage, and affirm the deliverability of Land rear of Fruitfields, High Street, Flimwell as a residential allocation, which is available for development within the immediate to short-term.

1.2 REPRESENTATION STRUCTURE

- 1.2.1 Section 2 of this representation document sets out the context of the Rother Local Plan preparation and relevant national planning requirements.

- 1.2.2 Section 3 provides our response to the Local Plan Core Questions posed by the RDC and the spatial options being considered about the evidence base documents prepared at this stage.
- 1.2.3 Section 4 introduces our client's draft site allocation in Flimwell and confirms the deliverability of the site, including the quantum of development that is drafted to be accommodated and sets out in detail why our client's site is a sound allocation for development within the forthcoming Regulation 19 Rother Local Plan.
- 1.2.4 Section 5 summarises the key points raised throughout the representation and outlines next steps ahead of the pre-submission Regulation 19 Local Plan preparation.
- 1.2.5 Section 6 summarises the key points raised throughout the representation and outlines next steps ahead of the pre-submission Regulation 19 Local Plan preparation.

1.3 SUPPORTING DOCUMENTS

- 1.3.1 For ease of reference, this submission is supported by the following supporting documentation:
- Completed Regulation 18 Part B Response Form [23/03/2026]
 - Regulation 18 Representation [DHA/37493] (this document)
 - DHA_33572_01 Site Location Plan
 - DHA_33572_02 Existing Site Layout Plan
 - DHA_33572_03 Call for Sites Illustrative Layout Plan
 - DHA_33572_Accomodation Schedule

2 BACKGROUND TO THE LOCAL PLAN 2025-2042

2.1 OVERVIEW

- 2.1.1 RDC is preparing a new Local Plan to set out a strategy for development across the district for the period to 2042. Once adopted, the new Local Plan will update and replace Rother's Core Strategy (2014) and Development and Site Allocations (2019) Plans.
- 2.1.2 This Regulation 18 'Part B' consultation relates to the proposed Development Strategy" for Rother district for the period 2025 - 2042, together with site allocation policies, and some area-specific policies.
- 2.1.3 The consultation follows a previous Regulation 18 consultation on the draft Local Plan which took place in April 2024. The consultation sought views on the proposed development strategy, vision and objectives, along with policies on specific topic areas such as housing, economy, the environment, landscape, heritage, design and infrastructure. This Regulation 18 consultation now seeks views on the proposed site allocations which have been identified to deliver the updated spatial strategy and some area specific policies related to the options for strategic growth.

2.2 HOUSING CONTEXT

- 2.2.1 In terms of housing, the adopted development plan policies have consistently failed to address the housing needs of the district. The 2014 Core Strategy was tasked with a 29% uplift in housing growth (+1,380 new homes) compared to that required under the South East Plan, equating to a total of 6,180 new homes. However, the adopted housing target was eventually reduced to 5,700 homes, with the Council citing the cancellation of major infrastructure capacity upgrades on the A21 and Hastings to Ashford railway line, as well as the major district constraints of the High Weald AONB (now National Landscape), international and national nature conservation sites and low-lying areas of flood risk as justification for the reduced target.
- 2.2.2 National guidance states that strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate.
- 2.2.3 In calculating the local housing need, paragraph 62 of the NPPF states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance - unless exceptional circumstances justify an alternative approach. In addition, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 2.2.4 At the time of writing, the Government's standard method figure for Rother sets a minimum target of 912 homes per annum, equating to a Plan period need of 15,504 homes.

- 2.2.5 On this basis, it is evident that a substantial uplift in Plan-led housing delivery will be required in order to meet the new Local Plan's housing requirement and, due to the finite supply of available land in the district's largest settlements and the restrictive effects of the district's significant landscape, flood risk and ecological constraints to accommodate significant levels of growth, meeting Rother's housing needs will require an ambitious spatial development strategy, drawing upon a range of potential development sources and necessitates a positive and pragmatic assessment of development opportunities right across the settlement hierarchy.

2.3 LOCAL PLAN TIMETABLE

- 2.3.1 RDC's latest Local Development Scheme ('LDS') published in March 2025 outlines the delivery timetable of the emerging District Local Plan and relates to the period March 2025 – February 2028.
- 2.3.2 This focused Regulation 18 Part B consultation is now taking place broadly as scheduled and forms the first opportunity for respondents to comment on specific sites forming the development strategy.
- 2.3.3 On this basis, the Council has set out the following targets within the LDS:
- **Current Stage:** Regulation 18 Part B Consultation
 - **Next:** Regulation 19 (draft for formal representations in late Summer 2026)
 - **Submission:** December 2026
 - **Adoption:** Following examination and approval (target Q3 2027/28)

2.4 CONSULTATION NPPF

- 2.4.1 As RDC will be aware, the Government are currently consulting on a significant package of reforms to the NPPF and planning system, which represents one of the most wide-ranging updates to National planning policy in recent years.
- 2.4.2 Whilst only in consultation form it is very likely that the final published version of the new NPPF will comprise a series of changes that will significantly influence plan-making and decision-taking in England.
- 2.4.3 With this in mind, at the heart of the consultation are 12 substantive policy changes intended to support housing delivery, economic growth and sustainable development which together are aimed at increasing certainty, accelerating delivery and aligning development more closely with national growth and sustainability objectives, it includes:
- A **permanent presumption** in favour of suitably located development;
 - Building homes around railway stations, reinforcing the role of public transport-led development;
 - Driving urban and suburban densification;

- Securing a diverse mix of homes, including different tenures and sizes;
- Supporting small and medium-sized sites, recognising their role in housing delivery;
- Streamlining local standards to reduce complexity and delay;
- Boosting local and regional economies;
- Supporting critical and growth minerals;
- Embedding a vision-led approach to transport planning;
- Better addressing climate change, including mitigation and adaptation;
- Conserving and enhancing the natural environment; and
- Taking a more positive approach to the use of heritage assets.

2.4.4 The consultation additionally proposes the inclusion of National Development Management Policies (NDMPs) directly into the NPPF. With the annexes of the document having been updated to include guidance on how assessments should be undertaken across a range of policy areas, providing greater clarity on decision-making expectations.

2.4.5 As part of this, 'Annex A: Implementation' of the consultation NPPF sets out the following for the purposes of decision-making.

"1. The policies in this Framework are material considerations which must be taken into account in decision-making from the day of its publication.

*2. Development plan policies which are in any way inconsistent with the national decision making policies in this Framework should be given **very limited weight**, except where they have been examined and adopted against this Framework. Other development plan policies⁷⁷ should not be given reduced weight simply because they were adopted prior to the publication of this Framework.*

Footnote 77. Including policies in made neighbourhood plans"

2.4.6 The above is pertinent, given that in summer 2024, RDC previously undertook a Regulation 'Part A' consultation on a series of Development Management Policies.

