

The Planning Policy Team
Rother District Council
Sent by email

Our ref: KT/2024/131733/OR-05/PO1

Date: 23 March 2026

Dear Planning Policy Team,

Consultation on the Draft Rother Local Plan 2025–2042 – Development Strategy and Site Allocations

Thank you for consulting us on the Draft Rother Local Plan 2025–2042 – Development Strategy and Site Allocations. We have provided advice and guidance to strengthen policies and evidence to ensure the new Local plan aligns with national, regional and local requirements.

Environment Agency Position

Our aim is to assist you prepare and implement a sound, robust, and effective plan that is reflective of national policy and your local evidence base. We hope that this collaborative process leads to a plan that delivers sustainable development, contributes to a stronger economy, and safeguards the environment for future generations.

Delivering the Local Plan will require a strong environmental evidence base and close partnership working to ensure development protects and enhances the environment. It is essential that growth is supported by the right environmental infrastructure, including flood defences, quality waste management infrastructure, blue and green infrastructure, water supply and disposal, and pollution prevention.

Further details are provided in:

- Section 1 – General recommendations
- Section 2 – Specific comments on proposed policies and sites

Environmental evidence and data to inform Local Plan policies and planning decisions; data – including the latest Flood Zones and Groundwater source protection Zones (SPZs) is available at [Defra Data Services Platform](#).

Our planning advice service

As allocated or windfall sites with relevant environmental constraints or opportunities progress towards development, we would encourage applicants to engage with our planning advice service as early as possible.

We can provide detailed guidance on and/or review technical information for development proposals, prior to submission of planning applications, as part of our cost recoverable planning advice service.

Engagement with us prior to formal submission can provide applicants with greater certainty regarding our position and can speed up our formal response to planning applications. It should also result in better quality and more environmentally

creating a better place
for people and wildlife



sensitive development.

We hope that you find our comments useful, and we would be pleased to meet with you to discuss in more detail any issues or queries you may have. Should you have any further questions, please do not hesitate to contact us.

Yours faithfully,

Abbie Philpott
Sustainable Places Planning Advisor



Section 1 - General recommendations

We expect site allocations to be informed by, and take account of, environmental constraints and opportunities such as

- fluvial and tidal flood risk;
- proximity to main rivers, including culverted watercourses;
- flood defences, including future adaptation to climate change;
- River Basin Management Plans (RBMP);
- areas of sensitivity with respect to groundwater;
- land contamination, mobilisation of contaminants by development, and opportunities for remediation;
- biodiversity protection and enhancement;
- water quality and resources;
- sites with environmental permits, such as waste sites;
- air quality;
- climate change.

Flood Risk:

Functional floodplain

Flood Zone 3b (FZ3b) is the functional floodplain. This zone comprises land where water from rivers or the sea must flow or be stored in times of a flood. Only 'essential infrastructure' and 'water compatible' development can be considered in FZ3b

The definition of FZ3b within the national Planning Practice Guidance (PPG) (Table 1: Flood Zones) states that it will normally comprise of:

- land having a 3.3% or greater annual probability of flooding, with any existing flood risk management infrastructure operating effectively; or
- land that is designed to flood (such as a flood attenuation scheme), even if it would only flood in more extreme events (such as 0.1% annual probability of flooding).

We would look to the level 2 Strategic Flood Risk Assessment (SFRA) to identify Functional Floodplain. Any potential sites that fall within functional floodplain will only be developable in accordance with the National Planning Policy Framework (NPPF).

It may be necessary for individual planning applications to be supported by a detailed Flood Risk Assessment (FRA) which determines the extent of FZ3b on site.

Changes to Flood Risk Standing Advice (FRSA)

Standing Advice now gives the following advice for applications in FZ1:

Check your SFRA and the flood map for planning to see if the site will be at increased risk of flooding from rivers or the sea in future. If it will be, you should:

- make sure a FRA is provided
- treat the site as if it were in Flood Zone 2 when deciding whether to consult the Environment Agency or follow standing advice

The SFRA should identify any sites that fall within FZ1 + Climate Change and include advice on how these will be incorporated into the Sequential Test.

