

***Rye Draft V5
Neighbourhood
Development Plan***

***Evidence base and
policy review***

November 2015

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1 Introduction

1.1 Introduction

- 1.1.1 The Rye Neighbourhood Development Plan (NDP) is now at an advanced stage of preparation with the Steering Group currently focusing on preparation of their consultation draft, and sourcing and presenting the evidence through community consultation and the Town Council to refine policies before the plan is issued for formal consultation under Regulation 14 of the Neighbourhood Planning Regulations.
- 1.1.2 A total of 80 policies have been written for the Rye NDP, set out under 8 Themes formulated under the vision statement and strategic objectives that build on the objectives of Rother District Council's Core Strategy. The policies have been derived through evidence gathered from a range of sources, including public consultation, local conversations, social media and results from a parish-wide survey. Thirteen objectives have been developed to help deliver the vision and from which the policies included in the NDP should follow.
- 1.1.3 This report reviews the evidence base used to justify the policies within the fifth draft of the Rye Neighbourhood Development Plan and provides guidance and recommendations on the policies themselves for the group to take forward in either the consultation draft or the proposed submission draft plan.
- 1.1.4 The Neighbourhood Development Plan will form part of Rother District Council's suite of Local Plan documents. The Core Strategy, adopted in September 2014, is the key planning policy document within the district. It sets the overall vision and objectives for development in the district up to 2028 and includes policies relating to the scale and distribution of development across its towns and rural areas. It also contains 'core policies' that address key issues facing the district, in relation to sustainable resource management, community development, housing, the economy, the environment and transport.
- 1.1.5 Policies of the Local Plan adopted in 2006 have been 'saved' and they remain part of the statutory 'Development Plan'. Hence, they continue to be applied for the purposes of development management until rescinded as and when relevant policies in the new Local Plan (2011-2028) are adopted.
- 1.1.6 The Core Strategy will form Part 1 of the Local Plan 2011-2028, with a Development and Site Allocations Plan (DaSA) to form Part 2 of the Local Plan. The DaSA will develop the spatial strategies and core policies set out in the 'Core Strategy' by reviewing existing site allocations and development boundaries, and by allocating specific areas of land for particular uses in line with the development provisions of the Core Strategy. The Council is currently working to produce initial proposals for consultation. The period for initial public consultation is not yet fixed, but it is anticipated to commence later in 2015.
- 1.1.7 The Core Strategy sets a development strategy to develop key development sites and infill within the existing built-up urban area. An appropriate range for housing growth in Rye and Rye Harbour is set at between 355-400 dwellings up to 2028 including existing allocations as set out in Appendix 3 for components of housing supply in the Core Strategy. The range allows for scope to further redevelop existing commercial sites for mixed use, subject to detailed assessment.

1.1.8 The process of identifying key sites suitable for development is to be undertaken in the Rye Neighbourhood Plan.

1.2 Evidence & policy review methodology

1.2.1 AECOM's Evidence Base and Policy Review Methodology is based on an approach which applies key questions relevant to the draft Rye NDP policies. Given the relatively advanced stage of the NDP, this high level review has examined each policy for general conformity with national and local planning policy/guidance and strategic policy, signposting where reference to evidence is needed to justify an additional level of detail and/or a neighbourhood approach to a district strategic policy without undermining that policy. The National Planning Policy Framework (NPPF) sets out national planning policy that a draft neighbourhood plan must be in general conformity with to meet the basic conditions and ultimately pass examination and proceed to referendum.

1.2.2 The review also looks at the wording of the draft policies themselves and provides some recommendations on how they can be strengthened for inclusion in the next version of the plan. While some policies deliberately allow for a flexible, proportionate and considered approach to development, policy wording can unintentionally allow for ambiguous interpretation.

1.2.3 The evidence base for neighbourhood planning needs to be 'proportionate' i.e. in relation to the scope of the policy being proposed. Any evidence used should be clearly referenced and presented in an accessible way, both for the purpose of examination and for the benefit of residents reading a plan as well as interested parties such as landowners and developers – all of whom may be impacted.

Evidence comes from several sources, including:

- The relevant Local Plan;
- Local Plan evidence base studies (e.g., the Strategic Housing Land Availability Assessment – known as a SHLAA);
- New technical evidence generated by the Neighbourhood Group (e.g. recording of new potential development sites not included in the district's SHLAA);
- New stakeholder-derived evidence generated by the neighbourhood (e.g. a survey of local households and businesses); and
- National reports and secondary data e.g. 2011 Census.

1.3 Comments on evidence review

1.3.1 This review, as instructed, is to review the current evidence and policy, signposting where possible where reference to (additional) evidence is needed. Recommendations on policy wording are also made for the Steering Group to consider in order to ensure policies in the NDP area are locally specific to Rye.

1.3.2 The methodology used to assess evidence and policy in draft 5 of the Rye NDP is transcribed into a simple table that questions the justification of policy in terms of evidence accessibility and conformity with planning policy framework.

- 1.3.3 The preparation of Rye's NDP is at a fairly established stage. The Neighbourhood Plan Steering Group has carried out a number of consultation and engagement exercises with the local community including and with adjacent parishes, the current plan however remarks that further consultation is needed. Local organisations and businesses have been consulted and invited to respond to the questionnaires provided in the Survey Report, and encouraged to submit their own representations in writing.
- 1.3.4 The Steering Group has used various forms of engagement to identify thirteen objectives, under which 80 policies have been devised in the draft NDP. At this stage, the policies are presented in draft form and may need revision following consultation. In fact this report puts forward some policy changes which the Steering Group should consider and potentially use to refine the draft NDP to make it more robust.
- 1.3.5 Although this review is based on the evidence presented, it has in some cases commented on policy and policy conformity because inevitably there is a strong relationship between evidence and policy. For example, a small tweak of a policy could lessen the evidence burden significantly, so in some cases we have stated that in our analysis. This includes, for example, pointing out if a draft policy is merely re-enforcing the local plan policy. Planning policy with the neighbourhood plan is to avoid duplication of local plan policy, and rather add value to local plan policy, address gaps or provide further detail rather than duplicity.
- 1.3.6 Furthermore, a number of policies have been identified that should have regard to emerging evidence base to ensure they are robust and fully justified. For example, it will be really important that the housing evidence underpinning policies H1 is up-to-date and can withstand scrutiny from an examiner.
- 1.3.7 In some cases recommendations for new policy wording or the amalgamation of a combination of policies for the group to consider is warranted. This is to help create a more robust plan and to make sure that all evidence that is available and relevant has been covered.
- 1.3.8 It is important to remember that neighbourhood planning policies only influence development that requires a planning application, making policies on issues that fall outside the scope of planning control redundant in terms of. In instances where policies were identified in the draft Rye NDP as being community policies, initiatives or projects and did not take a spatial planning policy approach to development, guidance is recommended to insert a section to the plan separate to spatial planning policy to consider community projects that can be delivered within the lifetime of the plan.

1.4 Assessment of Draft Policy

- 1.4.1 The presentation of policy, while not an exact science, requires a short explanation to provide any necessary context and reference to robust evidence to support its inclusion. The intent of each policy needs to be clearly and concisely stated, with each policy usually set in a box, and clearly numbered for easy access for readers. The supporting text placed around the policy (outside the box) can elaborate further on justification for the policy approach.
- 1.4.2 Eighty policies were assessed with regard to presence and signposting of evidence to justify policy approach, general conformity with national and local planning principles and policy, and viability of delivery within the lifetime of the plan.

