

**RYE NEIGHBOURHOOD PLAN STEERING GROUP (RNPSG)
RYE NEIGHBOURHOOD PLAN (RNP) REVIEW
2nd MEETING**

Date and Time: Thursday 19 October 2023 at 6.30 pm

Venue: Town Hall

Present: Colonel Anthony Kimber (AK) (Vice Chair and Secretary), Cllr Michael Boyd (MB), Richard Farhall (RF) (Town Clerk Rye TC)

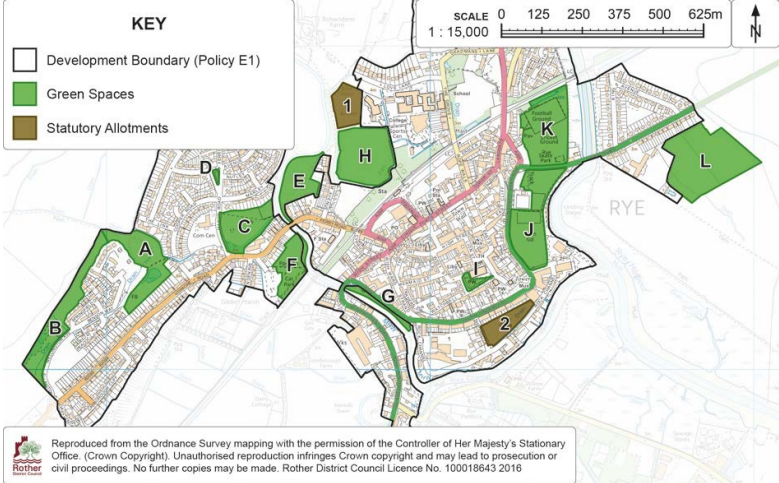
Apologies: Cllr Berni Fiddimore (BF), Cllr Andy Stuart (AS), Cllr Vagn Hansen (VH), Cllr Shaun Rogers (SR)

Other RNPSG Members: Cllr Andi Rivett (AR) (Mayor and Chair), Dominic Manning (DM)

Item	Discussion – Issues	Action
1 Introduction	AK, (Vice Chair) introduced. RF circulated the minutes of the 1st meeting and the agenda. The RNPSG remains responsible for steering all work on the review of the RNP. AK summarised the background. An article written for Rye News is enclosed. The main purpose of the meeting was to consider progress with the review of the RNP. AK reminded that all the key documents remained on the Rother DC Website. https://www.rother.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning-2/made-neighbourhood-plans/rye-neighbourhood-plan/	RF All
2. The Planning Landscape	There was general discussion about the uncertainty because of emerging Rother and government policy (Levelling Up Bill - LUB) and the uncertain political landscape in 2024. However it was AGREED that there was advantage in tackling specific matters now, to be prepared to handle District and National developments as they emerge. The position statement on the review of the District Local Plan remains here: https://www.rother.gov.uk/planning-and-building-control/planning-policy/emerging-local-plan/local-plan-review/	All
3. The Approach	It is considered that the RNP allocation and policies are holding up well, with the exception of the delivery of affordable or social housing. Locality recommends a structured approach to any review of a neighbourhood plan, involving:	All

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	- consultation - evidence - review policies - look again at site allocations including for Rye LGS designations - edit plan to bring up to date The Locality guide on the process, provides full guidance. . https://neighbourhoodplanning.org/toolkits-and-guidance/how-to-implement-monitor-and-review-your-made-neighbourhood-plan/ Importantly, because the RNP had only been “made” since mid 2019 and the subsequent Covid period had constrained planning and development, it was considered that the RNP continued to be a key document in deciding development proposals in Rye. There were therefore two options for a review: (1) “Light Touch” review involving reassurance about the policies, site allocations and necessary editing; (2), a major review perhaps involving significant change in policies and then examination and Referendum on the changes. From work completed so far – site reassessment, re-examination of the constraints on development in Rye (Rother text is copied below), AGREEMENT on the 5 principles which remain applicable - it was emerging that (1) was the favoured option, provided that more work was completed on sustainability and climate change. The latter would fit naturally into the Environment theme of the RNP starting on page 63. As further support for this conclusion AK reminded of the Rother text about local constraints, in the existing Local Plan: “The town of Rye is significantly constrained by environmental designations, with a large proportion of the parish located within Flood Zone 3 and/or covered by other designations such as the AONB/ SNCI”. It was also concluded that “Further opportunity for development on the periphery of the town is confined. The strategy for Rye (and Rye Harbour) is the development of key, most brownfield, sites and infill within the urban areas”.	

