

RYE NEIGHBOURHOOD PLAN

Reviewed 2024

Basic Conditions Statement

Content – Sections

Section	Content
1	Addendum to the Statement
2	Introduction
3	The Legal Requirements
4	The Basic Conditions
5	Changes to National Planning

Addendum (May 26) to the reviewed Rye Neighbourhood Plan Basic Conditions Statement

1.1 This is an Addendum to the Rye Neighbourhood Plan Basic Conditions Statement, published alongside the submission version of the reviewed plan.

1.2 The relevant legal framework for the preparation and making of Neighbourhood Plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the: Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B Planning and Compulsory Purchase Act 2004: ss 38A-C Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)

1.3 On 25th of March 2026, Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 came into force. This is by virtue of The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026.

1.4 In relation to neighbourhood plans, sections 98 and 99 amend the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 in respect of the legal compliance and the Basic Conditions requirements.

1.4 In summary, the further legal compliance requirements are as follows:

- so far as Rye Town Council (RTC) considers appropriate, and having regard to the subject matter of the plan, the plan has been designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as RTC considers appropriate and having regard to the subject matter of the plan, the plan intends to take account of any local nature recovery strategy (LNRS) under section 104 of the Environment Act 2021 (Please see below) that relates to all or part of the neighbourhood plan area.

(Rye notes that the preparation of LNRS is a new mandatory requirement under the Environment Act 2021. Responsible Authorities charged with preparing the LNRS for East Sussex have been confirmed as ESCC for the geographical areas of East Sussex and Brighton and Hove. Rother District Council (RDC) is a Supporting Authority and will input to the LNRS as it affects the RDC administrative area.)

1.5 In addition, there is a new Basic Condition requirement:

- the making of the reviewed Rye neighbourhood plan would not result in the development plan proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made. *This replaces the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.*

1.6 A further basic condition related to the new environmental assessment framework is commenced albeit, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this Basic Condition cannot be assessed.

1.7 The reviewed Rye Neighbourhood Plan has reflected these changes.

Key statements

1.8 It is confirmed that the Rye Neighbourhood Plan has been reviewed to secure the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change.

1.9 It is confirmed that the Rye Neighbourhood Plan has been reviewed with the intention of considering the Rother Local Nature Recovery Strategy under section 104 of the Environment Act 2021 that relates to all of the neighbourhood plan area, once it has been issued. Therefore It is confirmed that compliance with the

new environmental assessment framework cannot be assessed until such time as a completed framework for the implementation of Environmental Assessment Reports is in place.

1.10 It is confirmed that the making of the Rye Neighbourhood Plan policies would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.

Introduction

2.1 The basic conditions statement explains how the reviewed Rye Neighbourhood Plan (RNP) complies with paragraph 8 schedule 4b of the Town & Country Planning Act 1990 as inserted by the Localism Act 2011. This document is based on the version submitted with the 'made plan of 2019', but has been revised to reflect the modifications summarised in the Statement of Modifications dated 4 June 2025. It is submitted by Rye Town Council as the qualifying body for the RNP area; comprising the Parish of Rye as below.

The Legal Requirements

3.1 The Qualifying Planning Body. The RNP is being made by the qualifying body Rye Town (Parish) Council¹, who have been fully involved with the process since early 2013. Rye Town Council formally convened a Neighbourhood Plan Steering Group (Rye NPSG) comprising volunteer citizens and Councillors. The Mayor (five since the start of the work) heads the process.

3.2 The designation of the Neighbourhood Planning Area. The Plan continues to apply to the **Rye Civil Parish**, which was designated, after consultation, by Rother District Council by resolution CB13/50 on 4 November 2013. The area is that within the Rye Parish boundary.

3.3 The Plan Submission does not relate to more than one neighbourhood area. There are no other Neighbourhood Development Plans in place within the neighbourhood area, nor in adjacent Parishes. Rother District Council in its approval to plan, required Rye to closely cooperate with adjacent parishes and set a protocol for this purpose. In addition it asked Rye Town Council to consider targets for development to include Rye Harbour which is a ward of Icklesham Parish Council. The RNP addresses this in outline in the text but does not set

¹ <http://www.rother.gov.uk/article/12561/Rye-Neighbourhood-Plan>

policies for Rye Harbour. Rother District Council approved the making of a plan at their *Rother District Council Cabinet 4 November 2013*:

