

Regulation 18 Consultation: Development Strategy and Site Allocations

Introduction

The following representations are submitted by Landström Group Ltd, in relation to the Rother District Council Regulation 18 Public Consultation, which includes reference to the following group of documents:

- 1. Rother Local Plan 2025-2042 – Development Strategy and Site Allocations**
- 2. Interim Sustainability Appraisal (January 2026)**
- 3. DRAFT HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT (HELAA) 2026**

Landstrom Group Limited has a legal interest in allocation sites reference **HUG0016** and **HUG0019**.

These representations aim to reply directly to the questions in the same order and numbering scheme that they have been raised within the DSSA.

Sites HUG0016 and HUG0019 are described in some further detail within the draft HELAA 2026, which we consider to be an appendix and part of the evidence base forming part of this consultation and therefore also open for consultation.

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

Question 2 Response:

We strongly disagree with this proposed housing target, which under-delivers the required quantum of housing identified by the Standard Method and that required by national policy.

In the process of calculating the figure of 8,427 dwellings, the Council has failed to demonstrate that it has robustly considered all suitable and available sites for housing within the district.

Specifically, HELAA site HUG0016 (7 dwellings) has been found by the Planning Inspectorate to be sustainable and suitable, subject to an appropriate S106 agreement.

The housing target can demonstrably be raised to include site HUG0016 (an additional 7 dwellings), and given the scale of shortfall for sustainable sites for housing, should also properly consider the capacity of adjacent site HUG0019 to accommodate additional dwellings.

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

Question 8 Response:

The figure of 7,881 dwellings (*minimum*) should be increased to properly account for suitable and deliverable site HUG0016, and to also reflect the potential for delivery of adjacent site HUG0019 within the plan period.

Both sites identified in the HELAA are larger than would usually be accommodated via the proposed windfall allowance, and therefore would warrant formal inclusion via site-specific allocations and directly support an increase in the 7881 target.

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

Question 9 Response:

Figure 10 states that 729 dwellings can be delivered within the plan period within the sub-area “Northern Rother settlements”. This number should be increased to properly account for suitable and deliverable site HUG0016, and to also reflect the potential for delivery of adjacent site HUG0019 within the plan period.

Both sites identified in the HELAA are larger than would usually be accommodated via the proposed windfall allowance, and therefore would warrant formal inclusion via site-specific allocations and directly support an increase in the 729 regional target for the Northern sub-area.

Question 14. Do you have any comments on the proposed Vision and development strategy for Northern Rother, including the development figures shown in Figures 26 and 27?

Question 14 Response:

Figure 26 includes 185 dwellings to come forward via two newly proposed allocations within Hurst Green. Both proposed allocations would constitute major development within the National Landscape which reflects the exceptional circumstances that RDC finds itself with regards to its shortfall of identified housing land. We support the principle that Hurst Green is a sustainable and suitable location to direct new development over the plan period, and that local housing need is clearly capable of outweighing some degree of localised landscape impact.

It is unknown whether any technical appraisals or formal consultations have been undertaken with respect to these sites, and so the total quantum of development here is currently indicative and based on loose assumptions for site capacity and ambitious build densities.

Conversely, this figure of 185 does not include the 7 houses that have been proven to be deliverable and tested via the planning application, consultation and appeal process. HELAA site HUG0016 has been independently found by the Planning Inspectorate, the Neighbourhood Development Plan Inspector, and by the RDC Planning Officer to be a suitable location for additional housing (subject to S106), yet this site has been erroneously omitted from the stated quantity in *figure 26*.

HUG0016 (1.69 hectares) should now be included as a formal allocation for at least 7 houses, and HUG0019 (2.99 hectares) should be further assessed within this same context, given that it shares many of the positive attributes of the adjacent site. Totalling 4.68 hectares, the development capacity of these two adjacent parcels when combined could be in the order of 50 - 70 dwellings (e.g. 2.0 developable hectares at 35 dph plus 2.68ha of infrastructure, facilities and public open space).

Question 63. Do you consider that there are any other possible sites in the Northern Rother sub-area (which includes the parishes of Bodiam, Burwash, Etchingham, Ewhurst, Hurst Green, Salehurst and Robertsbridge and Ticehurst) which should be allocated for development in the Local Plan?

Question 63 Response:

Landstrom Group Ltd has a legal interest in sites **HUG0016** and **HUG0019**, which have been actively promoted for housing development via the call-for-sites process, the Hurst Green Neighbourhood Plan and via planning applications.

The omission of these sites within the consultation draft local plan, and the factual errors contained within the latest HELAA (January 2026) should be corrected before the local plan is allowed to make further progress.