2 Theme 1: Housing

Policy Summary	Recommendations to be Considered
<p>Policy H1 Mixed or residential developments with over 10 dwellings in Rye should be focused during the planning period to the identified sites of: Valley Park, the former Tilling Green School, Winchelsea Road broad location, the Rock Channel and the former Freda Gardham School. Other sites may be put forward but any development of them will be in the strict context of the plan. An example of such a case might be the former Lower School site, where there is uncertainty about its future. One possible future use is for housing. The identified sites are listed from Rye1 to Rye6</p>	<p>Rye1 to Rye6 Housing sites are largely taken from the 2013 Strategic Housing Land Availability Assessment (R2-R5).</p> <p>The sites considered by the plan have been identified using an assessment for housing, employment and retail use by the steering group. An important part of this process has been the public consultations and conversations to seek consensus for the most sustainable sites (As stated on page 20 of the Plan). A ten stage process of site assessment has formed part of the evidence gathered. For sites identified outside of the SHLAA process, a viability / achievability assessment for deliverability is needed.</p> <p>No immediate evidence has been provided with regard to engagement with owners. As Rye 1 and Rye 6 are the only sites outside of the SHLAA, there is need to provide evidence of engagement with site owners including discussions on viability / achievability to inform assessment of the deliverability of sites within the lifetime of the plan.</p> <p>It is noted that the SHLAA also suggests that “the yield from existing allocations may not fully materialise, because of the many constraints applicable within Rye Parish”. The following sites identified in the SHLAA have discrepancies with regard to total residential units estimated in Appendix 4 of the NDP (Balance for Rye to 2028): Rye 3: Rock Channel (RY3 SHLAA) - In the SHLAA this is a broad location est 35 Total Residential Units, while in the current draft NDP around 30. Rye 2: The former Tilling Green school site (RY18 SHLAA) - In the SHLAA this is estimated at 10 Total Residential Units, while in the current draft NDP at 30. Rye 4: Winchelsea Road [Strand (West Side) - In the SHLAA this is identified as ‘The Broad Location - RY53: Land at along Winchelsea Road’ estimated for 45 Total Residential Units, while in the current plan the number is uncertain and currently set at 25. Rye 5: The former Freda Gardham School site (RY19 SHLAA) - In the SHLAA this is estimated at 20 Total Residential Units, while in the current draft NDP at 20 – 30</p> <p>Policy H1 Rye 3 - Rock Channel – Is this already allocated under Policy RY3 Land adjacent to Rock Channel (of the saved policies in the Rother Local Plan 2006)? Whereby land between South Undercliff and Rock Channel Rye is allocated for housing, open space and appropriate commercial uses, of which detailed proposals were to be formulated through a comprehensive Development Brief. If it is allocated as a saved policy at local level. Rother should be consulted to ensure your policy has their support as your plan will supersede older policies that deal with the same matter.</p> <p>Any sites not registered on the SHLAA may need to undergo a viability check, assuming the site selections have been done transparently. Sites that have undergone rigorous site assessment and included in the draft plan may influence the Rother DC Development & Site Allocation Plan is to be consulted upon this Autumn.</p>

<p>Policy H2 All development proposals of 10 dwellings or more will include a mix of dwellings, with 30% being social/affordable with 10% being dwellings on level sites suited to the needs of older and less-abled residents.</p>	<p>Policy wording needs to be clarified and evidence provided in the supporting text to justify 10% of (affordable) housing to include dwellings on level sites suited to the needs of older and less-abled residents. There is a great deal of overlap with the CS policy (Policy LHN2: Affordable Housing), except the latter part of the policy where an allocation of '10% being dwellings on level sites suited to the needs of older and less-abled residents.' A focus on the 10% is required as there may be a gap in the evidence base here for readers of the plan.</p> <p>Where is the evidence for this to be found, has there been a Housing Needs Assessment undertaken by the RNPSG - perhaps there is mention of a need to cater more readily for older and less-abled residents in the 'Hastings and Rother Strategic Housing Market Assessment Update: Housing Needs Assessment June 2013'? The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:</p> <ul style="list-style-type: none"> – meets household and population projections, taking account of migration and demographic change; – addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and – caters for housing demand and the scale of housing supply necessary to meet this demand. <p>If there has been internal consultation (workshops, conversations) undertaken where the needs of older and less-abled residents and housing access have arisen as a key issue this should be mentioned in the supporting text. This informal approach can be usually be justified by looking at ONS statistics or housing need assessments. There needs to be a balance struck between anecdotal and technical evidence based analysis for policy. While there has been a decrease in the 70+ Age Group from 22% to 21% from 2001 to 2011, there may well be an increase in older people or those less-abled in Rye Parish. Neighbourhood statistics for Rye Parish can be accessed on the Office of National Statistics online, e.g. ONS Census 2011, Long-Term Health Problem or Disability, (QS302EW, QS303EW).</p> <p>The policy needs some clarification as an ambiguous stance on the policy could be taken by developers - does the policy call for all development proposals of 10 dwellings or more to include 40% of dwellings for social/affordable (30%) and dwellings on level sites suited to the needs of older and less-abled residents (10%), or is the 10% to come out of the 30% of affordable dwellings? In other words, is the 10% to come out of the 30% affordable housing?</p> <p>Similarly it would be prudent to discuss any affordable housing policies with Rother to understand how policy changes at the national level (e.g. starter homes, right to buy) will impact on Local Plans and Neighbourhood Plans.</p>
<p>Policy H3 In developments of 10 or more dwellings, careful consideration will be given to optimum way of implementing the government policy of “pepper-potting” (social housing interspersed within open market development). The policy of so called “Poor Doors” (different doors for different standards of accommodation in the same blocks) will not be agreed.</p>	<p>The policy is largely in conformity with the strategic Policy LHN2: Affordable Housing of the Core Strategy, whereby all affordable housing should be indistinguishable from market dwellings and ‘pepper potted’ individually, or in clusters of no more than 5% of the total housing on the site, up to a maximum cluster of 5 houses or 10 flats. Where the policy tries to add value to the core strategy with regard to 'poor doors', this should be included in the design policy statement, and as such this Policy H3 could be excluded from the plan avoiding duplication of Local Plan policy.</p>

<p>Policy H4 All development of 3 dwellings or more will be at an appropriate density. Rother DC recommends 35 dwellings per hectare (ha). Developments will make efficient use of the land, but will provide appropriate infrastructure, green space, parking and vehicle and pedestrian access.</p>	<p>There is no mention of density guidance in the Core Strategy or in Local Plan saved policies. Previous reference to density in the Local Plan 'to achieve an overall net density of at least 30 dwellings per hectare, with higher densities in locations more accessible to frequent public transport routes and a range of local facilities' formed part of Policy HG4 - this is no longer a saved policy.</p> <p>The Core Strategy now states 'Density standards are not advocated as development should respond to its setting and accord with the principles of good design. This includes looking at higher densities in more accessible locations. Minimum standards can also lead to inappropriate cramming, although unduly low densities may also be inappropriate in failing to make effective use of development land.'</p> <p>This policy no longer conforms to current Local Plan Policy. The Core Strategy's stance on density is now: 'Policy OSS4: General Development Considerations In addition to considerations set out by other policies, all development should meet the following criteria: (v) In respect of residential development, is of a density appropriate to its context, having due regard to the key design principles.'</p> <p>This policy should be changed to reflect the Core Strategy's encouragement of densities appropriate to the context of development, having due regard to key design principles. This may present the opportunity for the NPSG to expand on the general nature of the core strategies consideration of density, looking at what density principles best complement higher and lower density developments, e.g. proximity to local centre, accessibility to public transport, housing need (need for apartments, assisted living, retirement homes, communal living), to historic context and built heritage. It may be a good opportunity to build on the general nature of the core strategies consideration of density.</p> <p>The second half of the policy has due regard to development obligations that must be met by the developer through S106 or CIL, which would be better served under stand alone S106 / CIL policy.</p>
<p>Policy H5 Development will be in scale and character with Rye; will comply with the restrictions of the Conservation Appraisal. It will also comply with the guidance of the design statement (Appendix 6).</p>	<p>This policy is largely reiterating what is set out in Policy EN2: Stewardship of the Historic Built Environment and Policy EN3: Design Quality of the Core Strategy, which sets out high design quality policy principles for new developments.</p> <p>A 'Local Character' policy is however still largely relevant in the NDP given the significance of the built heritage environment in Rye. Reference to Rother District Council's conservation and design guide appraisal of Rye Conservation Area, and the NP's appendicised 'Rye Design Statement' can be applied to policy to ensure guidance for development in architecturally sensitive areas is taken into account when proposing development, and that any proposed development that does not immediately correspond with design guidance to demonstrate that it does not adversely affect local character. This policy is an area wide policy as it does not overly specify material design criteria to be achieved in a site specific manner, but rather states proposed development should have due respect for the heritage of the area underwritten in noted local level and neighbourhood level guidance, allowing for creative and considerate design proposals to be considered.</p> <p>It must be noted also that it is not possible to apply policies for conservation areas to development proposals outside conservation areas.</p>

