

**RYE NEIGHBOURHOOD PLAN STEERING GROUP (RNPSG)
RYE NEIGHBOURHOOD PLAN (RNP) REVIEW
4th MEETING**

Date and Time: Wednesday 31 January 2024 at 6.30 pm

Venue: Town Hall

Present: Cllr Andi Rivett (AR) (Mayor and Chair), Colonel Anthony Kimber (AK) (Vice Chair and Secretary), Dominic Manning (DM), Cllr Andy Stuart (AS), Cllr Vagn Hansen (VH), Cllr Shaun Rogers (SR), Cllr Michael Boyd (MB), Richard Farhall (RF) (Town Clerk Rye TC

Apologies: Cllr Berni Fiddimore (BF)

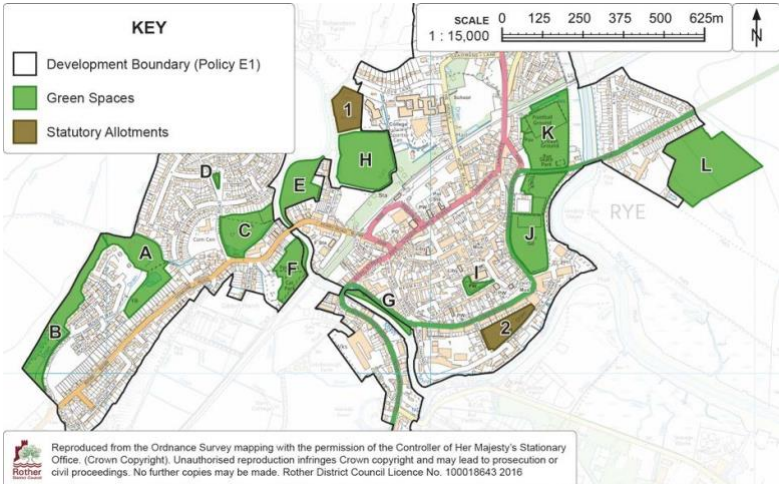
Item	Discussion – Issues	Action
1 Introduction	AR introduced. RF had circulated the minutes of the 3rd meeting (27 November 2023) and the agenda. The RNPSG remains responsible for steering all work on the review of the RNP. AK reminded that all the key documents remained on the Rother DC Website. https://www.rother.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning-2/made-neighbourhood-plans/rye-neighbourhood-plan/	RF All
2. The Planning Landscape	AK summarised developments with the Levelling Up and Regeneration Act (Royal Assent late December), an exchange with Rother Planners about the emerging Rother Local Plan and introduced a discussion around the uncertain political landscape in 2024. AK had written to Rother Planners to ask for an update on key issues. In response to his questions, the Rother Planning Policy manager had advised as below: Briefing of Neighbourhood Planners? “We are not planning to brief Neighbourhood Plan groups on the LUR Act (LURA). While the Act could lead to changes to various elements of plan-making and decision-making, the majority of clauses require secondary legislation to be activated. We are therefore focussing on current legislation, policy and guidance.” Progress with the Local Plan Revision? “I appreciate that it has been a year since we met, but we have been flat out creating a draft for consultation. Following the (last round of) parish and town meetings, we revisited the sites, continued to work with consultants on our evidence base and worked on policy formulation with other departments internally, and	All

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	colleagues at the County. We have drafted a local plan and worked through that chapter by chapter with our Councillor group. Very soon it will be discussed through our committee structure and, we expect, approved for consultation. We expect that consultation will start at the beginning of April. At that point we will be ready to meet with town and parish councils and neighbourhood plans (as well as other groups and individuals) across the district to explain the draft and collaborate with you. We very much want it to be an open process with the draft proposed policies and proposed development strategy published to generate ideas, responses and engagement. We do include ambitious proposed policies in relation to climate change and sustainability.” Are there outcomes from the recent Rother Housing Event? “The housing event was organised by my colleagues in the regeneration team. As far as I am aware, all town and parish councils were invited to send attendees – I do not know if Rye Town Council did. I will see if there are any notes of the event – but there were not outcomes – the event focussed on discussion and information sharing with presentations from a range of stakeholders and a positive outlook on how to bring housing sites forward in Rother.” AK had included his analysis of the Levelling Up Act, with the Rye NP update for the 29 January Rye P&T meeting. It covered: - NDMPs - Environmental Outcome Reports - CIL: new rules - Developer's commencement notices - Special requirements for heritage areas - "One local plan": impact on NPs - Housing targets: "advisory". Does the 5 year housing rule survive? - NPPF: significant changes Meanwhile the public 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/	
3. Issues	AK introduced discussion of several issues: 2nd Home policies. Local authorities have the power to increase the amount of council tax that can be charged on second homes. Holiday hotspots such as Devon, Cornwall, the Lake District and Norfolk have already approved the tax	All