HUG0016 - Land at Cooks Field (southern parcel), Burgh Hill, Hurst Green

Planning Application RR/2023/2540/P

Planning application ref RR/2023/2540/P “Outline: Erection of up to seven dwellings and associated infrastructure with all matters reserved except for access.” The application was submitted in December 2023 and was subject to a 9 month application period through which it was subject to a suitably detailed level of technical consultation with statutory and non-statutory consultees. The result of which was for the **planning officer to recommend the site for approval**. See attached [appendix 1 - committee report RR 2023 2540 P.pdf](#)

Against officer advice, the Council’s **Planning Committee voted to refuse the application for the following single reason**. See attached [“appendix 2 - decision notice RR 2023 2540 P-DN.pdf](#)

“The proposed development by reason of its location on an unspoiled field and impact on landscape views overlooking to the field would fail to conserve and enhance the landscape and scenic beauty of the High Weald National Landscape (AONB) and cause irreparable harm to the intrinsic character and appearance of this part of High Weald National Landscape. The removal of road hedgerows to facilitate the pedestrian pathway would also cause demonstrable harm to the landscape character of the area and have a suburbanisation effect. As such, the proposal would be contrary to policy EN1 of the Rother Local Plan Core Strategy (2014) and policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan (2019).”

The planning decision was subsequently contested via an appeal:

Planning Appeal APP/U1430/W/25/3361707

See attached [appendix 3 - Appeal 3361707 - Decision.pdf](#)

Within the planning appeal it was identified that the main issues for consideration were:

7. The main issues are:

- *whether the proposal secures adequate provision of affordable housing; and,*
- *the effect of the proposal on the character and appearance of the area with particular regard to the landscape, scenic and natural beauty of the HWNL.*

In her appeal decision paragraphs 26 and 27, the planning inspector concluded that:

26. In conclusion on this main issue therefore, I find that the effect on the HWNL would be highly localised and the key characteristics of this area of the HWNL in terms of a rolling landscape of irregularly shaped fields and ridge-top settlements, would be conserved. Given the proposal's proximity to other dwellings, there would not be a harmful effect upon the dark skies or tranquillity of the HWNL. As such, with the mitigation measures in place, the landscape, scenic and natural beauty of the HWNL would be conserved and the proposal would accord with Section 85 of the CRow Act, as amended by LURA.

27. The proposed development would be consistent with the objectives of the Management Plan. It would be in line with the aims regarding the built and natural environment of the district, particularly to the HWNL, as expressed in Core Strategy Policy EN1 and DaSA Policies DEN1 and DEN2, and Framework paragraph 189.

It was also determined that "The proposed footpath would provide a small benefit in the form of improved pedestrian connectivity." (paragraph 39).

39. The need for housing is well established, even allowing for the allocations in the draft NP. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. The appeal site would make a small but important contribution to the Council's supply of housing, supporting the Government's aim of significantly boosting the supply of homes. There would be temporary and ongoing socio-economic benefits from the development through construction and the future residents' use of local shops and services, but given the scale of development, those benefits would be modest. I attach limited weight to the benefit achieved through the landscaping and biodiversity scheme as this would be primarily for mitigation purposes. The proposed footpath would provide a small benefit in the form of improved pedestrian connectivity.

In making her assessments on the main issues of landscape harm and proposed footpath, the Planning Inspector disagreed with the reasons for refusal provided by the planning committee, and aligned her findings with that of the planning officer, the statutory consultees, and the applicant.

For a purely technical reason relating to the wording contained in the S106 Unilateral Undertaking on the on-site delivery of affordable housing, the Planning Inspector regrettably found reason to refuse the application. Within the framework of an appeal, it was not possible to correct this minor misinterpretation and for this reason alone the application failed to be approved.

Notwithstanding the overall decision, the Inspector made some important judgments and her conclusions read favourably for the principal of development at this location, subject to a suitable S106 agreement to provide certainty on the delivery of affordable housing.

Hurst Green Neighbourhood Plan

The Regulation 16 Hurst Green Neighbourhood Plan included Land at Cooks field as a draft allocation for 7 houses, via policy HGSA1. The supporting evidence base and landscape assessments culminate in this allocation. Paragraph 11.16 confirms that *"The site is considered to be suitable for approximately seven dwellings."* (see attached, [appendix 4 - Hurst Green Neighbourhood Plan Reg 14.pdf](#))

Neighbourhood Plan Examination Report (28th March 2025)

In his *Report to Rother District Council on the Examination of the Hurst Green Neighbourhood Plan*, Inspector John Slater had reviewed the circumstances through which the Land at Cooks field (HUG0016) had initially been supported and included as a reg14 Neighbourhood Plan allocation site, but later removed because it was no longer strictly necessary to make further allocations to meet the previous local housing need figures (for the neighbourhood plan period (2021 - 2028). Mr Slater notes that:

"The time frame for the neighbourhood plan is only until 2028 and as previously mentioned, it maybe that the housing requirements for Hurst Green contained in the new local plan, will be such that the Parish Council may wish to revisit the Cooks Field site as an allocation."