“Rother District Cabinet received and considered the report of the Executive Director of Business Operations on the *Neighbourhood Plan for Rye Civil Parish Area*. Under the Government’s *Neighbourhood Planning* initiative a Parish or Town Council was required to apply to their local planning authority for a designation in order to carry out a *Neighbourhood Development Plan (NDP)* and as such an application had been received from Rye Town Council (RTC), as a relevant body for designation. A meeting with the Rother District Council (RDC) Portfolio Holder for Strategic Planning, RDC officers, RTC and representatives from adjacent parishes was held to discuss the production of a NDP and it was agreed that the Neighbourhood Area would be based solely on Rye’s Civil Parish area. However, in order to ensure a consensus on wider issues such as employment and tourism, which were strategically important to the locality and extended beyond the scope of Rye Civil Parish, protocols would be included to ensure coordination between Rye Civil Parish and the different stakeholders from adjacent parishes. Following a discussion around the scope of the NDP and respective responsibilities, it was highlighted that the NDP would be required to conform to the Local Plan Core Strategy. It was noted that a 7 week consultation had taken place on the proposed Neighbourhood Area between 9 August and 27 September; there had been 8 representations, of which 7 were in support and one in objection. RDC had a duty to provide advice and support to the neighbourhood planning process and officers had already met with representatives of the RTC to discuss the preliminary stages. Planning officers would continue to liaise with RTC over the development of relevant policies, and proposals in the Neighbourhood Plan and the Council’s Development and Site Allocations Plan. Expectations in relation to available officer time would need to be managed going forward in light of resources constraints. Any grant received from the government to support the cost of neighbourhood planning had already been accounted for. In addition, Members noted that it was important to recognise that it was not appropriate to delegate major strategic development as part of the Neighbourhood Planning process as consideration in regard to the whole district and surrounding areas was essential.

RESOLVED: That the designation of Rye Civil Parish as a Neighbourhood Area for the purpose of Neighbourhood Planning be confirmed.”

