

Dear Sir/ Madam

ROTHER LOCAL PLAN – DEVELOPMENT STRATEGY AND SITE ALLOCATIONS

1. Thank you for consulting with the Home Builders Federation (HBF) on the Rother Local Plan.
2. HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which include multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

Draft National Planning Policy Framework

3. The Council recognise in paragraph 1.23 to 1.26 that imminent changes to legislation and national policy will need to be taken into account moving forward. HBF agree. In particular consideration will need to be given as to how the new NPPF, when it is published later this year, impacts on the soundness of policies in the local plan.
4. On the basis of paragraph 4 and 8 in Annex A of the draft NPPF this local plan, which the Council propose to submit under the current plan making process, will be examined under the NPPF24. However, it is also notable that in relation to decision making Annex A also states that from the date the new NPPF is published local plan policies that are "...any way inconsistent with national decision making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework". Therefore, should this new iteration of the NPPF be adopted unchanged the Council will need to have regard to national policies for decision making given that any inconsistency would effectively render many of the development management policies proposed in this consultation that are not consistent with the new Framework redundant as soon as the local plan is adopted.
5. It is clear from the draft NPPF, and the decision to establish national policies for decision making, that the Government are seeking to limit the number of development management policies in local plans that seek to gold plate policies and go beyond national standards which place significant burdens on applicants as well as their own officers. As such, when the final version of the NPPF is published it is HBF's contention that any policies which are inconsistent with the new framework should be deleted in order to avoid unnecessary and length discussions on an application by application basis as to the weight that should be attached to the policies in the adopted local plan.

Q1. Do you have any comments on the amended Rother Local Plan Strategic Spatial Objectives shown in Figure 1?

6. Our only comment is with regard to the first objective. HBF recognise the importance of achieving national net zero ambitions, but the local plan cannot on its own deliver this ambition. Therefore, HBF would suggest, as set out below, that an objective which states that the local plan contributes towards achieving this net zero ambitions would be more appropriate.

Mitigate and adapt to climate change, support ambitions to achieve net zero carbon, reducing flood risk from all sources and promoting the multifunctional benefits of green blue infrastructure through effective and supportive planning policies.

Q2. Do you have any comments on the Council's proposed housing target for the Local Plan of 8,427 dwellings over the 17-year plan period, or 495 dwellings annually?

7. The proposed housing requirement leaves a shortfall against identified housing needs of over 7,000 homes. This adds to the growing unmet housing needs of East Sussex. As the Council will no doubt be aware across East Sussex the shortfall in meeting housing needs arising from plans currently in preparation is over 2,000 dwellings per annum (dpa). Over the plan period 2025 to 2042 this would lead to near 36,000 fewer homes that are needed to address the housing crisis in this area.
8. This is not sustainable and will lead to significant shortfalls in both market and affordable housing, placing increasing pressure on housing markets that are already under significant stress. This can be seen in the affordability of housing across the region set out in the table below.

LPA	Median Affordability Ratio 2024	Median affordability ratio 5 year average
Lewes	12.02	11.68
Wealden	11.47	12.38
Rother	11.07	12.36
Eastbourne	8.48	9.09
Hastings	8.29	9.99

9. What is evident is that across East Sussex house prices far exceed local salaries, meaning that housing in the area is unaffordable for those people who live and work in the area. Even those areas in the county that are more affordable, Eastbourne and Hastings, still see average house prices of 8 times salaries. It is also notable that these two areas are the most constrained with tight boundaries to the urban edge meaning development opportunities are far more limited. Without a significant boost to the supply of housing this situation will not improve and only likely to get worse. HBF therefore does not consider a strategy that adds to this problem to be a sustainable strategy.

10. The growing unmet needs across the sub region do not appear to have been considered by the Council in the interim Sustainability Appraisal (SA), which makes no reference to the scale of the unmet need for housing in neighbouring areas and the pressure this will place on local housing markets. The demand for more homes will potentially see homes become even less affordable for the majority of the population and an increasing demand for affordable housing, which will not be met due to the Council's decision to restrict housing supply without securing any delivery elsewhere.
11. While it must be recognised that once the relevant regulations have been approved by parliament the legal duty to co-operate will not apply to this local plan. However, this does not remove the requirement in the NPPF that in order to be considered sound a local plan must be "*based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground*". The only difference arising from the removal of the duty is that a failure to co-operate is solely matter of soundness. As such the Council needs to ensure that its approach co-operation is effective in trying to address unmet needs rather than passively accepting these as an outcome of the preparing this local plan.
12. The Council state in paragraph 3.23 that the Council will continue to engage with neighbouring areas to establish whether all, or some of, Rother's unmet needs can be met elsewhere. However, this will need to be more proactive than seems to have been the case so far. The approach taken by the council set out in the Duty to Cooperate statement is to write to neighbouring authorities. There does not appear to have been any attempt by Rother and its neighbouring planning authorities to collectively consider how to address this issue at both an officer and political level and then, if others are unwilling to co-operate, to challenge them to do so throughout the plan making process. Unless a more proactive approach is taken by Rother and its neighbours then the gap between what is needed and the number of homes being planned for will continue to grow and co-operation must be considered to have been ineffective.

