

Hurst Green Neighbourhood Plan Examination

Rother District Council Responses to the Initial Comments of the Examiner

February 2025

Can I ask the District Council to confirm which of the policies in the Rother Core Strategy should be treated as strategic policies for the purpose of the test of general conformity, in relation to the basic conditions. Also, are there any saved local plan policies that should be treated as strategic?

Please refer to the attached spreadsheet which highlights the strategic policies in both Local Plan documents, the Core Strategy (adopted in 2014) and the Development and Site Allocations Local Plan (adopted in 2019). All policies in the Core Strategy are strategic. Chapter 12- Rural Areas – sets out objectives and strategies for the rural areas in the district, including development targets for each parish. Figure 12 of the Core Strategy contains the Rural Housing figure for Hurst Green.

The policies of the Development and Site Allocations (DaSA) Local Plan are generally viewed as ‘non-strategic’, however Policy DHG1: Affordable Housing refines the thresholds set by Core Strategy Policy LHN2, and Policy DHG2: Rural Exception sites refines Core Strategy Policy LHN3, both are therefore strategic policies that supersede the Core Strategy policies. DaSA Policy DEC3: Existing Employment Sites and Premises replaces Core Strategy Policy EC3 and is a strategic policy, as confirmed by DaSA paragraph 5.40.

The policies in the DaSA for the Strategic Gaps (DEN3) and Combe Valley Countryside Park (HAS1) give spatial expression to Core Strategy policies RY1 (xii), HF1(iii) and HF1(i) respectively, and therefore are also regarded as strategic as confirmed by paragraph 1.15 of the DaSA. In addition, Figure 17 of the DaSA updates Figure 12 contained the Core Strategy to 1 April 2018 (base date of the DaSA) to take account of larger housing sites (6+) completions to that date and outstanding larger site planning permissions.

The only relevant saved policy of the Rother Local Plan 2006 is Policy DS3: Proposals within development boundaries, in the parishes of Etchingham and Hurst Green, which is considered to be a strategic policy.

Policy HG1 – Location of Development

Does the District Council and/or the Parish Council have a view on whether the development boundary at the western edge of the parish should be closed off, along the line of the parish boundary?

To explain the background to this, the Rother Local Plan 2006 sets the current development boundary for Hurst Green settlement, this is shown on Inset Map No. 20. The current development boundary follows the existing built form at Burgh Hill, extending into Etchingham parish. However, since the adoption of the 2006 Local Plan, both Hurst Green and Etchingham parishes have been designated as

Neighbourhood Areas. Consequently, it will be for each Parish to determine its own development boundary/ies through its respective Neighbourhood Plan (NP). As Hurst Green is further along this process compared to Etchingam, it proposes its development boundary at Burgh Hill to extend as far as the Parish Boundary. As the Hurst Green NP comes into force, the development boundaries within Etchingam Parish, set by the Rother Local Plan 2006, will continue to be saved by Policy DS3 and it will be for Etchingam Parish to decide at the relevant time whether to retain “their” portion of the development boundary at Burgh Hill.

Policy HG2: Housing Strategy

On my site visit, I saw that the Foundry Close development was approaching completion, but work had not commenced on any of the other sites which are shown in Figure 4.1. Can the District Council confirm whether all necessary pre – commencement conditions have been submitted so there is no impediment to work commencing?

Site	Planning application	Comments
HG6	RR/2021/2798/P London Road- land west of	The decision date was 26/4/23, the application will not expire until 2026. The developer, Greymoor, have started submitting condition discharges which will continue this year. 2024/2028/DC - an archaeology Written Scheme of Investigation was submitted and approved on 21/1/25. Therefore, it is not the case that all necessary pre-commencement conditions have been discharged.
HG22/43	RR/2022/1526/P London Road - land east of	The decision date was 27/9/24 - so doesn't expire till 2027. First condition discharge was submitted 2024/1980/DC - archaeology - approved 10/1/25. Therefore, it is not the case that all necessary pre-commencement conditions have been discharged.
HG45		This is a new neighbourhood plan site allocation and does not have planning permission.

Policy HG4: Character of Development

In the light of this and the requirements of the next policy, Policy HG5, is it really necessary for applicants to be expected to reference all the following documents in addition to the Hurst Green Design Code?

- *the High Weald Management Plan,*
- *the High Weald Housing Design Guide,*
- *the Rother District Council Key Design Principles,*
- *National Design Guide,*
- *HAAPI,*
- *Secured by Design,*
- *The RTPI Dementia and Town Planning Guidance and the*
- *Building for a Healthy Life*

We will require planning applications to reference the following because these are either referenced in the NPPF or in Rother's adopted Local Plan:

- the High Weald Management Plan,
- the High Weald Housing Design Guide,
- the Rother District Council Key Design Principles,
- National Design Guide,
- Building for a Healthy Life

The remaining documents, HAAPI and Secured by Design, we regard as advisory documents.

Can the District Council confirm which applications are expected to be accompanied by a Heritage Statement having regard to the provisions set out in the Development Management Procedure Order 2025 and the Local Validation List?

Those applications impacting/adjacent a heritage asset should be submitted with a Heritage Statement, for example a listed building or an application within an Archaeological Notification Area.

Can Rother outline its criteria for assessing which applications need to be demonstrating whether their proposals will have an impact or otherwise, on archaeological deposits?

The Local Validation List requires an Archaeological Report to be submitted for: any application involving structural or ground works within an Archaeological Notification Area (ANA), any application affecting a Scheduled Ancient Monument (SAM), and any major development (10 or more dwellings or 1,000sqm or more).

Policy HG5: Design of Development

Can the District Council advise in what circumstances will its environmental health officers be requiring properties to incorporate triple glazing?

The RDC environmental health team will be consulted by a planning case officer when an application is located close to a major or busy road. An acoustic survey will be required to determine the noise levels. The recommendations of the survey will determine whether triple glazing is a condition of the planning permission.

Policy HG10: Green Infrastructure

Does the District Council have a view as to whether the policy requirements set out in B) are still required now that the biodiversity net gain provisions initiated by the Environment Act are now fully in place? My understanding is that Planning Practice Guidance is such that policies are no longer required.

We agree that BNG provisions are adequately covered by the Environment Act 2021 and as the policy is not seeking to increase the statutory 10%, criterion B is not necessary.

Policy HG21: Highway capacity at key road junctions

Can the District Council comment on whether it is normal development management practice for highway consultants to seek to agree with the Highway Authority – which I assume will be National Highways in the case of junctions with the A21, which junctions need to be considered in the context of a particular development within a Transport Assessment. I am conscious that a policy requirement which lists all the junctions set out could lead to unnecessary and expensive highway modelling.

We agree that usually, the applicant's highway consultant would agree with the relevant Highway Authority which junctions need to be considered in the context of a particular development. We would seek to resolve this at pre-application stage or via a Planning Performance Agreement (PPA) as appropriate.

Housing Allocations

I appreciate there has been some recent planning history on the Cooks Field site and can I ask the District Council to provide me with a copy of the planning officer's report and the minute of the meeting which overturned that recommendation? Can I also be sent a link to the District Council's HEELA assessments for the housing sites in Hurst Green parish.

Please find documents attached.

Please refer to pages 38 – 49 of the HELAA for the Hurst Green sites.