

The Planning Policy Team  
Rother District Council  
Sent by email

**Our ref:** KT/2024/131733/SD-01/SB1

**Date:** 23 March 2026

Dear Planning Policy Team,

**Consultation on the Draft Rother Local Plan 2025–2042 – Interim Sustainability Appraisal (SA) and the Infrastructure Delivery Plan (IDP) Part A and Part B (the Schedule)**

Thank you for consulting us on the Draft Rother Local Plan 2025–2042 – Interim Sustainability Appraisal (SA) and the Infrastructure Delivery Plan (IDP) Part A and Part B (the Schedule). 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 – Infrastructure Delivery Plan (IDP) comments
- Section 2 – Interim Sustainability Appraisals (SA) comments

We also attach the following document to our response:

- Rother Draft Local Plan IDP Part B - EA amendments

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 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 – Infrastructure Delivery Plan (IDP) comments

Thank you for consulting us on the updated version of your Infrastructure Delivery (IDP), which we received on 11 February 2025.

We welcome the plan and its continued recognition of key environmental infrastructure which supports sustainable growth and development in the Rother district.

Please see below for comments we recommend relating to issues and opportunities within our remit in the Rother district.

### Comments related to 7. Green & blue infrastructure, & flood defence:

#### 7.1 and 7.7

We are pleased to see Blue infrastructure included as a distinct but vital part of Rother Districts natural capital.

#### 7.20

We are pleased to see the forthcoming Sussex Local Nature Recovery Strategy included as a delivery mechanism for ecological enhancement.

#### 7.25

While we are pleased to see the connection made between integrating biodiversity enhancement with flood risk reduction, we think there has been a missed opportunity to explicitly reference de-culverting and the re-naturalisation of rivers. Re-naturalising rivers, especially where the river has been culverted, increases biodiversity and improves flood resilience and often supports human well-being as it can make rivers a more pleasant place to enjoy.

We encourage you to consider creating a River Corridor Improvement Plan, like the one the London Borough of Lewisham has created, to help guide development.

#### Pre-application advice service:

We are able to provide a pre-application advice service to discuss applications with developers to maximise opportunities to deliver a sustainable development. By engaging early in the planning process we can increase environmental outcomes and share environmental evidence and guidance to help inform the design process.

We recommend the following wording is included within the IDP:

*‘The Environment Agency offers a charged pre-application advice service for any new proposed developments near main rivers, their associated flood defence infrastructure and flood zones. Engaging with this service in a timely, meaningful manner should lead to a better quality, more environmentally sensitive development.’*

#### Infrastructure Delivery Plan Part B (The Schedule):

Additionally, please see the document “Rother Draft Local Plan IDP Part B - EA amendments” that we have included with this response that provides updated

information on infrastructure items FLO002-FLO010 as well as 3 Environment Agency projects that are not yet on the Schedule.

**FLO009:**

We are currently developing a long term (100 yr) strategy for flood defence in this area, the “Pevensey Bay to Eastbourne Coastal Management Scheme”. In the interim, there is a Phase 1 Scheme that will be delivered for the period 2027-2037. This is a multi-million-pound scheme to sustain the Standard of Protection for 10 years. Please don’t hesitate to contact us if you would like to know more about this.

## Section 2 – Interim Sustainability Appraisals (SA) comments

Thank you for consulting us on the Interim Sustainability Appraisal (SA) Report of the Rother Local Plan.

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.

### **Our standard expectations**

The Environment Agency supports sustainable development that protects and enhances the natural environment, particularly the water environment. We expect all new developments to incorporate robust environmental safeguards and demonstrate a clear commitment to improving ecological outcomes.

