



Patrick Durr Associates  
Planning & Development

Our Ref: PD/JAR

19 March 2026

Planning Department  
Rother District Council  
Town Hall  
London Rd  
Bexhill-on-Sea  
East Sussex  
TN39 3JX

Dear Sir

**Rother Local Plan 2025 - 2042 (Regulation 18) – Representation on behalf of Jarvis Homes (South-East) Limited**  
**Site NR2, Northiam (formerly HELAA Site NOR0026)**

I write on behalf of Jarvis Homes (South-East) Limited in support of the allocation of Site NR2 within the emerging Local Plan.

This representation is made in the context of a materially increased housing requirement, significant environmental constraints across the district, and the clear need for the Council to identify robust and deliverable sites. Against that background, the inclusion of Site NR2 is not only appropriate, but necessary to ensure that the Plan is positively prepared, justified and capable of being found sound.

**Plan Context**

In preparing this draft plan, the Council's evidence clearly establishes a significant housing requirement of c. 912 dwellings per annum, driven in part by the revised standard method.

At the same time, Rother faces exceptional constraints, including c. 83 per cent of the District falling within the High Weald National Landscape, alongside extensive environmental and heritage constraints.

As acknowledged within the evidence base, this creates a clear structural tension between housing need and land availability. In this context, it is necessary for settlements such as Northiam, despite their location within the National Landscape, to accommodate an appropriate proportion of development where this can be achieved without unacceptable landscape, environmental or heritage harm.

The Council's evidence confirms a substantial uplift in housing need, materially exceeding historic delivery rates. At the same time, the Plan recognises that a very large proportion of the district is subject to policy and environmental constraints, most notably the High Weald National Landscape.

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This combination of high need and constrained supply is fundamental. It requires a realistic and balanced approach, identifying sites that are capable of delivering development without unacceptable harm, rather than seeking idealised or unconstrained opportunities which do not exist in sufficient quantity.

Within this context, the strategy of directing growth to sustainable settlements, including Northiam, is both logical and necessary. Site NR2 is a key component of that strategy.

### **HELAA Progression**

The progression of the site from HELAA reference NOR0026 to proposed allocation NR2 is important which should be given full weight.

The HELAA methodology applies a staged filtering process, including:

- initial site identification and availability
- assessment against constraints (including landscape, heritage, access and flood risk)
- consideration of suitability and achievability
- identification of sites capable of contributing to supply

The site has successfully progressed through each of these stages, which demonstrates that, when assessed against the Council's own criteria, the site is:

- not subject to overriding constraints
- capable of development in principle
- deliverable within the plan period

The subsequent site selection process has progressed NOR0026 to a proposed allocation. Given that only two sites are identified within Northiam, and that NR2 is the only new strategic allocation, it is clear that the site performs strongly in comparative terms and represents one of the most suitable and deliverable opportunities available to the Council within this settlement.

This is directly relevant to the test of soundness. The Plan must demonstrate that it has selected the most appropriate sites when considered against reasonable alternatives. The evidence indicates that NR2 meets that test, as explored later in this representation.

It is also relevant that a significant number of sites assessed through the HELAA process in and around Northiam were discounted due to greater landscape sensitivity, weaker relationship to the settlement, or technical constraints. Against that context, the identification of NR2 reflects a clear comparative advantage over those alternatives and reinforces that it is one of the most appropriate sites available for allocation.

### **Site Characteristics and Settlement Integration**

In spatial terms, the site represents a coherent extension to the settlement. It is physically well related to existing development and sits alongside an established commercial yard and surrounding housing, forming a logical rounding off of the built form rather than isolated or sporadic encroachment into the countryside. The site is capable of being contained within a clearly defined edge, assisted by highways, reinforcing the existing settlement pattern.

Equally important is what the site is not. It is not located within the more exposed northern edge of Northiam, nor within the more open and sensitive landscape to the west and south-west. Those areas are materially more vulnerable to harm and would present greater challenges in plan-making terms. The land itself is flat, with no evident abnormal constraints, and benefits from access to utilities either on or adjacent to the site. These are all factors that the HELAA process is designed to identify, and which support a conclusion that the site is both suitable and achievable.