<p>Policy H6 Infill development and the conversions of buildings will only be supported if they contribute positively to the location's character and context. There will be close scrutiny of the design of access and connectivity.</p>	<p>Within the Local Plan (Core Strategy) there is a presumption that infilling, redevelopment and changes of use will be acceptable subject to other policies of the plan. The plan emphasises that the general strategy for Rye and Rye Harbour is the development of key development sites and infill within the built up urban area. Given the environmental constraints surrounding Rye, the uncertainty surrounding the deliverability of existing allocations and limited further opportunities within the existing built-up area, as identified in the Strategic Housing Land Availability Assessment (SHLAA) 2013, it would be appropriate to adopt a range of housing growth to allow for some flexibility. The range allows for scope to further redevelop existing commercial sites for mixed use, subject to detailed assessment.</p> <p>This policy needs to be more proactive in accordance with the Core Strategy and NPPF to allow for some flexibility to encourage infill development, subject to other policies of the plan (e.g. local character policy).</p> <p>The reference to scrutinising 'Design and Access Statements' (and connectivity?) is irrelevant to this policy as Design and Access statements are taken into account by planners when making decisions on proposed development anyway. But equally design and access statements should only be used for major development and may not always be proportionate for small development. The importance of proposed infill development and conversions contributing positively to local character can be embraced in any accompanying planning statement.</p> <p>Perhaps this could be an opportunity to identify infill sites, and set development briefs for each site, as outlined in the Core Strategy?</p> <p>Reword policy to enact a proactive approach to infilling, redevelopment and changes of use as outlined in the Core Strategy. Remove any reference to the scrutinising of design and access statements (taken as a given for major sites).</p>
<p>Policy H7 Developers' contributions (S106/CIL) will subsidise related development infrastructure, in accordance with the locally agreed (Rother DC) 123 List and the Infrastructure Development Plan (IDP).</p>	<p>Rother District Council have now received the Inspector's report (September 2015) for the CIL Draft Charging Schedule and Regulation 123 list. Subject to modifications the Inspector recommended adoption. Therefore residential development in Rye will shortly be subject to a £135m² charge. Once the Rye NDP is made the Town Council will receive 25% of CIL receipts collected in the neighbourhood area.</p> <p>This is an opportunity to make reference to a Prioritised List of Neighbourhood Requirements outlining where CIL contributions could fund essential public infrastructure in Rye through the NDP. This should accompany the consultation and be refined prior to submission to the Rother.</p>
<p>Policy H8 Self build development will be encouraged.</p>	<p>The NP states: <i>Rother DC Core Strategy policy encourages the development of self-build properties for local need on suitable plots both within and adjacent to the development boundary and the Plan supports this approach.</i></p> <p>There is no mention of self-build in the Core Strategy.</p> <p>The policy wording could be more specific, does it suggest that developers should provide a portion of their site for new build, or is this on a site by site basis?</p> <p>National policy now requires local planning authorities to support custom and self-builders registered in their area in "identifying suitable plots of land to build or commission their own home". There currently is no reference to self-build development in the local plan; however there is likely to be new encouragement for self-build from the Government in their house building drive and commitments to unlock brownfield land.</p> <p>There is scope to develop this policy further to give more guidance to self-build development. This policy could be amalgamated with other housing policies and perhaps expanded to include custom-build also.</p>

<p>Policy H9 In all development involving multiple dwellings careful consideration will be given to the necessary long term structures (residents' associations) and arrangements required for the future maintenance of public areas, SUDS systems and other infrastructure.</p>	<p>In the absence of supporting text, the policy needs to specify what 'multiple dwellings' are and what 'maintenance' is implied.</p> <p>Please note Policy EN4: Management of the Public Realm of the Core Strategy.</p> <p>The policy is a governance issue and as such not a spatial planning policy. It does not go into any more detail to support the public realm policy Policy EN4: Management of the Public Realm in the core strategy. There is a need for the NP to spell out the governance side and spatial side of this policy, e.g. larger schemes should encourage resident's involvement (governance) through provision of communal lock up / notice boards / intranet etc. The NPSG needs to look at what the planning process can deliver by way of infrastructure but it will take non-planning community action in liaison with Rother DC to help instil long term structures (residents' associations) and arrangements required for the future maintenance of public areas, SUDS systems and other infrastructure.</p>
<p>Policy H10 All development proposals will include an illustrative representation of all new buildings in their proposed context as an aid to assessment.</p>	<p>The planning process and planning applications should be transparent and user friendly, and this policy encourages applicants to make the process more accessible to all by including an illustrative representation of all new buildings in their proposed context as an aid to assessment. You may wish to request two different views, rather than getting one unhelpful aspect. Perhaps a photomontage illustration of most visual aspect(s) of development would also help? It is important to avoid ambiguity in policy in this sense, as it leaves policy open to varied interpretation.</p> <p>We would caution against this approach for householder applications concerning one dwelling, replacement dwellings or extensions where there impact isn't likely to be large. The costs of producing such images are not insubstantial and could deter development over the plan period.</p>

3 Theme 2: Quality Design

Policy Summary	Recommendations to be Considered
<p>Policy D1 All new development will be expected to follow the guiding principles set out in the Rye Design Statement (Appendix 6).</p>	<p>All design policies should be amalgamated into one bullet pointed policy on Quality Design, with duplication avoided from other plan policies. Much of these policies will already be enforced as they are 'good planning' principles. Our advice would be to only include Rye-specific design policies in this section as the NPPF, PPG and Rother Local Plan already deal with many aspects of these policies.</p>
<p>Policy D2 Quality design will be a feature of all new developments, with consideration for density, connectivity, sight lines, roofscape, context and the preservation of the open views to the countryside.</p>	<p>All design policies should be amalgamated into one bullet pointed policy on Quality Design, with duplication avoided from other plan policies.</p>

