

Rye Neighbourhood Plan

The Consultation Statement

Plan Timeline: 2016 to 2028

www.ryeneighbourhoodplan.org.uk

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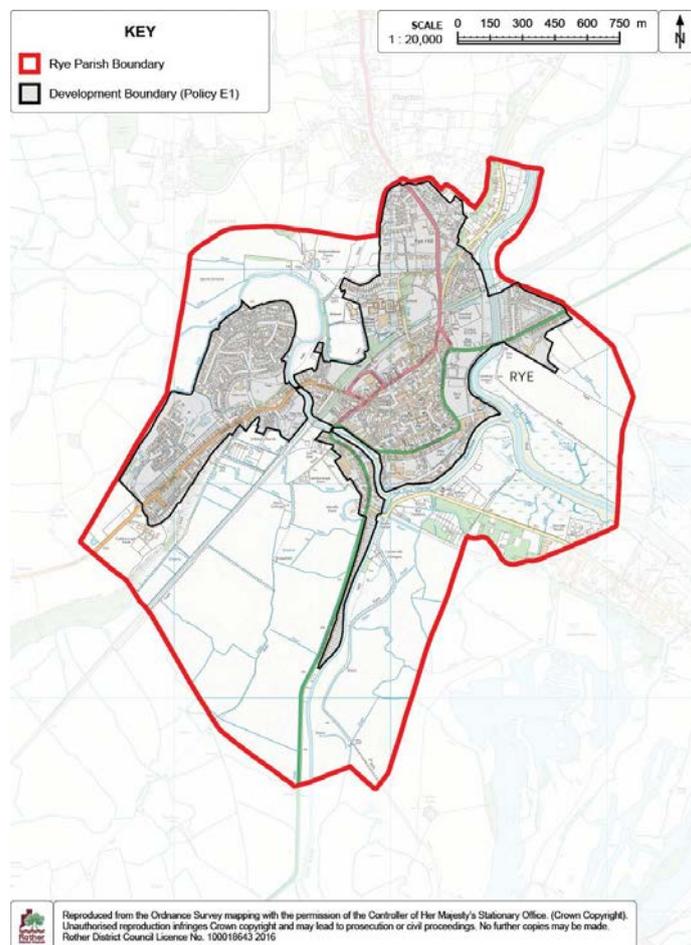
Background

1.1 Following a false start in 2012, in early 2013 Rye Town Council resolved to make a Neighbourhood Plan (NP). The Council was aware that there was significant support in the Community to exploit the Localism Act, November 2011, which introduced new rights and powers to allow local communities to shape future development by preparing neighbourhood plans to cover the future development such as housing, businesses and community facilities. This was seen by the Community, to:

- Allow local people greater ownership of the planning policies in their area;
- Allow a community to set out where development should go and what it should look like;
- Bring the community together to share ideas and build consensus about the needs and priorities for the area;

- Help create lasting partnerships to take forward actions that may arise from the process;
- Raise awareness and understanding of planning;
- Improve relationships between the community and the Town council;
- Provide a detailed evidence base about the community;
- Inform local authority strategies

1.2 A designated planning area¹ was proposed as Rye Parish. (Map below) to Rother District Council (RDC), which was subsequently agreed on 4 November 2013²



1.3 From the early stages it was considered that there could be potential impacts on the Rye by development on or just beyond the Parish boundary.

¹ <http://www.rother.gov.uk/article/9987/Monday-4-November-2013>

² <http://www.rother.gov.uk/media/pdf/q/4/cb131104.pdf>

As a result a protocol ³ was agreed by RDC to enable debate across boundaries. This was justified on the basis that:

- some development issues straddle the boundaries between Rye and adjacent parishes.
- to protect the profile of Rye ; it is important to retain current strategic green areas as gaps between parishes, particularly with Playden, East Guldeford, Camber and Udimore.
- any development projects in neighbouring parish councils should benefit from an integrated environment and energy strategy for both Rye and the surrounding area.

1.4 From the start, Rye Town Council set out to:

- involve as many in the community as possible – those who live, work and study in Rye Parish - throughout all planning stages so that the Plan reflects local views;
- ensure that consultation events and key Council meetings took place at critical points, where and when decisions needed to be taken;
- engage with as wide a range of people as possible – including from the 50 or so voluntary groups across Rye - using a variety of approaches, communication and consultation techniques;
- ensure that results of consultation were fed back to local people and available to read (in both hard copy (Rye Library) and via the Steering Group's website www.ryeneighbourhoodplan.org.uk as soon as possible after the events.

1.5 This Consultation Statement has been prepared to fulfil the obligations of the Neighbourhood Planning Regulations 2012 in respect of the RNP. These require that a consultation statement should:

- contain details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- explain how they were consulted;
- summarise the main issues and concerns raised by the persons consulted; and
- to summarise how these issues and concerns have been considered and, where relevant addressed in the proposed neighbourhood plan.

1.6 The key timelines for public consultation (by years) is below. This will be considered in more detail in sections 2 and 3. Throughout, the website has

³ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2013/08/Appendix-3-protocol.pdf>

been used to allow public access to all the relevant documents including versions of the Plan, its supporting documents and progress. All minutes of meetings are held by the site.

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Year	Summary of actions	Result
2012	Initial discussions about making a Neighbourhood Plan.	No consensus about a work plan, resulting in marking time
2013	Restarting the process; clarity about aims and need for a Plan; identification of a structure with Terms of Reference; volunteers and a broad approach.	Agreement ⁴ by Rother DC about Rye as a qualified planning body and a planning area as Rye Parish
2014	Start of public consultation ⁵ events and conversations with interested parties; Public survey in July to agree vision, objectives and to establish key issues and sites with potential Issues listed and organised into themes	Start of dialogue with: East Sussex and District Councillors and officers the fortnightly Rye Planning and Townscape meeting Local bodies such as Harbour of Rye Committee and Environmental Group Formation of working groups to develop themes First draft of site assessments and SEA Regular slots on annual spring town meetings
2015	First version of draft plan (and SEA)	Throughout year Versions 2 to 6 drafted to reflect discussions, conversations, comments and development proposals
2016	Process continues	Versions 7 and 7A drafted to reflect developments

⁴ <http://www.rother.gov.uk/neighbourhoodplans>

⁵ <http://www.ryenews.org.uk/news/countdown-future>

2017	Process continues	Version 8 to 10 drafted to reflect developments and advice from Rother DC, AIRS consultant
2018	<p>Rye TC resolved to allow Version 10 to form basis of Regulation 14 consultation Over period 23 Feb to 6 Apr</p> <p>By Sep Rye TC agreed Version 11 as basis for Regulation 15/16 plan submission</p>	<p>Version 10 agreed for the Regulation 14 consultation; 100 comments received.</p> <p>Work during summer to reflect Regulation 14 comments benefited from AIRS arranged consultant</p> <p>Version 11 agreed as basis for Reg 15/16</p>

Who was consulted and How?

Who?

2.1 Rye Town Council decided that the Neighbourhood Planning (NP) process would embrace all those who live, work or learn in Rye Parish. It further decided to engage the estimated 50 or so voluntary groups in Rye. Many draw members from outlying villages and most have taken part in the work of the Steering Group either directly or through its sub groups.

2.2 It quickly became obvious that there was the potential for engagement to fail to reach certain groups; in particular young people and the 18 to 40s age group, whose priorities tend to be work and family commitments. A decision was taken early to engage through Facebook⁶, Twitter and the Press.

2.3 The views of young people have been sought. Meetings have been held the Rye College Students Council and bodies such as Rye Scouts.



⁶ @ryenplan

2.4 The business and trading sector have been targeted with special meetings.

2.5 Architects, estate agents, developers and landowners have been involved in periodic meetings.

2.6 Numerous conversations have been recorded in Steering Group minutes or the regular updates to Rye Town Council Planning and Townscape Meetings⁷ Those who contributed directly to the significant workload are listed in Appendix A to the main Plan.

How?

2.7 Rye Town Council delegated week to week responsibility of the work to the Planning and Townscape Committee (Rye P&T Committee)⁸. It then formed a NP Steering Group with Terms of Reference, made up of Councillors and citizens with appropriate expertise. This comprised six volunteer councillors and five co-opted citizens, (from 26 May 2014 this was increased to Mayor and 6 Councillors and 7 citizens, with Town Clerk in attendance = 15) to steer the process.

2.8 It was seen to be important that the Mayor should chair the Steering Group – four have been involved since 2013 : Cllrs Rogers, Fiddimore, Breeds and Boyd – and that there should be Vice Chair elected by the Group who would act as coordinator of the process .

2.9 Since 2013, a citizen, Col Anthony Kimber PhD was elected by the Group to carry out this function. He has attended a series of seminars on NP, represented the Group at meetings with Rother DC, East Sussex County Council (ESCC) officers, Locality and RTPI and the informal Rother NP Forum. The last draws together those making NPs across Rother DC.

2.10 The Steering Group has drawn on the detailed work of some specially convened working groups⁹, which had Terms of Reference covering the requirement to consult and plan in specific themed areas. These working groups in turn have been in contact with many of voluntary groups in Rye, which have an interest in matters affected by a NP. By involving existing groups duplication of effort and nugatory meetings has been avoided.