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	hike plan. One-in-four councils in England are reportedly planning to double council tax on second-homes. With over 400 of 2500 homes in Rye “second homes” there was a discussion as to whether Rye make a case policy to Rother, for all or any of the following: + registration and data collection? + increased Council Tax on second homes? + restrictions by covenant on new sales of housing? + in addition - tourist tax on restaurant places and beds? It was concluded that Rother could levy increased Council Tax on second homes but that might have unexpected consequences (including owners leaving the market and loss of tax income), however it was AGREED that the Mayor should write to Rother to justify, as a first step the registration as businesses, the various categories of second homes for let. FootPaths: AK had spoken to Chair Rother Ramblers about footpaths and walking activity in and around Rye. Points were: * of the numerous paths entering Rye, most had no formal connectivity across Rye: High Weald Landscape Trail, Saxon Shore Way, RMC trail, England Coastal Path, 1066 way, plus numerous local rights of way. * there was a Rother Ramblers "Rye footpath warden". * there was much walking in Rye District by individuals and groups, many of them arriving by train and staying in local hotels and B&Bs. * he was unaware of any rights of way which were blocked in the Rye area. It was AGREED that connectivity of paths across Rye could be improved and that text on this should be added to the Rye NP. Aspirations: It was generally AGREED that the aspiration theme list remained relevant and should be a record of those issues, which have been considered without resolution, either because of lack of funding or commitment by partners.	

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	Post CPE traffic issues; The paper (RTC minutes 3 Apr 23) about CPE related issues remained extant. In a discussion about EVCP installations, some overnight chargers were appearing across Rye. Although Rother and National Rail had suggested that there was insufficient power to fit fast chargers to their parking areas, more detail on this was required. DM explained that some EVCPs were now linked to solar panel installations. It was AGREED that the Mayor should write to Rother for further explanation. Generic Design Codes (Included in LURA). AK introduced discussion of this. It was suggested that there was already text in the Rye NP about design in the differing architectural zones of Rye (green, blue and yellow –RNP Page 38) and the need for a “sense of place” in all design. It was AGREED to wait to see what emerges as the national design policy, before carrying out more work. https://www.gov.uk/government/publications/national-design-guide/national-design-guide-accessible-version	
4. Site Reassessment	AK asked for any reflections on Site Reassessment. He reminded that the document had been circulated to full Council on 11 Dec 23 (Item 105) (See below). (AK had consulted RDC about circulating the document. Rother Planners had underscored that the document belonged to Rye but should be treated as CONFIDENTIAL until the Rother HELAA is distributed in April.) The caveat remained on any further distribution of the draft Rye Site Re-assessment, because of sensitivities and commercial in confidence information. AK reminded that inclusion of a site of land did NOT mean that any site or land would be developed, as each would be subject to planning rules and consideration for sustainability against all socio, economic and environmental factors. During discussion of the document, SR reminded that Rye should “never say never” to sustainable proposals, if the result was badly needed affordable housing. It was AGREED that the work was valuable preparation for handling the HELAA when it will be issued.	