<p>Policy D3 No development should detract from the Rye skyline, which is dominated by the tower of St Mary's Church.</p>	<p>The plan cannot influence permitted development, so this policy needs to be reworded to proactively encourage proposed development to be sympathetic in design to enhance and protect the distinctive skyline, which is dominated by the tower of St. Mary's Church. The supporting text for this policy should explain the importance of the local and distinctive skyline to the town, whereby development proposals that may have a detrimental impact on the visual amenity of the skyline have potential to be refused. Those proposals that however enhance and protect the skyline are likely to be looked upon more favourably. All development proposals affect the visual amenity in their locality in some way, with some affecting visual amenity over a wider area. It is important to protect the visual amenity of an area as it is an expectation of visitors, businesses and especially residents to visit and live in an area that has a harmonious visual amenity that is not adversely affected by inappropriate development. A proactive view to encouraging proposed development that is sympathetic to and enhances and protects the distinctive local qualities of the Rye skyline would conform better with the Core Strategy. Reference to Design Principles in development plan documents for Rother DC with regard to Landscape Setting of Buildings and Settlements is needed in the supporting text.</p>
<p>Policy D4 The historic character of Rye will be conserved by maintaining the historical infrastructure such as cobbles, street furniture and heritage drainage fittings.</p>	<p>In addition to historic character considerations set out by this policy, all development should meet the needs of future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users. In accordance with Policy OSS4: General Development Considerations, development would need to meet the above criteria as long as it does not unreasonably harm the amenities of adjoining properties; and it respects and does not detract from the character and appearance of the locality. The use of good quality materials that complement the existing palette of materials used in Rye should be referenced for use in the public realm.</p>
<p>Policy D5 Within Rye, as space is a premium, design will address parking, storage and ready access.</p>	<p>This policy needs to be reworded to elaborate what exactly is needed <i>'... to ensure all new development will respond to and integrate with the existing built environment providing sufficient external amenity space, refuse and recycling storage and car and bicycle parking to ensure a high quality and well managed streetscape.'</i></p>
<p>Policy D6 The scale, proportion, materials, layout and space of developments will respect the local context of Rye.</p>	<p>Amalgamate policies, avoid repetition, and clearly explain motive of spatial policy in the supporting text.</p>
<p>Policy D7 In new developments, garden space will be commensurate with the size and type of dwelling.</p>	<p>Reference to evidence is needed in the supporting text e.g. Rother's open space or green infrastructure evidence for a picture of provision in Rye. This policy may only apply to low density developments, whereby development of higher density (residential or employment) may rely on Section 106/CIL to provide amenity green space, green corridors, green infrastructure, parks, community allotments, and outdoor sports facilities. This policy reflects ongoing development trends seen by neighbourhood groups whereby the size of dwelling is maximised within the plot, giving a disproportionate dwelling to plot size results that may not be in character with immediate dwellings.</p>
<p>Policy D8 New developments of more than three dwellings will be subject to a full design brief which will include an artistic representation of the proposal in its context.</p>	<p>Avoid repetition of policies throughout the plan.</p>

4 Theme 3: Reducing Flood Risks

Policy Summary	Recommendations to be Considered
<p>Policy F1 All development proposals will apply a risk-based approach to mitigate flood risk to people and property. Sequential tests will form part of any assessment.</p>	<p>This policy is largely covered by Policy EN7: Flood Risk and Development of the Core Strategy, whereby, 'Where development is proposed in an area identified as at flood risk, the applicant will be required to submit a site-specific Flood Risk Assessment which demonstrates that the development will be safe, will not increase flood risk elsewhere, and, where possible, will reduce flooding.' Sequential testing for sites is a requirement of the Strategic Flood Risk Assessment (SFRA) carried out for flood risk for sites. Not all developments would need flood risk assessment but where they do Policy EN7 covers Policy F1 of the NDP. Policy F1 can be removed to avoid duplication of policies.</p>
<p>Policy F2 Risk assessments will take account of the forecast additional risks resulting from climate change.</p>	<p>Likewise this policy largely conforms to Policy EN6: Flood Risk Management of the Core Strategy, through site specific flood risk assessment. SFRA takes account of flood risk due to climate change, whereby climate change scenarios are predicted where increased frequency and severity of storm events may lead to higher risks of fluvial, tidal and localised flooding when rivers, drainage and/or sewers can potentially become overloaded or when coastal defences are overwhelmed. An SFRA fully accounts for current climate change scenarios and their effect on flood zoning and risk. Policy F2 can be removed to avoid duplication of policies.</p>
<p>Policy F3 Any new developments which might adversely impact on drainage and flood defences, will be designed and constructed to reduce the overall level of flood risk when compared to the pre-development state.</p>	<p>Again Policy F3 is largely covered by Policy EN7: Flood Risk and Development, where: Development will be permitted providing the following criteria are met: <i>(ii) When development is, exceptionally, acceptable in flood risk areas, consideration is paid to the layout and form of development to minimise flood risk;</i></p> <p>The policy, however, adds value by referencing design and construction measures to mitigate run-off water from the development to further reduce the overall level of flood risk in the area, in effect development makes the area more flood resilient by employing, for example, sustainable drainage measures etc., measures supported by Policy SRM1: Towards a low carbon future in the Core Strategy.</p>
<p>Policy F4 Any development of 3 or more dwellings must minimise the impact on the combined sewers by a reduction in water use, the incorporation of soak-aways where the ground permits or the use of sustainable drainage systems (SUDS).</p>	<p>This policy largely repeats the sentiments in Policy SRM2: Water Supply and Wastewater Management of the Core Strategy, where effective management of water resources will be supported by: <i>(i) Ensuring that the relevant water companies are aware of and have capacity to meet demands for water, wastewater and sewerage arising from new development;</i> <i>(iii) The promotion of sustainable drainage systems to control the quantity and rate of run-off as well as to improve water quality wherever practicable, and specifically for all development that creates impermeable surfaces within the hydrological catchment of the Pevensy Levels; and</i> <i>(v) Ensuring that all development incorporates water efficiency measures appropriate to the scale and nature of the use proposed.</i></p> <p>As this policy is adequately covered in the Core Strategy, it can be removed in the BDP to avoid duplication of policies. It also encroaches on issues dealt with in the Housing Technical Standards that are integrated with Building Regulations.</p>
<p>Policy F5 No development proposal to the east of the Rother will be supported until the Rye Eastern Rother Tidal Walls defence plan (map right) is implemented.</p>	<p>This policy requires dialogue with the local planning authority. Without a detailed knowledge of the infrastructure limitations you will need to consult the Lead Local Flood Authority who are based with the County.</p>

<p>Policy F6 No development will adversely impact on existing open watercourses. All new developments will incorporate culverts and drains of dimensions to improve drainage flows and cater for worst case scenarios.</p>	<p>This is largely an engineering issue. However the rate of run-off from developments needs to be carefully controlled to avoid any adverse impacts on watercourses and increasing the risk of flooding downstream. Development must not prejudice the integrity of floodplains or flood defences. This policy could be reworded to place emphasis on measures to enhance and reduce impacts on local watercourses through sustainable drainage measures and design and could be amalgamate with other Flood Risk policies.</p> <p>Development should also not impede flood flows or otherwise prejudice floodplain storage. Again this policy needs to be checked by the Lead Local Flood Authority to check it complies with their advice.</p>
<p>Policy F7 All new developments will have sewerage systems to cater for worst case flows sufficient to provide holding and flow along the complete route to the processing plant in the Rye Harbour Road.</p>	<p>The supporting text flags how important it is to address recent incidents of sewerage spillage around Rye caused by extreme wet weather and “hydraulic overload” of the system. To justify including this distinctive policy, which largely conforms with Policy SRM2 of the Core Strategy, the evidence base would have to show that there is a gap in policy with regard to worst case flows being unaccounted for.</p> <p>This again seems to be an engineering issue with regard to the carrying capacity of the sewerage network with regard to worst case flows. Talk to your local planning authority about how a neighbourhood policy could ensure that new development can contribute to improving overburdened infrastructure. Again this policy needs to be checked by the Lead Local Flood Authority to check it complies with their advice.</p> <p>This issue could be overcome through prioritising sewerage system enhancements in your CIL neighbourhood infrastructure wish list.</p>
<p>Policy F8 Any development behind river flood defences should incorporate flood protection measures in the design and construction of buildings.</p>	<p>Amalgamate into one bullet pointed Flood Risk Policy.</p>

5 Theme 4: Business, Enterprise and Employment

Policy Summary	Recommendations to be Considered
<p>Policy B1 The Plan will encourage business development for inward investment, job creation and enterprise.</p>	<p>Policy aligns with Policy EC1: Fostering Economic Activity and Growth of the Core Strategy.</p> <p>All Business, Enterprise and Employment policies can be amalgamated into one (or two) bullet-pointed policy. At present this policy is a little too high-level and may be more appropriate as part of your vision or objectives.</p>
<p>Policy B2 The expansion of existing businesses will be encouraged to enable jobs to be created, subject to the context, suitability of the scale and impact of the proposal.</p>	<p>Policy B2 can be amalgamated with other policies, unless Existing Employment Sites have been identified in line with Policy EC3: Existing Employment Sites of the Core Strategy.</p>
<p>Policy B3 The Plan will encourage new business development in the industrial areas of Rye Harbour; the working port of Rye and the fishing quay location.</p>	<p>Amalgamate in bullet-point style with the above economic policies. Outline in supporting text the evidence to support what kinds of business development (e.g. A1-5, B1, B2, B8, D2 and sui generis Use Classes) is to be encouraged in line with local policy. A map marking the area you’re referring to would be useful too.</p>

