

Rother District Council  
Regulation 18 Consultation

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# Catesby Strategic Land Limited and Rurban Estates Limited

Policy Reference BX39: Land west of Ninfield Road, Bexhill

**HY/HM/34556**  
March 2026



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# 1 INTRODUCTION

## 1.1 OVERVIEW

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- 1.1.1 This representation has been prepared on behalf of Catesby Strategic Land Limited (hereafter referred to as Catesby Estates) and Rurban Estates Limited in response to Rother District Council's Regulation 18 consultation on the Draft Local Plan 2025-2042, which runs until 23<sup>rd</sup> March 2026.
- 1.1.2 Rother District Council ('RDC' or 'the Council') 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.
- 1.1.3 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.
- 1.1.4 This representation does not repeat the comments made on policies or chapters included within the first consultation and we refer Policy Officers to report reference July 2024 - DHA/33413.
- 1.1.5 The purpose of this representation is to support the strategic growth identified for North Bexhill and the inclusion of 'Land west of Ninfield Road, Bexhill' under draft Policy BX39. It seeks to comment on the scope of the draft policy and on the proposed spatial strategy more generally.
- 1.1.6 Catesby Estates has control of all land covered by draft Policy BX39 and have been promoting the site for allocation as part of RDC's emerging Local Plan process in partnership with Rurban Estates Limited and other landowners. Two outline applications will shortly be submitted for the site, relating to the three ownership parcels making up the draft allocation. Details of the applications are contained within **Section 2** of this representation.
- 1.1.7 In light of RDC's significant housing need, and in recognition of the proposed further expansion of North Bexhill, land west of Ninfield Road is well placed to deliver a cohesive and landscape-led residential development opportunity which integrates open space and biodiversity enhancements whilst making a valuable contribution to local housing supply, with the necessary infrastructure improvements to support it. The development of this site will be consistent with the Council's preferred spatial options and the ongoing development around Haven Brook Avenue.
- 1.1.8 This representation affirms our client's commitment to developing the site and provides additional evidence to demonstrate that the site is suitable for allocation.

## 1.2 PLANNING POLICY FRAMEWORK

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- 1.2.1 **Paragraph 15** states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

- 1.2.2 **Paragraph 16** sets out that plans should: -
- (a) be prepared with the objective of contributing to the achievement of sustainable development;
  - (b) be prepared positively in a way that is aspirational but deliverable;
  - (c) be shaped by early, proportionate, and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
  - (d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
  - (e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
  - (f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in the NPPF where relevant).
- 1.2.3 **Paragraph 26** states that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.
- 1.2.4 In line with **Paragraph 36** for Plans to be found 'sound' final draft plans must be:

***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.

### 1.3 STRUCTURE OF THE REPRESENTATION

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- 1.3.1 **Section 1** of this report is an introduction to the plan context.
- 1.3.2 **Section 2** of this report introduces the site and its surrounding and explains why we consider it is a suitable location for planned growth, with reference to additional evidence available from the emerging applications.
- 1.3.3 **Section 3** responds to the draft consultation questions.
- 1.3.4 **Section 4** concludes the report and sets out why the site should be allocated within the draft local plan.

## 2 DELIVERABILITY OF LAND WEST OF NINFIELD ROAD, BEXHILL

### 2.1 OVERVIEW

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- 2.1.1 This representation reflects our client's aspirations to develop 'Land west of Ninfield Road, Bexhill' (Site Reference Policy BX39). The site was assessed as Site Reference BEX0220 in RDC's Strategic Housing and Economic Land Availability Assessment (HELAA) and comprises three adjoining land parcels - hereafter referred to as land at 'High House Farm', 'Summerleas' and 'Chestnut Meadows'.
- 2.1.2 Two outline planning applications are due to be submitted for this site, which have been designed in tandem with each other by the same applicant team. The applications propose up to 471 new homes, with 335 homes proposed at High House Farm/Summerleas and 136 new homes proposed at Chestnut Meadows.
- 2.1.3 The relevant submitted documents have been summarised within this representation as they demonstrate that a context appropriate development could be delivered on this site with no constraints that cannot be overcome through sensitive design or defined mitigation measures. It also demonstrates that the development can be contextually appropriate for its edge of settlement location and can deliver the strategic objectives outlined in draft Policy BX39.
- 2.1.4 The vision for the site is to deliver a high quality, locally distinctive and sustainable addition to Bexhill. The new proposals will provide much needed market and affordable housing, spacious public open spaces, recreation and play areas, enhanced areas of biodiversity and community infrastructure including new play space and recreational routes. A range of homes would be delivered, with a balance of tenures and sizes to meet local needs, whilst respecting the character of the local vernacular.
- 2.1.5 Copies of the indicative plans for the site are provided in **Appendix 1**.

### 2.2 SITE LOCATION AND DESCRIPTION

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- 2.2.1 The site comprises a 28-hectare area of land to the west of Ninfield Road, Bexhill, as outlined in red in **Figure 2.1** below. It should be noted that the allocation boundary includes a cluster of existing buildings at Chestnut Meadow which are excluded from the forthcoming application boundaries.
- 2.2.2 Land at High House Farm and Summerleas forms the southern part of the allocation and is largely characterised by agricultural grassland, enclosed by established natural boundaries along much of the perimeter. The grassland is subdivided into smaller field parcels which are lined by managed hedgerows and trees. On the eastern side of the site on its frontage is an existing detached dwelling of 1960's construction, with a vehicular track to the north of the dwelling providing access to an arrangement of at-cost farm buildings. The pastureland sits beyond the house and agricultural buildings to the west.
- 2.2.3 Land at Chestnut Meadows forms the northern part of the allocation and is currently in use as part of a camping and caravan park. The southern part of Chestnut Meadows contains a camping field and a cluster of ancillary and commercial buildings, principally accessed via a surfaced vehicular route leading from Ninfield Road to the north. The northern part of Chestnut Meadows is characterised by managed grassland and a barn. A group of static lodges to the west are excluded from the allocation boundary and are subject to a separate HELAA Site Reference (BEX0211).

- 2.2.4 The site is bounded to the north by a residential area known as Lunsford's Cross, Kiln Wood, and Peartree Lane. To the east of the site is Ninfield Road (A269), private residential properties and St Mary's Lane. To the south is the Ibstock Brickworks, grassland, the Bexhill cemetery, and residential and agricultural buildings. To the west is a private dwelling and woodland, with Peartree Lane beyond.