Q6. Do you have any comments on the Council's assessment of the additional Development Strategy options?

13. HBF acknowledges that the Council face challenges in meeting its development needs due to the constraints present within the district. As the Council correctly notes, the application of policies around protected landscapes such as the High Weald National Landscape (HWNL) can provide a strong reason for not meeting need. However, alongside this the Council needs to recognise that there are significant negative social and economic impacts of not meeting needs in full that must be taken into account when considering the spatial strategy to be taken forward.
14. As set out above the Council and it neighbours in East Sussex cannot meet their housing needs. As affordability worsens with need for affordable housing is growing. In Rother and Hastings, the need for affordable homes is currently estimated to be 757 homes each year. This is 75 homes more than the number of homes expected to be delivered each year by both Councils. The impact of these shortfalls can be seen in the cost of temporary accommodation as more people are unable to afford housing. For example, Hastings Borough Council is facing a severe temporary accommodation crisis with 527 households in privately procured temporary accommodation.

This has seen costs rise from £730,000 in 2019 to £7.04m by 2025. So, whilst it is accepted there may be some harm from release land between settlement for housing development there are also significant benefits of doing so given the demand for market and affordable housing in the area.

15. HBF does not consider the appraisal within the Interim Sustainability Appraisal to take sufficient account of the negative consequences of not meeting housing needs on both Rother and Hastings and positive consequences of boost the supply of new homes would have with regard to infrastructure, health and wellbeing and even climate change given that it would allow more households to live in homes that produce significantly less CO₂ than the existing stock. The assumptions made that both these options positively support housing supply is made on the premise that delivery constraints and that any increase supply should be considered positive – despite this being so far below what is needed in terms of both market and affordable housing. The SA and wider evidence base must reflect more on the social and economic harm arising from what is being proposed and then compare this to other negative consequences.
16. In failing to see the benefits of housing the Council's assessments are being potentially skewed. For example, notable that in the Interim SA the Council states that SDO14 would have mainly negative effects on the SA objectives. However, Figure 11 in the Interim SA shows that there are more positive impacts than negative ones resulting from SDO14. It is not clear why the Council have decided to contradict this within its summary. The outcome of the SA would in fact suggest that development in strategic gaps would have a net positive benefit when considered against the harm and it would be unsound to dismiss development in such locations and the potential to increase housing supply sustainably.

Do you have any comments on the Council's proposed Overall Development Strategy?

17. To start the proposed strategy, we need to recognise the significant shortfalls in housing that will be a result of this strategy. At present the proposed policy states that the Council will meet the local need for all forms of housing, jobs, facilities and services. As set out above and by the Council in the consultation document this is not the case. The proposed strategy will see housing supply fall short of housing need by over 7,000 homes. This will also mean that affordable housing needs will not be met as this is 65% of housing supply.
18. Secondly, HBF considers the that the proposed strategy should do more to increase the supply of housing in Rother and that such a strategy is supported by national policy. The proposed development strategy includes allocations for development around in and around settlements within the HWNL. This is welcomed. However, on the basis of the harm arising both social and economically from the significant shortfalls in housing supply the Council, should look to allocate additional sites across the district – including with the HWNL.
19. As the Council note paragraph 189 of the NPPF notes that the scale of development should be limited, the Council need take into account circumstances set out in paragraph 190 such as the need for development and the degree to which any harmful effects can be moderated. While these considerations relate to assessment of planning applications, they are also relevant to plan making. Given the high level of need for homes, the inability of other areas to help and severe negative consequences that are arising from past failures to meet needs HBF

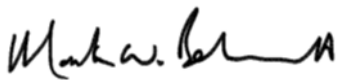
would suggest that there is ample justification for increasing the supply of homes around settlement in the HWNL on those sites where there is potential for harm to moderated.

20. In addition, the Council should not be dismissing development in those area sit has defined as strategic gaps. As the Council will be aware there is no mention outside of Green Belt policy that requires gaps to be maintained between settlements or for settlement patterns to be retained. Where gaps fall outside the national landscape, it is necessary to consider paragraph 11b(ii) of the NPPF and whether the adverse impacts would significantly and demonstrably outweigh the benefits. As set out above the harm from not meeting needs will be significant and HBF do not consider this to be outweighed by other harms.

Future Engagement

21. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider housebuilding industry.
22. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



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