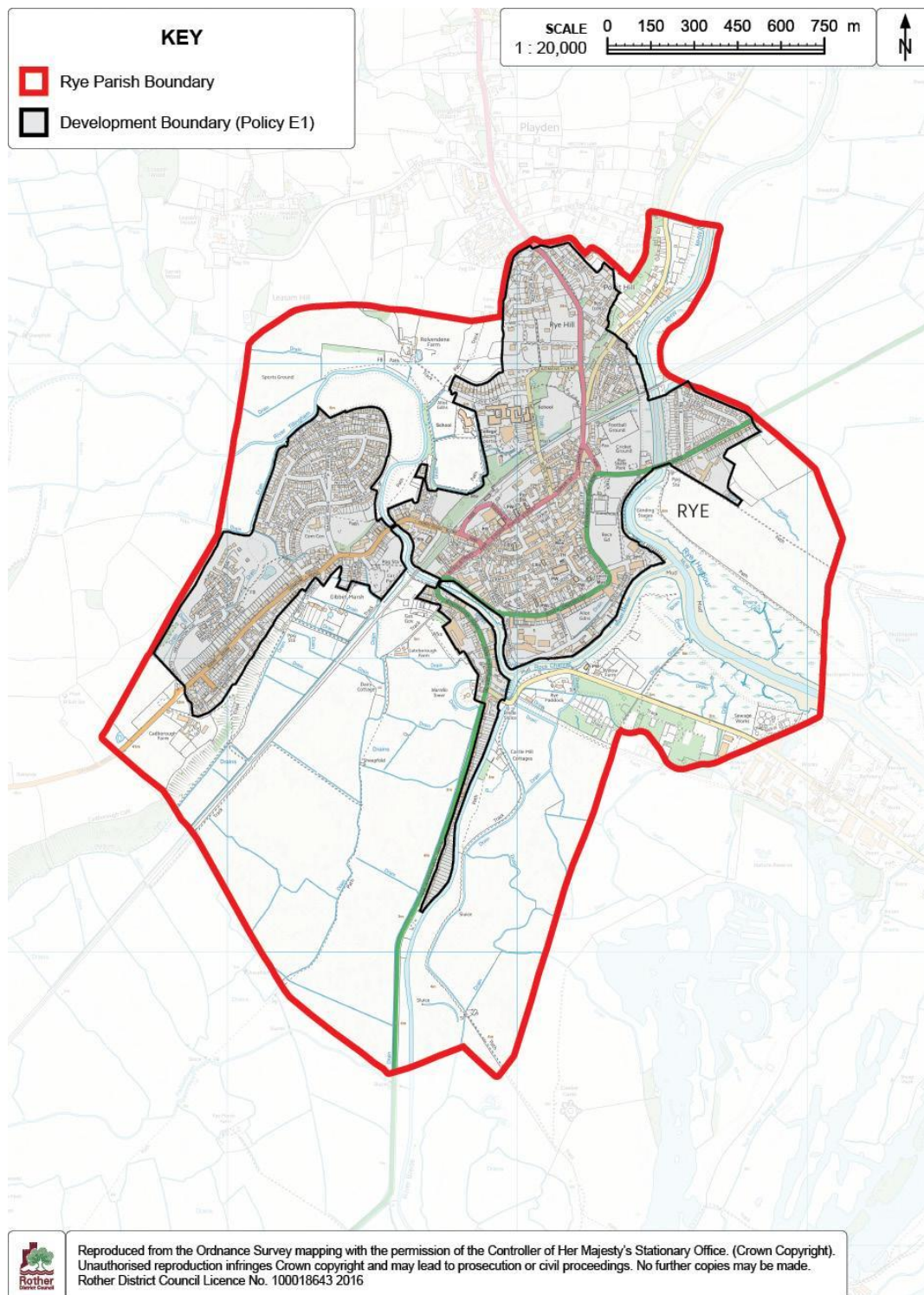


Figure 1: Rye Parish

3.4 RNP Development Policies. The Rye Plan Proposal relates to the future use and development of land and related matters. It has been prepared in accordance with the statutory requirements and processes set out on the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and takes full account of the Neighbourhood Planning Regulations 2018 (but drawing on the 2012 edition as allowed by the regulations).

3.5 The Plan Period: RNP will cover the period 2026 to 2031 to be more in line with the Rother District (Local Planning Authority) emerging draft (Regulation 18) Council Local Plan time period for which it will be in force.

3.6 County Matters. The Plan Submission does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in the Town and Country Planning Act 1990.

3.7 The Neighbourhood Planning Regulations 2012 part 5 15 (The process was started in 2013) sets out the requirements for the qualifying body submitting a neighbourhood plan to the Local Planning Authority. The reviewed plan has included:

- a. a map or statement which identifies the area to which the proposed neighbourhood development plan relates (no change from the version submitted in 2018 and incorporated in the RNP)
- b. a consultation statement;
- c. the proposed reviewed neighbourhood (development) plan (2024);
- d. an updated statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act, which draws on that submitted in 2019.
- e. a Statement of Modifications, which summarises that:

Rye Town Council as the Qualifying Body, considers the modifications outlined below (in the statement) are NOT so significant or substantial as to change the nature of the (Made) Rye Neighbourhood (Development) Plan (Jul 2019), because the opinion of the Qualifying Body is that by its assessment, as indicated in the table below, the modifications are in two lower impact categories:

(1) Minor (non-material) modifications to a neighbourhood plan;

(2) Material modifications which do not change the nature of the plan.

The Basic Conditions

4.1 Does the RNP have regard to national policies and advice contained in guidance issued by the Secretary of State? During the period of the review, there have been major changes in higher level policy. Rye Town Council considers that the RNP now complies with the 2024 National Planning Policy Framework (NPPF) including, importantly, its contribution to sustainable development and higher housing targets. Early work was in accordance with NPPF 2012; from 2018 the Plan conformed to NPPF 2018².

4.2 Planning law requires that applications for planning permission be determined in accordance with the development plan (includes any Neighbourhood Plan such as the Rye Neighbourhood Plan (RNP)), unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

4.3 NPPF 2024 and 2018 carried the concept from NPPF 2012 that presumes in favour of sustainable development, defined as “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. Communities engaged in Neighbourhood Planning are expected to develop plans that support the strategic development needs set out in Local Plans and plan positively to shape and direct sustainable development in their area. The RNP Strategic Environmental Assessment (SEA) (Support Document 4) supports the concept that the making of the RNP contributes to sustainable development.

4.4 The NPPF sees the achievement of sustainable development requiring three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These are considered below.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

NPPF Sustainability Objectives	Means	RNP
1.Economic	To help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.	Policies to enhance enterprise and employment (B1 – 3) Policies to improve communications (B1) Policies to improve infrastructure (I1)
2. Social	To support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.	Policy for dispersed housing developments integrating socially into the Town; designed to maintain a demographic balance, close to essential health, education and cultural facilities (H1 – H9). Enhanced infrastructure to support community well-being (I1, CA8, CA18, CA19 and CA20)
3. Environmental	To contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low	Polices to protect the local environment and green space while encouraging growth and amenity improvement (E1 – E4) High priority to regeneration of brown field land (H1 - H9 and B3) and priority to previously developed sites in the site assessment

	carbon economy.	Seeks reduced pollution and inconvenience caused by road congestion by incorporating a raft of traffic related measures (T1, CA5, CA6, CA8, CA10, CA14, CA18) Policies (I1) to protect and improve the local amenities Design policies (D1 and E3) to protect the nature of Rye
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4.5 NPPF states that the Planning System should be plan-led (NPPF 3) and that planning decisions should be creative and positive (NPPF 4). The RNP responds to this as below.