2.4.7 In this context, it is of vital importance that the new Local Plan remains consistent with the national decision-making policies included within the Framework. Should discrepancies occur, it is likely that RDC's newly adopted development management policies would carry **very limited weight** in decision taking (should the NPPF be adopted in its current draft form). RDC's Development Management Policies therefore must be reviewed again prior to the Regulation 19 consultation later this year, having regard to our client's previous comments and to ensure consistency with the latest national policy direction.

2.4.8 As set out within Denbigh Properties previous Regulation 18 representation, a significant number of the draft policies included within the Regulation 18 consultation were unclear and/or covered by the NPPF, PPG, or other legislation

/ Building Regulations. With this in mind, the consultation NPPF is clear that quantitative standards set through Development Plans should not cover matters already covered by Building Regulations.

3 LOCAL PLAN REQUIREMENTS

3.1 LEGAL TESTS OF SOUNDNESS

- 3.1.1 As RDC will be aware, the Planning Practice Guidance (PPG) in relation to Plan Making was updated on the 27 November 2025. The PPG now distinguishes the relevant resources and guidance for Local Plans to be prepared under the new Local Plan making system (applying to Plans submitted post-December 2026) and Plans submitted under the current system, now referred to as 'the legacy system'.
- 3.1.2 It is understood that the Rother Local Plan is to be submitted before December 2026 under the legacy system and so the latest PPG is of limited relevance for the purpose of this Regulation 18 consultation. Our client nevertheless reserves the right to provide further comments should RDC's position change or the process is delayed.
- 3.1.3 The final iteration of the Local Plan will be required to be 'sound' and so it is important that evidence gathering is robust and sites and strategies are scrutinised now to determine the best available options for accommodating development needs.
- 3.1.4 Paragraph 36 of the NPPF, states that Local Plans are 'sound' if they are:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
 - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

3.2 LEGAL COMPLIANCE

- 3.2.1 In terms of **legal compliance**, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

3.2.2 It is clear from the above, that any local plan should set out a comprehensive and robust approach to future development.

3.3 DUTY TO COOPERATE

3.3.1 Section 33A of the Planning and Compulsory Purchase Act 2004 sets out a statutory 'Duty to Cooperate' (DtC) to all bodies as prescribed by Regulation 4 of the Town and Country Planning (Local Planning) England Regulations 2012 (the Regulations).

3.3.2 The duty requires RDC to cooperate with other persons to 'maximise the effectiveness' with which named activities are undertaken. Those activities include the preparation of development plan documents (such as this local plan review) and activities that support that activity 'so far as relating to a strategic matter'.

3.3.3 The NPPF establishes that effective and on-going joint working is an integral part of the plan making process that will, amongst other things, determine whether development needs that cannot be met wholly within a plan can be met elsewhere. The NPPF goes on to state at paragraph 28 that to demonstrate effective and on-going joint working strategic policy making authorities should: "...prepare and maintain one or more statements of common ground documenting the cross-boundary matters being addressed".

3.4 HOUSING NEED

3.4.1 The NPPF is explicit in its requirement for strategic policy-making authorities to meet their needs in full. Paragraph 11 makes clear that:

"Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

- a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects*

b) 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 Paragraph 20 goes on to state that:*

3.4.2 In addition, paragraph 20 requires strategic policies to set out an overall strategy for the pattern, scale, and design quality of development, and make sufficient provision for:

- a) homes (including affordable housing), employment, retail, leisure and other commercial development;*
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

3.4.3 Given this context, the new Local Plan should set out a comprehensive and cohesive approach to future development Rother district, capable of making sufficient provision for the identified needs, whilst balancing the conservation and enhancement of the natural, built and historic environment.

3.4.4 National guidance states that strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate.

3.4.5 In calculating the local housing need, paragraph 62 of the NPPF states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance - unless exceptional circumstances justify an alternative approach.

3.4.6 Further, in addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Maintaining Effective Cooperation

- 3.4.7 In addition to the district's own housing pressures, the Government requires constructive and active engagement with relevant bodies and neighbouring authorities to maximise effective working on strategic matters.
- 3.4.8 Whilst the Duty to Cooperate has not yet been formally withdrawn, the 'Reforming Local Plan-Making' Written Ministerial Statement (WMS) published 27th November states that:
- "On the basis of the government's firm intention to abolish the Duty for the current system, examining Inspectors may wish to begin any necessary dialogue with LPAs in advance of the Regulations coming into effect, with reference to this letter."*
- 3.4.9 It nevertheless remains the case that local planning authorities should continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas and Inspectors should continue to examine plans in line with the policies in the NPPF on 'maintaining effective co-operation.
- 3.4.10 Part of this effective co-operation involves considering whether or not neighbouring authorities' unmet housing need can be accommodated. In this regard, the Hastings & Rother Housing and Economic Development Needs Assessment (February 2024) identifies close ties with the neighbouring authorities of Wealden, Tunbridge Wells, Eastbourne and in particular, Hastings which is on the basis of comparatively strongly links, concluded to form a self-contained housing and functional economic market area with Rother.
- 3.4.11 All four neighbouring authorities are subject to significant constraints and have historically underdelivered on housing. Notably, Hastings Borough Council previously undertook a Regulation 18 Local Plan consultation in Spring 2021, which on the basis of available land, proposed to deliver less than half (4,275 dwellings) of the with a nationally calculated housing need for Hastings of 430 homes a year, equating to 8,600 over the Local Plan period (Hastings Local Plan Regulation 18, Winter 2020/21). This was not eventually progressed and following further changes to national planning policy and legislation, Hastings Borough Council are currently consulting on a new Local Plan preferred options Regulation 18 consultation which closes in April 2026. This consultation following the undertaking of housing land availability evidence, indicates a new housing target of 3,141 to 3,373 homes for the Plan period based on land availability. By comparison, the standard method target equates to 12,546 homes.
- 3.4.12 Elsewhere, both the Eastbourne and Wealden Local Plans to 2042 are undergoing simultaneous Regulation 18 consultations within which the challenges associated with sustainably delivering 14,280 and 16,609 homes respectively are stated from the outset.
- 3.4.13 The Eastbourne Regulation 18 Plan proposes just 301 homes per year, compared to target of 714 homes (approximately 42% of the standard method target), whilst the Wealden Regulation 18 Plan states that the Council does not currently consider that they can meet all of their development needs due to a lack of deliverable sites in sustainable locations.
- 3.4.14 In addition, the recently adopted Tunbridge Wells Local Plan 2038 fails to deliver its housing need in full, containing land only sufficient for the first 10 years of the

Plan and is subject to an immediate review to identify housing for the remainder of the Plan period.

- 3.4.15 On account of the deeply concerning regional context, within which all four neighbouring authorities are struggling to meet even half of their housing requirement, RDC has a duty to explore whether it can accommodate the unmet need of neighbouring authorities and in particular Hastings, to which Rother shares its housing and functional economic market area.