Our current standing advice for development planning is to use a freeboard of 600mm above design flood level, except where:

- there is a high level of certainty it might be reduced to 300mm
- there is high level of uncertainty when it may need to be increased

To account for residual risk, where appropriate we will use breach level to inform the design flood level, many of the site-specific policies refer to this.

River Corridors

River corridors play a critical role in conveying flood flows, accommodating maintenance access and supporting the long-term performance of the drainage network. Culverted or heavily modified watercourses can restrict conveyance, increase the risk of blockage and sediment accumulation, and limit the ability to inspect, maintain or improve channels over time, increasing the likelihood of localised flooding.

Development affecting main rivers and ordinary watercourses subject to fluvial flooding should restore culverted channels where feasible and should not introduce new culverts unless there is clear justification as to why it cannot be done. Proposals should seek to re-open and re-naturalise channels where opportunities arise, particularly where this would improve flood conveyance, maintenance access and system resilience. In either scenario, there must be a demonstration that there is no increase in flood risk.

For fluvial watercourses, sufficient undeveloped space must be retained alongside rivers to allow for future maintenance, upgrade or repair works which may be required. A minimum 8 metre (m) buffer should be provided from the top of the riverbank, free from built development or obstruction, to allow for maintenance, emergency access and upgrade works which may be required.

Where development is adjacent to tidal watercourses or forms part of the tidal flood defence system, wider buffers are required to reflect the scale and nature of tidal flood risk management infrastructure. In these locations, development should aim to provide a minimum 16 metre (m) setback from the most landward extent of the tidal flood defence, including buried elements, to safeguard access for maintenance and to enable future defence raising, realignment or upgrade in line with the Folkestone to Cliff End flood risk management strategy plan.

Where feasible, development should incorporate opportunities to make space for water, improve river corridor function and enhance the resilience of the drainage network through appropriate site layout and design.

Updated NaFRA 2 extents

Please be aware that the updated NaFRA 2 extents may have brought some land/property into FZ2/3 where it wasn't before, or vice versa. An initial review indicates that this is unlikely to cause significant issues due to the rural nature of the land affected, however we would advise that the SFRA refers to this and provides a link to the Environment Agency's flood map for planning to ensure the latest version of the data is always referenced.

Biodiversity:

De-culverting and re-naturalisation of watercourses

There is currently no mention of opening up culverted watercourses to daylight. Where watercourses have been historically modified adjacent to or within development sites, the watercourse should be restored to a natural state. This includes the de-culverting of watercourses, re-naturalisation of riverbanks and restoring the natural width/depth of a watercourse where it has been degraded.

Where barriers to fish movement (such as weirs) are present in a watercourse adjacent to or within a development, the design should include the removal of that barrier, or where not feasible, measures to allow for the natural movement of fish within the watercourse.

Further culverting of main river channels will not be permitted and de-culverting of main river channels will be encouraged, subject to demonstrating that flood risk will not be increased elsewhere. Culverts present a detriment to the connectivity of river corridor habitats that are important for biodiversity and should therefore not be permitted and opened up at every opportunity.

River buffer strips

There is a suggestion that all current watercourses are to be retained with suitable buffer zones provided which we fully support.

Buffer strips are likely to be required on sites around main rivers, this can vary from 8 metres for fluvial main rivers to 16 metres for tidal main rivers. Buffer strips are vital for intercepting pollutants, reducing erosion, and providing wildlife corridors.

These should be incorporated into site designs to protect water quality and support ecological networks.

Development layouts should take a sequential approach to locating built development away from river corridors.

Development should also align with wider catchment objectives of the RBMPs (most of Rother is in the South East River Basin District (RBD), however Bewl Water and surrounding area is in the Thames RBD) and partnership initiatives, supporting coordinated and strategic improvements to river corridors and drainage infrastructure across the borough.