<p>Policy B4 Change of use from commercial to mixed or residential use will be supported only where it can be shown that the impacts are minimal (one or two employments) or the use of the site solely for employment is no longer viable, or alternative sites are planned in the immediate area.</p>	<p>You will need to clarify what you mean by “one or two employments” – do you mean business units? Similarly you may wish to elaborate on your viability point by stipulating a minimum period of marketing before an application can be made.</p> <p>Your wording for policy B4 or the reasoned justification text below it needs to reference the latest permitted development rules, as some changes of use do not need planning approval but rather prior approval to check there are no fundamental issues e.g. transport impact (see below). Local Planning Authorities can apply to remove permitted development rights in certain areas, whereby planning permission is once more required. Neighbourhood Planning cannot address permitted development rights unless Rother District Council has issued an Article 4 Direction to remove Permitted Development rights for a given area, which reinstates the requirement for planning permission. Prior approval for permitted development changes of use is needed to change commercial to residential use, dependent on the nature of the use, but might typically include matters relating to parking and highways, flooding, and contaminated land. Stricter controls on permitted development change of use exist in conservation area. You may want to explore an alternative means of achieving a similar goal of an improved local economy e.g. make it easier for commercial premises to change within other commercial use classes.</p>
<p>Policy B5 Business in the town centre (core commercial areas in blue on the map below) will be encouraged to provide enhanced “reasons to visit” and “commercial offer”, by drawing on initiatives emerging from national studies, such as the encouragement of quality restaurants and specialist national/independent trading outlets.</p>	<p>There is no mention in the supporting text of specific initiatives emerging from national studies that can be applied as spatial policies. Are you referring to Government’s recent High Streets study conducted by Aecom?</p> <p>This policy may be better realised through the use of the sequential test in ensuring that commercial (restaurants, national/independent trading outlets) proposals are encouraged to locate in the core commercial areas in town centres, than in edge of centre locations, and only if suitable sites are not available should out of centre sites be considered in line with paragraph 24 and 27 of the NPPF.</p> <p>Equally you may seek a more permissive or flexible approach to that currently included in the Core Strategy e.g. make it easier to move between particular use classes to encourage the night time economy or more diverse uses than solely retail.</p> <p>Initiatives that can delivered by the community in the lifetime of the plan should be included in a ‘Community Projects’ policy section where they are separate initiatives and not spatial planning policies or they may form economic infrastructure items that could be funded through CIL.</p>
<p>Policy F6 To reflect the importance of tourism to Rye, an information centre will be maintained as part of the Rye Heritage Centre.</p>	<p>This policy falls outside the scope of planning control.</p> <p>It might be worth looking into (or having conversations with Rother DC with regard to) listing the Rye Heritage Centre as an Asset of Community Value so as the Heritage Centre building remains an asset of Rye Parish Town Council. (This need not apply if the Town Council owns the building). This is a ‘Community Projects’ policy, rather than a planning policy, and therefore could feature in a list of projects to safeguard the use of the Rye Heritage Centre as an Information Centre, reflecting its importance for tourism sector in Rye. This may be suitable as an economic infrastructure item that could be funded through CIL.</p>
<p>Policy F7 Sustainable green tourism activities will be encouraged, particularly for specialist groups such as cyclists, walkers and bird watchers.</p>	<p>This is a local community initiative, rather than a development plan policy. It can be included in a community projects section separate to planning policies. Community initiative policies carry no particular legal status in planning law, and are not subject to examination or referendum. The plan however can identify green or wildlife corridors and designate local green space to be safeguarded. CIL can also be used to enhance existing and future green infrastructure for sustainable green tourism activities. If there is scope to develop such green infrastructure, it might be worth conversing with Rother District Council, including policies to develop green infrastructure corridors that will benefit residents and tourists alike. This may be suitable as an economic infrastructure item that could be funded through CIL.</p>

<p>Policy F8 Proposals for recreational and tourism activities and facilities will be supported providing that the siting, design and scale of the development conserves the quality of the Town's built and natural environments, including its townscape and surrounding countryside.</p>	<p>Amalgamate in bullet-point style with the above economic policies. There seems to be overlap here with design policies earlier in the plan.</p>
<p>Policy F9 A second supermarket will be encouraged on one of three identified sites to provide competition and a 7 day commercial operation.</p>	<p>Evidence is needed to show the need for a second supermarket in the town, through consultation with the public and potentially a viability study (i.e. is this proposal still deliverable within the timeframe of the plan given the cooling in interest from previous national chains).</p> <p>The policy needs to be reworded to set out principles which need to be followed in developing these three sites for retail uses (supermarket). Clear plans are needed for each site, showing the site location and red-line boundary and acceptable development quanta etc.</p> <p>Once a site has been identified for a specific use, provided the site is viable in terms of the landowner being able to deliver proposals, a neighbourhood development order can be used to permit development for detailed proposals (community effectively grants planning permission for a site, establishing the principle or even giving detailed consent). This could be another way to help de-risk the site to encourage a retailer to locate here.</p>
<p>Policy F10 The plan underscores the importance of high speed broadband communication and encourages improved services across the Parish.</p>	<p>This policy is written like a strategic plan objective rather than a policy that can deliver improved services as part of a planning condition.</p> <p>A preface is needed to show current service, gaps in the service and how services can be improved throughout the area.</p> <p>While this policy is area-wide, more specific policy could be implemented to potentially deliver high quality broadband with development consents such as:</p> <p>'New development should demonstrate how it will contribute to and be compatible with local fibre or internet connectivity. Necessary infrastructure must be installed to ensure that superfast broadband can be accessed when possible.'</p> <p>It is worth having conversations with providers to surmise what is the best way forward to provide Information and communications technology (ICT) for the neighbourhood plan area. The NP could then, through the collation of robust evidence, utilise Community Infrastructure Levy (CIL) monies or seek an equivalent developer contribution, toward off-site works that would enable new development access to super-fast broadband, either via fibre-optic cable or wireless technology, in the future.</p>
<p>Policy F11 The Fairtrade concept will be encouraged so that Rye retains its status as a "Fairtrade Town", in which "Fairtrade products and outlets will be encouraged.</p>	<p>This is a Community Projects policy rather than a spatial planning policy - include in a different section of the plan as a local community initiative.</p>