4 RESPONSE TO THE CONSULTATION QUESTIONS

4.1 OVERVIEW

- 4.1.1 This section provides a response to the consultation questions contained within the Consultation Document where they are of relevance to our client's interests.

4.2 RESPONSE TO QUESTIONS

Q1 - Do you have any comments on the amended Rother Local Plan Strategic Spatial Objectives shown in Figure 1?

- 4.2.1 Please refer to our comments made on the Strategic Spatial Objectives contained within our representation on the 2024 consultation (DHA/33562).
- 4.2.2 We have no specific comments to make on the amendments made, however would reiterate that strategic objective 4 in relation to housing should make clear that the Plan is positively prepared and fully aligned with the provisions of the NPPF to make it clear that the plan as a minimum, seeks to meet the area's objectively assessed needs:
- "Respond to the housing crisis and help facilitate the delivery of housing to meet the needs of different groups in the community in full [...]"*
- 4.2.3 We also note and support the intentions of strategic objective 6 which positively refers to the prosperity of rural areas from an economic perspective. However, the vitality of rural communities must also be supported by proportionate rural market housing alongside the need to deliver affordable housing, specialist housing and custom and self-build / custom homes.
- 4.2.4 Whilst maximising development in the most sustainable and deliverable locations is logical, there is increasingly limited capacity in the district's major urban areas and separate issues of declining viability and social vitality in rural communities, resultant in part due to a lack of plan-led growth should be addressed by facilitating proportionate growth in rural settlements.

Q2 - 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?

- 4.2.5 RDC's housing supply components are consolidated in the table below. It is noted that the categories of supply have been revised since the 2024 consultation which make it clearer how sources of supply have been factored into the overall calculations. It is also noted that the number of homes identified as new and updated draft allocations has increased considerably since the April 2024 consultation, rising from 2,129 homes to 5,051 new homes. This brings the total housing figure for the Plan period accounting for all sources of supply to 8,427 homes over the 17-year Plan period, equating to a target of 495 homes annually.

SOURCE OF HOUSING SUPPLY	2026
Completions	To be included from 1 st April 2026
Committed Sites – Planning permissions (including resolutions to grant), permitted site allocations, permitted large windfall (non-allocated sites for 5 + dwellings), prior approval for 5 + dwellings, existing site allocations without planning consent	2,830
Windfall Sites – Small site allowance of 39 units annually, starting Year 4 of plan period	546
New / Updated Allocations – Existing site allocations without planning consent with revised capacity (residual figure), new site allocations without planning consent (as of 1 st April 2025).	5,051
Unmet need accommodated outside of Rother	0

TABLE 1: SUMMARY OF RDC LOCAL PLAN HOUSING SUPPLY COMPONENTS

- 4.2.6 This is recognised to be a considerable increase in potential housing supply when compared to the adopted Core Strategy figure (355 homes per year), which our client welcomes. However, at the time of writing, the Government’s standard method figure for Rother sets a minimum target of 912 homes per annum, equating to a Plan period need of 15,504 homes. The Framework is clear that the standard method figure should be used to determine the minimum number of homes needed, along with any needs that cannot be met within neighbouring areas which should also be taken into account in establishing the amount of housing to be planned for.
- 4.2.7 In this regard, the Hastings & Rother Housing and Economic Development Needs Assessment (February 2024) identifies close ties with the neighbouring authorities of Wealden, Tunbridge Wells, Eastbourne and in particular, Hastings which is on the basis of comparatively strong links. They are concluded to form a self-contained housing and functional economic market area with Rother. All four neighbouring authorities are subject to significant constraints and have historically underdelivered on housing.
- 4.2.8 Notably, Hastings Borough Council is currently undertaking consultation on a new Local Plan Preferred Options Regulation 18 consultation which closes in April 2026. This consultation, following the undertaking of housing land availability evidence, indicates a new housing target of 3,141 to 3,373 homes for the Plan period based on land availability. By comparison, the standard method target equates to 12,546 homes.
- 4.2.9 Elsewhere, both the Eastbourne and Wealden Local Plans to 2042 are undergoing simultaneous Regulation 18 consultations within which the challenges associated with sustainably delivering 14,280 and 16,609 homes respectively are stated from the outset.
- 4.2.10 The Eastbourne Regulation 18 Plan proposes just 301 homes per year, compared to a target of 714 homes (approximately 42% of the standard method target),

whilst the Wealden Regulation 18 Plan states that the Council does not currently consider that they can meet all of their development needs due to a lack of deliverable sites in sustainable locations.

- 4.2.11 In addition, the recently adopted Tunbridge Wells Local Plan 2038 fails to deliver its housing need in full, containing land only sufficient for the first 10 years of the Plan and is subject to an immediate review to identify housing for the remainder of the Plan period.
- 4.2.12 On account of the deeply concerning regional context, within which all four neighbouring authorities are struggling to meet even half of their housing requirement, it is vital that RDC explores whether it can accommodate the unmet need of neighbouring authorities and in particular Hastings, to which Rother shares its housing and functional economic market area, in addition to meeting its own needs.
- 4.2.13 However, even without accounting for unmet needs from neighbouring authorities, at this stage the Local Plan would underdeliver annually by 417 homes, resulting in a shortfall of some 7,077 homes across the Plan period. This is even before a suggested minimum buffer of 5% for non-implementation is included, which would add a further 775 homes to the shortfall.
- 4.2.14 The Framework is clear that in order to be found sound, Plans should be 'positively prepared'. This means providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and wherever possible, the unmet need from neighbouring areas.
- 4.2.15 The constraints within the District are fully acknowledged, however they are not unique to Rother and comprises principally the designation of much of the local authority area (83%) within the High Weald National Landscape. As the Council will be aware, whilst this invariably places additional expectations on new and particularly major developments, it is not prohibitive. The NPPF makes provision for major development (which itself is subjective and not necessarily development of more than 10 dwellings in accordance with the Town & Country Planning Act definition) in exceptional circumstances and where development is in the public interest. In this context, the scale of the housing need and by the Council's own admission, the limited capacity of the non-National Landscape areas to accommodate the development needs, is considered likely to amount to exceptional circumstances capable of justifying major development proposals within the National Landscape.
- 4.2.16 Such is the projected shortfall in the District, alongside the simultaneous shortfalls within the neighbouring authorities of Hastings, Wealden, Eastbourne and Tunbridge Wells, there is the potential for the major under-delivery of circa 50% in the housing market area for the foreseeable time horizons of the emerging Local Plans (circa fifteen years).
- 4.2.17 It cannot be underestimated the potential soundness risks that submitting the Plan with such a significant shortfall would present and we would cite the recent examination in Wiltshire, Horsham and Oxford in the last 24 months as examples of the challenges associated with submitting a Plan to examination that proposes to significantly under deliver against the standard method local housing need.