FIGURE 2.1: SITE AERIAL SHOWING SURROUNDING CONTEXT (BASE MAP SOURCE: GOOGLE)

## 2.3 ACCESS

- 2.3.1 There are four existing access points into the site, identified in **Figure 2.1**. The first serves High House Farm, the second serves Chestnut Meadows and a third is an unsurfaced access to the barn in the northern part of the site, partially shared with the residential properties at Lunsford Manor beyond. The fourth access to Summerleas is taken via a field gate from Peartree Lane.
- 2.3.2 Ninfield Road (A269) is the principal route into Bexhill from the north of the settlement and connects the site to the town centre and a new local distributor road that has been constructed between the A269 and the Bexhill-Hastings Link Road - Haven Brook Avenue. Surfaced pavements exist along Ninfield Road which lead northwards to bus stops at Thorne Crescent. The bus stops provide regular services via bus route no. 53, 95 and 98 to Bexhill, Hastings, Eastbourne and Conquest Hospital. Southbound pavements link to Haven Brook Avenue and to the St Mary's Lane Recreation Ground via St Mary's Lane.
- 2.3.3 Currently there is no pedestrian crossing for access to the southbound bus stop. As part of the access design, it is proposed that Ninfield Road would be slightly realigned along the site frontage, with an uncontrolled pedestrian crossing proposed immediately south.
- 2.3.4 Furthermore, in line with the findings of the Non-Motorised User Audit and the pre-application advice received from the RDC and East Sussex County Council (ESCC) as the Highway Authority for the applications, it is proposed that the existing pedestrian infrastructure along the A269 Ninfield Road between the site access and Mount Idol View in Sidley be widened and upgraded to promote the uptake of active transport modes amongst future residents and visitors to the site. This will be implemented as follows:

- The footway on the northern side of Ninfield Road will be widened to the south-east of the proposed toucan crossing, joining with the existing shared use infrastructure at the roundabout junction with the A2691 Haven Brook Avenue;
- Tactile paving will be installed at the crossing of Freezeland Lane;
- At the point where the existing shared facility ends to the south of the junction with the A2691 Haven Brook Avenue, the footway will be widened and the shared facility extended to the existing crossing point east of St Mary's Cottages;
- The existing crossing will be slightly relocated to the east to improve pedestrian visibility, widened and provided with dropped kerbs and tactile paving. The existing bus stop will also be relocated to the east to avoid conflict with the pedestrian crossing;
- The existing footway on the southern side of Ninfield Road will be widened to accommodate the shared facility, which will continue to the junction with Mount Idol View;
- The westbound bus layby to the north of Mount Idol View will be narrowed to enable the footway to be widened to accommodate the shared facility whilst maintaining sufficient carriageway width for two-way traffic flow when buses are present; and
- Tactile paving will be installed at the crossing of Beacon Hill.

2.3.5 In order to facilitate non-car accessibility to St Mary's Recreation Ground to the south-east of the site, the applicant is also willing to make a proportionate financial contribution towards the upgrading of Public Footpath BEX/89/1 to provide an appropriate all-weather surface.

2.3.6 There is an existing public footpath (reference BEX/47/1) which dissects the centre of the site, linking Ninfield Road to the east with Peartree Lane to the west. The proposals have been sensitively designed to retain and incorporate this footpath, to help facilitate active travel and enjoyment of the wider countryside. This route is shown in **Figure 2.1** in green.

## 2.4 POLICY DESIGNATIONS AND SITE-SPECIFIC CONSIDERATIONS

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### Heritage

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2.4.1 There is one designated heritage asset within the vicinity of the site, comprising the Grade II listed The High House (Listing Entry Number 1044248) located immediately north of the entrance.

2.4.2 Whilst 20th-century mapping suggests a possible associated farm complex within the site, the earliest available information suggests that the landholding associated with the asset was limited to a relatively small plot extending to the north. The frontage of the site and the proposed enhancement of the existing access can be sensitively designed to positively respond to and enhance the setting of the listed building.

2.4.3 All of the extant farm buildings within the site post-date the mid 20th century, and are not considered to be curtilage listed. The dwelling on the frontage of Ninfield Road within the site is not of historic interest. Their proposed removal in place of a tree lined entrance, sensitive landscaping and quality materials can make a positive contribution to its setting.

- 2.4.4 The site does not fall within a Conservation Area, with the nearest being the Bexhill Old Town Conservation Area located approximately 2.5km to the south.
- 2.4.5 A Roman ditch and other, undated features were recorded during evaluation works north of the site at Chestnut Meadow Caravan and Campsite. There is no current evidence to suggest that remains of any significance that would represent a constraint to development.
- 2.4.6 The site does not fall within an Archaeological Notification Area (ANA) as defined by the East Sussex County Council map for ANAs in East Sussex and Brighton & Hove.
- 2.4.7 A Heritage Statement and Desk Based Archaeological Assessment has been prepared to accompany the forthcoming applications for the site and confirms that the emerging proposal is appropriate to the site's heritage context. Further details of this assessment are provided as a response to the Sustainability Appraisal.

### Flood Risk/Drainage

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- 2.4.8 The Environment Agency's Flood Map for Planning shows the site within Flood Zone 1, which means that the site is at low risk of flooding from nearby rivers and the sea. There are very limited areas at risk of surface water flooding in the 1 in 30, 1 in 100 and 1 in 1000-year scenarios, as shown in **Figure 2.2**.
- 2.4.9 The forthcoming applications will include a Flood Risk Assessment and Drainage Strategy. The proposed surface water drainage strategy ensures that all runoff from the development is managed safely and in accordance with the requirements of the Environment Agency (EA) and Lead Local Flood Authority. Runoff rates will be limited to the 1-in-1-year greenfield runoff rate for each development parcel, ensuring there is no increase in downstream flood risk.
- 2.4.10 Attenuation has been provided through a network of swales, permeable paving (where appropriate), and strategically located detention basins. The basins have been sized to accommodate the 1 in 100 year event plus a 45% climate change allowance, in accordance with the EA's climate change guidance, ensuring that the development remains safe during extreme rainfall events.
- 2.4.11 Each basin includes an appropriate freeboard allowance to manage residual risk and provide further resilience. The proposed SuDS also provide water quality treatment, biodiversity enhancement, and safe exceedance routing, consistent with national standards.



FIGURE 2.2: EXTRACT OF THE DEFRA FLOOD MAP FOR PLANNING (SOURCE: DEFRA)

### Environmental and Spatial Designations

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- 2.4.12 The proposed development site is located on the northern edge of Bexhill, in an area characterised by both rural landscape and clusters of built development including the

Lunsford's Cross residential area and Chestnut Meadows caravan park. The key landscape features within the site are found along the boundaries in the form of trees and hedgerows. The majority of the site is characterised by open grassland.

- 2.4.13 The site is not within the South Downs National Park, or its setting, nor is it covered by the High Weald National Landscape or Green Belt.
- 2.4.14 Ancient Semi Natural Woodland is located adjacent to the site outside the northern and western boundaries. The woodland within the eastern boundary is also defined as Ancient, as shown in **Figure 2.3** below. The illustrative layout demonstrates that the requisite buffers can be accommodated in line with Natural England's Standing Advice.
- 2.4.15 There are no ecological constraints which would prevent the site from being developed. The intention is to achieve Biodiversity Net Gain including through on-site enhancements. The necessary ecological surveys have been carried out, and the recommendations have informed the indicative layouts.