2.11 The RNPSG has met regularly¹⁰ and kept the Council updated through the Planning and Townscape Committee. Vice Chair Steering Group has

⁷ <http://www.ryeneighbourhoodplan.org.uk/rye-neighbourhood-plan-steering-group-meetings/>

⁸ <http://www.ryetowncouncil.gov.uk/>

⁹ <http://www.ryeneighbourhoodplan.org.uk/sample-page/>

¹⁰ <http://www.ryeneighbourhoodplan.org.uk/rye-neighbourhood-plan-steering-group-meetings/>

attended most of the planning meetings during the period and has provided written updates for Councillors. All have been recorded in the Rye TC minutes. These meetings are open to the Public and have provided opportunities for interested parties to question direction, progress and specific details. There has been a formal project plan¹¹ and communication strategy.¹²

2.12 Prior to key events such as elections, to ensure continuity, draft documents have been brought forward for agreement in principle. Therefore the full Council has taken all major decisions about policy, the approval of funds, all subsequently the shape of the final plan. Contributors to the work of the Steering Group are listed at Appendix A of the Plan.

2.13 The Steering Group reviewed not just the feedback from the main sources of engagement (the Open Sessions , Questionnaires and conversations) to ascertain whether there were any particular sections of the community that were being under-represented. However, it was felt that this was not the case and that a reasonable cross-section of the community had given their views. It was also felt that the scope of our general engagement and communications was sufficient to capture all age groups in the area.



¹¹ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2014/03/RNP-Project-Plan-V31.pdf>

¹² <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2013/10/8-Communication-Strategy.pdf>

2.14 In summary the means of consultation is as below.

The Steering Group launched a website¹³, with facebook and Twitter accounts. The website has held all the papers including drafts of the NP.

There have been updates and handouts at each annual town meeting (2014 to 2018). The 2018 meeting was dominated by Neighbourhood Plan issues.

The media has publicised the process: the local newspaper, the *Rye Observer* and the E News, Rye News ran a number of stories during the development of the NP.

There has been regular engagement with: East Sussex County Council; Historic England; Natural England and the Environment Agency ;

The Group has held regular conversations with local landowners; owners of local businesses and retail stores serving the local area; the schools and adjacent Parish Councils

RDC has invited all developers bringing forward proposals to consult with the NP. This has allowed early engagement and the exposure of proposals to the Community.

There have been regular reports to Rye Town Council through the fortnightly Planning and Townscape (P&T) Meeting, which are open to the Public .

What were the Issues and how have they been reflected in the Plan

3.1 Below is a table which indicates the progress of work from 2013 to end 2018 . It reflects the consultation that has taken place and the impact the issues raised have had on the draft plan.

Date	Event	Result
9 Aug 13	Formal notification of the intention to make a Neighbourhood Plan (NP) for Rye Parish	Seven positive and one negative comments arrived by the end of the consultation period on 27 September, 2013. The single negative comment concerned the absence of adjacent, important parishes from the designated area. The planning area was adopted as Rye Parish

¹³ www.ryeneighbourhoodplan.org.uk

<p>17 Oct 13</p>	<p>Initial consultation event for those who live, work or study in Rye</p>	<p>The Mayor chaired the meeting. The eight themes were presented for public discussion (around 70 people) . All met with approval.</p> <p>A vision and objectives were floated and comments received allowed the first edition to be drafted.</p> <p>An initial survey was distributed, answered, and collected. Data collected indicated likes, dislikes and needs. This data helped draft the structure of the first edition of the Plan¹⁴</p> <p>People were invited to register interest in working on a particular theme of interest</p>
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<p>28 Jan 14</p>	<p>Public Event at Tilling Green Community Centre</p>	<p>A record of questions and answers¹⁵</p> <p>During the event the Steering Group piloted a detailed survey¹⁶; separately the Tilling Green Residents Association carried out their own survey; results were added to the former.</p>
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¹⁴ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2013/11/Minisurvey-3.pdf>

¹⁵ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2014/02/RECORD-OF-A-RYE-NEIGHBOURHOOD-PLAN-PUBLIC-MEETING.pdf>

¹⁶ <http://www.ryeneighbourhoodplan.org.uk/public-consultations/>

		
5 Mar 14	RNP was a main item at the 2014 Rye Town Meeting at Rye College	Almost 100 attended. Survey completed. ¹⁷
26 Apr 14	RNP Workshop attended by Planning Aid	Workshop for working group members. identifies a series of issues ¹⁸ from potential development sites to green spaces
15 Jul 14	RNP Business Workshop – George Hotel	Meeting of housing professionals at the George ¹⁹ considered potential development sites and related issues.
9 Sep 14	Workshop with Rye Studio School student council 12 students (3 from Rye; others from places within 10 miles of Rye) with whom we had a valuable conversation about the RNP. 10 completed surveys and 30 left for completion by other	Areas of interest in the discussion were: <ul style="list-style-type: none"> - support for public art - need for a consideration of the High Street from the young persons point of view - need to consider housing for young people - support for green spaces and "places for young people to hang out"

¹⁷ <http://www.ryeneighbourhoodplan.org.uk/public-consultations/>

¹⁸ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2014/05/26-April-Questions-and-Answers-MASTER.pdf>

¹⁹ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2014/07/RNPSG-Update-for-RTC-26-July-2014-Amended.pdf>

	<p>students. Highlighted the website, Facebook page and Twitter account with a view to providing more ideas.</p>	<ul style="list-style-type: none"> - activities for young people in community facilities - the importance of the transport hub at the Station Approach - the need for the supermarket issue to be settled - importance of development design, "green issues" and sustainability <p>Delighted to hear that would be a survey prize draw for a young peoples' draw?</p>
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<p>7 Jan 15</p>	<p>Steering Group scrutiny of first "strawman" plan</p>	<p>Following the consultation in 2014 Steering Group scrutinises Version 1 "the Strawman" RNP²⁰ details recorded in the minutes of RNPSG 24 and 25</p>
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²⁰ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2015/01/RNPSG-24th-minutes-7-January-2015-Master.pdf>

		Version 1 RNP, drawing on all the data collected in 2014, was agreed and launched to website
Feb 15	Steering Group develop version 2 and 3	Versions 2 and 3 reflected comments and conversations launched to website
16 Mar 15	Steering Group scrutinises Version 4	Version 4 follows comments on Version 3 and launched to website
20 Mar 15	Rye Town Meeting at which the Steering Group updated on progress	<p>100 attended. Handout summary for each attendee.</p>  <p>Comments fed into Version 4</p>
20 Apr 15	Full Rye Town Council	Unanimously endorsed Version 4. Work continued to develop plan to Version 5
June/July 15	Version 5 publicised drawing on points made at the Town Meeting and other conversations	<p>V5 publicised and advertised. Comments received from developers, local citizens, two Councillors and Playden PC. Issues included:</p> <ul style="list-style-type: none"> -development on boundaries of Parish -park and ride -Inclusion of one development site

6 July 15	Rye Partnership and Amicus Horizon held a public event from 3 to 6pm In the Tilling Green Community Centre to allow the public to look at the proposals for the Tilling Green School development proposals.	All interested parties encouraged to comment to Amicus Horizon as soon as possible.
13 Oct 15	AECOM review , funded by Planning Aid	Comments on structure and detail resulted in Version 6
16 Jan and 23 Jan 16	<p>Two public events were held to allow the public to hear about progress and comment. The first was in the Tilling Green Centre; the second in St Mary’s Centre.</p>  	<p>Around 230 citizens attended (150 the first; 80 on the second).</p> <p>Results of the open events (16 and 23 January) ²¹ are reflected in Version 7</p>
3 Mar 16	RNPSG updated on progress at the 2016 Town Meeting	<p>Issues below were reflected in Version 7A</p> <ul style="list-style-type: none"> -Aspects of Valley Park: “top site” state including flags; improved sewerage capacity; improvement to retention basins” -“Greenway”proposal cycle way – Lea Ave to the Academy – progress? -Tilling Green development; access and drainage? -Affordable housing: policy? -Dead Man’s Lane: footpath? -CIL objections
Mar 16	AIRS Consultancy	Results reflected in Version 7A

²¹ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2016/01/Open-Events-jan-2016-Comments.pdf>

19 Oct 16	Public Meeting at Tilling Green by Icení to consider development on Lower School Site	Results – density; access; green spaces; design - reflected in Version 8
15 Nov 16	Rother DC issues draft DaSA (seen as Core Strategy Part 2)	RNPSG considers for Rye TC and comments; work included reconciliation of additional policy with draft RNP
5 Dec 16	Rye TC resolves to endorse latest draft RNP	Version 8 endorsed in principle
Mar 17	RNP updated progress at 2017 Rye Town Meeting	Comments ²² feed into Version 9
Summer and Autumn 17	Work supported by Consultant to develop Version 9	Version 9 developed and after major restructuring (reduction in main plan; evidence and background as Annex) then into Version 10
May 17	Meeting with Rother DC	Endorses approach and housing and business numbers ²³
Dec 17	Rye TC endorses Version 10 for Reg 14	Rother DC advises on process and need to redraft the Flood Risk Assessment with its associated Sequential and Exception tests.

²² <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2017/03/Rye-Town-Meeting-March-2017-.pdf>

²³ <http://www.ryeneighbourhoodplan.org.uk/wp-content/uploads/2017/05/RNPSG-update-18-May.pdf>

Appendices

- 1: List of Key Issues
2. RNPSG Meetings and Updates for Rye TC
3. Comments during Reg 14 Process

App 1: Rye Neighbourhood Plan – 2014 Key Issues

From the consultations in 2013 and 2014, the RNPSG has listed the key issues as below. These have driven the themes of the Plan

General

Key issues have come from the community and statutory consultees. They have involved a detailed consideration of the character of Rye and the need for strict conservation within the Rother District Council defined Conservation Appraisal area.

Density within the Citadel is an issue; many complain that no development should take place to increase that. These issues arise within the designated Rye Parish planning area, which are tackled in a series of themes:

1. *a future housing plot* to match numbers set by Rother District Council and only on sites which do not detract from the character of Rye;
2. good quality design in all new developments. A set of principles are required?
3. *with the experience of flood risks, particularly with the experience of 200, 2014 and 2017. There has been a close consideration of ways to mitigate flood risks and improved flood resilience.*
4. spatial policies to encourage *future business development* especially to improve the trading situation *in the Town Centre* and employment prospects.