The draft allocation policy suggests a density of 25 dwellings per hectare. This is considered appropriate for an edge of settlement location, providing an effective balance between meeting housing needs and responding sensitively to the National Landscape context.

### **Previously Developed Land**

The site's current use as equestrian land, including paddocks, built development and associated infrastructure, strongly aligns with the definition of previously developed land set out in Annex 2 of the NPPF.

The site forms part of an established equestrian use, with associated structures and operational infrastructure, and the paddocks are functionally and physically related to that use. In these circumstances, and having regard to Annex 2 of the NPPF, the land should reasonably be treated as previously developed land rather than undeveloped greenfield land.

The appeal decision APP/Y0435/W/17/3178790A (29 November 2017) provides a detailed and reasoned interpretation of this issue in the context of an equestrian holding. It confirms that paddocks and land reasonably associated with an equestrian use can fall within the scope of previously developed land where they form part of the established use and are not separate or unrelated open countryside.

Whilst each case must be considered on its own facts, the principle established is directly applicable and weighs in favour of the site. This is particularly relevant when considered against national policy objectives promoting the effective use of land, including paragraphs 124 and 125(c) of the NPPF. This is an important factor which differentiates the site from more sensitive and clearly undeveloped greenfield locations.

It is therefore requested that the Council reviews and updates the site's classification within the policy assessment from greenfield to brownfield to reflect its status as previously developed land. Further supporting information can be provided if required.

### **Landscape Considerations and National Landscape Context**

The site lies within the High Weald National Landscape and this is appropriately recognised as a key consideration. National policy requires that great weight is given to conserving and enhancing landscape character. However, this does not preclude development in such locations, provided that it can be accommodated without unacceptable harm.

Paragraph 189 of the NPPF confirms that great weight should be given to conserving and enhancing National Landscapes, and that development should be limited in scale. In this instance, the proposed density of approximately 25 dwellings per hectare, together with the site's containment and relationship to the existing settlement, represents an appropriate and proportionate form of development. It strikes a balanced response to both the sensitivity of the designation and the need to deliver housing.

Paragraph 190 of the NPPF addresses major development within National Landscapes. Whether development constitutes “major development” is a matter of planning judgment, having regard to its nature, scale and setting, and the extent of its impact on the purposes of the designation. In this case, the proposal represents a modest extension to the settlement, contained within an existing landscape framework and closely related to the built form. It is not of a scale or character that would justify being treated as major development in this context.

Without prejudice to that position, if the development were to be considered “major development”, the requirements of paragraph 190(a) are met. There is a clear and significant need for housing, and a demonstrable constraint on land supply across the district, with a substantial proportion of land falling within the National Landscape or subject to other environmental and heritage designations. In these circumstances, the allocation of suitable and deliverable sites such as NR2 is necessary in the public interest.

The HELAA and site selection process has already concluded that development of this site can be accommodated without unacceptable harm. That conclusion is supported by the site’s characteristics. The site benefits from established boundary hedgerows and sporadic mature trees, which provide a strong existing landscape framework. There is clear opportunity to retain and reinforce these features as part of a comprehensive scheme. Whilst there are localised views from adjacent highways, the site is not prominent in medium or long-distance views and does not form part of a wider open or sensitive landscape.

The draft allocation policy requires the retention of boundary hedgerows and enhancement of the pond feature within the site. These measures are both feasible and appropriate and would contribute positively to landscape character and biodiversity.

A sensitively designed residential scheme, incorporating native planting and landscape-led design principles, would mitigate potential effects and enable the development to be successfully assimilated into the settlement.

In practical terms, this is a site where landscape effects can be appropriately mitigated and where development can be accommodated without undermining the character or scenic quality of the National Landscape.