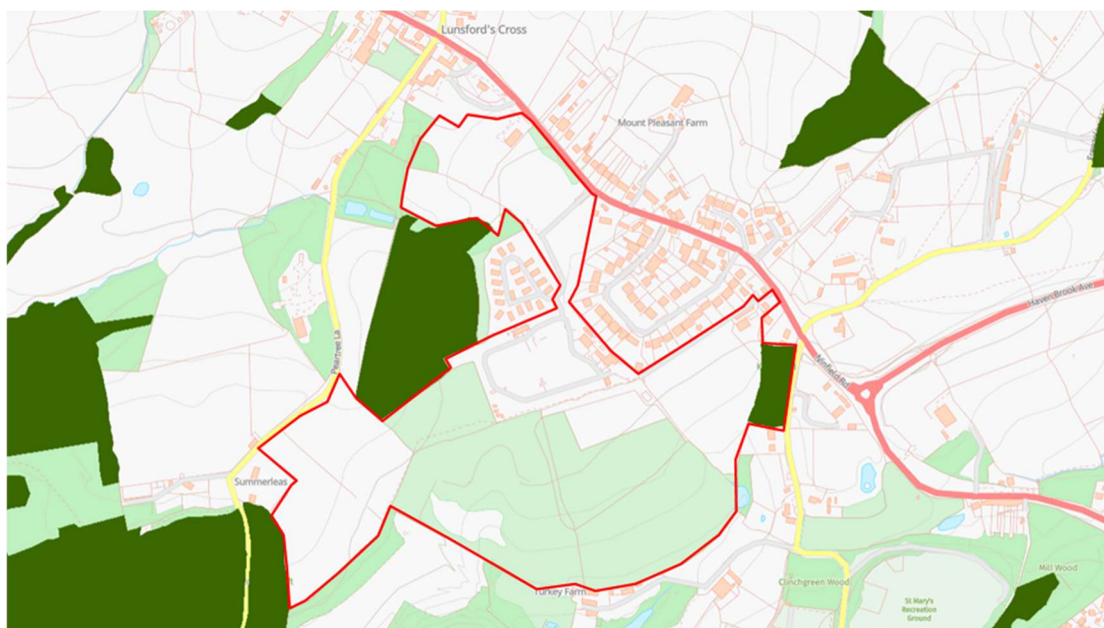


FIGURE 2.3 LOCATION OF THE ANCIENT WOODLAND OUTSIDE THE EASTERN BOUNDARY, RELATIVE TO THE ALLOCATION BOUNDARY  
(SOURCE: MAGIC MAPS)

## Amenity

- 2.4.16 The main consideration to residential development is transport noise, namely road traffic noise from the surrounding road network; Ninfield Road (northeast), St Mary's Lane (east) and Peartree Lane (west).
- 2.4.17 Noise emissions from the Quarry and associated Istock brickworks, will also be a consideration whilst it is operational. The winning of sand and clay is permitted until 2051 (48 years from date of planning permission in 2003).
- 2.4.18 The planning application is to be supported by a Noise Assessment, informed by noise monitoring which has taken place on site. This has assessed the impacts of noise from the quarry and brickworks to the south, as well as road noise from Ninfield Road, and concludes that the majority of the Site is exposed to negligible noise risk and therefore prevailing noise is not a constraint to residential development. The highest noise risk is the

land area proximate to Peartree Lane and area near Ninfield Road and St Mary's Lane where the noise risk increases to low during the nighttime period.

- 2.4.19 The Noise Assessment concludes that all guideline noise levels can be achieved, both within properties (with windows open) and within external amenity areas. However, a further precautionary offset has been provided as part of the proposed development plan which will mitigate any residual or unexpected impacts.
- 2.4.20 With regard to the impact of the quarry and brickworks to the south, as no adverse impacts have been identified, the agent of change principle is satisfied.
- 2.4.21 Noise is therefore not considered to be a constraint to development.

## **2.5 AVAILABILITY AND ACHIEVABILITY**

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- 2.5.1 Catesby Estates have a legal interest in the site, and this reflects the landowner's willingness to make the land available for development. There are no known viability issues, legal or third-party constraints present and there are no impediments to the site being allocated for development commencing early within the Plan period.

## 3 RESPONSE TO CONSULTATION

### 3.1 OVERVIEW

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

### 3.2 RESPONSE TO QUESTIONS

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

3.2.1 Please refer to our comments made on the Strategic Spatial Objectives contained within our representation on the 2024 consultation. We have no specific comments to make on the amendments made.

#### **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?**

3.2.2 The Council'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
<b>Completions</b>	To be included from 1 <sup>st</sup> April 2026
<b>Committed Sites</b> – 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
<b>Windfall Sites</b> - Small site allowance of 39 units annually, starting Year 4 of plan period	546
<b>New / Updated Allocations</b> – Existing site allocations without planning consent with revised capacity (residual figure), new site allocations without planning consent (as of 1 <sup>st</sup> April 2025).	5,051
<b>Unmet need accommodated outside of Rother</b>	0

3.2.3 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.

- 3.2.4 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.
- 3.2.5 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.
- 3.2.6 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.
- 3.2.7 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.
- 3.2.8 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.
- 3.2.9 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.
- 3.2.10 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.
- 3.2.11 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.
- 3.2.12 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 place 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 the 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, it is considered likely that exceptional circumstances exist to justify major development proposals within the National Landscape.

- 3.2.13 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).
- 3.2.1 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. 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 LPAs should *"continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas,"*
- 3.2.2 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.
- 3.2.3 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 which the Council are rightly seeking to protect, would be severely diminished.
- 3.2.4 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.

#### **Q5 - Do you have any comments on infrastructure needs or priorities to support the proposed Development Strategy?**

- 3.2.5 Please refer to our comments on BX39 which provide comments on the one-form entry primary school with Early Years nursery provision required for the North Bexhill Growth Area.

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

- 3.2.6 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 responds to local market demands.

- 3.2.7 The proposed density range of 45-60 dwellings per hectare for the Live Well Locally area (Urban Edge of Bexhill) set out in the 2024 consultation does not align with the findings of the Density Study (2026) which recommends a density of 35-55 dwellings per hectare. The Density Study includes a number of case studies within the Live Well Locally urban edge which show how this density range can be delivered through coherent neighbourhood structure (perimeter and mews blocks), rebalanced amenity (shorter private gardens paired with shared greens/courts), and parking that is distributed and designed rather than dominant. It is stated that heights should be used as a tool rather than a blanket approach: 2 storeys predominant in the most sensitive contexts; 2-3 storeys generally at Bexhill edge; and 3-4 storeys reserved for hubs/key streets where supported and stepped down toward edges.
- 3.2.8 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). Live Well Locally areas are given a density of 40dph, comprising 'low-rise development at the mid-range of medium density, located on the urban edge.'
  - c) Option C - 'Higher Density Plus' - higher density with a significant uplift in development density (compared to the baseline). Live Well Locally areas are given a density of 50dph, comprising 'low-rise development at the higher range of medium density, located on the urban edge.'
- 3.2.9 RDC's preferred approach is Option B, with the recommended target density range of 35-55 dph for Live Well Locally areas. Whilst we support the efficient use of land and, higher densities where appropriate, the policy wording should not be overly prescriptive to ensure that individual site characteristics are appropriately considered. It is recognised that there will be opportunities within the Growth Area where higher densities will be appropriate but equally it can be necessary to incorporate lower densities at settlement edges to provide a sensitive transition to the open countryside beyond. Further, a prescriptive density to all sites doesn't necessarily provide an appropriate range of homes to meet market demand, including family sized properties.
- 3.2.10 The previously proposed density for Live Well Locally areas (45-60 dph) is clearly too high for an edge of settlement location.

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

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- 3.2.11 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.
- 3.2.12 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.
- 3.2.13 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. Further the Council should revisit its site assessments, and sites that have been rejected, to consider whether these conclusions are too conservative and appropriate mitigation can be provided.

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

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- 3.2.14 Notwithstanding our comments on housing need, we are supportive of the overall strategy of allocating the largest proportion of homes to Bexhill. This is appropriate to the settlement's function as the district's largest settlement and as a regionally important town which benefits from a wide range of services including retail, employment, medical and educational services and three train stations providing connections to Hastings, Eastbourne and Ashford International.
- 3.2.15 The level of growth is also supported by the delivery of the Bexhill to Hastings Link Road which has significantly improved connectivity within the district and wider south east region by redirecting vehicular traffic out of the town centre.