5. a wide range of *transport and traffic related issues, such as poor access, parking issues, poorly connected foot/cycle paths and integrated public transport*;

6. a *review of community facilities* to ensure that they meet community needs (old and young) in a way which is sustainable; with new homes there must be improved and related infrastructure; all aspects of this need to be considered at every stage of the plan; this should include a *consideration of community safety in all developments, particularly for an ageing population*;

7. *protect specific sites or areas, such as green spaces and the allotments*;

8. *environmental issues such as future energy policy, carbon reduction and the handling of waste; ways of encouraging green tourism through spatial policies*;

9. *sustainability, to ensure that no policy is regretted by our grandchildren!*

The Issues

These issues arise specifically from the public events, subsequent consultations and conversations. Surveys are also being conducted; the list of issues from this source is here. – The Rye Neighbourhood Plan will dovetail with relevant development and regenerative plans by partner organisations, such as Local Authorities, Rye Partnership and the Environment Agency (for Harbour of Rye). Issues have indicated work themes as below.

Design: A key consideration is the conservation of Rye's unique built environment with its striking heritage; its maritime character as a working port and to ensure that any development around the neighbourhood enhances the built environment.

1. Housing Policy

- This is fundamental to the plan. Of the 2050 dwellings in Rye there are some 400 in the affordable homes category. Rother District Council stipulates that all new developments

(the target is 160 new dwellings to 2028) of 10 dwellings or more should have 30% affordable for the young and sheltered single unit dwellings for the elderly. Here is the housing requirement set by Rother District Council and an analysis of sheltered housing in Rye. Rother DC suggest for rough order planning 35 dwellings per hectare (ha) = 10,000 sqm or 2.47 acres. Although football pitches vary in size one pitch is on average .7 ha.

- All significant developments in and close to Rye are subject to S106 agreements, which are here. These indicate the contribution agreed to community benefit.
- RNPSG is pressing for the need to maintain the “strategic gap” between Rye Rock Channel and the developments in Rye Harbour; (Rother DC policy).
- With many opposing further development just beyond the Rye Parish boundary in locations such as at Hillcrest (Rye Foreign) the protocol for working with adjacent Parishes has to be fully exploited. As development proposals come forward there is discussion about the weight the NP as it is developed as a material consideration, but before it enters into force.
- Although Rother DC does not mandate developers to meet the Code for Sustainable Homes, the plan should encourage developers to do so.

Housing by the Community

- a) More affordable housing for local people
- b) More housing for the elderly, to enable “downsizing”
- c) More housing suitable as starter homes.
- d) Provide adequate parking, storage and garden space.
- e) Disperse new housing across Rye
- f) Building density is an issue with all new housing development. (Policy OSS4 Rother District Core Strategy²⁶ suggests that “development should be appropriate for its context”.)

²⁶ <http://www.rother.gov.uk/corestrategy>

Key Development Sites

– Sites of community interest have been considered. Development sites (those with potential for development) are being considered as below.

- **the Strand (West Side) and Rock Channel Broad Location.** This includes a consideration of the unauthorised encroachments on the south bank of the Rock Channel with the junction of the River Rother. There have been many development studies of this area in the past (HERE 2005 to 2007) and as part of early work by the RNPSG, there have been considerations of the broad location along the Winchelsea Road to the west of the Strand. These are now being reviewed and fresh plans produced for prospective developers. The Steering Group is reviewing the studies to see if any principles are applicable. The Environment Agency own several sites and their need to accrue income for the port of Rye by leasing (often short term) conflicts with the RNP objectives of needing longer term development, pointing to a discussion to examine all options. The Agency has already pointed out that as all disposals go back to central Government, there is an obvious reluctance to dispose. The issue for the Plan is that short term leasing generates revenue for the Port but risks more car washes, open storage and car lots. Many want imaginative mixed development on the West side of the Strand (Broad Location) with bold design to enhance the area; some want more green spaces; many want improved and accessible riverside walks. There are issues such as “permeability” of views along any development; roof heights so that the location remains on a “human scale” and whether buildings should be perpendicular or square to the road. In other places, riverside walkways have been the trigger for good quality development. Planning proposals are coming forward including for sites such as Grist Mill, Bridge Point, the former Total Garage, 28 Winchelsea Rd and the warehouses of Bourne and Son. The RNPSG is talking to developers and gathering evidence with a view to influencing these proposals. ESCC has indicated that it wishes to dispose of its former ESCC gritting depot (originally the station for the Rye to Rye Harbour railway [owned

by ESCC] alongside the Harbour Road junction. The RNPSG is considering development options which draw on earlier studies and will not result in piecemeal development.

REACT wants no development to adversely impact on flood risk, and with all new designs resilient to flood impacts.

- **Although there remains uncertainty about the future use of the former Lower School Site**, the Rye Academy Trust has now stated that it intends to seek use of the site for development of new academy buildings. It is negotiating with Sainsbury's agent. The RNPSG notes this aspiration, but with emerging community views, there would be local support for the proposal. Meanwhile the Steering Group is studying all the factors affecting the educational (from Early Years to post 16) and other establishments in the broad location bounded by Grove Lane-Love Lane – the railway line – River Tillingham (known to some as the "Rye education quarter". Other factors affecting the broad location include the future of the Rye Leisure Centre, which faces the prospect of a cessation of the Freedom Leisure contract in early 2016, as part of the Rother DC desire to cease the £180k subsidy. A new arrangement will be necessary to ensure continuation of the facility. If the Lower School Site is acquired by the Rye Academy Trust then the RNPSG would need to consider any knock on effects for the emerging RNP, which might include: verification that the community does seek a second supermarket; agreement about an alternative supermarket site (and the required "sequential tests" necessary). In addition there may have to be a review of the existing housing and commercial sites to ensure that any new development proposals conform to the Rother DC core strategy.
- **The former Freda Gardham school site** (this site is to be disposed of by ESCC, but has been retained and was leased (expired Feb 2014) to B&R Productions for use as an Arts Creative Centre. From 1 February 2014, the Activities, Respite, Rehabilitation, Care Centre (ARRCC) has taken the lease from ESCC, as it has been located there since leaving the Memorial Care Hospital some years ago. ARRCC provides a range of support, advice and training opportunities for physically and sensory impaired adults aged 18 +. It helps its members to

develop abilities, learn new skills, encourage social inclusion and enable people to live independently. In addition to ARCC, a self employed manager retains the admin of the numerous individual users who are mostly arts related. ESCC is on record as saying that the site will remain as now until 2019. The Freda Gardham site is on the flood plain and there are environmental (similar to those assessed at Valley Park) and flood risks to mitigate. The Environment Agency is developing a plan (Eastern Rother Tidal Walls project) to improve the flood defence walls on the East bank of the Rother for completion in their major works programme for completion in 2019. There is an area of river bank opposite the Fishing Quay which wears badly because of the scour of the river and the Agency has carried out some emergency repairs in the short term. All this work could benefit from any S106 agreement (CIL after 2015) resulting from Freda Gardham development. The Environment Agency advises that should a developer come forward and contribute, then any flood defence project could be brought forward (those with contributions rise in priority). ARCC has said that it wishes to remain in the Rye area and is looking at various options for re-location. The Steering Grouping records this as an issue. Many want to retain the Rye Rugby Club ground adjacent, which is leased on a long term basis to Rye Town Council. On any land disposed of, many want to see predominantly domestic development, with related flood defences on the east side of River Rother, but some would like to see a supermarket with garage (the Fishermen are against any supermarket as they see significant retail threat) and others have suggested a budget hotel/motel.

- **The former Tilling Green school site, (for disposal by ESCC), to include a replacement “community facility” for Tilling Green residents and should incorporate a re-routed drainage channel along the edge of the site to improve water flow from the Pottingfield Petty Sewer to Gibbets Marsh. Rye Partnership has announced that it is the preferred partner (by ESCC) with social housing developer Amicus Horizon. These two organisations will lead the plan, including the design of any new community facility, for which there will be a long period of consultation. Initial proposals suggest a community centre of around 500 sq m and up to 30 dwellings (12 affordable and 18 for the open market) on the site. In January 2015 Amicus**

explained that the community centre might be 475 sqm and the housing mix of 30 as 6 open market and 24 for affordable rent and shared ownership. To aid the proposal the developer has been addressing 5 questions as below. The Steering Group has responded with its own views.

– **Future development in the West of Rye, between Tilling Green to the west to the Parish boundary. Valley Park (VP)** – some in Udimore Road want more planting to separate new homes in VP from Udimore Rd. Developer Aroncorps has secured planning permission for additional homes (on top of the original 135) to a new total of 160. He is now proposing a small development at the very top of Udimore Road for a linear commercial development. RNPSG is reviewing the S106 project Ferry Road to the Grove and new S106 proposal for project linkage to Tilling Green via Cooper Rd.

– **Other work by the RNPSG has included:**

- Gibbet Marsh: this site is owned by Rother DC and is used for parking (210 spaces) and as a green space. The parking is under utilised because it appears to many visitors to be well removed from the Town Centre. Is there any scope for alternative use? What should its future use be? Could it provide an alternative site for a supermarket?
- with the Monastery (Conduit Hill) back on the market with National Heritage stipulating future use which allows public access, what will be its future? It does require significant and sympathetic development, but could it be linked (actually or virtually?) to the existing community centre to provide an enhanced centre for the whole of Rye? In the same area what is the long term future of the Community Centre? the former St John Ambulance station? and eventually Rye Lodge? What is the future of key sites such as the Boys Club in Mermaid Street, the Post Office sorting office and Rye Hire?