### **Sustainability and Connectivity**

The site is well related to the services and facilities within Northiam, consistent with the Plan’s objective of directing growth to sustainable locations.

Footways and bus stops are located in close proximity on Station Road, providing convenient access to the village centre and connections to nearby settlements. The draft allocation policy also supports the provision of a pedestrian and cycle link between the site and Station Road. This is a short and achievable connection which would further enhance accessibility, subject to agreement with the Highway Authority.

Northiam is identified within the draft Local Plan as a settlement capable of accommodating an appropriate level of growth. The site’s location immediately adjacent to the existing built form ensures that it integrates with, and supports, this established role rather than extending development into less sustainable or more isolated locations.

Paragraph 6.74 of the draft Local Plan confirms that Northiam supports a reasonable range of services and facilities and has been identified as suitable for limited growth, with only a small number

of sites considered appropriate due to landscape sensitivity. This reinforces the importance of allocating those sites which are capable of delivering development without unacceptable harm. In addition, paragraph 6.68 recognises Northiam's role in supporting the sustainability of nearby settlements, including Beckley. This wider functional role further supports the appropriateness of directing development to this location.

It is also relevant that the proposed reinstatement of the heritage Rother Valley Railway between Robertsbridge and Tenterden via Northiam has the potential to enhance accessibility and strengthen connections to the wider area. Whilst not relied upon as a prerequisite for development, nor as a commuter option, this represents a positive future change in the settlement's connectivity profile over the plan period.

### **Deliverability**

Jarvis Homes confirms that the site is available, free from ownership constraints and capable of delivery within the plan period. There are no known technical, infrastructure or viability barriers that would prevent early progression.

The site is capable of contributing to housing delivery within the early part of the plan period, without reliance on significant infrastructure provision or long lead-in times. This distinguishes it from more complex or longer-term allocations and strengthens its role within the overall housing trajectory.

Given the scale of housing need and the limited number of suitable and deliverable sites, allocations such as NR2 are not optional components of the supply. They are integral.

The removal or downgrading of such sites would materially undermine the Plan's ability to demonstrate a deliverable supply of housing land and would create a clear risk of the Plan failing the tests of effectiveness and soundness at examination.

### **Soundness**

The allocation of Site NR2 is necessary to ensure that the Plan meets the tests of soundness:

- **Positively prepared:** The Plan must meet a housing requirement of c. 912 dwellings per annum. Given the extensive environmental constraints across the district, this cannot be achieved without the inclusion of sites such as NR2.
- **Justified:** The HELAA and site selection process demonstrates that NR2 performs favourably when considered against reasonable alternatives, many of which have been discounted due to greater landscape, heritage or access constraints.
- **Effective:** The site is available, deliverable, and capable of contributing within the early part of the plan period. It therefore represents a reliable component of the housing trajectory.
- **Consistent with national policy:** The allocation supports sustainable development, efficient use of land, and appropriate growth of rural settlements in accordance with the NPPF.

In the absence of allocations such as NR2, there is a clear risk that the Plan would fail to demonstrate a deliverable supply of housing land and therefore fail the test of effectiveness.

## **Conclusion**

Site NR2 has been identified through a robust evidence base, has progressed through the HELAA and site selection process, and represents one of the limited deliverable opportunities within Northiam.

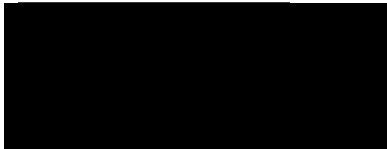
It is well related to the settlement, capable of being accommodated without unacceptable landscape harm, and supported by a clear and early deliverability position. It therefore makes an important and necessary contribution to meeting the district's housing requirement.

The allocation is integral to a sound and deliverable strategy. Its removal or downgrading would materially weaken the Plan and create a clear risk of it being found unsound at examination.

In these circumstances, Site NR2 should be retained and progressed to the Regulation 19 stage without amendment.

Thank you.

Yours faithfully



**Patrick Durr LLB AssocRICS**