6 Theme 5: Traffic management and Access

Policy Summary	Recommendations to be Considered
<p>Policy T1 Rye will call herself a Pedestrian Priority Town wherever appropriate and apply this as detailed policy is developed.</p>	<p>This is a Community Projects policy rather than a spatial planning policy - include in a different section of the plan as a local community initiative.</p>
<p>Policy T2 Imaginative solutions, drawing on studies from the past and experiences elsewhere, will be encouraged to improve traffic and parking management and enforcement. A holistic parking review will consider a series of measures to improve traffic management. The Action Plan will tackle:</p> <ul style="list-style-type: none"> - at peak visitor times, a 'park & ride' facility to and from the perimeter car parks will be encouraged, coordinated with the Community Bus, which would benefit both visitors and residents alike. (More funding should be sought for the much-used Community Bus, with a view to securing its future and expanding its services). - clearly marked locations where parking or waiting at any time is not permitted by any category of vehicle. This would facilitate traffic on critical bends and junctions in the town centre and guarantee access for emergency vehicles (in the recent past their access has been impeded). - an accessible, secure and reasonably priced community garage(s) or covered car park(s) for up to 100 vehicles for long term parking. - more dedicated loading bays (one for the - additional parking in the area of the Station to cater for an increase demand for parking for the proposed fast Javelin service). 	<p>Policies are not directly spatial planning matters with respect to delivering specific or area wide development. CIL or Section 106 funds raised from development consents can be applied to identify measures to improve traffic management through the delivery of infrastructure associated with development (loading bays, car park, pelican crossings). This policy will require input from the Local Highways Authority to determine what is appropriate for inclusion in a neighbourhood plan.</p> <p>Any measures that are not viable in the lifetime of the plan should be removed.</p>
<p>Policy T3 The Station Approach is Rye's multi-transport hub (railway station, bus stops, taxi rank, coach and car parking). Pedestrian safety will be improved by the installation of two linked and "scrambled" Pelican crossings (diagram below).</p>	<p>See above.</p>
<p>Policy T4 A 20mph speed limit will be supported for the Citadel, Cinque Ports Street, Wish Ward, Ferry Road (as far as the level crossing), Crown Fields, Station Approach, Tower Street and Landgate.</p>	<p>This is a highways matter and falls outside the scope of planning control. Talk to the Highways Authority, East Sussex County Council. Remove policy from spatial planning policy section of the NP.</p>

<p>Policy T5 Although constraints on access mean that pedestrianisation is not practical in the Centre, time street closures will be encouraged in the High Street as now for special events, such as Rye Bonfire Parade (see below).</p>	See above.
<p>Policy T6 To protect the historic fabric, vehicular access to the centre will be controlled more tightly. One way travel or traffic control systems will be considered between Watchbell Street and lower West Street.</p>	See above.
<p>Policy T7 Detailed proposals, drawing on past studies (typical examples below: bypass and pedestrianisation of the Strand), will be encouraged to balance improved traffic flow around the Strand location with improved and safer accessibility for pedestrians.</p>	See above.
<p>Policy T8 New housing developments will: - have adequate on-site parking to meet current and future needs at a minimum of two spaces per dwelling, utilising centralised and accessible car parking arrangements as necessary. - incorporate off-road parking spaces and driveways with permeable surfaces to reduce surface water run-off and contribute to flood reduction. - be accessible for pedestrians and cyclists using footpaths, dropped kerbs and walk/cycle-ways using “green corridors”.</p>	<p>(1) Detailed evidence is needed to support localised circumstances for off-street parking as outlined in Policy TR4: Car Parking of the Core Strategy. (2) Mention of incorporation of off-road parking also needs specific evidence based analysis with regard to viability and implementation of off-road parking need and delivery.</p>
<p>Policy T9 Cycle way improvements – to include the Greenway initiative – will be encouraged to improve connectivity and provide facilities for secure cycle parking. (Maps below)</p>	<p>Conforms with Policy TR2: Integrated Transport of the Core Strategy in that it supports the provision of a high quality cycle network to encourage a modal shift away from the car, by adding further value to encourage development to improve and enhance connectivity opportunities (secure cycle parking) to the Greenway Cycle Network. Policy T9 supports green infrastructure and associated measures</p> <p>T9 Policy needs to be reworded to provide support for the Core Strategy & Rye Harbour Objectives: vi) To secure investment in community facilities and in new and/or improved pedestrian and cycle routes linking residents to their facilities;</p>
<p>Policy T10 To reduce LGV and HGV entry into the citadel, an edge-of-town storage facility will be encouraged, to facilitate delivery into the town by a smaller vehicle (to be run in conjunction with the Community Bus).</p>	This is a Community Project that a spatial policy and as such should be removed from the planning policy section of the plan.
<p>Policy T11 Drop kerb, level and paved ‘shared space’ solutions for the High Street will be considered to make the area more accessible. (as below)</p>	<p>Quality of Public Realm & Ease of Movement: Masterplanning work needed to shared space high street regeneration - add to CIL wish list in CIL spend appendix. This is a design principle that should be worked into the design statement for regeneration redesign of the high street. Could be delivered through planning obligations for large scale retail development.</p>

<p>Policy T12 Two strategic rail improvements will be supported:</p> <ul style="list-style-type: none"> - The Fast Javelin Train (HS1) extension from Ashford to Bexhill, stopping at Rye and Hastings. - Improvements to the existing rail service to provide better connection with mainline routes (later train times; more rolling stock). 	<p>This is a transport issue that should be addressed through conversations with network rail providers.</p>
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7 Theme 6: Community well-being

Policy Summary	Recommendations to be Considered
<p>Policy C1 The Plan will encourage the protection of existing community centres designed to meet the needs of local residents, businesses and visitors. Loss will only be accepted where it can be shown that the facilities are no longer needed or economically viable or where acceptable alternative provision exists.</p>	<p>As stated in the supporting text more consultation is needed to gauge support for Policies C1 to C4. Policies can be amalgamated into one bullet-pointed policy. Consider a marketing exercise for inclusion with this policy.</p>
<p>Policy C2 Community facilities will be rationalised by concentrating functions in multi-purpose facilities in the West, Centre and east of Rye to reduce costs and overheads.</p>	<p>As stated in the supporting text more consultation is needed to gauge support and provide evidence for policies C1 to C4. This reads like an ambition or objective rather than a planning policy for the use of land. If an allocation already covers this point it should be removed.</p>
<p>Policy C3 New and/or improved community centres will only be supported provided that the facility is appropriate to its location. Considerations will include size, design, facilities, and impact on traffic, the environment and neighbouring residents.</p>	<p>As stated in the supporting text more consultation is needed to gauge support and provide evidence for policies C1 to C4. This policy is also very general and already likely to be considered by Rother in their decision making for such schemes.</p>
<p>Policy C4 The proposed community facility on the former Tilling Green school location will be encouraged to provide a wide range of community facilities, primarily, but not exclusively, for those in the west of Rye.</p>	<p>This is a concern referenced in the supporting text voiced through consultation. As this is a site-specific policy, conversations should be ongoing with ESCC and new owner with regard to s106 negotiations to help to deliver this policy.</p>
<p>Policy C5 A facility for the east of Rye will be encouraged as part of any development of the former Freda Gardham School site.</p>	<p>There is no mention in the supporting text of what community facility is needed as part of the development of the Ferda Gardham School site, which is allocated as part of Policy H1 , Rye5 of the draft plan. Evidence is not present in supporting text.</p>
<p>Policy C6 Amenity CICs will be encouraged to allow the local community to manage its own facilities.</p>	<p>Policy C6 belongs in the Community Projects policy section – not planning policy.</p>