Key expectations include:

- **Surface Water Management:** No surface water runoff should be discharged directly into watercourses. This is essential to prevent pollution, erosion, and habitat degradation. Sustainable Drainage Systems (SuDS) are the preferred mitigation measure for managing surface water runoff. These systems help to mimic natural drainage, reduce flood risk, improve water quality, and support biodiversity.
- **Water Environment (Water Framework Directive) (England and Wales) Regulations 2017:** Developments must not cause deterioration in waterbody status under these regulations. Waterbodies classified under these regulations will hereafter be referred to as WFD waterbodies. Where possible, developments should actively contribute to the enhancement of the water environment, such as through habitat creation or improved water quality. If relevant for the development, work should be undertaken to complete actions set out within the River Basin Management Plan (RBMP).
- **Buffer Strips:** 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.
- **Foul 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.
- **Engagement with Water Companies:** The local council and developers must liaise with the relevant water companies throughout the planning and construction process. This ensures a clear understanding of existing drainage infrastructure and confirms that there is sufficient capacity at the local sewage treatment works to accommodate the proposed development.

- Culverting: Culverting of main river channels should not be permitted, as it disrupts the connectivity of river corridor habitats and poses a risk to biodiversity. De-culverting should be actively encouraged, provided it can be demonstrated that doing so will not increase flood risk elsewhere. This approach supports the restoration of natural river processes and enhances ecological resilience.

By adhering to these principles, we can help safeguard the water environment and contribute to a more resilient and sustainable future.

### **Duty to Co-operate**

Most natural resources extend across multiple Local Authority areas. We encourage the Council to make full use of the Duty to Co-operate when revising this draft local plan. Cross-boundary, collaborative working will ensure that strategic priorities across local boundaries are properly co-ordinated. Please consider this when addressing climate change, flood risk, waste management, habitat and biodiversity enhancement, watercourse protection and improvement, water and waste resources.

### **Biodiversity**

We support the suggested mitigation measures for the SA objective 2. Biodiversity is protected, conserved and enhanced (page 58). However, we think you could go further and seek for habitats to be improved rather than just protected. For example, by re-naturalising a river and providing a green buffer, rather than only providing a green buffer.

### **Flood Risk**

We support the suggested mitigation measures for the SA objective 5. Manage and reduce the risk of flooding (fluvial, tidal and surface water), now and in the future, and increase resilience to the wider effects of climate change (page 58). Specifically we support a Level 2 Strategic Flood Risk Assessment being undertaken.

### **Coastal Erosion**

We support the suggested mitigation measures for the SA objective 6. The risk of coastal erosion is managed and reduced, now and in the future. Reference should also be made to the Shoreline Management Plan (SMP) (Rother is covered by the South Foreland to Beachy Head SMP11). This SMP identifies the most sustainable approach for managing the risk from coastal flooding and erosion over the short (0 to 20 years), medium (20 to 50 years) and long (50 to 100) term.

### **Ground Contamination**

We support the suggested mitigation measures for the SA objective 12. The risk of pollution to land and soils is reduced and quality is improved. We are specifically pleased to see “Set policies to ensure investigations are undertaken on contaminated land, and remediation measures undertaken where necessary”.

### **Water quality and water resources**

The SA requires strengthening to ensure full compliance with the Water Framework

Directive (WFD) and national policy. The SA should be expanded to include mapped water-related constraints and evaluate growth options against WFD, groundwater, and wastewater capacity risks, ensuring the Local Plan directs development to locations where the water environment can be adequately protected and enhanced. There is currently no mention of WFD anywhere in the document.

We support the suggested mitigation measured for the SA objective 14. The risk of pollution to water is reduced and water quality is improved. We believe you can strengthen this by adding in that there should be policies to encourage the upgrading/improvement of drainage systems on existing sites. Surface water should not be connected to older combined drainage systems wherever possible, to reduce combined sewer overflows that result in a mix of rainwater and raw sewage discharging into rivers or the sea. The Local Plan should set strong targets for greenfield runoff rates, ensuring that post-development runoff does not exceed pre-development levels. The use of SuDS will be important in achieving this, helping to manage surface water, improve water quality, and enhance biodiversity.