- 4.2.18 Indeed, despite the Written Ministerial Statement (WMS) of 27 November 2025 effectively abolishing the Duty to Co-operate, Mid Sussex District Council has been pressed by the Inspector overseeing the Examination in Public to identify a significant number of additional sites to cater for unmet needs largely arising from Crawley and Brighton & Hove, on the basis that the WMS confirms that LPA's should "*continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas.*"
- 4.2.19 More recently, the Planning Minister Matthew Pennycook has intervened in Three Rivers District, blocking the submission of the draft Local Plan which meets just 56 per cent of the district's 12,480-home housing need under the Government's standard method calculation.
- 4.2.20 Even should the Plan be found sound and successfully adopted, under the current Framework, Rother would be subject to a 20% buffer (effective six year supply) by virtue of paragraph 78(c) of the Framework, which is required for Plans whose annual average housing requirement is 80% or less of the most up to date local housing need figure using the standard method. At the time of writing, the Plan proposes just 54% of the standard method figure and in all likelihood would be subject to a 20% buffer on adoption.
- 4.2.21 At this stage of the process, the housing trajectory has not yet been published, however given historic supply and delivery in the District, it is in our view unlikely that the maintenance of a six year supply would be achievable and RDC's subsequent capability to resist speculative development, including in the National Landscape within which the Council are rightly seeking to adopt a more careful approach, would be severely diminished.
- 4.2.22 On account of all of the above, we strongly support our client's allocation, which must form a valuable component of RDC's deliverable supply. However, in the interests of ensuring a sound Plan, we strongly suggest that all draft allocation sites are appropriately considered and in addition, further suitable sites are sourced as part of the relaunched and ongoing 'Call for Sites' exercise to ensure the submission of a sound Plan.

Q7 - Do you have any comments on the preferred approach for housing density shown in Figure 9, or on the updated Density Study (2026)?

- 4.2.23 The NPPF states 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*" (emphasis added). While there should be greater emphasis on efficient use of land in the district, this must not compromise the need to deliver context-appropriate development or development that respond to local market demands.
- 4.2.24 The proposed density range of 25-45 dwellings per hectare for the Villages with development boundaries (such as Flimwell) set out in the 2024 consultation is consistent with the findings of the Density Study (2026) which recommends a density of 25-45 dwellings per hectare. The Density Study includes four village examples which are considered by the Council to show how this density range can be delivered whilst retaining a clear settlement structure, usable private amenity and a landscape-led approach. It is stated that heights should be used as a tool rather than a blanket approach: typically 2 storeys with occasional 2.5-3 stories.

- 4.2.25 Within our client's previous 2024 Regulation 18 submission, our concerns as to whether the upper end of the density ranges (particularly in urban areas where densities as high as 90dph had been suggested) were achievable were set out and our design concerns in rural areas remain relevant.
- 4.2.26 Since the 2024 consultation, RDC has further examined whether these density expectations are appropriate, having regard to the need to optimise the use of land and maximise housing delivery. Within this context, the 2026 consultation presents three options (Options A-C) for housing density, framed as:
- a) Option A - 'Business as Usual' - reflects density levels based on the adopted Development and Site Allocation Local Plan.
 - b) Option B - 'Higher Density' - higher density with a significant uplift in development density (compared to the baseline). Village areas are given a density of 35dph comprising low-rise development at the lower end of the medium-density spectrum, with a strong emphasis on rural character, landscape sensitivity, and integration with existing village form and scale.'
 - c) Option C - 'Higher Density Plus' - higher density with a significant uplift in development density (compared to the baseline). Villages are given 40dph comprising compact low-rise development at the mid-range of medium density, located in rural settlements .'
- 4.2.27 RDC's preferred approach is Option B, with the recommended target density range of 25-45dph in rural areas giving an average of 35dph. Whilst we support the efficient use of land and, higher densities where appropriate, the policy wording should not be overly prescriptive and ensure that individual site characteristics are appropriately considered. It is recognised that there will be opportunities within certain instances in villages where higher densities will be appropriate.
- 4.2.28 Nevertheless, our client's submission has been thoroughly reviewed and an indicative scheme of 32 dwellings (representing a density of 35dph) has been prepared to demonstrate how our client's land allocation at Flimwell (FW1) could be delivered consistent with the RDC's preferred density strategy.

Q8 - Do you have any comments on the Council's proposed Overall Development Strategy?

- 4.2.29 Our client is supportive in principle of the overall development strategy, however for the reasons set out in relation to Question 2, we have residual concerns that it is not a sufficiently ambitious strategy that will be effective in delivering a positively prepared plan.
- 4.2.30 We do question the validity of the Interim Sustainability Appraisal Report (January 2026) which scores the proposed development strategy the highest score '++' against objective 8 for the delivery of homes. This appears generous given the proposed strategy would deliver just 52% of the housing need.
- 4.2.31 By way of remedy and to ensure the safe passage of the Plan through examination, we would strongly suggest that the development strategy is revisited to further emphasise the intensification of existing urban opportunities and expand the scope for development within the National Landscapes which is inevitably going to be

required if RDC are to more closely align with the standard method local housing need.

Q9 - Do you have any comments on the proposed growth opportunities in the sub-areas as shown in Figure 10?

- 4.2.32 Within the previous Regulation 18 consultation, we highlighted the relative lack of growth options in the Northern Rother sub-area and were concerned that this option appeared intended in the longer term and therefore failed to address the needs of northern Rother residents in the early and mid-phases of the Plan.
- 4.2.33 Notwithstanding our residual comments on housing need, we are supportive of the overall strategy of allocating 729 homes to the Northern Rother villages, including Flimwell (137 homes), alongside a proportionate quantum of employment floorspace to support rural communities with both the new homes and employment opportunities that are so urgently needed in order to maintain the long term vitality of rural areas and encourage existing and prospective residents to remain in these villages.
- 4.2.34 We therefore strongly support the firm allocation of sites within the villages, to provide certainty for existing and prospective residents as well as local employers to invest in these rural areas long term and facilitate the benefits of plan-led growth.

Q14 - Do you have any comments on the proposed Vision and development strategy for Northern Rother, including the development figures shown in Figures 26 and 27?

- 4.2.35 We remain supportive of the proposed vision for Northern Rother which recognises the need for rural settlements and communities to benefit from Plan-led growth, through small-scale sensitive residential development and growth in villages.
- 4.2.36 Villages such as Flimwell are well-connected to sustainable settlements such as neighbouring Ticehurst via frequently served bus routes between Tunbridge Wells and Hastings via Hawkhurst (primarily route '1066').
- 4.2.37 We strongly agree that there are opportunities for sensitive development in the short term, including through delivery of sites identified within Neighbourhood Plans, such as Ticehurst Neighbourhood Plan. Where sites are already allocated at a local level, we strongly suggest that these are revisited for potential to accommodate additional growth, given the district-level shortfall in site availability.
- 4.2.38 We support the long-term ambitions for greater delivery upon completion of improvement to the A21 corridor, however as recognised with the Plan, such works fall outside either the scope or timeframe of the Local Plan and cannot be relied upon as a source of growth within the Plan period.
- 4.2.39 It must therefore be ensured upon submission of the Plan that the housing allocations proposed within this Plan period can be accommodated prior to the A21 upgrades, to ensure much-needed housing delivery is not delayed further in rural areas until a subsequent Plan review.