We encourage that even ordinary watercourses and ditches are preserved, enhanced and protected with buffer strips wherever possible.

Greenfield sites

We support the proposals that Greenfield sites as a minimum should be requested to produce Construction Environmental Management Plans (CEMP) and Landscape and Ecological Management Plans (LEMP) as part of applications and hope to see the inclusion of green corridors within approved developments. We support the inclusion of enhanced buffers to be provided for ancient woodland and retention and improvement of hedgerows and other wildlife corridors wherever possible.

Habitats Regulations Assessment (HRA)

Several sites are near the Designated Pevensey Levels and will require a HRA. Development near these sites could have potential to cause a significant loss of biodiversity and habitat and directly impact on the designated site. Mitigation and compensation will need to be considered for these sites.

Drainage:

Foul drainage

There are many site allocations where there are either currently no mains foul drainage on site or none in the wider area.

Development should connect to mains drainage wherever possible, and this should be reflected in policy. Developers should consult with the water companies to ensure that there is sufficient capacity before any development takes place and agree a suitable solution if there are capacity issues such as phasing development to align with infrastructure upgrades.

The use of private sewage treatment works or New Appointments and Variations (NAVs) should be avoided. If it is not possible to connect to mains then developers will need to provide a plan on how they will deal with foul sewage and may need to apply for a permit. This is likely to require consultation with us or other statutory bodies.

Surface Water

We support the requirement for SuDS in many policies.

Development should minimise surface water runoff and incorporate nature-based drainage measures that slow, store and treat runoff. These measures can reduce peak flows, improve conveyance capacity, limit sediment and pollutant inputs to watercourses, and enhance the long-term function and resilience of the drainage network. This should result in development that reduces the risk of flooding and ensures no deterioration from pollutants of protected species and habitats.

Water quality:

Rother County Council contains water bodies that fall under the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations

2017 (WFD). Development within the borough must therefore ensure that no activity leads to deterioration in the status of any WFD water body and, where possible, contributes to their enhancement. This is especially important for the many sites that border or are near watercourses. Extra care should be taken on these sites to ensure that development does not lead to deterioration in the status of these bodies and should, where possible, help to improve them.

We therefore recommend that policies should be included to address water quality and the protection of the water environment for any site allocations and development proposed in close proximity to watercourses, or which may affect surface water or groundwater. They may also require a WFD compliance assessment, which assesses potential impacts on relevant water bodies and demonstrate how required enhancements will be delivered. Any development that has the potential to cause deterioration in WFD classification, or that would prevent future recommended actions from being implemented, is likely to be unacceptable.

To protect and improve water quality, new development should also incorporate high quality Sustainable Drainage Systems (SuDS) designed to deliver both water quantity and water quality benefits. SuDS should follow the drainage hierarchy and include appropriate treatment stages to prevent pollutants, sediments, and nutrients from entering surface waters or groundwater. Proposals that discharge to main rivers must demonstrate that runoff will not adversely affect the ecological or chemical status of the receiving water body.

Contaminated land:

We recommend that, where development is proposed at sites known or suspected to be affected by contamination, a Preliminary Risk Assessment (PRA), often known as a Phase 1 Desk Study, is submitted at the earliest opportunity, and that consideration is given to receptors including controlled waters during any demolition, enabling and construction phases of development. The risk to end users and receptors such as controlled waters must be considered at every stage of the development, not just upon completion.

Although SuDS are generally the preferred method of surface water disposal, applicants should assess site history to identify sources of contamination within the site or in adjacent land where development could cause impacts which could affect controlled waters.

Water Supply:

The plan-making process provides an opportunity to facilitate better water management and secure improvements to water infrastructure, such as policies requiring the reduction of leakage and increased efficiency in new developments and retrofits to promote a sustainable and resilient water supply.