### **Q10 - Do you have any comments on the proposed Vision and development strategy for Bexhill, including the development figures shown in Figures 13 and 14?**

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- 3.2.16 We support the general aims of the Vision and development strategy for Bexhill.

### **Q17 - Do you have any comments on the proposed site allocations in Bexhill?**

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- 3.2.17 We strongly support the inclusion of Policy BX39 in the emerging Local Plan given its alignment with the planned strategic growth in North Bexhill, the availability of the land for development, and its suitability for a landscape-led mixed-use development that forms an appropriate and logical extension to Bexhill and the adjacent Lunsford's Cross residential area.
- 3.2.18 The draft policy states that the following scope of development could be supported:
- Some 500 new dwellings (number dependent on whether a primary school is also provided); or
  - Some 445 new dwellings and a one-form entry primary school with Early Years nursery provision; and
  - A retail and community building comprising new convenience retail floorspace and a separate community space suitable to accommodate uses such as community clubs, also with a mobility hub to include cycle parking, EV charging, electric car club (if required) and public transport infrastructure (if required).
- 3.2.19 While we are confident that a residential-led mixed use development is both deliverable and achievable, as demonstrated in **Section 2**, we have considerable reservations over the appropriateness of a one-form entry primary school on this site for two primary reasons.
- 3.2.20 The first is that the stated aim of Policy BX29 (see Question 24) is to provide a school for which the majority of pupils within the North Bexhill Growth area would be within walking distance. However, BX39 would not support this objective given its position on the western edge of the Growth Area and its separation from the bulk of housing sites located around Haven Brook Avenue. An alternative site identified in the Consultation Document as a potential location for the school is BX37. This site is more spatially appropriate as it is more

centrally located in the Growth Area and benefits from a potential direct access from the adjacent Haven Brook Avenue / Ninfield Road corridors. This is demonstrated within the Education Technical Note in **Appendix 3** which confirms the distance between each of the North Bexhill Growth Area sites and the two school site options proposed by draft Policy BX39.

- 3.2.21 The second concern relates to the timing of delivery. As set out in the Education Technical Note, an assessment of local school provision indicates that, as of January 2025, eight nearby primary schools have a surplus of places. East Sussex County Council forecasts show this surplus increasing to 263 by 2028/29, which would meet the impact of around 1,000 new homes being completed and occupied. To that extent, any new school is not required for several years into the development of the Growth Area.
- 3.2.22 The requirement for primary school provision therefore depends on the rate at which other sites in the Growth Area come forward, alongside the availability of developer contributions and potential funding from the Department for Education (DfE). Given the uncertainties around delivery timescales, it would be more appropriate for the school to be located on a separate, standalone site that can be delivered independently when the need arises.
- 3.2.23 We acknowledge that the delivery of BX37 is reliant on third party land and its availability for a school cannot be guaranteed. We therefore wish to put forward an alternative school site, also controlled by Rurban Estates and located on the edge of the central part of the North Bexhill Growth Area. This site would address both concerns outlined above, with more centralised catchment and with limited reliance on other sites for its delivery.
- 3.2.24 The alternative school site lies to the north of the proposed allocated site on 'Land north of Haven Brook Avenue (east), Bexhill', as identified by Policy BX36 (HELAA Site Reference BEX0164). It is both available and deliverable within the plan period, with no known viability issues, legal or third-party constraints present.
- 3.2.25 The site is identified in the Location Plan provided at **Appendix 4** and is assessed against the Stage 1 and Stage 2 assessment criteria contained within the HELAA and Site Selection Methodology Background Paper (2025) in response to Question 18.
- 3.2.26 Turning to the general requirements of Policy BX39, our client is generally supportive of the outlined objectives but makes specific comments on elements of the policy in the table below. A version of the draft policy with tracked changes is provided at **Appendix 5**.

POLICY BX39 CRITERIA	RESPONSE
<i><b>i. Provide a policy-compliant amount of on-site affordable housing in line with policy HOU2 of the Rother Local Plan;</b></i>	No comment. Please refer to our comments made on the proposed affordable housing policy in the 2024 representation.
<i><b>ii. Accord with Policy BX29 of this Plan (North Bexhill Growth Area – Infrastructure Policy) in terms of including direct provision of and/ or financial contributions towards all necessary infrastructure to serve the development along with development in the wider North Bexhill area;</b></i>	No comment. Please refer to our commentary on Policy BX29.
<i><b>iii. Be informed by a landscape sensitivity assessment to determine an appropriate layout, form and detailed design;</b></i>	No comment. The submitted applications will be accompanied by a Landscape and Visual Impact Assessment which concludes that there will inevitably be a change in the character of the

POLICY BX39 CRITERIA	RESPONSE
	<p>site, and views to and from it, due to the permanent change from rural to developed. Notwithstanding this, the form, scale and character of the development would be consistent with the adjacent residential area and the wider settlement context of Bexhill. The landscape framework between development parcels would provide opportunities for substantial new planting and publicly accessible green space, supporting the longer-term integration of the development within its surroundings. Vegetation removal would be limited, with development largely aligned to the existing field pattern, thereby retaining the well-wooded character of the landscape surrounding Bexhill.</p>
<p><b><i>iv. Include vehicular access(es) from Ninfield Road to include necessary improvements and infrastructure to meet the requirements of East Sussex Council;</i></b></p>	<p>No comment. The submitted applications will demonstrate that safe access can be achieved from Ninfield Road. The proposed access design includes a new footway either side of the access road to link with the existing footways on Ninfield Road. A new crossing point will be provided to facilitate access to the southbound bus stop to the north of Thorne Close.</p>
<p><b><i>v. Not include vehicular access from Pear Tree Lane;</i></b></p>	<p>We have no objection to the policy preventing permanent vehicular access from Pear Tree Lane. However, due to the size and orientation of the site, it will be necessary to provide an emergency access from Pear Tree Lane to ensure that access for emergency tenders is available at all times (for example if there was an incident on the central access road which prevented a emergency vehicle from accessing the plots on the western end of the site).</p> <p>We request that this policy is re worded to state <b><i>“Not include vehicular access from Pear Tree Lane, other than for emergency access”</i></b>.</p>
<p><b><i>vi. Retain the public right of way within the site and include new pedestrian and cycle links within the site, linking to existing public rights of way and public highways outside the site;</i></b></p>	<p>No comment. The submitted applications demonstrate that the existing footpath within the site can be retained.</p>
<p><b><i>vii. Include improvements to pedestrian and cycling routes and public transport infrastructure outside the site, to improve links to Sidley District Centre;</i></b></p>	<p>No comment. Discussions are underway with the Local Highways Authority to identify opportunities for improved pedestrian and cycle connections to the wider area.</p>
<p><b><i>viii. Include substantial areas of public open space and areas for Biodiversity Net Gain across the site in accordance with Local Plan policy;</i></b></p>	<p>No comment. The submitted applications will show a considerable area of open space which protects and makes use of the green corridors that exist within the site. The open space strategy seeks to prioritise direct frontages onto green space wherever possible, in order to create a sense of place and provide natural surveillance.</p>
<p><b><i>ix. Include areas of play space (including equipped play space) and any formal</i></b></p>	<p>The submitted applications for the site show a number of opportunities for play across the site,</p>

