

Planning Policy,
Rother District Council,
Town Hall,
Bexhill-on-Sea,
TN39 3JX

23 March 2026

Dear RDC Planning Policy Team

Local plan representations - Rother Local Plan 2025–2042, Development Strategy and Site Allocations, Regulation 18 Consultation, January 2026

We write to provide our local plan representations in respect to the above plan consultations.

We approach this from a pro-economic growth perspective and as property developers have advocated for more growth where we feel that this can be justified and achieved sustainably within our representations.

Overall, we are supportive of the draft local plan and the policy objectives under consideration. We have however sought to highlight issues with several elements of the policies as drafted, and with some parts of the evidence base in our representations. We have sought where possible to provide potential alternatives and suggest solutions to these issues.

While we are sure that the comments will be reviewed in full, we would draw specific attention to several issues within them in the summary below.

1. The Retail Study and underestimation of need.

- 1.1. We have taken the view that a retail study based on 2022 data is not currently up to date given the changes in the market, and the discrepancies between its findings and our experience, which has been shaped by receiving over 290,000sqft of enquiries on the site in Northeast Bexhill.
- 1.2. We believe that there is an identifiable issue with the population growth estimates utilised to forecast retail need within the current retail study. It relies upon the ESCC population growth forecasts for the area without adjusting for the levels of housing to be delivered within the Northeast Bexhill Urban Extension the result is an estimated need based upon an average household size of less than 1 person per additional dwelling. Within the full representations we have provided alternate population numbers based on the HEDNA and Census data on average household size of 2.17 persons.
- 1.3. We believe that the retail situation has evolved and that the plan must reflect provision for the housing and the retail market. The widening of the allocation at BX47 to include all commercial uses including retail should in our opinion help to meet this need.

2. Countryside Park use of retail park car park

- 2.1. We have opposed this strongly as in our view it is a need from a third-party project not related to the site and the loss of control over the car park would be a deal breaker for many occupiers and funders on a site of this nature. – informally this use will likely happen anyway to a degree but being freely and fully able to manage the car park is essential for retail and employment uses and that must include the ability to limit third party users.
- 2.2. The requirement for this use is not generated by the development but by the Countryside Park and as such we would suggest that the requirement is potentially unlawful and could be seen as a “buying permission via contributions” issue posing risk of judicial review were any developer to accept it. We have provided case law references within our main representations on this matter and suggested the removal of the requirement.
- 2.3. We have proposed potential infrastructure for visitors on an alternate site that is within the countryside park which we feel would be more suitable and could be brought forward separately from the retail park.

3. Development densities on existing allocation sites

- 3.1. We note that the draft plan has on several sites sought to carry forward the densities set out in the previous DASA, in our view these should be reviewed as the DASA adopted an ultra-low development density approach to employment land with plot ratios below 25%.
- 3.2. As highlighted in our full representations these densities are below that seen national and locally, including within the South Downs National Park, where the authority has based its industrial land need on a 40% plot ratio for industrial development.
- 3.3. We believe that the approach from the previous DASA is not compliant with the current NPPF’s requirements to make effective use of land, and that development at such low densities creates servicing and viability issues, that ultimately reduce the deliverability of development and create an unsustainable pattern of development given the poor utilisation of development land.
- 3.4. We have illustrated within our representations some of the deliverability challenges ultra-low density poses, including that for offices you can effectively buy half the land to put up the same size of building within Eastbourne, which is a viable alternative location for many employers.
- 3.5. We would suggest raising densities on employment sites to 40% for industrial uses and allowing higher for offices, to align with typical low densities seen locally and nationally in out of town and rural areas allowing for sensitivity to the wider countryside. A transition from ultra-low density employment development to low density employment development appropriate for sites on the edge of Bexhill is important in allowing the town to remain commercially competitive and to attract investment in high quality sustainable development.

4. Development contributions

- 4.1. We are surprised by the level of contributions that are sought by policy from sites that have already made significant contributions as part of previous phases of development and are subject to extremely high CIL rates.

4.2. Given that some of these sites stand to contribute over 2.7 times RDC's average annual district wide CIL receipts, and rates sought under current policy for out-of-town retail are significantly more than comparable locations locally and many destination shopping locations with international customer bases. We believe it is sensible that contributions are reviewed and perhaps adjusted to align more closely with locations similar to Rother.

5. Pressures from unmet housing needs

- 5.1. We noted that the plan has a significant shortfall in housing provision without any identified way of meeting this demand. We believe that this will create additional pressure on the employment and retail space in the town as many properties may be subject to permitted development rights for change of use to residential use. We have also seen increased pressure on existing employment allocations for residential uses.
- 5.2. We believe this this under provision will have implications within the commercial property market with a likely increase in the rate at which existing stock is lost, and therefore create need for the development of additional commercial property and for sufficient headroom to be added to estimations of the requirements for commercial and employment sites to allow for a proportion of these sites being developed as residential sites, on the basis of housing need over the plan period.

6. Strategic Gap options

- 6.1. We welcome the consideration of appropriate allocations within the strategic gap and countryside park. In our opinion there are several sites on the edge of existing development within this gap that are otherwise well suited and sustainable locations for development.
- 6.2. Reviewing this policy is a sensible step to account for identified needs yet to be met and not all land within the gap policy, has significant impact on the wider countryside or separation of settlements.

7. Blanket buffer approaches to habitat on BX47

- 7.1. We note that a 15m buffer has been referred to in draft policy on this site, however, have highlighted that the site is 25m away from the ancient woodland referred to. As the site is already more than 15m from ancient woodland there is no national policy guidance in support of this blanket buffer approach to the contrary national policy and best practice guidance suggest that an appropriate buffer be considered based on ecological surveys carried out at the time of the planning application.
- 7.2. We have suggested that the draft policy be amended to reflect an evidence-based approach to this issue.

8. Additional sites suggested

- 8.1. We have suggested that two additional sites be considered, the first is phase 3 of Bexhill Enterprise Park North, which we understand was excluded due to the belief it formed part of the phase 2 development, which we confirm it does not.
- 8.2. The second is the site opposite on Haven Brooke Avenue (BEPNX), which we believe could meet several needs identified within the plan making process that cannot be met on other sites.

8.3. We have also highlighted that a number of the constraints identified in the HELAA process in relation to this site were overstated as risks to development, and have provided a constraints plan to illustrate these issues which included the weight given to the risk of surface water flooding in areas that are actually part of the surface water drainage attenuation system constructed as part of the road project.

We have enclosed our full form planning representations on the provided template along with a copy of the representations for the BEPNX site submitted in the previous call for sites. We have embedded several plans and figures into the template but recognised that larger format versions of these plans and figures may be helpful and are happy to provide these to the council upon request.

Yours Faithfully

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Development Director
for and on behalf of Sea Change Sussex