Your Local Plan and supporting evidence should consider the capacity and quality of water supply and wastewater systems and any impacts development may have on the environment, including understanding the supply and demand patterns now and in the future across the district. Projected water availability should take account of

the impact of a changing climate. Water companies hold information and data and we encourage you to work closely with the water companies when developing the local plan. This information should be reflected in the Sustainability Appraisal (SA).

We encourage you to ensure development plan policies and allocated major developments identify and plan for water supply and wastewater infrastructure to support growth, taking into account costs and timings/phasing of development, as well as the quality and capacity of sewage networks and wastewater treatment works. Development plans should also identify and stipulate required levels of water efficiency in consideration of local area constraints on water resources. Water Cycle Studies (WCS) and Infrastructure Delivery Plans (IDPs) can help with understanding what is needed and are therefore important parts of the supporting evidence base

Water Resource Management Plans (WRMPs):

Since 2009, water companies have been required to produce WRMPs and drought plans every 5 years, detailing how they will manage water supplies over the next 25 years and beyond. WRMPs are key to ensuring water supply meets our demands and that we are prepared for periods of drought in a changing climate.

Effective water resource planning is essential to ensure the long-term balance between supply and demand is maintained. Under sections 37A to 37D of the Water Industry Act 1991, water companies are required to prepare and maintain a water resource management plan (WRMP). Every 5 years statutory WRMPs set out a water companies intended approach for achieve a secure supply of water for customers alongside environmental protection and enhancement for at least the next 25 years (plans are reviewed annually). Under the NPPF, planning policies should make sufficient provision for water supply and wastewater infrastructure, and prevent new and existing development from contributing to water pollution. As such, we encourage you to engage with Southern Water and South East Water and consider their WRMPs, and Southern Water's Drainage and Wasterwater Management Plan (DWMP) when preparing your Local Plan to ensure sustainable development.

Further guidance can be found here:

- [Water resources planning guideline](#)
- [Water resource planning - Ofwat](#)

Note: From 2024, company-level plans are supplemented by five regional water resource plans that will cover England.

Further comments:

While this consultation was not specifically about the Rother Local Plan 2025-2042 Draft (Regulation 18) we wanted to take this opportunity to add further comments to those provided in our response sent on 23 July 2024 (our ref: KT/2024/131733/OR-01/PO1).

2. Vision, Overall Priorities and Objectives – page 25

Strategic Spatial Objectives

There is no objective relating to the protection of water quality or relating to the Environmental Management section (that includes the water quality policy in general). Paragraph 2.14 states that the objectives relate to the chapters, but it is not clear how they line up or which objective relates to which chapter.

8. Housing – page 228

Proposed Policy HOU11:

Gypsies, Travellers and Travelling Showpeople Criteria – page 274

This policy should include consideration of how foul drainage will be managed and if it is possible to connect to mains foul drainage. Ideally sites should be in areas that either are already connected to mains or can be connected fairly easily. There should also be consultation with the water companies to ensure that there is sufficient capacity or to agree to a suitable solution if there is not. All new sites should aim to connect to the existing mains drainage network. The use of private sewage treatment works, or New Appointments and Variations (NAVVs) should be avoided.

Proposed Policy HOU12: Self-Build and Custom Housebuilding – Page 287

There should also be a requirement that the houses have suitable foul drainage. Self-build and custom housing should still be connecting to mains for foul drainages. Applicants should be consulting with the relevant water company to ensure that there is sufficient capacity or to agree to a suitable solution if there is not. All new sites should aim to connect to the existing mains drainage network. The use of private sewage treatment works, or New Appointments and Variations (NAVVs) should be avoided.

11. Environment Management – page 366

Proposed Policy ENV1: Coastal, Water and Flood Risk Management vi) – page 367

This section should also include that the applicant should consult with the relevant water company before any development has taken place to both determine capacity and agree a suitable solution if there is not enough capacity. The solution should strongly favour the use of mains drainage. All new developments should aim to connect to the existing mains drainage network. The use of private sewage treatment works, or New Appointments and Variations (NAVVs) should be avoided.