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	As important background, in late 2022, the Council AGREED five principles ahead of the review: P1. To strive to maintain the development boundary and strategic gap; P2. To maintain the geo and bio constraints and consider the flood risk restrictions, to preserve the character of Rye; P3. To provide social housing; P4. To acknowledge the conservative housing numbers in current allocation as there is scope for the allocations to accommodate more by design; P5. To note that, despite Rother's inadequate 5 year housing supply, any proposal falling outside of the RNP development boundary, there would need to be justification in strength by sustainable (social, economic and environmental) arguments.	
4. Second Homes	Related to the provision of social housing is the issue of the large number of second homes - buy to lets and AirBnBs - in Rye (Could be around 400). Drawing on the experience of local authorities in other areas, measures for handling could include: - registration and data collection: this could emerge as government policy in the LUB. - increased council tax: in other areas (Cornwall, Pembroke, Cairngorms, Norfolk and Cumbria) where there are large numbers of second homes, increases in Council Tax of up to 3x (Norfolk) are being considered. The LUB currently provides for doubling. - restrictions on new sales of housing: from earlier discussions it has been concluded that restrictions on new build sales would be difficult to police and manage. - tourist tax on restaurant places and beds: this is not directly linked but it is noted that it is applied across Europe. It could be costly to administer but if such a tax was set at "reasonable" levels could provide local additional funds for maintenance and services for towns such as Rye, which sees up to 1m visitors each year who enjoy local facilities and services. (Numbers from the RNP Evidence paper). https://www.rother.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/made-neighbourhood-plans/rye-neighbourhood-plan/	All

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5. Climate Change and Sustainability	It has been AGREED by RNPSG and supported by Rother Planners that the RNP could benefit from strengthening in terms of climate change and sustainability. AK proposed to draft a check list drawing on his article in Rye News. https://www.ryenews.org.uk/community/working-for-a-more-sustainable-rye One specific aspect of the environment, which was observed by the external examiner, was the categorisation of Green Spaces. His text is copied below with the map of spaces. He makes clear that more evidence is required to formally categorise the green spaces as Local Green Spaces. It was AGREED that the spaces identified in the RNP all require consideration for specific evidence to justify their protection.  https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space “Policy E2: Green Infrastructure 109.This policy deals with the designation of local green space (LGS), as well as the protection of trees and proposes improvements around the connectivity between people and habitats. 110.The NPPF (2012) in paragraph 74, deals with the issue of the protection of open space and it confirms that open spaces, sports and recreational buildings and land should not be built on unless it meets three criteria. 111.The Framework, in paragraph 76, offers through neighbourhood plans, the ability for the community to identify	