Activity	NPPF	RNP
3 - Plan Making	To be positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that the needs of neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development; Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; Effective – deliverable over the plan period, and based on	Takes a positive view of development across Rye in a comprehensive, strategic and inclusive way, with community consensus and without objection from adjacent Parishes In considering all the alternatives, takes full account of the serious constraints of developing within Rye Parish – flood risk and ecological constraints - acknowledged by Rother DC, Given the geographic constraints – mitigation of flood risk; site

	effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; Consistent with national policy enabling the delivery of sustainable development in accordance with the policies in this Framework.	clearance; access requirements - affecting the mainly brownfield sites selected for development the plan is considered deliverable over the period. Plan is considered to conform and comply with all known requirements
4- Decision Making	To take the maximum opportunity of pre-application meetings Seek information and intentions Indicate development contributions Highlight issues which require enforcement	Detailed record of liaison, consultations and meetings with owners and developers to place all development in the context of the RNP All work has been in close contact with Rother DC officers, who have consulted on a continual basis Work has highlighted enforcement issues which have been tackled during the process

4.6 This table indicates how the RNP complies with key policy areas of the NPPF. From this comparison it is concluded that there is no conflict.

NPPF Policy	NPPF Summary	RNP Policy conforms by:
NPPF 5	Delivering a wide choice of high quality homes.	Allocating sites for an agreed 325 new homes (H1 – H9) on major, medium and minor sites; Plan includes a mix of property types, tenure mix, with 30% of new

		development of 10+ being affordable (H2) Housing requirement is based on a local analysis of demographic and market trends (H2 and HNA in Support Document 1) and the HNA Survey completed for ESCC in 2023: https://ryetowncouncil.gov.uk/wp-content/uploads/2023/07/HNS-Report-Rye-Parish-2023-Final.pdf
NPPF 6	Building a strong, competitive economy	Providing affordable social and open-market housing for lower-paid and essential workers (H1 and H2) Seeking to improve the infrastructure, and facilitate home working, through improved broadband services (B1-B3 and I1)
NPPF 7	Ensuring the vitality of town centres	Allocating residential sites within 500m (walking 10 minutes) of the Town Centre (H3 – H9) Seeking to protect community assets, particularly in the populated west of Rye. (I1 and CA18) Encouraging the provision of sports facilities for the schools and wider community (I1 and CA18) encouraging the provision of additional community facilities (I1)
NPPF 8	Promoting healthy communities	Requiring developers to incorporate Secure by Design principles (D1) Requiring consideration of access to community facilities and transport, especially through use of Building for Life (D1) Requiring all new developments to

		have safe pedestrian access to existing or proposed footpaths providing easy access to village facilities (T1) Supporting proposals for additional community facilities, including medical and leisure facilities (I1) Encouraging the maximization of facilities for the schools and wider community (CA 19 and CA20) Seeking developer contributions to improve community facilities
NPPF 9	Promoting sustainable transport	Promoting a balanced approach to an improved transport infrastructure by: -controlling development that would add to existing problems of traffic congestion (H1 – H12) -locating sites close to essential Town facilities to encourage walking, cycling and wheeling (H1-H12) -parking for community facilities (D1) -improving road safety(AT4) and pedestrian facilities (T1-T2) Promoting the use of the Building for Life standard, which seeks to integrate transport infrastructure into well-designed and sustainable places (D3) and requiring that developers provide access to local facilities and public transport links via convenient, direct paths suitable for those pushing a pushchair, in a

		wheelchair, walking with a stick or walking frame or using a mobility scooter.
NPPF 10	Supporting high quality communications infrastructure	Seeking to improve the communication network, including high speed broadband (B1), to support both home working and local businesses.
NPPF 11	Effective use of Land	Allocating sites - including available brownfied sites - for new housing and mixed use development (H1 – H9) and employment development in B1 to B3 Seeking to improve parking, provide bus facilities and reduce congestion (T1, CA5, CA6, CA7, CA8, CA9, CA10, CA11, CA12, CA13, CA14, CA15) to make travel easier and improve the access to employment opportunities, including those relying on public transport.
NPPF 12	Well designed places	Policy to encourage good design (D1) including BREEAM principles: good land use, energy, water, health, well-being, materials, waste, safety. Adopting the guidance produced by the Building for Life Partnership which deals with design, sustainability and community considerations and includes consideration of connections with surroundings, access to facilities and services, public transport, meeting housing need, distinctive character, responding to context, creating well defined streets and spaces, integrating streets and parking into development, and external storage. (D1)