<p>Policy C7 Existing facilities providing cultural and heritage activities, including St Mary's Church (and tower), Rye Castle Museum, Rye Art Gallery, Kino and the Rye Heritage Centre will be supported and encouraged.</p>	<p>Amalgamate with Policy C1 - falls under safeguarding of community centres and cultural centres.</p>
<p>Policy C8 Rye's public heritage structures such as the Landgate Tower, Town War Memorial and the lookouts in the west and east of the Citadel will be protected and maintained.</p>	<p>This policy isn't relevant if these heritage structures are listed structures or within conservation areas. Otherwise Policy EN2: Stewardship of the Historic Built Environment in the Core Strategy is sufficient to protect these structures from adverse effects of development. Check if these structures are listed. Maintenance of said structures can be included in the community policy section, separate from spatial policies.</p>
<p>Policy C9 A review of the future needs of sites for education use indicates that the opportunity should be taken to examine the feasibility of a new build of facilities by the Rye Academy Trust using central funding (as is happening in all adjacent towns) within the present Grove-Love Lane Broad Location (Rye Education Quarter), rather than by piecemeal expansion and a "mend and make do" approach. While space is at a premium, current car parking in the broad location could be overbuilt, to provide additional building space.</p>	<p>This policy needs to be reworded to encourage the rationalisation and consolidation of education facilities within the present Grove-Love Lane Broad Location (Rye Education Quarter) as part of a site allocation policy. A site brief and consultation evidence is needed to support this policy. Robust evidence of the 'review of the future needs of sites for education' needs to be referenced in the supporting text and discussions with the local education authority should be evidenced.</p>
<p>Policy C10 All new developments for recreational and tourism attractions will be encouraged but should contribute to the service and maintenance of support facilities such as public toilets.</p>	<p>Policy could be reworded as such: 'New development for recreational and tourism amenities will provide public service facilities such as public toilets or make a financial contribution towards such facilities.' This policy should only apply if there is evidence that public amenity buildings are not providing standard public services.</p>
<p>Policy C11 The plan encourages increased local services which support the community and reduce the need to travel, such as additional facilities (such as a minor injuries unit) at the Rye Memorial Hospital (Rye Foreign).</p>	<p>Consultation evidence does support this policy, however as stated the Rye Memorial Hospital is outside the plan area. First half of policy is relevant to the plan area. As with education and highways it will be important to consult with the relevant NHS bodies and the Clinical Commissioning Group.</p>
<p>Policy C12 The plan encourages those organisations providing activities for younger people to consider co-location within the Grove-Love Lane Broad Location, to share their resources within one central multi-purpose facility.</p>	<p>This is a community project policy, however a spatial policy could be reworked to encourage rationalisation and consolidation of Grove-Love Lane Broad Location (Education Quarter) as an area that encourages community amenities. Similarly large development opportunities might be encouraged to provide facilities for young people if it can be shown there is a deficit in provision currently.</p>
<p>Policy C13 The plan supports the need for maximised use of a publicly-accessible leisure centre and swimming pool to meet local needs.</p>	<p>This is perhaps a Community Projects policy, and should be removed from Spatial Planning Policy section unless an allocation is coming forward.</p>

8 Theme 7: Green and open spaces

Policy Summary	Recommendations to be Considered
<p>Policy G1 In recognition of their special significance and importance to the community, the green and open sites will be protected as below and as shown on the map at Appendix 7.</p>	<p>Appendix 7 not attached to map the proposed protected green open spaces. An Open Space, Sport and Recreation Audit and Assessment has been completed with the assistance of PMP consultants - this should be referenced in the supporting text for this policy, especially if the audit references these open spaces.</p> <p>Speak to Parks and Recreation department in Rother DC about how a Local Green Space Designation can be used to lever in enhancements over the plan period.</p> <p>All sites must be mapped, with boundaries in red line. Landowners also need to be consulted as per guidance in the PPG.</p>
<p>Policy G2 All opportunities should be taken to enhance the green infrastructure to provide recreational space and encourage wildlife habitat.</p>	<p>Amalgamate with other area-wide green and open spaces policy. Possibly more an objective than a policy.</p>
<p>Policy G3 New development will be expected to contribute to the provision of recreational open space in line with standards set out by Rother DC.</p>	<p>Policy duplicates Core Strategy policy (as stated) – avoid duplication in the NP. The principle of the policy could be amalgamated with Policy G2.</p>
<p>Policy G4 New development will be encouraged to create publicly accessible links from development sites to connect with the wider footpath network/green spaces and links to the existing public network.</p>	<p>Reworded Policy G3 and G4 to strengthen connection of green infrastructure to local and wider area: The creation of publicly accessible links will be supported from the provision of recreational open space attributed to development to connect with the wider footpath network/green spaces and links to the existing public network.</p>
<p>Policy G5 The two existing allotment areas Love Lane and South Undercliff) will be retained as part of the green infrastructure.</p>	<p>This is a community projects policy if allotments are not to be safeguarded as part of Policy G1.</p>
<p>Policy G6 Recreational areas such as Rye Rugby Club, the Salts (Middle and Town) and Masons Field will be retained as important green areas for recreational and sports use. (for cricket, bowls, football and major town events such as the Maritime, Bonfire and Medieval festivals).</p>	<p>Check if these areas are designated as Open Spaces, Recreation amenity spaces on the Rother DC Local Plan proposal maps – if they are designated then they are protected under the local plan. Speak to Rother DC Parks & Recreation dept. and the Planning policy dept. with regard to designating recreational areas in their ownership as Local Green Space Designations.</p>
<p>Policy G7 Floral exhibits will be encouraged as part of spatial plans for public spaces, initiated by events such as Rye in Bloom and the Allotments Society.</p>	<p>This is a community projects policy, and should be removed from the planning policy section.</p>

9 Theme 8: The Environment and Energy

Policy Summary	Recommendations to be Considered
<p>Policy E1 Future developments will retain features of high nature conservation or landscape value, including mature trees, species-rich hedgerows, ponds and existing areas of woodland.</p>	<p>Conforms with and duplicates Policy EN5: Biodiversity and Green Space part viii and ix of the Core Strategy. NP should avoid duplication - policy can be removed from the NP.</p>
<p>Policy E2 Although the DCLG Code for Sustainable Homes is voluntary, the Plan recommends that all new dwellings be designed to meet the Code level 3, as covered by Building Regulations.</p>	<p>The Code for Sustainable Homes has now been withdrawn and has been replaced by new national technical standards which comprise new additional optional Building Regulations regarding water and access as well as a new national space standard (in addition to the existing mandatory Building Regulations).</p> <p>With regard to policy making from now on new Local Plans, Neighbourhood Plans, supplementary planning documents and local validation lists should not include any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development as the Government has now withdrawn the code.</p> <p>The optional new national technical standards should be required only through new Local Plan policies (not Neighbourhood Plans). They should only be included if they address a clearly evidenced need and where their impact on viability has been considered.</p> <p>Remove Policy E2 from NP.</p> <p>You may wish to include a policy that encourages developers to follow the Building for Life and Lifetime Homes standards without being prescriptive?</p>
<p>Policy E3 All development proposals with the exception of the conversion of listed historic buildings should seek to have a minimum energy efficiency standard equivalent to Code for Sustainable Homes level 3.</p>	<p>See above.</p> <p>With regard to Energy efficient standards and the specific issue of energy performance in plans, LPAs will continue to be able to set and apply policies in their Local Plans requiring energy performance standards that exceed the requirements of Building Regulations until the commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.</p> <p>This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The Government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the former Code for Sustainable Homes Level 4. Until the amendment is commenced, it is expected that LPAs will take this statement of the Government's intention into account in applying existing energy policies and that they will not set conditions with requirements above a Code level 4 equivalent.</p> <p>Remove Policy E3 from NP.</p>
<p>Policy E4 Measures to improve the existing housing stock (public and private) will be encouraged to reduce energy demand using proven technology and building methods. There should be maximum exploitation of community-based support and government schemes to help residents make changes.</p>	<p>This policy is largely a Community initiative / projects policy and doesn't directly apply to planning policy.</p> <p>Policy should look to maximise renewable and low carbon energy development in line with Policy SRM1: Towards a low carbon future of the Core Strategy.</p>