2. Design

The RNP should raise the overall design quality of the area – buildings and public spaces – consistent with the setting of the nationally important conservation area and its context. It should make more efficient and effective use of land through selective redevelopment. It should improve public access into and through the area, and particularly to the riverside. Improvements could make it a more attractive and coherent link between the Strand Quay area to The Salts. It should rationalise conflicting land uses. At a recent meeting with Rother DC planning officers it was advised that Rye needed a design statement to guide future development and inform policies in the RNP.

There should be additional elements such as public art and exhibits. The former Rye barge Primrose has been offered to Rye by Hastings Shipwreck Museum. Can this be fitted into the RNP as an attraction perhaps on the Strand East Side? If so, what about a project team and funding?

Design by the Community

- New homes should be of a high quality and fit in with the character of the town
- Avoid any development affecting the character of the conservation area
- Conserve the cobbled area, pavements and street furniture
- Maintain the town's historic buildings
- Conserve back gardens and green spaces
- Retain shop fronts that reflect the character of Rye
- Maintain pavements and footways
- Avoid development that increases the density in the town centre

- There is general support for additional elements such as public art and exhibits.

3. Flood Risks

Given that the Environment Agency identify some 1500 dwellings in Rye as at flood risk (in Flood Zones 2 and 3) and dependent on flood defences; should we be building on the flood plain at all? There will be lessons from the 2014 floods in Somerset and along the Thames. New designs are now being exposed for building on flood plain (see below), such as the LIFE concept HERE.

All proposals will be considered by the Local Authority for flood risks. Planning Officers will take advice from the Environment Agency, which is the authority for all flood risk mitigation. For large developments separate flood risk assessments are required. As an example, the assessment for the now cancelled Sainsburys supermarket is HERE.

The East Sussex County Council Flood Management Strategy is HERE. The Rother DC strategic flood risk assessment is HERE. To handle floods as they occur, the Local Authority maintains a flood plan. For Rye Bay, this is HERE.

The Environment Agency define a floodplain as any area that would naturally be affected by flooding if a river rises above its banks, or high tides and stormy seas cause flooding in coastal areas. There are two different kinds of area shown on the Environment Agency Flood Map for Planning (rivers and the sea). They can be described as follows:

Dark blue shows the area that could be affected by flooding, either from rivers or the sea, if there were no flood defences. This area could be flooded: from the sea by a flood that has a 0.5 per cent (1 in 200) or greater chance of happening each year; OR from a river by a flood that has a 1 per cent (1 in 100) or greater chance of happening each year. (For planning and development purposes, this is the same as Flood Zone 3, in England only.)

Light blue shows the additional extent of an extreme flood from rivers or the sea. These outlying areas are likely to be affected by a major flood, with up to a 0.1 per cent (1 in 1000)

chance of occurring each year. (For planning and development purposes, this is the same as Flood Zone 2, in England only.) These two colours show the extent of the natural floodplain if there were no flood defences or certain other manmade structures and channel improvements. Where there is no blue shading, this shows the area where flooding from rivers and the sea is very unlikely. There is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. The majority of England and Wales falls within this area. (For planning and development purposes, this is the same as Flood Zone 1, in England only.)

The Environment Agency is developing a plan (Eastern Rother Tidal Walls project) to improve the flood defence walls on the East bank of the Rother for completion in their major works programme for completion in 2019. There is an area of river bank opposite the Fishing Quay which wears badly because of the scour of the river and the Agency has carried out some emergency repairs in the short term. This work is key to mitigating flood risks in the east of Rye.

Flood Risk by the Community

- a) new development in flood risk areas in Rye must be designed to mitigate risk²⁷
- b) any development on any land unprotected by a flood defence scheme must be avoided.
- c) no development should disrupt the existing watercourses of the existing and complex drainage system.
- d) Southern Water must be encouraged to ensure that the sewerage system can cope with any new development.

4. Business

²⁷ <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/neighbourhood-planning-flood-risk/what-should-be-considered-if-there-is-a-risk-of-flooding-in-the-neighbourhood-plan-area/>

The Business Group has considered measures to encourage business and enterprise (and to create more employment and increase economic resilience), both through measures to encourage High Street trading and for micro businesses in other areas of the Town.

It has been important for Neighbourhood Plan work to dovetail with other studies, particularly those being led by ESCC Enterprise Partnerships. This group will also look at encouraging spatial policies to encourage business development and providing support for the fishing industry and the Port. Key issues are below.

Supermarket Issue: Having worked for a Long term resolution of the supermarket issue, Sainsburys and Tesco have both now withdrawn their proposals HERE. Various options have been examined for the site, with the Rye Academy Trust seeking to register the site as of “community interest” under the Localism Act , with a view to reserving the right to bid for 6 months. This is under way. But what now for the requirement? Many in the community seek a second supermarket to provide wider choice, quality and 7 day access. Will an operator be interested and if so, where and when? This is a focus for the RNPSG. There are a series of possibilities.

- first option would be to partner with Jempsons with a view to improving range, price and service. The recent Budgens-Jempsons was dissolved when Jempsons opened new stores to the north of Rye.
- the former Lower School site (owned variously and jointly by Sainsburys, Tesco and National Rail and vacant) if the Rye Academy Trust aspiration fails by autumn 2015. This site has the advantage of planning permission and related developer contributions already agreed.
- the former Freda Gardham school site (owned by ESCC; mostly leased to ARRCC) . This is subject to flood mitigation being planned (Eastern Rother Tidal Flood Wall) by the EA for 2019. If a developer comes forward then the EA has said that it would look forward to working with a developer partner to agree contributions to the project.

- the eastern end of the Rock Channel (also known as the Rye Peninsular), owned by the EA and leased to Rye Partnership. Earlier development briefs, studies and proposals have failed to bring investment to this location.
- a greenfield site to be announced in the public domain in the west of Rye. Work is under way with partners to seek community views.
- a site at Rye Harbour, which would have to be negotiated with a major landowner such as Rastrum.

Tourism: is not just a business but is an important aspect of Rye; “green” tourism should exploit Rye’s unique environment.

The High Street needs attention; units are becoming vacant as businesses close. Many cite high rents and business rates as a reason. Studies elsewhere such as the Portas Review, indicate that there has to be a “reason to visit” the High Street; in other places there is serious consideration of the issue. Battle has a Town Study HERE. There has to be a mix of leisure, retail, restaurant and cafe facilities and dwellings.

The Port of Rye is vital to Rye, for tourism, for jobs and for the environment. The Environment Agency owns pieces of land along the river systems and these are being considered as part of the business development of Rye.

Business by the Community

- a) Encourage festivals and major Town events.
- b) Take every opportunity to create employment and training opportunities
- c) Encourage maritime related enterprise
- d) Support the fishing fleet
- e) Support the High Street: encourage “reasons to visit”.
- f) Need a second supermarket

g) Need a second petrol station

h) Need faster broadband

5. Traffic

Traffic issues remains high on the agenda. With traffic levels rising, the Transport Working Group is addressing a wide range of strategic and local traffic issues HERE (linking in with the work of the Rye Traffic Forum) including:

- re-consideration of the various proposals for a bypass for the A259; the feasibility of a link road (there are early (1991); studies to improve the Strand (previous studies 2007 – A259 cut across river?) ;
- ways of giving priority to pedestrians;
- ways of improving the town road circuit;
- reducing the impact of Rye Harbour development (continuing development for up to 1000 jobs with related traffic) on the key Rye Harbour Road/Winchelsea Road junction;
- taking a holistic view of parking across Rye;
- looking at the scope for additional access restrictions to the medieval parts of the Town;
- making improvements to links across Rye, with cycle tracks E-W across the lower Town, linking the Monkbretton Bridge to the west of Rye, including the now completed bridge over the Pottingfield Petty Sewer;
- the just completed improvements of the cycle-way at the top of the Harbour Road;
- considering the GREENWAY proposal as part of the connectivity plan with a consideration of earlier proposals for cycle ways and additional bike parks in key places.

The Station Approach as a communication hub with adjacent parking on Railtrack land and the private Market Area. (The supermarket development had a related S106 to make improvements to the Station Approach)

The RNP is likely to reflect a majority view that HS1 (Fast Javelin) proposals should be supported but that it should stop at Rye HERE. The background is shown HERE.
Traffic

- Many residents express concern about traffic and transport issues in the Residents' Survey and in many conversations. An underlying message from the Community is that we should encourage sustainable travel including local public transport within street environments that significantly reduce the impact of traffic on the town's community life. Separately, many underscore the need for improved management of traffic, particularly in locations where there is a risk to pedestrians, cyclists and other vulnerable road users.
- Some in Rye press for a resurrection of the earlier plans/proposal for a bypass. This was first formally recorded as a serious proposal on 2 July 1992²⁸, when the then Department of Transport asked Cooper McDonald and Partners, Epsom Surrey to consider the issue. A planning project looked at various routes which were variously priced at around £30m. Of all the considerations, the "southbound route", across the Marsh, was the only found feasible. The others being to the north in the AOWB or alongside/over the railway line.
- There was much discussion in 1993²⁹ and 1996. Initially the bypass project was allocated priority 2 unfunded status. Later (1995/6) all major road projects east of Hastings were withdrawn as the focus moved to the Bexhill-Ridge link feeding traffic up the A21. The RNP has reflected on this history and because government advise that further work on any such proposal is unlikely, the RNP avoids pressing the case because, as a strategic project is beyond the remit of neighbourhood planning, and it is judged that any initiative is unlikely to receive formal or public support, because of high cost; potential damage to the Nature Reserve/SSSI sites to

²⁸ Cooper Macdonald Website provides an outline

²⁹ Rye Transport Initiative by ESCC July 1993

the south of Rye and the recent sale of Camberfields to the East of the River Rother on the map at Figure 40.