POLICY BX39 CRITERIA	RESPONSE
<b><i>playing pitches required (requirement to be informed by ongoing work by the Council);</i></b>	including 'on the way' play in tandem with the proposed open space strategy. It will not be possible to accommodate formal playing pitches within the site due to the sloped topography. This would require considerable land raising or lowering which could have adverse implication on the health of trees.
<b><i>x. Protect the amenity of users of the holiday caravan park adjacent to the site and provide for its continued use;</i></b>	<p>The submitted application for land at Chestnut Meadows will demonstrate how the development can be accommodated without adversely impacting on the amenity of users of the holiday caravan park.</p> <p>Public open space is shown along the southern northern and south eastern perimeters which provides separation distances between future built form and the holiday cabins. The proposed mixed use area includes a mix of residential, commercial and community uses at a height of up to three storeys. The reserved matters applications will demonstrate that the location of buildings and position of windows are appropriate and do not result in opportunities for overlooking.</p> <p>The indicative plan shows public open space in the narrowest part of the site.</p>
<b><i>xi. Retain a minimum 15 metres wide undeveloped buffer area (which does not include residential gardens) to all designated ancient woodland within and adjacent to the site;</i></b>	No comment. The submitted applications will demonstrate that the requisite buffer can be suitably accommodated within the site.
<b><i>xii. Retain and enhance the existing hedgerows, trees and woodland within the site and on the site boundaries except for any short sections of hedgerow that have to be removed to facilitate access, which should be minimised as far as possible;</i></b>	The submitted applications will be accompanied by an Arboricultural Impact Assessment and Tree Survey which conclude that the arboricultural impact of the development is of negligible magnitude. No ancient, veteran, notable or mature, no category A or B, and no trees of high landscape or biodiversity value are to be removed.
<b><i>xiii. Protect the setting of the Grade II Listed Building, The High House, to the north of the site;</i></b>	The submitted applications will be accompanied by a Heritage Statement which concludes that the proposed access into the site would cause a lower level of less than substantial harm to the significance of High House. This harm is unavoidable and will be weighed against the public benefits of the proposals in the planning case.
<b><i>xiv. Include an assessment and evaluation of the site's archaeological potential and the implementation of any appropriate mitigation measures identified through the assessment;</i></b>	The submitted applications are accompanied by an Archaeological Desk Based Assessment which concludes that the potential for archaeological resource from the prehistoric, Romano-British, and post-medieval periods is considered to be low.
<b><i>xv. Incorporate appropriate SuDS in accordance with Policy ENV2 of the draft Local Plan (2024) and an Appropriate Assessment under the Habitats</i></b>	No comment.

POLICY BX39 CRITERIA	RESPONSE
<p><b><i>Regulations to demonstrate beyond reasonable scientific doubt that these can be delivered on the site without harming the integrity of the Pevensy Levels Special Area of Conservation/RAMSAR site;</i></b></p>	
<p><b><i>xvi. Provide a connection to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.</i></b></p>	<p>No comment.</p>

**Q18 - Do you consider that there are any other possible sites in Bexhill which should be allocated for development in the Local Plan?**

- 3.2.27 Yes. As noted above, we wish to put forward an alternative site for the development of the one-form entry primary school with Early Years nursery provision required by Policy BX29. It is both available and deliverable within the plan period, with no known viability issues, legal or third-party constraints present.
- 3.2.28 The promoted site extends to approximately 2.2 hectares and is currently formed of agricultural pastureland, bounded to the south by draft allocation BX36, to the east by Cockerel’s Wood, and to the north and west by linear hedgerows. Beyond the hedgerow to the west is Watermill Lane, with agricultural fields and the Cobbs Hill Farm caravan and camping park beyond.
- 3.2.29 The topography of the site lopes gently upwards from BX36 to the south towards its highest point in the centre. This provides an opportunity for built form in the southern part of the site which would be visually contained with the Growth Area, leaving the northern part of the site undeveloped and set aside for the open playing fields and sports pitches. This is shown in the Indicative Site Layout Plan provided at **Appendix 4**.
- 3.2.30 It is envisaged that the site could be accessed from a single point of entry from the southern end of Watermill Lane which benefits from a recently constructed roundabout on Haven Brook Avenue. Access is likely to be taken through the southwest boundary of BX36, diverting northwards and through the southern boundary, meaning that Watermill Lane itself would not need to be widened. This would allow the school to be delivered before or after the residential parcels within the adjacent allocation, depending on when the need arose. Parking and drop off could be accommodated entirely with the site’s boundary, although there would be opportunities for temporary parking within BX36 for the school’s benefit and for visitors associated with the nearby residential dwellings.



FIGURE 3.1: LOCATION OF ALTERNATIVE SCHOOL SITE RELATIVE TO NEARBY ALLOCATIONS  
(BASE MAP SOURCE: GOOGLE MAPS)

3.2.31 To aid with review, the site is assessed against the Stage 1 and Stage 2 assessment criteria contained within the HELAA and Site Selection Methodology Background Paper (2025) below. These comments should be read in conjunction with Indicative Layout Plan and Vision Plan contained at **Appendix 4**.

STAGE 1 ASSESSMENT CRITERIA	RESPONSE
<b>BIODIVERSITY, HABITAT AND LANDSCAPE CONSTRAINTS</b>	
<b><i>Ancient Woodland</i></b>	Adjacent to the east. The requisite buffer of 15m can be accommodated within the site and suitable boundary treatments can be used to prevent access into the buffer and wooded area. These boundaries would already be required for security reasons. The remaining developable area is sufficient in size to meet DfE requirements for schools. As per RDC's assessment approach the presence of adjacent Ancient Woodland would not rule out the potential allocation of the site. Any future application will follow Natural England's Standing Advice.
<b><i>High Weald National Landscape</i></b>	The site falls outside of the boundary and setting of the High Weald National Landscape (3.5km to the north).
<b><i>Biodiversity Opportunity Area</i></b>	The site is not known to fall into a Biodiversity Opportunity Area.
<b><i>Local Wildlife Site</i></b>	The site does not form part of a Local Wildlife Site.
<b><i>Local or National Nature Reserve</i></b>	The site does not form part of a local or national nature reserve.
<b><i>Priority Habitat Inventory</i></b>	None. The woodland outside the eastern boundary is Priority Habitat Inventory - Deciduous Woodland.
<b><i>Ramsar Site</i></b>	The site is not within or in close proximity to a RAMSAR site.
<b><i>Site of Special Scientific Interest (SSSI)</i></b>	The site is not within or in close proximity to an SSSI. The nearest SSSIs are High Woods (2.1km west) and Combe Haven (1.7km east).
<b><i>Special Area of Conservation</i></b>	The site is not within or in close proximity to an SAC.
<b><i>Special Protection Area</i></b>	The site is not within or in close proximity to an SPA.
<b><i>SSSI Impact Risk Zone (relevant use)</i></b>	The site is just within the impact risk zone of the two nearest SSSIs.
<b><i>Tree Preservation Order (TPO)</i></b>	RDC's TPO map does not show any trees with a TPO along the boundaries of the site. There are no trees within the site.
<b>WATER CONSTRAINTS</b>	
<b><i>Flood Zone 2/3</i></b>	Not applicable. DEFRA's flood map for planning confirms that the site is in Flood Zone 1, both in the present day and in the climate change scenario (2070-2125).
<b><i>Surface Water Flooding Risk</i></b>	The majority of the site has no identified risk of surface water. There is very limited flood risk around an existing pond in the north eastern corner which can be suitably designed into a future development.
<b><i>Groundwater Flood Risk</i></b>	There are no known risks of ground water flooding identified in the Rother District Level 1 Strategic Flood Risk Assessment (2021).