Q59 – Do you have any comments on the proposed site allocations in Flimwell, Ticehurst parish, detailed in Policies FW1 to FW3?

- 4.2.40 We strongly support the inclusion of our client’s site at Land rear of Fruitfields, High Street, Flimwell in the emerging Local Plan given its alignment with the planned strategic growth in Northern Rother, ability to unlock an existing allocation within the Ticehurst Neighbourhood Plan, the availability of the land for development, and its suitability for a landscape-led residential development capable of delivering policy compliant on-site affordable housing
- 4.2.41 Turning to the general requirements of Policy FW1, our client is generally supportive of the outlined objectives, but in light of the relatively high densities sought by the Council in the context of the significant housing need, we would urge the Council to add policy wording that ensures the objectives can be applied by Officers with a degree of flexibility.
- 4.2.42 In particular, objective (iii) seeking to restrict development to only the southern half of the site is not quantified and as demonstrated within the submitted indicative layout, if applied rigidly (50/50) by Officers, simply does not allow the target development capacity of 32 dwellings to be delivered whilst balancing wider requirement for internal landscaping, ecology, highways access, parking and amenity.
- 4.2.43 We suggest the wording is amended to either remove reference to ‘half’ or state ‘as much as possible’ to ensure the deliverability of the site whilst preserving the clear intentions of the landscape objectives which our client fully supports.

Q68 - 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)?

- 4.2.44 The Interim Sustainability Appraisal (SA) provides an assessment of the proposed options for growth, including the sites identified for allocation. The SA scores the proposed allocations against the objectives of the emerging Local Plan, with reference to SA indicators for more specific assessment under each objective.
- 4.2.45 It is noted that the SA does not confirm what each indicator refers to (for example, how it relates to the assessment questions outlined in the appendix), therefore it is not possible to provide detailed comments on the assessment’s assessments. We request that the final SA is updated to address this.
- 4.2.46 It is noted however that there are some inconsistencies with how FW1 has been assessed compared to other identified sites in Flimwell. For example, FW1 received a significant negative in relation to flood risk and two significant negatives for biodiversity.
- 4.2.47 The reasons for this are highly unclear on the evidence that the site is unaffected by flood risk from any source and has been demonstrated through the submission of previous ecology evidence to generally be of poor ecological quality, consisting of improved grassland and bramble scrub. In terms of arboriculture, the majority of trees and hedgerows within the site perimeter can be retained. A significant buffer to the north of the site will also protect trees within Wardsdown Wood (Ancient Woodland).

- 4.2.48 It is unclear why these conclusions have been reached without more clarity on the assessment indicators.
- 4.2.49 Please also refer to Question 8 for our comments on the scoring for the proposed development strategy.

5 DELIVERABILITY OF SITE ALLOCATION FW1

5.1 SITE AND SURROUNDINGS

- 5.1.1 The submission site previously referred to as 'Land to the north of Wardsdown House, Union Street, Flimwell' comprises a logical 2.17ha parcel of land to the rear of residential development north of Union Street, in the centre of Flimwell.
- 5.1.2 The land is included as a draft allocation within the Development Strategy and Site Allocations Draft (Regulation 18) consultation document under policy reference FW1 (site name: 'Land rear of Fruitfields, High Street, Flimwell') for approximately 32 homes.
- 5.1.3 The site is in equestrian use containing stable buildings and associated paddock grazing land and therefore comprises Previously Developed Land 'PDL' as defined by the NPPF (2024). The site is well-contained on all sides by existing residential built form and mature boundary vegetation and is afforded only glimpsed views from the site access onto Union Street. The topography of the site varies, with significant level changes across the site.



FIGURE 1: APPROXIMATE AERIAL SITE LOCATION (GOOGLE EARTH)

- 5.1.4 Flimwell comprises a linear settlement that has historically been broadly centred around the crossroads between the A21 'London Road' and the B2087 'Union Street / High Street / Hawkhurst Road'. In the last 25 years, the development of sites in the west of Flimwell has seen the settlement evolve north of Union Street with cul-de-sac developments at Bewl Bridge Close and Old Wardsdown.
- 5.1.5 More recent development has seen a further nine new homes at Old Wardsdown (RR/2015/1312/P) and the development of Corner Farm, adjacent to the Cross

Road has brought 25 new homes and a village hall (RR/2017/1831/P) which is also understood to include a community store.

- 5.1.6 Flimwell comprises a mid-tier settlement in the Northern Rother sub-area with a small number of local facilities. However, the settlement benefits from excellent public transport connectivity by bus (route '1066') to higher order levels of services and facilities in neighbouring Ticehurst and Hawkhurst (Tunbridge Wells Borough Council) including grocery stores, schools, medical facilities, community facilities and a range of independent shops, restaurants and employment opportunities. The bus route also continues to nearby Robertsbridge which benefit from frequent rail connections between London Charing Cross and Hastings.
- 5.1.7 In terms of overarching planning constraints, the site falls within the High Weald National Landscape, as indeed does the entirety of the Northern Rother sub-area. A parcel of Ancient Woodland 'Wardsdown Wood' lies to the north of the site. In terms of ecology, a previous Phase 1 Ecology Survey confirms the majority of the site appears to be generally of poor ecological quality, consisting of improved grassland and bramble scrub. The site is located entirely within Flood Zone 1 (least likely zone to flood) and there are no heritage assets within the vicinity of the site.

5.2 TICEHURST NEIGHBOURHOOD PLAN ALLOCATION

- 5.2.1 The Ticehurst Neighbourhood Plan was made (adopted) in July 2019 and forms part of the Rother District Development Plan. The Plan was prepared by Ticehurst Parish Council with input from residents and stakeholders and sets out a future vision of the parish and its three distinct settlements of Ticehurst village, Stonegate and Flimwell. The vision is to have friendly, safe and attractive communities which will flourish within the beautiful setting of the High Weald Area of Outstanding Natural Beauty.
- 5.2.2 The plan has four aims:
- 1) *To maintain and enhance the rural character of the parish*
 - 2) *To support and extend employment opportunities within the parish*
 - 3) *To provide high quality housing for all residents*
 - 4) *To improve the infrastructure and amenities within the parish.*
- 5.2.3 As introduced in previous sections, the submission site is partially allocated within the Ticehurst Neighbourhood Plan for residential development under Policy H2 of the Plan.
- 5.2.4 The site is known as 'Wardsdown House, Flimwell' (site area below) and is allocated for nine residential dwellings, forming the only residential allocation for Flimwell within the Neighbourhood Plan.