6. Community Well Being: Infrastructure and Amenities

This group has considered the needs of the community and the sites/buildings for community activities, leisure and other amenities. An issue has been how all the present centres, such as the Conduit Hill community centre, the Tilling Green centre, the Rye College Theatre and St Mary's Centre/Fletcher Theatre relate to each other? Should there be a concentration of facilities in Conduit Hill, perhaps embracing the existing Community Centre and the Monastery? Should there be concentration of facilities? If so, where? The group is considering social issues where they impact on development or vice-versa and in the West of Rye as a priority, because that is where large numbers of residents are. In particular, the group is considering *coherent* proposals for:

- additional facilities to be located in one of the community centres: Housing Association/Purchasing Co-Operative/Bank and Credit Union
- community safety by ensuring that any development incorporates natural surveillance of public places;
- access to adult educational and extra mural facilities: the RNP will address issues affecting the Rye “educational campus”: the land occupied by the Rye Academy Trust, the Rye Primary School and the associated nursery (Captain Pugwash) and the child centre; the Freedom Leisure Centre and “lodge” organisations such as Rye Scouts. Importantly the RNP supports the plan by the Rye Academy Trust to develop the “Education Quarter”.
- Rye Leisure Centre faces the prospect of a cessation of the Freedom Leisure contract in early 2016, as part of the Rother DC desire to cease the £180k subsidy. A new arrangement will be necessary to ensure continuation of the facility.
- – improved health facilities (Rye Foreign) (need for a minor injury unit in the Memorial hospital?)

- establishing a community radio station (where? How? Who? Funding?)
- what is there for the young? Could facilities for youth be reviewed? Is there scope for concentration of assets in a purpose built accommodation?
- will the Rye cemetery facility cater for future requirements? Rother DC has been asked to examine.

Infrastructure by the Community

- a) There is a need for a central community hub that could provide a venue capable of accommodating a variety of large events (up to 500 people)
 - b) The Central Community Centre needs updating
 - c) Protect playing and sports facilities on the Salts and the Rugby Club: rugby, football and bowls
 - d) More should be done to help the 13-16 year olds socially (provision of activities and facilities)
 - e) The preservation of existing sports facilities in the town
 - f) Protecting existing recreation areas, play areas and informal open and green spaces
 - g) Ensure there is appropriate accommodation available for the provision of youth services
 - h) Tourist Information Centre to be enhanced and more interactive
-
- a) Consider both noise and light pollution.

7. Green Spaces

What is Gibbet Marsh for? Could it be used for better purpose: park and ride? A second supermarket?

Rye's allotments are now managed by a Rye based Amenities CIC. There are two allotment sites, one at Love Lane (Formerly Butt Marsh) and a second behind the South Undercliff (Formerly Factory Marsh). These cater for local needs as there is no waiting list. The RNP should retain the allotments as valuable green spaces.

A community garden on the former allotments site has been established (known as the "Love Lane frontage"). During the (Nov and Dec 13) spring tides there have been complaints about flooding ("ponding") on the Rye allotments. Holders have been advised that both sites are on a flood plain, do comprise heavy soil, and therefore ponding will occur during high water and after heavy rain. Is this management model (Amenity CIC) applicable elsewhere in Rye?

Some ask for improved green spaces; benches, parks, paths and children's playgrounds.

Some in Udimore Road call for improvements for housing areas such as Valley Park: more planting? Sound deadening? Sight screens?

8. Environment

Existing groups Transitions Rye and Rother Environmental Group are considering future energy use, perhaps by establishing a community energy company (RX). The Groups are also considering waste policy, including for bulk waste and measures to reduce energy useage.

Environment from the Community

- b) Recognise that green infrastructure linking town to countryside is essential
- c) Ensure that all regional footpaths and cycle routes, woodlands and rivers are accessible to the town's residents

- d) Provide open spaces within new developments to ensure public access,
- e) Require more planting; development must not result in reduced number of trees and shrubs indeed consider planting more variety, such as wild flowers, trees and shrub plants.
- f) Protect the historic environment: as our cultural heritage): planted and managed flora as well as all evidence of the past interaction of people and place including surviving physical remains of past human activity, whether visible, buried or submerged. This includes the ‘designated heritage assets’ (listed buildings, conservation areas, scheduled monuments, registered parks and gardens, battlefields and protected wrecks).
- g) Consider the wide potential for further heritage assets of national importance that might be present within the plan area.

9. Sustainability.

Some ask whether the RNP will conform to Rother District Council’s Sustainability Appraisal (SA) (incorporating Strategic Environmental Assessment (SEA)) for its Local Plan (2011-2028).

From late 2013 an SEA has been worked up to impact on the Plan and affect decisions. As Rother District Council is recognised for its high quality of life where there is a strong emphasis on community life. This has been achieved by continuing to support and further develop vibrant, safe, balanced and inclusive communities. The RNP commits to a more sustainable future and a responsible, positive approach to helping address climate change issues and impacts on the environment. .

Appx 2: RNPSG Meetings and Progress Reports

Meetings in 2018

- 16 Oct: Update for the 15 Oct Rye P&T Meeting [HERE](#)
- 18 Sep: Update for Rye P&T Meeting [HERE](#)
- End August: Update for the Rye P&T Meeting [HERE](#)
- Version 11:** 22 July: **RNP Version 10 to Version 11** to reflect all the comments from the Regulation 14 consultation. Update for the Rye P&T Meeting on 23 July [HERE](#)
- 21 June: Update for Rye P&T Meeting [HERE](#)
- 7 June: Update for Rye P&T Meeting [HERE](#)
- 21 May: Reg 14 comments are summarised [HERE](#)
- 17 May: Minutes of the 47th meeting (run as workshop to consider the comments from the Reg 14 consultation) Rye Neighbourhood Plan Steering Group [HERE](#)
- 14 May: Briefing note for Rye Town Council to seek decisions and to update on progress [HERE](#)
- 30 April: Briefing note on Community Infrastructure Levy (CIL) [HERE](#)
- 20 April: Minutes of the 46th Steering Group Meeting [HERE](#)
- 10 April: Update for Rye Town Council by Vice Chair Steering Group [HERE](#)
- 2018 Town Meeting: 4 Apr:** Significant comments by around 60 citizens about the use of Gibbet Marsh
- 2 April: Update on property holdings in Rye by [ESCC](#) and [Rother DC](#).
- 31 March: Following the Rye Partnership 2017/2018 AGM, [HERE](#) is the presentation and [HERE the Feasibility Report](#) on the Rye Fisheries also known as Rock Channel East or Rye Peninsular
- 27 March: Update for Rye P&T Meeting [HERE](#)
- 12 March: [a briefing note for Rye Councillors](#) (P&T Meeting) for the consideration of the BP proposal for a site off the Udimore Road at TN31 6AA
- Regulation 14 :** 19 Feb: Briefing for Rye Town Council 19 Feb at which the Council agreed to the draft papers going to Regulation 14 Consultation (23 Feb to 6 Apr) (Pre Submission) [HERE](#)
- 30 Jan: Update for the RNPSG: notice for the Rye TC Meeting on 19 Feb to seek agreement for Reg 14 consultation [HERE](#)
- 25 Jan: Update for Rye P&T Meeting [HERE](#)
- 12 Jan: Update for the first Rye P&T Meeting of 2018 [HERE](#)

Meetings in 2017

- Version 10 :** 6 Dec Report of the Rye Town Council Meeting on 4 December at which the Council adopted RNP V10 for Reg 14 Circulation [HERE](#)
- Version 10 incorporates Version 9 from Consultant**
- End Nov: Update summary for Rye TC Planning Committee (27 Nov) and Town Council (4 Dec) [HERE](#)
- Version 8:** 29 August: **Version 8:** Update for the first Rye P&T meeting after the summer break [HERE](#)
- 23 July: Update for the Rye P&T Meeting on 31 July [HERE](#)
- 16 July: Update for the Rye P&T Meeting is [HERE](#)

28 June: Update for Rye P&T Meeting [HERE](#)

Update for Rye P&T Meeting 19 June including summary of attendance at annual Rother Local Strategic Partnership to discuss Housing Issues [HERE](#)

and RNPSG paper on affordable housing. [HERE](#)

Update for the Rye P&T Meeting 5 June is [HERE](#)

Record of the 45th RNPSG is [HERE](#)

Update for the P&T meeting on 22 May is [HERE](#) This includes a summary of a meeting between the Vice Chair and Rother DC Planning officers on 16 May in Bexhill. (Meeting included important agreement on housing target numbers)

Update for Rye P&T Meeting 21 April 2017 [HERE](#)

Update for Rye P&T Meeting 10 April is [HERE](#). The Geenway project proposal is [HERE](#). At their meeting on 10 April Rye Town (full) Council approved the project and asked the Town Clerk to draft some Terms of Reference. Feasibility study by Dominic Manning is [HERE](#)

Version 8: Update for Rye P&T Committee 27 March is [HERE](#) . Greenway proposal is [HERE](#)

Update for the Rye P&T Meeting 13 March [HERE](#)

2017 Town Meeting: Much discussion about the RNP at the 2017 Town Meeting on 1 March at the Tilling Green Centre. Notes are [HERE](#)

Update for the P&T Committee 27 Feb [HERE](#) Richard Wilson (Rother DC Development Manager) attended this meeting and answered questions about the planning process. We asked about a replacement planning officer to provide a focus for Neighbourhood Planners; the impacts of Rother not providing its 5 year housing supply [Rother has completed around 860 of 5700 to 2028] and the process whereby developers appear to be either ignoring early planning advice from the Environment Agency or contacting them too late, resulting in schemes failing at an advanced stage because of the cost of design adjustments to handle flood risk mitigation, making the schemes non viable.