STAGE 1 ASSESSMENT CRITERIA	RESPONSE
<b>Groundwater Source Protection Zone</b>	The site does not fall within a Groundwater Source Protection Zone (MAGIC maps – Source Protection Zone).
<b>Pevensey Levels Hydrological Catchment</b>	The site falls outside of this catchment.
<b>Fairlight and Pett Drainage Area (as defined in the Development and Site Allocations Local Plan (Figure 11) and referred to in Policy DEN5)</b>	The site falls outside of this drainage area.
<b>HERITAGE CONSTRAINTS</b>	
<b>Archaeological Notification Area</b>	The site is not within an Archaeological Notification Area.
<b>Conservation Area</b>	The site is not within a Conservation Area.
<b>Historic Field Boundaries</b>	A review of historic mapping indicates that the site's boundaries are as they existed in the late 1800s / early 1900s. These boundaries will not be affected by the development of the site.
<b>Listed Buildings</b>	Cockerels Farmhouse (Grade II listed; List Entry Number 1190249) lies approximately 85m beyond the southern boundary. Given the distance away from the site, intervening vegetation and the fact that the land to the south is presented as a draft allocation, this asset would not be an insurmountable constraint. A Heritage Assessment would form part of any future planning application.
<b>Registered Battlefield</b>	The site does not form part of, nor is it near to, a Registered Battlefield.
<b>Registered Parks and Gardens</b>	The site does not form part of, nor is it near to, a Registered Park and Garden.
<b>Scheduled Ancient Monument</b>	There are no Scheduled Ancient Monuments on or near to the site.
<b>OTHER CONSTRAINTS</b>	
<b>Agricultural Land Use Classification</b>	The site is Grade 3 (Good to Moderate) Agricultural Land. Many of the sites in the North Bexhill area comprise Grade 3 land.
<b>Combe Valley Countryside Park</b>	The site is not within the Combe Valley Countryside Park.
<b>Waste or Minerals Consultation Area</b>	The site does not fall within a Consultation Area.
<b>Former Landfill</b>	There is no history of land fill use.
<b>Local Geological Site</b>	The site does not fall within a known Local Geological Site.
<b>Public Rights of Way</b>	There are no rights of way within the site, meaning that the school could be appropriately bounded for safety and security purposes. There is a public footpath (BEX/35/1) within the adjacent allocation which would facilitate access to the site, alongside other infrastructure improvement works that have and will be delivered around Haven Brook Avenue.
<b>Sustainable Access and Recreation Management Strategy (SARMS) area (as defined in the Development and Site Allocations Local Plan (Figure 10) and referred to in Policy DEN4)</b>	Not applicable.

STAGE 1 ASSESSMENT CRITERIA	RESPONSE
<b><i>Strategic Gap (as defined in the Development and Site Allocations Local Plan (Figures 6 to 8) and referred to in Policy DEN3)</i></b>	The site is not within a Strategic Gap.
<b><i>Presence of services on site (electricity, gas, water)</i></b>	There are no known onsite services which would prevent the development of this site.
<b>OTHER CONSIDERATIONS</b>	
<b><i>Site size, Boundaries and Location</i></b>	The site is sufficient in size to accommodate a primary school and all requisite facilities. It is well positioned centrally within the emerging North Bexhill Growth Area to serve the educational needs of the new dwellings.
<b><i>Current Land Use and Character / Land Uses and Character of the Surrounding Area, including Density of Existing Development</i></b>	<p>The site is currently rural in nature but in the periphery of an area that will be subject to a considerable change in character over the plan period. The existing character of the site is influenced by existing built form in the vicinity, including the dwellings, equestrian buildings and campsite facilities at Cobbs Hill Farm, located further north on Watermill Lane.</p> <p>The development of this site could also facilitate the development of Land west of Watermill Lane (north) (Site Reference BEX0165), subject to the identified constraints on access being overcome through detailed design work.</p>
<b><i>Whether development would be likely to impact on neighbouring amenities</i></b>	The school would be separated from any nearby development by Watermill Lane and boundary vegetation / separation distances to the south.
<b><i>Biodiversity potential, considering habitats present and potential for protected species</i></b>	The site is currently an agricultural field which is expected to have low biodiversity value. The existing pond and adjacent hedgerows/trees would be assessed through an ecological appraisal and any necessary surveys / mitigation secured at application stage.
<b><i>Drainage and watercourses</i></b>	Any future application would be accompanied by a drainage strategy, demonstrating that all runoff from the development can be managed safely and in accordance with the requirements of the EA and Lead Local Flood Authority. Runoff rates would be limited to the 1-in-1-year greenfield runoff rate for each development parcel, ensuring there is no increase in downstream flood risk.
<b><i>Any likely risks of contamination</i></b>	The undeveloped nature of the site means that the risk of contamination is low. The site will be suitably assessed at application stage.
<b><i>Any likely risks from land instability</i></b>	There are no known risks of land instability. The site is gently sloped.
<b><i>Presence of trees and hedgerows</i></b>	The existing hedgerows and trees bounding the site can be largely retained, beyond any removals required for vehicular access through the southern boundary. The access design would be informed by tree and ecological surveys to reduce impacts as far as possible.
<b><i>Any landscape issues</i></b>	No further landscape issues to note.
<b><i>Impact on the High Weald National Landscape</i></b>	As previously noted, the site is not within or in the setting of the National Landscape.

STAGE 1 ASSESSMENT CRITERIA	RESPONSE
<b><i>Suitability of access (vehicular and pedestrian) and any traffic impacts</i></b>	Access into the site can be provided as part of the delivery of Policy BX36 which falls within the same ownership. The school could be delivered prior to or following the allocated dwellings, depending on when the need for the school arose. Access would not be required through the housing area.
<b><i>Physical constraints such as topography, existing buildings, powerlines, etc</i></b>	There are no existing buildings or above ground utilities within the site. The site is gently undulating but not to any extent that would limit its development. As previously noted, the slope of the southern part of the site means that it would be visually enclosed with the North Bexhill Growth Area.
<b><i>Proximity to, and level of, nearby services and infrastructure</i></b>	The school development would be linked with the delivery of the North Bexhill Growth Area.
<b><i>Barriers to deliverability and how they may be overcome (for example, a ransom strip)</i></b>	There are no known barriers to delivery. The site is within the same ownership as the land to the south (Policy BX36).
<b><i>Any requirement for public open space if the site were to be developed</i></b>	Not applicable. The school would need to include external sports provision and amenity space as standard.
<b><i>Whether the site as potential for low carbon or renewable energy</i></b>	Yes, so far as it is relevant to a school development.
<b><i>Development progress (if relevant, if the site is being developed)</i></b>	Not relevant.
<b><i>Initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.</i></b>	For the reasons above, the site is considered to be suitable for the delivery a school in association with the North Bexhill Growth Area.

- 3.2.32 The above demonstrates that the site would pass the first stages of RDC’s site assessment process. If BX37 is unavailable for the development of a school, the alternative school site is vastly more appropriate than BX39 given its centralised location within the North Bexhill Growth Area, which would capture a greater number of homes within its catchment, and the ability for the site to be delivered without reliance or adverse implications on adjacent housing development.