Section 2 - Specific comments on proposed policies and sites

Where waterbodies are mentioned, we have included the WFD/Water Environment Regulations (WER) ID numbers and their names as shown in the catchment planning system (CPS) and [Catchment Data Explorer](#). The Catchment Data Explorer is designed to help provide information about the water environment used in River Basin Management Plans (RBMPs). We encourage developers to utilise this information to inform their planning applications.

Policy reference: BX28

As this site is likely to be contaminated due to its previous uses as an RAF base and as a prison and training centre there should be policy text that stipulates the site should be fully investigated and, where deemed necessary, remediated. We would expect a PRA, often known as a Phase 1 Desk Study, to be provided with any planning application for this site. We would recommend that prior to any development on site, including demolition, further consultation be undertaken with us.

This site also lies adjacent of a Main River (GB107041012430 - East Stream), flood defences and includes areas of FZ2 and 3, as such we support policy 11 that the site is subject to a site-specific FRA and to avoid building in the north-western part of the site. We also support policy 14 to connect to mains and policy 12 to incorporate SuDs, as any development must not cause deterioration of the river, which is already rated as "Poor ecological status". We are pleased to see the inclusion of policy 10 and support this also.

Policy reference: CM2

We support the assertion that this site is not suitable for permanent residential accommodation. We would find short-term holiday use to be acceptable subject to a satisfactory FRA and appropriate mitigation measures. Any development must also ensure that there is no adverse effect on the integrity of the tidal flood defences; and that access to the defences is maintained, and where possible, improved, to allow for inspection, maintenance and future improvements to the defences. We recommend this is included in the policy text as a must.

Policy reference: CM3

We support the policy 3 that stipulates due to the sites past contaminative use that a remediation strategy and site investigation scheme are provided. We also support the site being in accordance with a site-specific FRA, though the site will also be subject to the Sequential and Exception tests.

Rye and Rye Harbour Sites – general comments to apply to all sites and to be incorporated into policies:

Sites at risk to both fluvial and tidal flooding

Estuarine locations are transitional sites between the sea and fluvial floodplain requiring judgements over the flood risk status of that part of an estuary. The cumulative impact of land raising within estuaries and the threshold for requiring

flood compensation within would ideally be established by the SFRA with a policy brought forward into the local plan. In the absence of an estuarine policy, site-specific FRAs need to assess the impact of individual developments in these areas of combined risk and identify if flood risk compensation is required. The need for flood compensation may have a significant impact on development density and landform design particularly for those sites wholly within FZ3. This is particularly important as the use of stilts and voids should not be used for flood compensation. Whilst they may reduce the impact of the development, they do not guarantee that the floodplain will be retained in the same way as a direct compensation scheme and therefore do not guarantee that the development will not increase flood risk.

Sites adjacent to River Rother and Rother Estuary

Sites RY2, RY3, RY4, RY5 and RY7 are all adjacent to the River Rother/Rother Estuary. We recommend an additional policy is included for these sites that states: "Development must not cause adverse impacts on features of the adjacent Dungeness, Romney Marsh and Rye Bay SSSI, SPA and SAC, and also on adjacent protected habitats such as mudflats, saltmarsh and coastal and floodplain grazing marsh. The mitigation hierarchy should be considered at design stage."

A buffer zone is likely to be required on sites around the main rivers, this can vary from 8 metres to 16 metres for tidal main rivers.

We also recommend an additional policy is included that states: "The Environment Agency supported 'Design Principles - Estuary Edges' must be followed during the design stage". Please see here for more information:

<https://www.estuaryedges.co.uk/design-principles/>

Policy reference: RY1

This site is wholly within FZ3, therefore the density of the development should be informed by the level 2 SFRA and site-specific FRA. The FRA will not only need to demonstrate that the development can be made safe by use of appropriate mitigation measures but also that flood risk is not increased elsewhere by increasing flood depths and/or frequency on adjacent land.