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	105 ROTHER LOCAL PLAN: RYE SITE (RE)ASSESSMENTS Members were asked to confirm RTC's current position in respect of sites that have been identified – or put forward – for development in, and around, Rye, prior to the publication of RDC's Housing and Economic Land Availability Assessment (most likely Spring 2024), when RTC and others will have an opportunity to consider formally RDC's assessment of development sites. The RNP Co-ordinator advised that, at this stage, The RNP Steering Group was inviting Members to confirm RTC's current position in relation to existing potential development sites – and the suggested approach when RTC is invited formally to comment on new sites. Colonel Kimber reminded Members that RTC has a policy of resisting development outside of the development boundary. He suggested that RTC should be wary of any proposed development within adjoining parishes that would abut – or be close to – the Rye Parish boundary. It remains the case that development in – and around – Rye is constrained by a lack of available land, high land values, and special designations conferring high degrees of protection and flood risk. Cllr Rogers observed that affordable/cheaper housing is RTC's highest priority and, given this, suggested that RTC support for a small 'affordable' housing scheme outside of the development boundary should merit consideration. Responding to questions from Cllr Hoggart and Hansen, Colonel Kimber advised that the RNP would need to go to referendum again only if substantial changes were being sought. The RNPSG is focusing on increasing protection for the green spaces within the parish and addressing the need to reduce carbon emissions. <i>Colonel Kimber left the meeting.</i>	
5. Climate Change and Sustainability	At earlier meetings it had been AGREED that (supported by Rother Planners) that the RNP could benefit from strengthening in terms of climate change and sustainability. DM suggested that there should be more on habitats, bio - diversity (net gain) and sustainable power systems including solar. VH said that there should be more attention by developers to aspects such as power, heating systems and insulation. AK said that he had tried to incorporate specific requirements for power, grey water, permeable surfaces in the 2014 work, but had been advised by planning advisers not to be too prescriptive because additional costs could weigh against development, particularly as land costs and levies were already high in the Rye area. AK suggested that there was now a national debate about heat and air pumps and whether they were suitable as a replacement for gas and electric boilers without a high degree of insulation. AK had argued for a “sustainability check list” for developers. Many LPAs now have these. He had drafted an outline check list drawing on his recent article in Rye News at E1 and E2 It was AGREED that, despite Rother not having a checklist, one should be applied locally to upcoming proposals, as happens in other Districts: Lower School Site (Plutus) and the Winchelsea Road West site (Decimus). AK would elaborate the draft (E1) for the 12 Feb (Plutus) meeting. He would also bring forward the considerations of the proposal for Council. (E3).	

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	AK reminded that a specific aspect of the environment, which had been observed by the external examiner in 2019, 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. https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space It was AGREED that the spaces identified in the RNP all require consideration for specific evidence to justify their protection. The text is copied below for ease of reference.  “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 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	

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	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. At the Rye TC meeting on AK on 29 January, there had been lengthy discussion about the future ownership and management of allotments, during which AK had reminded Council of the agreement in 2019 by Rother Planners, endorsed by the External Examiner in his report, that the status of the two allotments remains STATUTORY (Map extract is above). This is reflected in the Rye NP, which itself has STATUTORY status. Waste policy: Following discussion, it was AGREED that policy on waste policy - Refuse, Reduce, Reuse, Recycle, Rot: the “5 Rs”- could be bolstered in the Rye NP to incorporate the basic rules of ways of achieving “zero waste” and in particular a more eco friendly way of handling domestic bulk waste, than the present system of individual transport to either Battle or New Romney.	
6. Infrastructure Levy	AK explained that CIL had been replaced in the LURA by a new Infrastructure Levy (IL). Since the earlier introduction of CIL, Rye had received around £15k from developers. It was assumed that under LURA, Rye would continue to receive 25% of any new IL. Rye TC had renewed its priorities on 11 December 23 (Item 102) as below.	

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	102 PRIORITIES RESOLVED To receive and note the (ranked) list of RTC's priorities 2024-25: 1 Affordable/Cheaper Housing 2 Swimming Pool and Sports Centre 3 Maintaining at least one public convenience 4 Town Steward Service 5 Control of public open spaces 6 Review of the Rye Neighbourhood Plan 7 Tourism Support Strategy 8 Landgate 9 Reducing the Council's carbon footprint 10 Town Crier Championship	
7. Approach	Review Approach: Following discussion, it was generally AGREED that the emerging conclusion from the work so far was that the approach, because of the continuing severe constraints around Rye on development, should be “light touch review” and not “major policy change”.	
8. AOB and Future meeting	AK argued that the minutes of the RNPSG should be in the public domain. So far only one set (2nd meeting) had been circulated to Rye P&T. He asked that all the minutes of the 1st, 3rd and this meeting could be so recorded. RF AGREED that the minutes would be submitted to the Rye P&T meeting. RF would look at a date for the next meeting and circulate.	All

Anthony Kimber PhD
Vice Chair and Coordinator RNPSG
1 February 2024

Mayor of Rye
Char RNPSG

Enclosures

Enclosure 1: Development Sustainability Checklist.

Many Districts now have sustainability checklists, which are required to support planning applications.

These should demonstrate how sustainable design and construction have been addressed in the proposal.

Planning policies and information requirements regarding sustainability are well established.

The inclusion of electric vehicle charging points in new development is an important issue and it should be noted that this requirement was incorporated into the Building

Regulations in 2022.