HELAA January 2026

HUG0016		1.69	Two public responses:	Submitted site	Site not available for development. Access is an essential consideration.	Potentially available
Land at Cooks Field (northern parcel), Burgh Hill, Hurst Green			The site is within the High Weald National Landscape. An area of trees subject to a TPO lies adjacent to the east. Minor risk of surface water flooding on the adjacent road.		The site forms the northern section of an open field, south of Burgh Hill in the western part of Hurst Green. An application for 7 dwellings (RR/2023/2540/P) was refused by the Council for reasons relating to harm to the High Weald National Landscape, impact on biodiversity, insufficient affordable housing provision, while also being located outside of the Development Boundary. The refusal was upheld at Appeal in November 2025.	

The latest HELAA is factually incorrect in its description. The site was *not* refused by the Council for reasons relating to biodiversity, insufficient affordable housing, or for reason of being outside the development boundary. (refer to attached appendix 2 for the decision notice). It is implied that the refusal reasons were 'upheld', but it is clear that the appeal failed for unrelated technical reasons relating to the location of affordable housing on-site vs off-site or via commuted sum (see appendix 3). The HELAA therefore fails to acknowledge that the planning and appeal process instead established some important positive principles for the suitability of this site for development.

Interim Sustainability Appraisal (2026)

In turn, it appears as though the Interim Sustainability Appraisal carried forward this mistaken HELAA summary, and has failed to include HUG0016 as a suitable site for allocation within the Northern Rother sub-area.

Summary

Through promotion via the Hurst Green Neighbourhood Plan, via the subsequent planning application and later appeal, it has been repeatedly agreed by independent assessors that Land at Cooks field (HELAA HUG0016) is technically viable, achievable and sustainably located. The potential for landscape harm has been concluded as being localised, and the site scores highly for location as a natural infill site amongst existing housing on three sides.

For the reasons described above, we strongly believe that site HUG0016 should be included as an additional housing allocation, with a technically proven capacity for at least 7 dwellings.

HUG0019

Sustainable Location

HUG0019 is located immediately south and adjacent to HUG0016. The locational sustainability of the site is therefore comparable, in terms of distance to services and its proximity to existing residential housing. Development here would not extend into open countryside, but instead make use of land in between the residential street of Burgh Hill, and the A265.

The sloping nature of HUG0019 means that land further south (down the slope, toward the A265) is less exposed to public visual receptors, and therefore there is potential for higher development density than HUG0016 if suitably designed.

Access

Highways access via Burgh hill is likely to be limited to a low quantity of new vehicle movements, but access via HUG0016 could offer safe pedestrian access to local services in Hurst Green and west to Ettington Train Station.

A vehicular junction would be required on the A265 to allow access for new vehicle movements.

HELAA 2026

HUG0019	Land at Cooks Field (southern parcel), Burgh Hill, Hurst Green	2.99	The site is within the High Weald National Landscape. There is a risk of surface water flooding on a small part of the site and on the adjacent road.	Submitted site	The site is a field to the south-west of the village, bounding the A265 to the south. The land slopes steeply to the east and is exposed in the landscape. Development here at the scale considered through the HELAA would be out of keeping with the established settlement pattern and represent a significant intrusion into the countryside, harming the landscape and character of the National Landscape.	Potentially available
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The latest HELAA makes unsubstantiated claims, which contradict the findings of the planning inspectorate and independent assessors. Fundamentally, this lower parcel of land is *less* exposed in the landscape than stated, and there are no significant visual receptors. The scale of development would be landscape-led, and a site area of 2.99 hectares represents a significant opportunity to meet some additional housing need, at a scale suitable for Hurst Green - the principal of which is supported via other draft allocations such as HG4 (150 dwellings).

Summary

For the reasons established above for HUG0016, the southern part of the site HUG0019 remains suitable and available for housing delivery. In the context of a draft Local Plan that falls extremely far from meeting its housing needs, and with other major sites within Hurst Green and therefore the National Landscape being considered, it would be reasonable to expect that this site could be allocated for some form of development to meet local needs.

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

Question 68 Response:

For the reasons described above in relation to our response to question 63, we believe that there have been demonstrable, fundamental mistakes made in the assessment of HELAA sites HUG0016 and HUG0019. We therefore believe that the Sustainability Appraisal could be considered unsound in its current form.