#### **Q24 - Do you have any comments on proposed Policy BX29: North Bexhill Growth Area – Infrastructure Policy?**

- 3.2.33 Policy BX29 is the general infrastructure policy for the proposed allocated sites in the North Bexhill Growth Area. It states that new development within the North Bexhill Growth Area will be coordinated through a master-planning approach. Proposals must appropriately contribute to the infrastructure required to create a sustainable, “Live Well Locally” community, to be provided in a timely manner, either by direct provision or through financial contributions attached to the respective planning permissions. This will include but would not be limited to the criteria assessed in the table below.

POLICY BX29 CRITERIA	RESPONSE
<b><i>i. Improvements to the strategic and local road networks (including any improvements to the wider road network</i></b>	No comment. Please refer to our comments on Policy BX39.

POLICY BX29 CRITERIA	RESPONSE
<p><i>in the Bexhill area) that are necessary to make the impacts of development acceptable, in accordance with the requirements of National Highways and the Highway Authority;</i></p>	
<p><i>ii. Improvements to pedestrian and cycling infrastructure, including new and improved safe and attractive routes to Sidley District Centre and Bexhill Town Centre;</i></p>	<p>We support this policy requirement to facilitate non-car travel wherever possible. Please refer to our comments on Policy BX39.</p>
<p><i>ii. Improvements to public transport including in terms of its provision and infrastructure, including financial contributions towards establishing a new bus service along Haven Brook Avenue;</i></p>	<p>As above.</p>
<p><i>iii. A new Primary School with Early Years Nursery provision, to serve the North-west Bexhill area, to be so located to enable the maximum proportion of planned new homes within the Growth Area to be within walking distance of it;</i></p>	<p>We accept that there will likely be a need for a new Primary School with Early Years Nursery provision to service the North Bexhill area, however this need is not immediate. Please refer to our comments on Policy BX39.</p>
<p><i>iv. Provision for commercial units, retail space and/or local shopping within the western part of the Growth Area, with preference given to space suitable for groceries and professional services (such as a post office or banking);</i></p>	<p>No comment. Please refer to our comments on Policy BX39.</p>
<p><i>vi. Health and social infrastructure, as advised by the NHS and other bodies;</i></p>	<p>No comment. Any health and social infrastructure contributions must the NPPG tests which will need to be determined on a site-by-site basis.</p>
<p><i>vii. A comprehensive network of Green and Blue Infrastructure, including attractive and landscaped public open spaces with retained mature trees and ponds, play areas for all ages, and areas for biodiversity enhancements;</i></p>	<p>No comment.</p>
<p><i>viii. Outdoor sports facilities including formal playing pitches to meet the needs of new residents, with appropriate supporting infrastructure;</i></p>	<p>This policy should be revised to make specific reference to the quantum of sports provision required in the North Bexhill area to provide clarity for applicants, to aid with masterplanning and to inform discussions regarding proportionate monetary contributions for offsite provision (as required). Alternatively this policy should confirm that delivery should align with the provision identified in the site-specific policies. It is noted for example that BX31 (Kiteye Farm) sets a requirement for 2.64 hectares of open spaces, including outdoor sports provision.</p> <p>The physical characteristics of each site will determine whether it is possible for sports facilities to be accommodated. In the case of Site</p>

POLICY BX29 CRITERIA	RESPONSE
	Allocation BX39, it would not be possible to include sports provision without considerably impacting on development densities, due to the layout of the site, topography and the desire to maintain existing field boundaries.
<b><i>ix. Indoor meeting places such as a community centre, café, public house, place of worship;</i></b>	We have no objection to the inclusion of this requirement in the policy. However please note that the development of Site Reference BX39 will not include indoor meeting places. The proposals will include a mixed-use area comprising use classes E, F.2 and C3.
<b><i>x. Sustainable Drainage Systems (SuDS) in accordance with Policy ENV2 to ensure appropriate drainage of new development and the protection of the Pevensey Levels SAC/ Ramsar site (the western part of the Growth Area lies within the Pevensey Levels Hydrological Catchment);</i></b>	No comment.
<b><i>xi. Any necessary improvements to wastewater treatment infrastructure to ensure the proper management of foul drainage.</i></b>	We are supportive of this principle in so far as it relates to the implications of the North Bexhill allocation itself. It is noted that the IDP Schedule identifies waste water treatment infrastructure improvements under reference UT1008 but the cost of these improvements is currently known.

**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)?**

3.2.34 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.

3.2.35 The following scoring metric is used in the assessment of these indicators:

++	Significant Positive
+	Minor Positive
0	Neutral or Uncertain
-	Minor Negative
--	Significant Negative

3.2.36 We make the following general observations on the assessment methodology, where it relates to matters that can be addressed through detailed design. We urge the council to consider revising the assessment methodology to ensure that suitable sites are not prematurely discounted given the considerable need for housing in the district.

- **2b** scores any site within Ancient Woodland as having a 'significant adverse' effect. This disproportionately affects the assessment of sites that can suitably accommodate the required ancient woodland buffer within a development proposal. Similar comments can be made on **2d** which refers to priority habitat.
- **2c** scores any site with a TPO as 'minor negative'. The development of a site can avoid any impacts on trees with a TPO.
- **5b** scores any site with land at high risk of surface water flooding as having a 'significant adverse' effect. As above, it is possible design around, and in many cases improve, this risk through technical drainage design. Similar comments can be made on **5c** which refers to ground water risk.

3.2.37 The table below provides our assessment of Site BX39 with reference to the sustainability indicators and assessment criteria.

3.2.38 Please also refer to Question 8 for our comments on the scoring for the proposed development strategy.

INDICATORS	SI RESPONSE	OUR RESPONSE
<b>SA1 - Air Pollution</b>		
<b>1a</b>		This assessment is inconsistent with the assessment made for 1a on other North Bexhill sites. All other North Bexhill sites are given a 'minor positive' effect so it is unclear why BX39 is assessed as 'minor negative'.
<b>SA2 - Biodiversity</b>		
<b>2a</b>		No comment, although it should be noted that this would be addressed in any future planning application and would not prevent the development of this site.
<b>2b</b>		It is demonstrated that Ancient Woodland adjacent to the site can be retained and sensitively designed into the proposal in line with Natural England's Standing Advice. As such the development would not have a 'minor negative' effect. For the reasons above the methodology for this assessment criteria should be revised.
<b>2c</b>		No comment.
<b>2d</b>		Priority habitat adjacent to the site would not be affected by the development. As such it cannot be concluded that the effect would be 'minor adverse'. For the reasons above the methodology for this assessment criteria should be revised.
<b>SA3 - Climate Change</b>		
<b>3a</b>		No comment.
<b>3b</b>		All other North Bexhill sites are given a minor positive rating. In light of the site's location within the North Bexhill growth area and strategic infrastructure networks, and in recognition of the infrastructure improvements proposed as part of the forthcoming applications, the assessment rating should be revised.
<b>SA5 - Flood Risk</b>		