Policy reference: RY2

We support the inclusion of policies 9,10 and 12 but recommend these are strengthened by including text that ensure that any development has no adverse effect on the integrity of the tidal flood defences; and that access to the defences is maintained, and where possible, improved, in order to allow for inspection, maintenance and future improvements to the defences.

The site should also be sequentially tested to ensure higher risk development is in the lower risk part of the site.

Applicants should be made aware that environmental permitting regulations will apply due to the presence of defences and the main river.

This site is adjacent to the River Rother (GB540704016100 - Rother (Transitional))

as well as the connecting River Tillingham (GB107040013560 – Tillingham) at the point where it changes from river to transitional. We support policies 6 and 7 although ideally there would be a natural buffer around the rivers.

Policy reference: RY3

We support policies 6, 7 and 9. We also support policy 11 which states 'Phase the occupation of the development to align with the delivery of sewerage infrastructure', which should allow for the existing system to better cope with increased sewerage needs. However, this should be strengthened by specifying a specific requirement to connect to mains.

Policy reference: RY4

While we support policies 4 and 5, the site is wholly within FZ3, therefore the density of the development should also be informed by the Level 2 SFRA and a site-specific FRA. While we understand the reasoning for increasing the site capacity, an increase in dwellings may compromise the site's potential to pass the Exception Test. The FRA will not only need to demonstrate that the development can be made safe by use of appropriate mitigation measures but that flood risk is not worsened elsewhere by increased flood depths and/or frequency on adjacent land.

Policy reference: RY5

We support policies 6, 7 and 9, however the site is wholly within FZ3, therefore the density of the development should also be informed by the Level 2 SFRA and a site-specific FRA. While we understand the reasoning for increasing the site capacity, an increase in dwellings may compromise the site's potential to pass the Exception Test. The FRA will not only need to demonstrate that the development can be made safe by use of appropriate mitigation measures but that flood risk is not worsened elsewhere by increased flood depths and/or frequency on adjacent land.

Environmental permitting regulations will apply due to presence of defences and main river on/near the site. A policy should be included that ensures that the development has no adverse effect on the integrity of the tidal flood defences and tidal outfall; and that access to the defences and tidal outfall is maintained and where possible, improved, in order to allow for inspection, maintenance and future improvements to the defences and outfall

As this site is adjacent to the River Brede (GB540704016100 - Rother (Transitional)), a policy should be included that states development should not cause the deterioration of water body status, and should encourage development to improve it, if possible.

Policy reference: RY7

The site lies within FZ3 and a restaurant would be classed as 'more vulnerable' under the NPPF, resulting in an increase in vulnerability classification. We recommend a policy is included that states the requirement for development to be subject to a site-specific FRA to ensure any development is safe and does not increase risk elsewhere.

Environmental permitting regulations will apply due to presence of defences and main river on/near the site. A policy should be included that ensures that the development has no adverse effect on the integrity of the tidal flood defences; and that access to the defences is maintained, and where possible, improved, in order to allow for inspection, maintenance and future improvements to the defences.

The site also includes land owned by the Environment Agency.

As this site is adjacent to the River Brede (GB540704016100 - Rother (Transitional)), a policy should be included that states development should not cause the deterioration of water body status, and should encourage development to improve it, if possible.

Policy reference: RY9

The site is wholly within FZ3, therefore the density of the development should also be informed by the Level 2 SFRA and a site-specific FRA. While we understand the reasoning for increasing the site capacity, an increase in dwellings may compromise the site's potential to pass the Exception Test. The FRA will not only need to demonstrate that the development can be made safe by use of appropriate mitigation measures but that flood risk is not worsened elsewhere by increased flood depths and/or frequency on adjacent land.

Increasing the allocated number of dwellings on site needs careful consideration. Given the constraints on the site (fluvial, tidal and surface water flooding) any development will need to demonstrate that the development can be made safe without increasing flood risk elsewhere.

Policy reference: RH1

We support policy 6 but recommend this is strengthened as the site is wholly in FZ3. The application of the Sequential Test and potential to pass the Exception Test needs to be assessed via a level 2 SFRA.