FIGURE 3: ILLUSTRATIVE LAYOUT

- 5.3.2 On this basis, to assist the Council, an illustrative site layout has been prepared which demonstrates how the proposed capacity of 32 dwellings could be achieved to deliver a landscape-led layout whilst ensuring sufficient separation distances to properties south on Fruit Fields. An illustrative drawing pack is included within this submission.
- 5.3.3 The accommodation schedule submitted shows a scheme comprising a mix of two, three and four-bed family homes reflective of the prevailing development pattern locally, with access retained as existing from Union Street.
- 5.3.4 All properties will achieve in excess of nationally described space standards and are provided with spacious rear amenity spaces, two allocated parking spaces and set within an organic layout with scope for internal landscaping features.
- 5.3.5 In response to land levels, a generous planted buffer is afforded around the site perimeter contributing to the required Biodiversity Net Gain (BNG) and ensuring robust landscape boundaries between proposed and existing neighbouring properties. Further details will be subject to the baseline BNG score and can be refined following receipt of an ecology report. In response to land levels, the clearing to the north-east has been highlighted as potential SuDs area which can be refined following receipt of a drainage assessment.

Technical Considerations

- 5.3.6 Notwithstanding the early stages of the proposals, to confirm the deliverability of the site, the following planning issues are considered in additional detail below:

Landscape

- 5.3.7 The entirety of Flimwell and indeed the majority of the Northern Rother sub-area are washed over by the High Weald National Landscape. However, the wider characteristics of the site make it a logical area to extend the settlement boundary without risk of further encroachment or the loss of sensitive countryside. The topography of the site varies, which means that a well-designed housing scheme could maximise the use of the level changes to create a subtle and non-intrusive extension to the village, whilst still maintaining the open character and any sensitive landscape views and incorporating high-quality boundary and internal landscaping measures.

Heritage

- 5.3.8 There are no nearby heritage assets that would be impacted by the delivery of the proposed submission site.

Ecology, Trees and Flood Risk

- 5.3.9 A previous Phase 1 Ecology Survey confirms the majority of the site appears to be generally of poor ecological quality, consisting of improved grassland and bramble scrub. The woodland to north has elements of Ancient Woodland and the Phase 1 Survey suggests that a detailed botanical survey may be required in spring to confirm the precise nature of ground flora. A copy of report can be made available on request, albeit any future planning application will be supported by an updated survey with regard to the recent Biodiversity Net Gain requirements of which 10% net gain is anticipated to be capable of being accommodated on-site and accompanied by a robust scheme of internal and boundary landscaping enhancement.
- 5.3.10 In terms of arboriculture, the majority of trees and hedgerows within the site perimeter can be retained. A significant buffer to the north of the site will also protect trees within Wardsdown Wood (Ancient Woodland).
- 5.3.11 Finally, the site is located entirely within Flood Zone 1 (least likely zone to flood) and there is at this stage considered sufficient space outside of the developable area to accommodate a robust SuDS scheme.

Highways and Access

- 5.3.12 Access design and improvements are subject to ongoing feasibility work by the project team with an expectation to provide additional information as the emerging Local Plan progresses and upon submission of a planning application.
- 5.3.13 Nevertheless, at this early stage no constraints with regard to access are anticipated and the existing access is considered to be suitable to serve the proposed development capacity, subject to further details.
- 5.3.14 The site is already easily accessible by public transport and benefits from access to a range of existing day-to-day services and facilities via sustainable travel modes.

- 5.3.15 Given the above, it is considered that the proposed development would not result in 'severe' residual transport impacts, in accordance with the NPPF, and that it represents sustainable development in transport planning terms

Residential Amenity

- 5.3.16 Any future scheme will have careful regard to the relationship between the proposed development and existing properties to the rear along Fruitfields. The indicative proposals demonstrate how the site may be developed utilising the land levels to minimise adverse impact on residential amenity which would be further mitigated by the degree of achievable separation distances and reinforced boundary landscaping.

Deliverability

- 5.3.17 The site is in single ownership and there are no known complex legal agreements or covenants that would prohibit the ability to bring forward the site early in the Plan period.
- 5.3.18 The uplifted housing capacity generated by the inclusion of the wider site will serve to ensure the deliverability of the existing nine dwelling Neighbourhood Plan H2 allocation 'Wardsdown House' by addressing the present viability constraints to development.
- 5.3.19 The wider site is therefore considered available and achievable for the purposes of the tests of deliverability.

5.4 STRATEGIC JUSTIFICATION FOR ALLOCATION

- 5.4.1 Flimwell comprises a mid-tier settlement in the Northern Rother sub-area with a small number of local facilities. However, the settlement benefits from excellent public transport connectivity by bus (route '1066') to higher order levels of services and facilities in neighbouring Ticehurst and Hawkhurst (Tunbridge Wells Borough Council) including grocery stores, schools, medical facilities, community facilities and a range of independent shops, restaurants and employment opportunities. The bus route also continues to nearby Robertsbridge which benefit from frequent rail connections between London Charing Cross and Hastings.
- 5.4.2 The settlement has recently represented a deliverable source of high-quality new homes, with recent development at Corner Farm delivering 25 new homes and a village hall. The adopted Ticehurst Neighbourhood Plan allocated to the western parcel of our client's submission site for nine dwellings. The Plan was made in 2019, having been prepared by Ticehurst Parish Council and voted through by residents of the Parish who recognised the need for proportionate plan-led growth in Flimwell and supported development of the site at Wardsdown House.
- 5.4.3 At the District-scale, the Council's spatial strategy makes provision for sustainable settlement growth, however more specifically, RDC's draft vision for the Northern Rother sub-area makes clear the intention to support the viability and social vitality of the rural communities through small-scale residential development

which the Council aim to ensure that health and wellbeing and community cohesion is maintained and improved.