INDICATORS	SI RESPONSE	OUR RESPONSE
<b>5a</b>		No comment.
<b>5b</b>		The areas of surface water flood risk within the site are limited. The future development of the site can avoid these areas and improve the drainage capabilities of the site as part of the drainage design.
<b>5c</b>		No comment.
<b>SA6 - Coastal Erosion</b>		
<b>6a</b>		No comment.
<b>SA7 - Health and Wellbeing</b>		
<b>7a</b>		This rating is not consistent with the conclusions made with respect to accessibility in the Transport Assessment prepared in support of the applications. An assessment of the site using the Department for Transport (DfT) Connectivity Tool is provided within the reports which states that while there is a high opportunity for driving – similar to all North Bexhill sites – the site provides slightly above average (52%) accessibility via public transport, given the proximity to well-served bus stops. Similarly, cycling scores 59% (slightly above average). Walking scores slightly below average (40%), which is due to the site’s distance from existing leisure and education facilities, although this is notably comparable to some other allocated sites in North Bexhill. In light of the various infrastructure improvements proposed as part of the applications, this scoring should be revised accordingly.
<b>7b</b>		Support. The proposal for the site includes public open space as an integral part of the indicative layout.
<b>7c</b>		Support.
<b>SA9 - Access to Services</b>		
<b>9a</b>		For the reasons given in response to indicator 7a and the assessment given by the Council for 20a.
<b>SA11 - Heritage</b>		
<b>11a</b>		<p>A Heritage Statement will be submitted with the forthcoming applications which assesses special interest of the adjacent 'High House' listed building and the impact of the development on its significance.</p> <p>The principal elements of the physical surrounds and experience of the asset’s setting are the wider grounds of the residence and Ninfield Road. Due to the intervening farm buildings and some elements of vegetation, there is no clear intervisibility between the wider agricultural land of the site and the asset. Within the easternmost field and from certain parts of the central fields there are glimpses of the upper elements of High House, with the rest of the building screened by the intervening farm buildings and vegetation.</p>

INDICATORS	SI RESPONSE	OUR RESPONSE
		<p>There is no visibility of High House from the fields within the westernmost areas of the site.</p> <p>Dynamic views moving westwards along the public footpath take in the Listed Building and the fields of the site. The easternmost and central parts of agricultural land within the site, which currently have some visual connections with the asset, and the existing farm buildings, make a minor positive contribution to the heritage significance of High House through historic illustrative value in light of the probable recent functional association, and its visibility in dynamic views along the footpath. However, this is diminished by the tired state of the buildings, one of which is ruinous.</p> <p>The Heritage Statement concludes that the proposed development would cause less than substantial harm at the lower end of the spectrum to the heritage significance of High House. This would be through the loss of the historic illustrative value of the farm buildings, the change of character of the wider site which will likely be visible from the asset, and the establishment of the larger access.</p> <p>With regard to the low level of less than substantial harm to the significance of The High House, the proposals will need to be weighed against the public benefits of the proposals in line with the National Planning Policy Framework. In this scenario it is noted that the substantial and tangible public benefits of the proposal are considered to entirely outweigh this harm.</p>
<b>11b</b>		No comment.
<b>SA12 - Land and Soil</b>		
<b>12a</b>		No comment, the site is Grade 3 agricultural land. Note that much of the land around Bexhill comprises Grade 3 agricultural land.
<b>SA14 - Water Quality</b>		
<b>14a</b>		No comment.
<b>SA15 - Parks and Countryside</b>		
<b>15a</b>		No comment.
<b>15b</b>	N/A	No comment.
<b>15c</b>		<p>No comment on the given rating. However the forthcoming applications will be accompanied by a Landscape and Visual Impact Assessment which demonstrates that the development is appropriate to this edge-of-settlement location.</p> <p>Notwithstanding the localised impact, the form, scale and character of the proposed development would be consistent with the adjacent residential area and the wider settlement context of Bexhill. The landscape framework between development</p>

INDICATORS	SI RESPONSE	OUR RESPONSE
		<p>parcels would provide opportunities for substantial new planting and publicly accessible green space, supporting the longer-term integration of the development within its surroundings. Vegetation removal would be limited, with development largely aligned to the existing field pattern, thereby retaining the well-wooded character of the landscape surrounding Bexhill.</p> <p>The site does not form part of any landscape that is protected for its value at either Local or National level; the site falls outside of the boundary and setting of the High Weald National Landscape (3.5km to the north).</p>
<b>15d</b>		No comment. Greenfield land will need to be used to meet local housing needs.
<b>SA17 - Employment</b>		
<b>17a</b>		The current allocation boundary includes existing commercial uses at Chestnut Meadow. However, these uses will be retained and are excluded from the forthcoming applications.
<b>17b</b>	N/A	The emerging proposal for Chestnut Meadow includes a mixed-use area to include Use Class E (flexible commercial) and F2 (community).
<b>SA20 - Roads and Travel Choice</b>		
<b>20a</b>		No comment.
<b>20b</b>		No comment.

**Q69 - Are there any other issues, options or other matters you would like to raise?**

- 3.2.39 It is noted that the Infrastructure Delivery Plan (January 2026) covers the primary school requirements for the North Bexhill allocation under reference EDU004 – “*New primary school provision at North Bexhill (potentially at site BX39 Land west of Ninfield Road)*”. In light of our comments on the most suitable site for the proposed primary school, we request that reference to Site BX39 is removed.

## 4 CONCLUSION

- 4.1.1 This representation has been prepared on behalf of Catesby Estates and Rurban Estates Limited in response to Rother District Council's Regulation 18 consultation on the Draft Local Plan 2025-2042.
- 4.1.2 The purpose of this representation is to support the strategic growth identified for North Bexhill and the inclusion of 'Land west of Ninfield Road, Bexhill' under draft Policy BX39. This representation affirms our client's commitment to developing the site and provides additional evidence to demonstrate that the site is suitable for allocation, in reflection of the two outline planning applications that will shortly be submitted.
- 4.1.3 In light of RDC's significant housing need, and in recognition of the proposed further expansion of North Bexhill, land west of Ninfield Road is well placed to deliver a cohesive and landscape-led residential development opportunity which integrates open space and biodiversity enhancements whilst making a valuable contribution to the delivery of up to 500 high-quality new homes, with the necessary infrastructure improvements to support it. The development of this site will be consistent with the Council's preferred spatial options and the ongoing development around Haven Brook Avenue.
- 4.1.4 We are supportive of the inclusion of draft Policy BX39 and comment on how the emerging development on the site will align with the policy objectives. However, with reference to the Education Technical Note contained at Appendix 3, concerns have been raised regarding the requirement to provide a school on BX39 due to its position on the western side of the Growth Area and the practical implications of its delivery given the expected level of demand over the early plan period. The Note concludes that:
- As of January 2025, eight nearby primary schools have a surplus of places and this surplus is expected to increase to 263 by 2028/29, which would meet the demand of around 1,000 new homes being completed and occupied. As a result, the new school would not be required for several years into the development of the Growth Area.
  - The stated aim of Policy BX29 is to provide a school for which the majority of pupils within the North Bexhill Growth area would be within walking distance. The alternative school site option (BX37) is considered to be more appropriately located relative to the Growth Area and direct access onto the local road network. An alternative site to the north of Site Allocation BX36 has been presented for consideration, which also sits more centrally in the Growth Area.
  - The requirement for primary school provision depends on the rate at which other sites in the Growth Area come forward, alongside the availability of developer contributions and potential funding from the Department for Education (DfE). Given the uncertainties around delivery timescales, it would be more appropriate for the school to be located on a separate, standalone site that can be delivered independently when the need arises.
- 4.1.5 We are generally supportive of draft Policy BX29 relating to the infrastructure requirements for the North Bexhill Growth Area.