Policy reference: RH2

This site allocation includes land with a long history of industrial land uses, which is known to have resulted in land contamination that also impacts groundwater and supported habitats. Historic contamination is considered likely to remain beneath this site that should be fully investigated and, where deemed necessary, remediated. We would recommend that prior to any development on site, including demolition, further consultation be undertaken with us.

We support the policy wording and supporting text, which both make specific mention to land contamination and the requirement for it to be investigated. We would expect a PRA, often known as a Phase 1 Desk Study, to be provided with any planning application for this site.

We support policy 5 but recommend it is made clear that the site will be subject to the Sequential and Exception Tests as well as a site-specific FRA.

Environmental permitting regulations will apply due to presence of defences and main river on/near to this site. A policy should be included that ensures that the development has no adverse effect on the integrity of the tidal flood defences and tidal outfall; and that access to the defences and outfall is maintained, and where possible, improved, in order to allow for inspection, maintenance and future improvements to the defences and outfall.

This site is adjacent to both Nook Beach Lake (GB30745055) and the River Rother (GB540704016100), so we recommend a policy should be included that states development should not cause the deterioration of water body status, and should encourage development to improve it, if possible.

Policy reference: BW1

We support the requirement for SuDS in policy 12. Policy 11 states 'Include package treatment plant on site, in consultation with Southern Water', which suggests that it is not possible to connect to the mains here. While we support consultation with Southern Water, it is not clear as to why a package treatment plant is proposed as opposed to connecting to mains, especially as there is already mains drainage on site.

Policy reference: EC1

As the site partly within FZ2 and FZ3, we support the policy to sequentially test the site and retain the southern part of the site (within FZ2 and FZ3) as green infrastructure.

Environmental permitting regulations will apply due to presence of defences and main river on/near to this site. A policy should be included that ensures that the development has no adverse effect on the integrity of the tidal flood defences and tidal outfall; and that access to the defences and outfall is maintained, and where possible, improved, in order to allow for inspection, maintenance and future improvements to the defences and outfall.

Policy reference: EC2

As the southern part of the site is in FZ2 and FZ3, we support the policy to sequentially test the site and limit development to the northernmost portion outside the area at risk of flooding.

Policy reference: RB5

A policy should be included that states any development needs a site-specific FRA.

A policy should also be included that ensures that development has no adverse effect on the integrity of the flood defence embankment; and that access to the flood defence embankment is maintained and where possible, improved, in order to allow for inspection, maintenance and future improvements to the flood defence embankment.

Policy reference: RB6a

Due to the current access being within FZ3, we support policy 7 requiring

development to include a safe emergency access track, outside the floodplain and with access to the A21.

We also support policy 10 requiring the site to be sequentially tested ensuring all new development avoids the lower part of the site which is shown to be at risk to flooding.

The density of development, particularly the residential element, should be informed by a site-specific FRA. The FRA will need to pay particular attention to the requirements for flood storage to ensure no increase in either the depth or frequency of flooding on or off site. Any required flood storage compensation will need to be provided on a level for level/volume for volume basis. The FRA is likely to need to be evidenced by numerical modelling which will require a formal review by our internal modelling team.

Any proposal will also need to take account of the environmental permitting regulations which relate to 'main river' and associated Environment Agency assets. Depending on the final design, it is possible that flood mitigation measures may require the developer to improve performance or resilience of these assets.

Therefore, a policy should be included that ensures that the development has no adverse effect on the integrity of the flood defence assets; and that access to the flood defences assets is maintained and where possible, improved, in order to allow for inspection, maintenance and future improvements to the flood defence assets.

The site overlaps with the River Rother, a main river (GB107040013640 - Lower Rother from Etchingam to Scot's Float). A policy should be included that states development will need to ensure that there is no culverting of the river and to avoid any deterioration to the water body during and after development.

We would also strongly support the inclusion of a policy that supports improvements to the watercourse as the river is heavily modified here and there may be opportunities to improve this.