Update for Steering Group Members end Feb 17 [HERE](#)

Update for Rye P&T Meeting 29 Jan [HERE](#)

Update for Rye P&T Meeting 16 Jan 2017 [HERE](#)

RNPSG minutes of the 44th Meeting Jan 2017 [HERE](#)

Meetings in 2016

RNPSG Minutes of 43rd meeting Oct [HERE](#)

Open Meeting at Tilling Green: 19 Oct: by ICENI to explain their proposals for Lower School Site

RNPSG minutes of the 42nd meeting Sep 16 are [HERE](#)

RNPSG update for Rye P&T committee Sep 16 is [HERE](#)

RNPSG update for RTC Planning Committee on 25 July is [HERE](#)

RNPSG 41st Meeting minutes [HERE](#)

RNPSG update for Rye TC Planning Committee end June [HERE](#)

RNPSG 40th meeting 15 June [HERE](#)

RNPSG update for Rye TC Planning Committee end May [HERE](#) Questions were asked about how CIL relates to S106 [HERE](#)

RNPSG meeting on 25 May [HERE](#)

RNPSG update for the Rye TC Planning Meeting 16 May [HERE](#). Verbally the Committee was updated on the recently enacted Housing and Planning Bill 2016. Details are on the Facebook page.

RNPSG Minutes (38th Meeting) are [HERE](#)

Version 7 and 7A: RNPSG update for the March Rye TC Planning Committee is [HERE](#)

RNPSG Agenda (38th Meeting) is [HERE](#)

2016 Town Meeting: 3 Mar:

RNPSG Update February 2016 is [HERE](#)

RNPSG (37th Meeting) Minutes are [HERE](#)

RNPSG (37th Meeting) 9 February Agenda is [HERE](#)

RNPSG February update for the Rye TC Planning Committee is [HERE](#).

Open Events: 16 and 23 Jan Tilling Green and St Marys Centre to explain progress

RNPSG (36th Meeting) on 6 January – minutes are [HERE](#)

Meetings in 2015

RNPSG Update to the Rye TC Planning Committee [HERE](#)

RNPSG meeting minutes 2 December [HERE](#)

RNPSG Agenda for 2 Dec is [HERE](#)

RNPSG update for the Rye TC Planning Committee [HERE](#)

RNPSG Minutes of 4 November are [HERE](#)

Version 6: RNPSG meeting minutes of 13 October are [HERE](#)

RNPSG update for Rye TC Planning Cttee is [HERE](#)

RNPSG Meeting 13 October Agenda is [HERE](#)

RNPSG update for Rye TC Planning Committee Sep 2015 [HERE](#)

RNPSG revised housing plot is [HERE](#)

RNPSG Minutes of the 32nd Meeting 3 September 2015 [HERE](#)

RNPSG Agenda 32nd Meeting 3 Sep [HERE](#)

RNPSG minutes of the 31st Meeting are [HERE](#)

RNPSG agenda for 31st Meeting on 27 July is [HERE](#)

RNPSG update for Rye TC Planning Committee 20 July [HERE](#)

RNPSG Minutes of the 30th meeting are [HERE](#)

Update for Rye TC Planning Meeting on 6 July is [HERE](#)

RNPSG 30th Meeting 14 July 2015 Agenda is [HERE](#)

RNPSG Minutes for 16 June [HERE](#)

Agenda for the 29th meeting on 16 June is [HERE](#)

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June 2015 **Version 5:** Following circulation of the RNP V5 comments were received as below.

From Gladman [HERE](#)

From the Planning Sub Committee of the Rye Conservation Society [HERE](#).

The response from the Mayor of Rye is [HERE](#).

From Cllr Rebekah Gilbert, Detail and comments are [HERE](#)

From Cllr Pat Hughes, about issues around “Park and Ride”, business resupply off loading; crossings at the Station Approach.

From Playden PC: a development proposal not close to the Rye Parish boundary.

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First Rye Town Council meeting after the elections to allocate members to committees, including RNPSG [HERE](#)
Special Rye Town Council Meeting 20 April to consider the Plan (V4) before the local elections [HERE](#)
RNPSG Minutes 15 April [HERE](#)
RNPSG meeting 16 March [HERE](#)
Version 4: RNPSG [meeting agenda 16 March](#) to consider V4 of the draft plan
RNPSG Update for the Rye Town Meeting 4 March 2015 [HERE](#)
RNPSG Meeting Agenda 17 Feb 2015 [HERE](#)
Version 2 and 3: RNPSG 25th Meeting 4 Feb 2015 [HERE](#)
Version 1: RNPSG 24th Meeting 7 Jan 2015 [HERE](#)
RNPSG 24th Meeting [Wed 7 January 2015 Agenda is HERE](#)

Meetings held in 2014

Public Event: 28 Jan 14: public event at the Tilling Green Community Centre. A record of questions and answers [is HERE](#). During the event the Steering Group piloted our new detailed survey which [is HERE](#). Separately the Tilling Green Residents Association carried out their own survey. Results [are HERE](#). More analysis will follow.
RNPSG [8 January 2014](#)
RNPSG [20 January 2014](#)
RNPSG meeting with ESCC and District Councillors [20 January 2014](#)
RNPSG Post 13th meeting [Update to Rye Planning Committee](#) is here.
RNPSG [17 February 2014](#). Provisional plot for [dwellings is HERE](#).
HORAC Briefing: 5 Mar 14 RNPSG briefed [Harbour of Rye Advisory Committee \(HORAC\)](#)
2014 Town Meeting: 5 Mar 14: Rye Town Council open meeting at Rye College: almost 100 attended. Survey completed. [5 March 2014 at Rye College](#)
26 April: Workshop for working group members to consider survey results. [Results are HERE](#)
Public Survey: Throughout July: [survey](#) to all households and businesses.
Open Event for Business Professionals: 15 Jul: Meeting of housing professionals at the George. Results are [HERE](#)
RNPSG met with [Rother DC Planning Officers on 18 March](#)
RNPSG 14th [meeting on 18 March](#)
RNPSG met with Rother DC Planning Officers on 23 March [to discuss sites and planning issues](#).

Vice Chair RNPSG meets on 28 March with Leader ESCC (also Chairs Rye Partnership) to discuss issues of mutual interest. A record has been circulated to Steering Group members.

RNPSG update to [Rye Town Planning Committee \(7 April\)](#)
[RNPSG meeting \(15th\)](#) minutes [are HERE](#)
RNPSG hosted [a workshop for the RNPSG](#) and working groups to consider key and [emerging issues](#) on 26 April. Initial [results are here.](#)
RNPSG updates Rye Planning Committee (18 May) [HERE](#)
RNPSG 16th meeting minutes are [HERE.](#)
RNPSG 17th meeting minutes from 17 June are [HERE](#)
RNPSG 18th meeting on 21 July minutes are [HERE](#)
RNPSG update for Rye Town Planning Committee [HERE](#)
RNPSG 19th meeting will be on 20 August [HERE](#)
RNPSG minutes of 20 August [HERE](#)
RNPSG working team meeting to handle paper survey returns [HERE](#)
RNPSG minutes 10 September [HERE.](#)
RNPSG meeting agenda 6 October [HERE](#)
RNPSG meeting minutes 6 October [HERE](#)
RNPSG update for Rye Planning Committee 7 October 2014 [HERE](#)
Exchange between RNPSG and ESCC dated 20 October 2014 [HERE](#)
RNPSG update for Rye Planning Committee 27 October 2014 [HERE](#)
RNPSG meeting agenda 5 November 2014 [HERE](#)
RNPSG meeting minutes 5 November are [HERE](#)
RNPSG update for the Rye P&T meeting Monday 10 November [HERE](#)
RNPSG update to the Rye P&T meeting 24 November is [HERE](#)
RNPSG Meeting 1 December [HERE](#)
RNPSG 23rd Meeting 1 December minutes [HERE](#)
RNPSG Update 18 December 2014 [HERE](#)

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Meetings held in 2013

[Rye Town Council 25 February](#)
Rye Town Council [Terms of Reference RNPSG](#)
[RNPSG 18 April](#)
[RNPSG 22 MaY](#)
[RNPSG 29 May](#)
[RNPSG 17 June](#)
[RNPSG 4 July](#)

[RNPSG Rye Neighbourhood Plan update](#) for [RTC July 2013](#) At this Rye Town Council Meeting revised RNPSG TsOR were agreed but the RNPSG was invited to review further in November and advise if further amendments would be necessary, particularly to cover mention of the need for a Sustainability Appraisal of any draft plan.

[RNPSG Rye Neighbourhood Plan update Aug 2013](#)
[RNPSG Meeting 22 August](#)

[RNPSG RDC Core Strategy comments](#) for Rye Town Council to submit to Rother District Council

[Rother District Council](#) response to Rye Town Council about Core Strategy
[Rye Town Council Meeting 2 September](#): AGREED to replace Julian Lockett with Mandy Turner. Julian had earlier opted to leave the RNPSG to be able to commit to his home neighbourhood (Northiam) plan. The RNPSG thanked Julian for his valuable contribution to the Rye NP.