- 5.4.4 With much of the district's population living in rural or remote areas, it is reiterated that the NPPF promotes a balanced distribution of development and a robust supply of small and medium sized sites which can make an important contribution to meeting the housing requirement of an area. At paragraph 82 the Framework states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.
- 5.4.5 In this context, our client positively supports RDC's draft development strategy which seeks to allocate circa 729 homes to the rural Northern Villages and 137 to Flimwell.
- 5.4.6 Notwithstanding, it also clear that there are severe shortages in the availability of housing land in the district's most sustainable location. As drafted, the Plan will seek to deliver just 52% of the standard methodology housing need figure and it is clear that additional sites are urgently needed.
- 5.4.7 We therefore strongly suggest that all options are continue to be explored to increase the supply of housing within the Plan period, including reviewing the suitability of land within the mid and lower tier settlements for additional or uplifted housing capacity.
- 5.4.8 The Regulation 18 Plan objectives identify the opportunity afforded by the neighbourhood planning process to deliver new homes. In this regard, where sites are already partially supported in principle by a Neighbourhood Plan allocation, these sites represent vital opportunities to both deliver additional housing to meet the district-level need and address the needs of rural communities by delivering the much-needed improvements to local services, community facilities and infrastructure that can be brought forward alongside new development.
- 5.4.9 The identification of additional housing capacity is plainly necessary in villages including Flimwell, in order to address the housing land availability shortfall within the Plan period and the allocation of circa 729 homes in the Northern Rother villages is strongly supported by our client.
- 5.4.10 In this context, our client's site at Land rear of Fruitfields, Flimwell comprises a logical well-contained site within Flimwell, which relates positively to the prevailing settlement growth pattern and is located in close proximity to the existing services and bus stops within the village centre, facilitates the contribution of new residents to the social vitality and viability of the rural communities.
- 5.4.11 The draft allocation site is capable of contributing positively to the social and economic activities within the village and is promoted on the basis of securing the deliverability of the Ticehurst Neighbourhood Plan allocation at Wardsdown House for nine dwellings, which is unviable as allocated and will not come forward in the foreseeable economic climate.
- 5.4.12 The site represents an unconstrained, greenfield development opportunity proportionate to the settlement with capacity to deliver a meaningful quantum of new housing (including affordable homes on-site), biodiversity enhancement and financial contributions early in the Plan period and is promoted as available, suitable and achievable for the allocation of up to 32 dwellings.

6 CONCLUSION

6.1 SUMMARY

- 6.1.1 This representation is made on behalf of Denbigh Properties Limited in relation to land referred to within previous submissions as 'Land north of Wardsdown House, Union Street, Flimwell'.
- 6.1.2 The land is included as a draft allocation within the Development Strategy and Site Allocations Draft (Regulation 18) consultation document under policy reference FW1 (site name: 'Land rear of Fruitfields, High Street, Flimwell') for approximately 32 homes.
- 6.1.3 The site is demonstrated to be suitable for development and is consistent with the long-term spatial strategy of the draft emerging Plan, which recognises the need for sensitive growth in rural settlements and longer term, along the A21 corridor in the absence of sufficient available land in Bexhill, Battle and Rye. However as drafted, the Plan falls substantially short of the local housing need figure, such that it likely fails the tests of soundness in regard to being 'positively prepared'.
- 6.1.4 As set out within this representation, we strongly support our client's allocation, which must form a valuable component of RDC's deliverable supply and should be fully maximised, particularly where such sites are already benefit from local support within an adopted Neighbourhood Plan. However, in the interests of ensuring a sound Plan, we strongly suggest that all draft allocation sites are appropriately considered and in addition, further suitable sites are sourced as part of the relaunched and ongoing 'Call for Sites' exercise to ensure the submission of a sound Plan.
- 6.1.5 Taking all of the above into consideration, we strongly support the allocation of Land rear of Fruitfields, High Street, Flimwell' for an uplifted figure of 32 homes, identified for delivery commencing within the initial 0-5 year phase. Formal allocation within the District Plan will secure the deliverability of the Neighbourhood Plan allocation and the site should continue to form part of the Council's housing evidence base which will inform the emerging Local Plan.

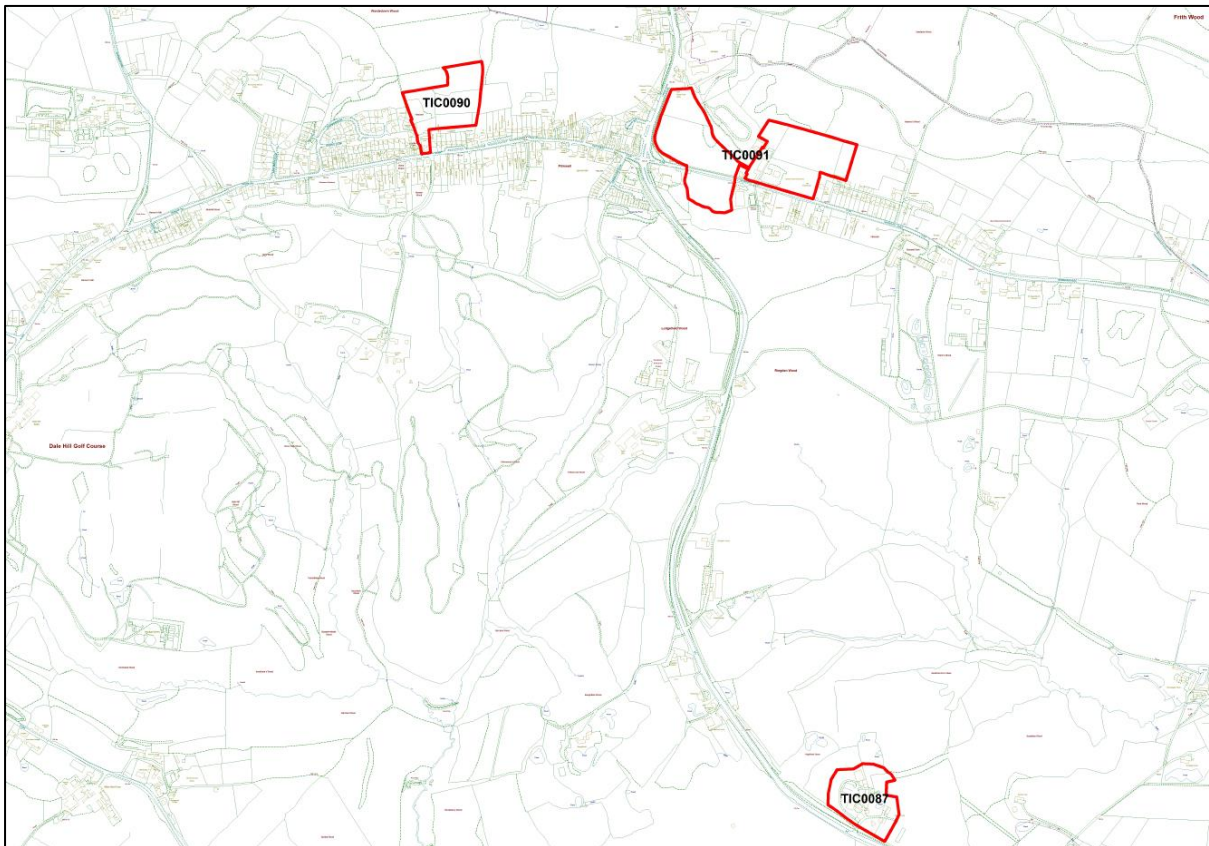
APPENDIX

1



Flimwell

Parish: Ticehurst



Reproduced from the Ordnance Survey mapping with the permission of the Controller of His Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No. 100018643 2025