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	for special protection any green areas of particular importance where “development is ruled out other than in very special circumstances”. These are known as Local Green Space. It goes on to say that local green space status will not be appropriate for most green areas or open space. To qualify for that status. the area in question must be “demonstrably special to the local community and hold a particular local significance”. It then gives various examples as to what could constitute “significance”. 112. It is important that any neighbourhood plan policy should be based on evidence rather than mere assertion. I have seen no evidence submitted, either within the neighbourhood plan document itself or in the supporting evidence which describes in what way and for what reasons the local community considers these identified areas to be “demonstrably special”. This is a shortcoming that has been identified by Gladman Developments in its representations. I am therefore unable to confirm, due to the absence of any evidence, that these areas qualify for the highest level of protection. In my experience, neighbourhood plans will provide specific evidence to substantiate LGS designation and the case why the land designated is demonstrably special. These green spaces shown in Figure 28 will continue to be protected by Policy CO3 of the Local Plan Core Strategy. 113.This is a matter that the Town Council may wish to address when it comes to reviewing this neighbourhood plan. 114.The second element of the policy covers trees and it appears to offer protection to any tree irrespective of the quality, its amenity value or health when assessing whether it should be retained or replaced. It goes beyond the District Council’s requirements set out in the Local Validation Checklist. The policy is not specific in terms of imposing a requirement to “take into account the impact on the roots of trees to be retained”. I consider that a requirement to facilitate measures intended to protect buildings from tree roots, is already covered by the Building Regulations and British Standard document BS 5837:2012 Trees in Relation to Design, Demolition and Construction. I suggest that the policy is unnecessary and the requirements are already covered by the District Councils requirements relating to the submission of planning applications, in respect of “protected or significant” trees. 115. In the final paragraph, I will recommend that “will” be substituted by “should”. 116.The accompanying map the two allotments shown should be described as “Statutory	

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	Allotments”. The plan also needs to be explicit in that it is clear that it covers the riverside corridor and the land adjacent to the railway line as recommended by the District Council. <i>Recommendations</i> <i>In a. delete “local” and insert at the end “by the provisions of Policy CO3 of the Rother District Local Plan (or equivalent policy)”.</i> <i>Delete b.</i> <i>In c. replace “will” with “should”</i> <i>In the key to Figure 28 refer to “Statutory Allotments”. The map should be amended, if required, to include the riverside and land adjacent to the railway as recommended by Rother DC.”</i> It was AGREED that AK would draft an action plan based on a checklist summarised as below. https://www.ryenews.org.uk/community/working-for-a-more-sustainable-rye	
6. Future meetings - Business	AK flagged some issues which should be considered at future meetings: (1). In anticipation of the Rother HELAA (replaces the SHLAA 2013 and constructed to reflect Rother’s “call for sites”) being circulated in early 2024, the Rye Site Reassessment has been revised. Because of its sensitivity, the Town Clerk should advise on process for any circulation and any Caveats to be applied. Before any wider circulation the revised document should be considered by the RNPSG at a future meeting. (2). Social housing (Separate Group). To reflect in the review whatever comes from the separate group about development proposals for housing for Tilling Green site, perhaps using CLT and any other site such as the Lower School Site. For the latter the developer is considering up to 15 custom build homes, some of which could provide social housing by negotiation. https://www.ryenews.org.uk/news/a-spotlight-on-housing. (3) Climate change and Sustainability: To consider an action plan based on a checklist summarised as below. https://www.ryenews.org.uk/community/working-for-a-more-sustainable-rye	All

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	(4) Generic Design Codes (Likely to be included in future government policy). To consider the need for any additional local policy on design, for the differing architectural zones (green, blue and yellow –RNP Page 38) across Rye, once we have seen whatever emerges as the national design policy. https://www.gov.uk/government/publications/national-design-guide/national-design-guide-accessible-version (5) CPE traffic issues; To consider matters that exacerbate traffic issues. Updated paper (RTC minutes 3 Apr 23) about CPE related issues has been circulated. (6) Statutory allotments: (RTC Minutes 5 Dec 22). To reflect whatever emerges from the current work by Rye Town Council on ownership; status and management. (7) To reconsider the aspirations in the RNP. It has been generally AGREED that the aspiration theme list remained relevant and should be a record of those factors which have been considered without resolution, either because of lack of funding or commitment by partners.	
7. AOB	AK raised the question of a bid for a grant from Locality. After discussion it was AGREED that an amount of £5k (in FY 23/24) would be appropriate to cover any further surveys, to provide evidence to support the review. AK asked if the minutes of the RNPSG be put in the public domain. RF suggested that they could be submitted to the Rye P&T meeting. RF would look at the date for the next meeting in late November 2023.	AK and RF

Anthony Kimber PhD
Vice Chair RNPSG
20 November 2023