[RNPSG Meeting 8 October](#) 2013

[RNPSG update Sep/Oct 2013](#) for Rye Town Council

Submission to [Rother District Council Cabinet](#) by Planning Staff including papers from [Rye Town Council](#)

Appx 3: Pre-Submission Plan Reg 14 Schedule of Representations

Name of organisation or community comments	Summary of Representation	Response (change to the Plan or reason for not changing the Plan)
General		
National Grid	<i>Asked to be kept informed</i>	Any comments will be reflected
Power Networks	Asked to be kept informed	
Environment Agency	Some references out of date: PPS25; now NPPF 2018 Need for sewerage upgrades for major development sites	Will be reflected
Southern Water	Need for some text amendments and refinements	Will be reflected
Rother DC	Rother (District Councillor and Officers): a meeting was held on 16 Apr (between AK and Rother Officers) to go through the comments and draw up an action sheet. A range of changes have been recommended including the need to draw more closely the draft plan and its supporting documents; a revision of maps and plans to reflect OS standards. 13 pages (56 serials) of text change recommendations	Rother is supporting the map changes at cost. All to be reflected
Highways England	Some text changes and see below for policy objections.	Will be reflected
Historic England	Some outdated references and some detailed text changes, including need to include reference to “protection of the historic environment” and reference to Martello number 30. Should update the Conservation Appraisal?	Will be reflected

Natural England	Some text refinements; potential conflict between Rye Tramway and proposed coastal path.	Will be reflected
ESCC	Some text changes and see below for policy objections	Will be reflected
Martello Developments	In addition to comments on policy below there are some mapping recommendations	Will be reflected
BP	In addition to objections to policy below, there are some substantial comments about elements of the plan including its ability to meet targets, which are addressed by the Consultant below.	Comments are below
Arcadis Consulting	Seeking more details of local (environment) conservation sites referred to in the Plan	The Plan does contain detailed maps of Conservation and Protected Areas but areas are not specifically named
Rye Conservation Society	Policy objections see below. There are some 27 pages of detailed comments	These have been noted; some duplicate the comments of others. Of the two major policy comments: the Gibbet Marsh has been removed; Freda Gardham remains allocated as site is a brownfield ESCC owned site.
Section 1 Introduction		
		Need to update the summary to reflect minor changes in later sections
Section 2 Vision & Objectives		

Section 3 Character of Rye		
Section 4 The Planning Policies		
Rye Foreign and Playden	Policy E1: consider expanding strategic gap policy to include Rye to Rye Foreign and Rye to Playden . Aim to provide more protection to area adjacent to the AONB	This has been considered and some text changes made
Highways England	Policy S3: To add text to indicate difficulties of access to site	
Natural England	Policy E1 and H8: habitat references required.	To be reflected
Historic England	Policy H4, H5 and H6: should add "to preserve and enhance the setting of the Rye Conservation Area" Policy D1: enhance protection of historic environment and heritage assets Bullet H: reword to strengthen Link D1 with "to promote the historic environment" Include reference to archaeological matters	To be reflected
ESCC	E1: clarification on strategic gaps; E4: suggested amendments to biodiversity; refinements to policy H8: concerns about some access to specific sites including Lower School Site and on street parking provision; T1: more consideration about cycle parking and ways.	Will be reflected
Southern Water	I1 should specify need to update infrastructure to match	Will be reflected

	development	
Rye Partnership	<p>H4: Include reference to Rock Channel study of Dec 2017</p> <p>H3: Objection to housing numbers; potential for higher to ensure viability. (Tilling Green 32?)</p>	Will be reflected
BP	The Consultant has considered the BP comments and drafted a series of handling measures as below.	Most changes will be reflected
Martello	Martello raise substantial issues about the allocations and mapping of its interest: H2, H4 and H5: Rock Channel; Winchelsea Road East and West. In addition there are comments on T2 and E1 and Aspirations 8 and 9, including “park and ride”. .	Comments will be reflected except proposals for use of the strategic gap between Rye and Rye Harbour for park and ride; alternative proposals have been discussed.
60 named individuals.	<p>Policy B3 (P53): objection to allocation of the western side of Gibbet Marsh as an alternative supermarket site on grounds of:</p> <ul style="list-style-type: none"> - Does Rye need a 2nd supermarket? - Impact on neighbours Impact on Ferry Rd Nursery - Impact on use as Fast Rail overflow - Impact on use during peak visitor times Impact on green space and pathways - Access issues - Potential increase anti 	Rother Dc has reviewed requirement and said: “notwithstanding the Core Strategy position that 2nd store is required; evident that retail trends have changed; little interest from developers; therefore no expectation of

	<p>social behaviour</p> <ul style="list-style-type: none"> - “morally wrong” - impact on historical site - Potential for tailbacks on B2089 	<p>achieving in period”.</p> <p>Therefore it was recommended to Rye TC on 14 May that RNP retains development boundary change proposal for Gibbet Marsh to cover future use such overflow car parking for Fast Rail but removes the alternative allocation from the Plan, which was AGREED by Council. Remove allocation from Plan but leave development boundary proposal as is.</p>
A named individual	<p>Objection to BP proposals for a site on the Udimore Road on the basis that it conflicts with the Valley Park 2009 approved plan which included open ground either side of the Wellington Avenue entrance.</p>	<p>Comments have been considered in the RNP considerations of the BP objections.</p>
A named individual	<p>Objection to allocation at Gibbet Marsh</p> <p>Objection to detail about green spaces as three conflict with the allocations Policy H3; Policy H7 and Policy H8</p>	<p>Already reflected as above.</p> <p>To be reflected</p>
A named individual	<p>Comments about tree preservation in the Citadel and Conservation Area</p>	<p>Will be reflected</p>

A named individual	Policies E1 and E2: Comments to seek more robust text.	Will be reflected
A named individual	F1: Queries about use of flood mapping and proposal to use others	Responded and satisfied
A named individual	Policy T1: Danger of crossing in Station Approach	Is considered in the aspirations
A named individual	S1: support need for 2 nd supermarket; S3 should be revisited as it is unsuitable for development; T1: need for review of parking and improved bus transport. Some comments on social policy outside the reach of the RNP	Is considered in the revised text
One named individual	Policy D1 (P35 and 36): object to design zones labelled as A, B and C on grounds of stigma	Alter to coloured zones as Inner = yellow; middle – blue and outer = green.
Rye Conservation Society	Policies B3 and H7: objections to both. Some 27 pages of detailed comments on the draft.	Rye TC has already agreed to alter Policy B3 because of community concerns. Comments on policy H7 have been considered and noted but run counter to majority community views. Some have been reflected and the remainder noted.
Section 5 Community Aspirations		
15 named individuals	Aspiration 13: Objection to any discussion of “one way” in the Citadel	Remove reference and change text to consider alternative measures such

		as greater use of bollards
Natural England	Aspiration 16: Potential conflict with plans for coastal path	Text refined to reflect
Section 6 Delivery and Monitoring		
Appendices / Supporting papers		

BP Representations on the Regulation 14 Consultation Rye Neighbourhood Plan

Note: Whilst there are occasional references to specific parts of the Plan in this representation, it is primarily an objection to the overall strategy so could be placed in that location in the Schedule of Representations. The representation is very repetitive so this summary only mentions and responds to each issue once under the most appropriate heading.

BP Summarised Representation	CT Comments
Basic Condition a) Having regard to national policies and advice	
The Plan's strategy constrains sustainable growth through a series of objectives and policies contrary to the positive approach to sustainable development as set out within the National Planning Policy Framework.	The NPPF says that "The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. There are three dimensions to sustainable development: economic, social and environmental...". The objectives and policies of the RNP apply this to the specific circumstances of Rye, which as this representor acknowledges elsewhere, is highly constrained environmentally. The RNP seeks to meet its social and economic needs without damaging that environment.
The Development Plan is out of date and the RNP should wait until RDC has updated its Local Plan. The Rye Neighbourhood Plan is not supported by a robust or credible evidence base because it has not considered the Overall Housing Need of the wider	The Rother Core Strategy was adopted in 2014 (post NPPF) and is an up-to-date plan which it is appropriate to use as the strategic basis for the RNP and the DASA. Work will not start on a new strategic Local Plan until 2019 with

<p>area given the Local Plan has yet to be formally examined. The Council’s Overall Assessed Need will have to be updated to take account of the most up-to-date Household Projections, which may point to a change in the District’s housing needs. This reinforces the inappropriateness of progressing the Rye Neighbourhood Plan at this point in time, when the strategic priorities for the District are still yet to be determined.</p>	<p>a target adoption date of 2021 and it would not be reasonable to expect the RNP to be delayed until this after this is adopted. Whilst housing projections are regularly updated, RDC successfully argued at the examination of the Core Strategy that Rother District could not meet its objectively assessed housing needs due to environmental constraints.</p>
<p>Part 2 of the Local Plan is emerging and yet to be examined. The Neighbourhood Plan is relying on housing projections from the Core Strategy until the emerging Local Plan has been adopted following examination by a Planning Inspector. The NP cannot be considered to have fully taken into account the Full Objectively Assessed Needs of the wider area. The Neighbourhood Plan therefore cannot be fairly tested against the strategic needs of the District.</p>	<p>Part 2 of the Local Plan (Development and Site Allocations) is not a strategic plan, and its housing requirements are based on the Core Strategy, which is the relevant strategic plan that the RNP is required to be in general conformity with. It would not be reasonable or proportionate to expect a neighbourhood plan to carry out an assessment of the OAHN for the whole district.</p>
<p>Contrary to PPG advice that NP policies must be deliverable, risking the town being left without a petrol station over the course of the Plan’s period. The Rye NP does not appear to have considered the need for viability appraisals on either housing sites or employment uses. PPG Paragraph 005 ID: 10-005-20140306 states “Local Plans and neighbourhood plans should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the development of plans and plan policies. It should not compromise the quality of development but should ensure that the Local Plan vision and policies are realistic and provide high level assurance that plan policies are viable”.</p>	<p>Undertaking full viability assessments would represent a disproportionate evidence requirement for a neighbourhood plan. Several of the proposed allocated sites have been subject to viability assessments as part of previous or current planning applications and the information in these has been used to inform the achievability section of the site assessments. It is considered that this provides ‘high level assurance’ envisaged by the PPG.</p>
<p>The NP is suggesting (page 53), that the sole petrol station provider within</p>	<p>Page 53 refers to the proposed allocation at Gibbett Marsh, which</p>