Policy Reference: FW1

Site name: Land rear of Fruitfields, High Street, Flimwell

Site identification: Ticehurst Neighbourhood Plan allocation and additional land identified through HELAA process (HELAA site reference TIC0090)

Greenfield/ Brownfield: Greenfield

Sub-area: Northern Rother

Allocated use and capacity: The site is allocated for residential development comprising some 32 new dwellings

Density statistics:

Area type:	Village
Site size (ha):	2.3
Indicative size of area for built development (ha):	0.9
Indicative residential density:	35 dwellings per hectare

Site specific development requirements:

Development on this site must:

- i. Provide a policy-compliant amount of on-site affordable housing in line with policy HOU2 of the Rother Local Plan
- ii. Provide new vehicular, pedestrian and cycle access onto Union Street to the satisfaction of the Highways Authority, whilst retaining Public Right of Way 'Ticehurst 11b'.
- iii. Limit built development to the southern half of the site only with the northern half to comprise green infrastructure and necessary buffers to woodland, as detailed in Criterion v;
- iv. Retain and enhance trees and hedgerows within the site, including ancient woodland, deciduous woodland priority habitat, the trees forming the east and west site boundaries, and any other significant trees or groups of trees within the site
- v. Retention and enhancement of trees and deciduous woodland will be inclusive of the provision for the retention and future management of a buffer zone of semi-natural habitat, at least 15 metres wide (which does not include residential gardens), within the north of the site, between the edge of development and the ancient woodland;
- vi. Include sustainable drainage in accordance with Policy ENV2 of the Rother Local Plan.
- vii. Be designed to protect the residential amenity of the occupiers of existing dwellings adjacent to the site

- viii. Lighting should be designed in accordance with Policy LAN3 and in reference to the [High Weald National Landscape Unit's Technical Advice Note on Dark Skies in the High Weald](#)
- ix. Be informed by a landscape sensitivity assessment to determine an appropriate layout, form and detailed design to ensure the conservation and enhancement of the landscape and character of the High Weald National Landscape.

Supporting text:

This site is formed of two separate sites considered through the HELAA, comprising an existing site allocation at Wardsdown House (allocated through the Ticehurst Neighbourhood Plan) and the land to the east, to the rear of properties fronting Union Street. Development of the allocated site has not come forward and the landowners advise that this is due to viability, and that the site's eastward extension would ensure overall viability. The extended site provides an opportunity to provide additional dwellings in the village without harming the landscape or character of the High Weald National Landscape, subject to the policy requirements.

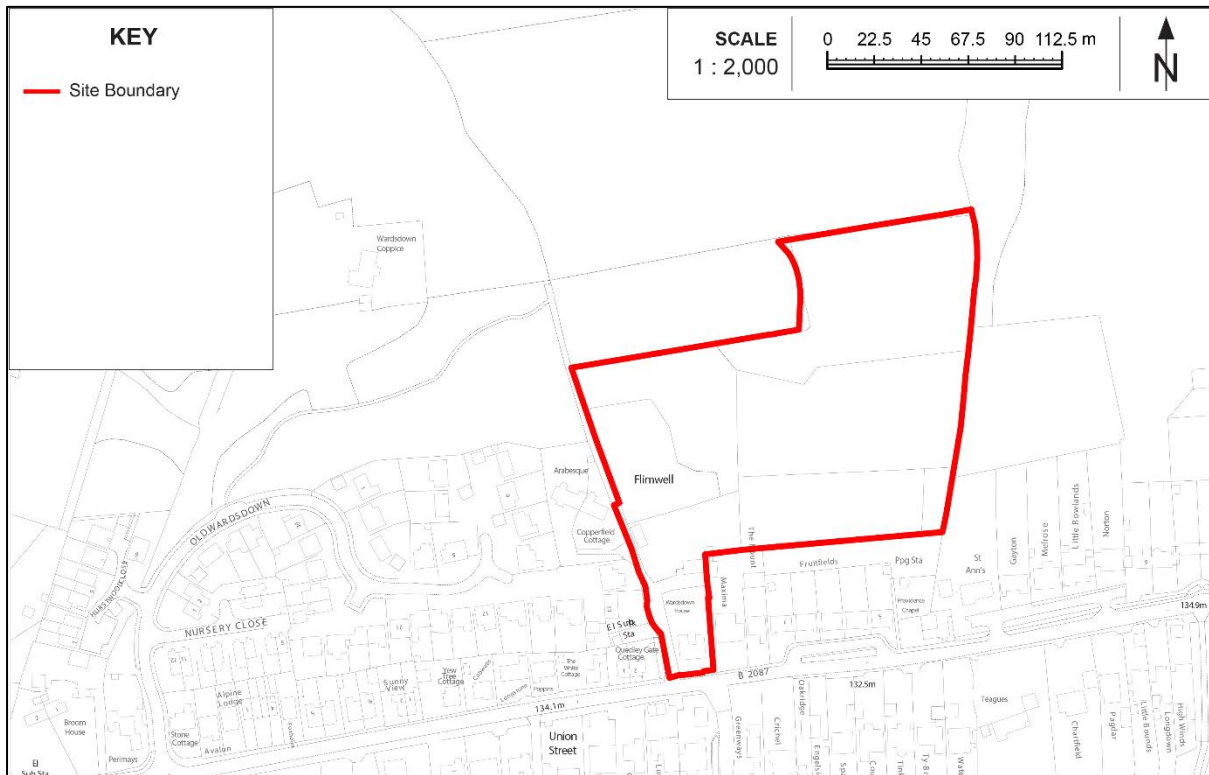
While the site is well screened from the wider landscape by existing development and woodland, there are a number of constraints on site which ultimately reduce the developable area.

The northern areas of the site have considerable tree cover, including Wardsdown Wood, which forms an area of designated ancient woodland within the north of the site, and then an area of deciduous woodland priority habitat that lies just south of the ancient woodland. There are further areas of tree cover within the site and along the boundaries that will also need to be retained, to ensure the protection of landscape character and biodiversity. The more substantially treed sections of the site are included within the area that is suitable for Green Infrastructure and not for dwellings. Consequently, development should be focused within southern areas of the site.

Given the presence of ancient woodland and deciduous woodland priority habitat, it is important that the developable sections of the site be designed in line with the High Weald National Landscape Unit's Technical Advice Note on Dark Skies in the High Weald.

There are areas within the east and notably the northeast of the site that are vulnerable to surface water flooding, which gathers northward of the site in a downhill direction as a tributary to the River Bewl, 125 metres to the north. Development should avoid these more vulnerable areas, while a Sustainable drainage infrastructure (SuDS) will be required in the northeast of the site. SuDS related development should be delivered south of the area of deciduous woodland.

Site Location Plan: FW1



Reproduced from the Ordnance Survey mapping with the permission of the Controller of His Majesty's Stationary Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No. 100018643 2025