<p>Policy E5 The following energy measures will be encouraged:</p> <ul style="list-style-type: none"> - The installation of smart meters for gas and electricity should be encouraged to help residents get better value. - With high local solar energy (annual production >1000 kWh per kilowatt is achievable) the fitting of solar panel systems where regulations permit. - Systems which permit energy storage (to transfer the 11am – 2 pm generation peak of a solar panel system to the evening demand peak between 6pm and 9pm). - Subject to the suitability of the proposed sites and scale of any development, proposals will be supported for individual and community scale energy generation systems. These should exploit solar photovoltaic panels, biomass, anaerobic digestion together with communal combined heat & power (CHP) units, ground and air source heat pumps and wood fuel products for smoke-free woodburners. - Demand response systems (rather than supply side) integrated by Virtual Power Plant (VPP) to manage the timing of peak demands for electricity. - Ground source heat pump (GSHP) networks where they can be installed in new installations such as future flood defences. 	<p>Largely complies with Core Strategy policy, whereby:</p> <p>Policy OSS3: Location of development <i>In assessing the suitability of a particular location for development, when both allocating land for development and determining planning applications, sites and/or proposals should accord with the relevant policies of this Core Strategy and be considered in the context of:</i></p> <p>(v) <i>The low carbon and renewable energy potentials of the site; and</i></p> <p>Policy SRM1: Towards a low carbon future. (i) <i>Require proposed developments of more than 10 dwellings or 1,000m² of non-residential floorspace to provide a comprehensive energy strategy and, for proposed developments of more than 100 dwellings or 50 apartments to require such a strategy to include an assessment of the potential for combined heat and power and district heating, subject to further assessment of the thresholds via a subsequent DPD and/or SPD;</i></p> <p>Policy E5 contradicts the Core Strategy policy by encouraging rather than following requirements set out in the Core Strategy for energy generation. The NP policy however does not set measureable requirements, encouraging suitable sites and scale of development to sustainable energy generation systems.</p> <p>Evidence to shape this policy likely stems from the 'Low Carbon and Renewable Potential Study' which was prepared for Rother DC by Scott Wilson in association with Drivers Jonas and Thameswey Energy in January 2010 to shape the development of policies for a low carbon future for Rother District.</p> <p>While this policy largely adds value to Core Strategy policy, all specific 'energy measures to be encouraged' must be realistic and time-bound within the timeframe of the plan. As it stands this policy is flexible as all measures are to be encouraged (rather than required). It is important that the policy generally conforms to National and Local Plan Policy, and this is evident from reading the policy and identifying conformity in the supporting text.</p>
<p>Policy E6 Drawing on earlier proposals, a project to maintain the water level at the Strand Quay to a depth of 1.5m and to provide foot ways over the River Rother should be re-considered to enhance the visitor experience.</p>	<p>This is a Community Projects policy and/or a community infrastructure project that could be placed on a CIL Policy Statement that can be referenced separately from spatial planning policy sections.</p>
<p>Policy E7 Measures to support local food production, such as the community garden, will be encouraged.</p>	<p>This is a Community Projects policy that can be included in a separate section to spatial planning policy sections.</p>
<p>Policy E8 Development will minimise the impact on water quality and subsequent health risks, particularly during flooding conditions.</p>	<p>Conforms to Policy SRM2: Water Supply and Wastewater Management (part (ii)) of the Core Strategy and as such could be amalgamated with flood risk policies.</p>
<p>Policy E9 As well as encouraging events such as the local "Recycle Swap Shop", a more accessible (preferred at Rye Harbour) domestic bulk waste facility for recycling and bulk waste will be sought.</p>	<p>This could form part of a CIL Policy Statement 'wish list' schedule – e.g. provision of Bulk Waste Recycling Facility.</p>

<p>Policy E10 Development will consider light pollution by avoiding excessive external lights shone into the night sky.</p>	<p>Bearing in mind Policy CO6: Community Safety of the Core Strategy requires an appropriate design and level of lighting in all development to create safe physical environments, excessive lighting in sensitive environments can adversely affect the tranquil character of rural and coastal settlements and surrounding environment. With Dark Sky Initiatives becoming more commonplace to prevent excessive light pollution, the rewording of this policy could enhance the amenity of the night sky in Rye, 'Development will have appropriate design and level of lighting, to create safe physical environments that will not adversely impact on the night sky, be overbearing on the built and natural environment, and compromise the character of the countryside or landscape.'</p> <p>This takes into account the relevant policies of the Core Strategy while placing emphasis on the coastal location of Rye, the visual amenity of the night sky and how development and associated lighting can enhance the environment.</p>
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10 Conclusions

- 10.1.1 The focus of much of Rye's NDP is on a commitment to growth and sustainable development, very much aligned with the principles of the National Planning Policy Framework (NPPF) and the strategic elements of the current adopted Local Plan.
- 10.1.2 The evidence underpinning much of the policies appears to be largely based on existing evidence which the Local Authority has used in developing their Core Strategy (2014). This is considered acceptable in some cases, however, as long as newer evidence is also understood and used where relevant, policies should be robust and justified adding distinctive value to local policies.
- 10.1.3 Based upon the evidence available and from our light touch evidence and policy review we would draw out the following six conclusions:
1. It is reasonable for the Neighbourhood Plan to highlight that the Plan is adding neighbourhood depth to a number of policies of the Local Plan; but it is not necessary to repeat those policies since they will already be in use by the Local Planning Authority to determine planning decisions in the district of Rother. An introduction stating the relationship of the Neighbourhood Plan to Rother's Adopted Core Strategy (2014) and draft Development and Site Allocations Plan Local Plan (due for consultation in Autumn) might be helpful in setting the scene for the local community.
 2. The majority of policies are based on primary evidence generated by the Steering Group, as well as policies and principles established in the NPPF and the adopted Core Strategy. In some cases, the neighbourhood policies do not specifically refer to all relevant evidence base that have been used to help inform the policy up to this point. Reference to robust evidence is needed in the supporting text for each policy to provide a reasoned justification. Policies grouped under each theme can also be amalgamated to form one (or fewer) evidence based neighbourhood plan policies.
 3. A distinction must be made between planning policies and community policies, the latter policies are an expression of community aspiration/action and are appropriate for inclusion in the NDP, but in the supporting text (i.e. an appendix) only.
 4. A number of the proposed neighbourhood plan policies are locally specific to Rye and do not repeat the adopted Local Plan nor the NPPF. Having said that, a number of recommendations to the policies were made insofar as tweaking some of the wording, and in some cases suggesting deleting or merging of policies. This will help keep the plan concise and easy to read as well as making the policies easier to implement at planning application stage.

11 Final recommendations

- 11.1.1 To ensure the NDP meets the basic conditions at examination, the following recommendations are made:
- 11.1.2 Some policies have little evidence or just offer minimal contextual content in support. A short summary showing understanding of the evidence base that has underpinned the policies referred is needed, e.g. can the group refer to baseline information set out in the Development Plan Documents or Studies to support plan making in Rother District of East Sussex County Council to help support the neighbourhood plan's policies on community facilities?
- 11.1.3 Make use of the extensive list of Evidence outlined in Appendix 2 of the draft NP Version 5, and include recently commissioned LPA evidence base studies that support the submission of the Core Strategy, to justify the policies in the draft NDP. Any evidence used needs to be clearly referenced and presented in an accessible way e.g. footnotes, both for the benefit of residents reading a plan, interested parties such as landowners and developers and the examiner. It would be beneficial to clearly present key references immediately below each policy, clearly referencing the evidence base documents.
- 11.1.4 Where there seems to be an evidence gap or evidence base is needed to be updated, it is recommended that the group carry out their own evidence surveys or commissioned assessments to justify policies.
- 11.1.5 Where recommendations have been made to remove policies due to lack of relevance, policy redundancy or duplication, or lack of conformity with local policies and themes may be amalgamated to make the plan more robust and concise to use.
- 11.1.6 We would strongly recommend that you begin to prepare a neighbourhood plan infrastructure schedule. Identifying projects linked to your objectives and policies will help you to realise your overall vision. Once CIL monies are collected in Rother you need to consider your transition from a plan making body to an implementation body. This exercise will help to evidence how you will deliver your plan and will also help you to lever in additional funding streams.
- 11.1.7 As the NPSG has begun drafting Version 6 of the plan, this broad stroke review will provide an insight into writing policies¹ which will address the issues that matter in your local plan, while fulfilling the criterion around meeting the basic conditions that a draft plan must meet if it is to proceed to referendum.

¹ Writing Planning Policies (2014) Tony Burton, online at:

http://planning.communityknowledgehub.org.uk/sites/planning.communityknowledgehub.org.uk/files/writing_planning_policies_0.pdf

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