<p>the town be a site allocated for retail use which risks the town being left without a petrol station.</p>	<p>is not the location of the current petrol filling station.</p>
<p>Basic Condition d) Contributing to the achievement of sustainable development</p>	
<p>The Neighbourhood Plan suggests that the site at Udimore Road is unsustainable and unacceptable due to traffic issues. The District Council’s reason for refusal did not find the site to be unsustainable. Similarly, there were no reasons for refusal on highway grounds. The local Highway Authority raised no objections to the proposal.</p>	
<p>BP’s proposal helps to contribute to the Council’s objectively assessed retail needs, and provide the community with a second petrol station which they desire.</p>	<p>This would be true of any petrol filling site as these are normally accompanied by retail facilities.</p>
<p>The NP provides no flexibility or contingency in the event of a shortfall in the Council’s housing land supply. The Plan fails to positively contribute to the delivery of sustainable development of a scale to meet the Plan’s objectives resulting in a strategy that is likely to fail to maintain Rye’s vitality and viability providing housing to meet localised housing needs in the wider area.</p>	<p>The RNP will be allocating in excess of the housing requirement of the Core Strategy which will allow flexibility if there are delivery issues during the Plan period. The adoption of a new strategic Local Plan (anticipated in 2021) is likely to trigger the need for a review of the RNP if there is any change in the development requirements for Rye.</p>
<p>The Plan fails to apply a presumption in favour of sustainable development, with no reference to sustainability made in the vision and objectives. Instead, the objectives of the Plan are to contain development which is contrary to the positive approach set out within the NPPF. The Plan must be seen to contribute toward meeting needs identified within the Core Strategy. Objective four represents a blanket policy approach to restrict development in any area of green space.</p>	<p>The word ‘sustainable’ is used throughout the RNP, particularly in relation to transport, tourism and design. More importantly the practical application of sustainability – considering the appropriate balance between social, economic and environmental objectives and seeking to achieve net gain for all three of these - is evident in the way that the RNP allocates sites to meet its needs whilst proposing policies to protect the special environmental qualities of the area.</p>
<p>The settlement boundary should be deleted and replaced with a criteria-based approach which reflects the presumption in favour of sustainable development.</p>	<p>Development boundaries around settlements are a well-established planning policy tool in East Sussex. Rother DC Core Strategy Policy OSS2 states that development boundaries around settlements will</p>

	<p>continue to differentiate between areas where most forms of new development would be acceptable and where they would not. This is not contrary to the presumption in favour of sustainable development but reflects a plan-led planning system rather than a reactive one.</p>
<p>The Rye Neighbourhood Plan should be tested with significant SEA level scrutiny, particularly as the emerging Local Plan SA is still some way from being formulated and being subject to examination. It is not appropriate to rely on evidence which has yet to be tested. The cumulative nature of the Plan’s policies is considered to have potential to significantly affect the sustainability of the town over the Plan period.</p>	<p>The RNP has been tested through a thorough Sustainability Appraisal incorporating Strategic Environmental Assessment. This is based on the most up-to-date evidence available and considers cumulative effects as required by the legislation. This demonstrates that the policies and sites proposed in the RNP have positive sustainability effects, individually and cumulatively.</p>
<p>Basic Condition e) General conformity with the strategic policies of the Local Plan</p>	
<p>The Core Strategy identifies a short-fall in retail floor-space which the proposal for 500sqm of gross retail floor space along Udimore Road will help to meet. The Neighbourhood Plan Group has already acknowledged they are unlikely to attract a supermarket into the town following the sale of land by Tesco and Sainsbury’s. We feel the Plan is not seeking to promote sufficient levels of retail use to help meet the identified need set out within the Core Strategy.</p>	<p>The amount of retail space needed in the town is being reviewed with RDC in the light of the lack of commercial interest in developing a supermarket. It is acknowledged that a petrol filling station could contribute to retail floorspace in the town, wherever it is located.</p>
<p>The Plan cannot be seen to meet the required housing targets over the Plan’s period because the sites which the Neighbourhood Plan considers to be their preferred locations for a second petrol filling station also form housing allocations in their proposed Policy H1.</p>	<p>There is potential to accommodate the proposed housing allocations and a petrol filling station on these sites.</p>
<p>Basic Condition g) Prescribed conditions</p>	
<p>The Neighbourhood Plan Group is continuing to incorrectly assert there are more favourable sites for a petrol station. These sites have been shown to be undeliverable for reasons set out within our Sequential Assessment. The NP fails to meet the prescribed conditions.</p>	<p>The ‘prescribed conditions’ are set out in Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended). These are:</p> <ul style="list-style-type: none"> • “the making of the neighbourhood plan is not likely to have a significant

	<p>effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)” and</p> <ul style="list-style-type: none"> • “having regard to all material considerations, it is appropriate that the Neighbourhood Development Order is made (see Schedule 3 to the Neighbourhood Planning (General) Regulations 2012 (as amended), where the development described in an order proposal is Environmental Impact Assessment development”. PPG Paragraph: 079 Reference ID: 41-079-20140306. RDC has confirmed that the Habitats Regulations Assessment of the Core Strategy is sufficient to confirm that the first condition is met and the second condition only applies to Development Orders.
<p>General arguments put forward in favour of Udimore Road Site</p>	
<p>BP was under no statutory obligation to carry out a Sequential Assessment for their planning application, but have done so and it concludes that Udimore Road is the most suitable site for the development.</p>	<p>Whether there is a statutory obligation to carry out a sequential assessment for a planning application is not relevant to consideration of the most appropriate site for a PFS in the neighbourhood plan. It is reasonable for the RNP Group to carry out such an assessment as part of the evidence for the neighbourhood plan. The conclusions of BP’s assessment are different to the RNP Group’s due to different assumptions about the suitability and achievability of alternative sites, and in particular the implications of a Flood Zone 3 site for storage of fuel. This is addressed below.</p>

<p>Core Strategy evidence ‘Market Towns and Villages Landscape Assessment August 2009 Volume 1’. Within Appendix 3 of the Landscape Assessment report, part of the Udimore Road site was assessed under reference Rye – R5. The ability of the area to accommodate change was considered to be moderate and it was found that “Development would be acceptable close to the built up edge”. The LVIA has been updated in respect of the revised scheme and has found the overall level of harm, and its relationship to the AONB, to be acceptable. The landscape does not reflect the wider character of the AONB.</p>	<p>This assessment relates to an area identified as R5 on the map in Volume 2 which shows that it includes urban fringe development and the valley recently developed with new housing. Some parts of this area are clearly more sensitive to change than others, and the proposed site for the petrol filling station is one of the most prominent locations in this area due to its location high on the ridge immediately adjacent to the AONB. The LVIA submitted with the planning applications significantly underplay the visual impact of a petrol filling station in this location.</p>
<p>The Udimore Road site is identified in the Local Plan as white land (non-allocated) and Policy DS4 has been superseded by the Core Strategy.</p>	<p>Local Plan Policy DS4 ‘Proposals outside development boundaries’ was replaced by Core Strategy Policy Policy OSS2: ‘Use of Development Boundaries’ which confirms that “Development Boundaries around settlements will continue to differentiate between areas where most forms of new development would be acceptable and where they would not”. The proposed site for a petrol filling station is clearly outside the existing development boundary and that proposed in the RNP.</p>
<p>The site includes an area of concrete hardstanding and therefore represents a brownfield development opportunity.</p>	<p>The NPPF defines previously developed (or brownfield) land as “Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where</p>

	<p>provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”. The site is understood to be agricultural land that was temporarily used for unauthorised storage of material when the new development in the valley was being built. A concrete hardstanding is not a structure and its presence does not make this a brownfield site.</p>
<p>The site at Udimore Road lies outside of the AONB and importantly represents a safe location for the storage of fuel given it sits outside of an area of flood risk.</p>	<p>It is acknowledged that the site is outside the AONB (albeit in the setting) and in Flood Zone 1.</p>
<p>No justification as to why the site forms a gateway for Rye.</p>	<p>The site is close to the edge of Rye next to a main routeway into the town in an elevated position. This makes it an obvious gateway into Rye.</p>
<p>Arguments against alternative locations</p>	
<p>The Udimore Road site will always be considered sequentially preferable to either the Freda Gardham School site, or the Winchelsea Road West site in flood risk terms.</p>	<p>This is correct. In Flood risk terms a Flood Zone 1 site will always be preferable to a Flood Zone 3 site when carrying out a Sequential Test for Flood Risk. However, NPPF paragraph 102 says “If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:</p> <ul style="list-style-type: none"> • it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk

	<p>Assessment where one has been prepared; and</p> <ul style="list-style-type: none"> • a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall”.
<p>The Former Freda Gardham School and the Winchelsea Road West sites are located within flood risk zone 3 (which is considered most likely to flood), and we consider the site to be unsuitable for the safe storage of fuel.</p>	<p>Fuel storage is not prohibited in Zones 2 and 3a. However there are restrictions in terms of spillage protection, drainage and proximity to housing and other development, to which mitigation if needed in any proposal.</p>
<p>In paragraph 44.30, the Group state that “the petrol filling station should be close to the A259 trunk road as it carries the larger volume of traffic through Rye”. We dispute the Group’s view that the A259 represents the most suitable location for a petrol filling station as our Sequential Assessment (Appendix 4) finds the route unsuitable for development.</p>	<p>BP’s Sequential assessment discusses the merits of various sites but does not say that the route itself is unsuitable for development.</p>