Below are typical key issues, drawn from check lists in other districts, which are designed to enable developers and builders to state how their development schemes:

1. Reduce energy consumption and carbon emissions.
2. Maximise the use of sustainable materials.
3. Minimise waste and increase recycling and composting.
4. Conserve water resources.
5. Incorporate green infrastructure.
6. Include sustainable drainage and minimise pollution.
7. Demonstrate how transport issues are addressed to reduce climate change impacts.

Enclosure 2– Extract from a sustainability article by AK

<https://www.ryenews.org.uk/community/working-for-a-more-sustainable-rye>

“Social factors: all aspects of social well being, personnel services and support, from medical to transport, access to leisure facilities. Rye does have an advantage that most parts are “walkable” within 20 minutes.

Environmental factors: the allocation for development of Brownfield sites first; maintenance of the development boundary; consideration of flood risk and the protection of bio diversity which surrounds Rye. Design should embrace eco friendly materials, energy, water efficiency, safety and security. There is a need to protect river and marine aquacultures (blue carbon) from plastic and other toxic pollution. Sewage outfalls and spills have to be eradicated. All green infrastructure, including salt marsh, which provides carbon absorption, needs to be protected and enhanced. Air pollution is a particular problem near the A259. Conservation policies should be strictly applied to protect character and heritage. With traffic and parking a major issue, any measure which aggravates it must be avoided.

Economic factors: there is the green economy and technology, including heat insulation. Food security is high on the political agenda, as is infrastructure for EVs. Reduction in power use is a priority along with the greater use of sustainable power such as solar, wind, and geo-thermal systems. Single use plastic must be reduced. Locally, more could be made of green tourism. Importantly, there should be accessible local facilities for recycling, re-purposing, composting and bulk waste.”

Enclosure 3– Considerations of the Lower School Site Proposals in the Context of the Rye NP – RR/2024/1/P

Plutus Rye has delivered to all householders their revised proposals in leaflet form. Planning permission has been re-submitted for:

- * Dwelling units (2.5 storeys) and population: = 86 units; around 150 population? Is this over development? What about building height?
- * Custom build 15 units for those on Rother register. Could some be affordable by negotiation? CLT?
- * Open market. What is the mix? Is overall parking sufficient? Will all buildings be 2.5 storeys?
- * Churchill units in block. Close to Ferry Rd and the railway, is it in the right place? What is data on age of likely occupants (79?) and parking numbers (14?)? Are the parking numbers sufficient?
- * Plutus has indicated that they would consider any proposal by any partner for all or some of the fifteen “custom build” dwellings in the scheme.
- * Groundworks. Given that dwellings will be on foundations supported by (6m?) pilings; installation will need to be skilfully constructed to allow for expansion and contraction of under foundation infill to avoid expansion in wet conditions to dislodge foundations.
- * Material imported for groundworks could be similar to the operation for the Eastern Rother Tidal Walls scheme. Explain plan for raising level of site by .5m by import of 6k cu tons of material? Logistic plan? Recommend consult Environment Agency about their current operation to access from Ferry Road?
- * Vegetation: It remains unclear as to whether there been a serious consideration of the TPO on the east side of the site and what vegetation will be retained for screening around perimeter of site.
- * Why no affordable? Earlier viability arguments justified nil affordable, but a small developer's contribution is £78k. Although "the LPA is required to expect the proportion of affordable housing to be the most that does not undermine viability", the renewed proposal should really have reconsidered the land value as the original was based on supermarket potential but there is no likelihood of one coming forward on this site.
- * Parking and EVCP: 91 spaces; all proposed as EVCP. Will there be sufficient electric supply? How will access/control/EVCP to spaces be implemented? Without control, will public vehicle enter the site for town centre access parking?
- * SSFRA, drainage and sewage? What SUDS is planned? Given the runoff from hard surfaces, will herringbone drainage and retention tank be sufficient? To where will this discharge? Given that the Rye sewage system is prone to overload, what is the impact of this additional load (86 units and surface runoff)? Will the system capacity be increased? Occupation of the development should be phased to align with the delivery of enhanced

sewerage infrastructure.

* Access including emergency access: What considerations have there been for access and egress onto Ferry road? With only one main access point, and the nearby level crossing of the railway, in the event of an emergency, what facility is there for emergency access and egress? What additional pedestrian access will there be beyond main access.

* Occupation of the development should be phased to align with the delivery of improved sewerage infrastructure.