		Ensuring that new development incorporate Secure by Design principles (D1) Ensuring that at least 10% of new houses meet Lifetime Homes standards (D1).
NPPF 13	Protecting Green Belt land	The RNP area does not include any designated green belt.
NPPF 14	Meeting the challenge of climate change, flooding and coastal change	With Rye is at the confluence of three rivers (Brede, Tillingham and Rother); the last being tidal and connecting to the sea at Rye Harbour and with around 50% of homes at risk of consequence of flooding, and with numerous water courses and sewers and much of the lower Town in zone 2 or 3 flood risk areas, the RNP supports this policy by requiring all development to meet national and local flood risk mitigation policies (F1). Requiring renewable and power saving measures in new developments. (E4)
NPPF 15	Conserving and enhancing the natural environment	Requiring the impact of development on landscape, including trees and hedgerows, to be considered (E2). Seeking to minimize light pollution (E4) Giving high priority to potential development sites (H2-H9) that reduce the need to use cars; are previously developed; and have a

		low impact on a sensitive landscape
NPPF 16	Conserving and enhancing the historic environment	Surrounded by statutorily protected natural landscape and including significant built heritage in Rye and numerous recorded archaeological monuments in the parish, the RNP seeks to protect all designated historic assets in the parish, any monuments, and areas that may be scheduled (E3). Noting the mental health impacts of good conservation.
NPPF 17	Facilitating the sustainable use of minerals	Mineral extraction is excluded development in terms of neighbourhood plans and is therefore not dealt with. There are no known mineral safeguarding areas in the parish.

4.7 Is the RNP in general conformity with the Rother District strategic policies for the area? The RNP 2019 was drafted to support the delivery of strategic policies contained in the Rother District Core Strategy (Part 1) and the Development and Site Allocation (DaSA) (Part 2). The Local Plan was drafted in two parts, the:

- [Adopted Core Strategy \(Sep 2014\) \(pdf\)](#)
- [Adopted Development and Site Allocations Local Plan \(Dec 2019\) \(pdf\)](#)

4.8 Since then, Rother District planners have been working on an emerging Local Plan: <https://www.rother.gov.uk/planning-and-building-control/planning-policy/emerging-local-plan/>

4.9 The Rother DC Core Strategy set the strategic objective for Rye of:

“To improve the economic and social well-being of Rye, including in relation to its market town role, tourism and the Port of Rye, whilst fully respecting and sensitively managing its historic character, vulnerability to flooding and ecologically important setting”.

This strategic objective continues to chime with that of the RNP and therefore it is concluded that it continues to conform. The Rother Core Strategy also stated that:

“Due to its topographical and landscape context and statutory designations, Rye is heavily constrained and further opportunity for development on the periphery of the town is confined. The strategy for Rye and Rye Harbour is the development of key development sites and infill within the built up urban area. Given the environmental constraints surrounding Rye, the uncertainty surrounding the deliverability of existing allocations and limited further opportunities within the existing built-up area, as identified in the Strategic Housing Land Availability Assessment (SHLAA) 2013, it would be appropriate to adopt a range of housing growth to allow for some flexibility. An appropriate range for housing growth in Rye and Rye Harbour will be 355-400 dwellings up to 2028 including existing allocations. When commitments are deducted the range is 67 to 112 (agreed with Rother DC Planning Officers May 2017). This range allows for scope to further redevelop existing commercial sites for mixed use, subject to detailed assessment. The process of identifying key sites suitable for development will be undertaken in the Rye Neighbourhood Plan.”

4.10 Although the RNP seeks to influence future development in Rye, it does so in the framework set by Rother strategic policy. In 2019, the (2018) Basic Conditions statement explained why the RNP 2019 conformed with the then Core Strategy.

https://rdcpublic.blob.core.windows.net/website-uploads/2020/01/Rye_NP_Basic_Conditions_Oct_2018.pdf

4.11 In 2018, Rother DC embarked on a review of the Core Strategy and drafted the Local Plan 2020-2040 (now at Regulation 18 stage) which set two overall priorities: “Green to the Core” and “Live Well Locally”:

- **Green to the Core** emphasises the need to consider the impact of our planning decisions on the climate emergency, biodiversity crisis and the High Weald National Landscape.
- **Live Well Locally** recognises that in all planning decisions, the goal is to create healthy, sustainable and inclusive communities.

4.12 Rother’s vision for Rye in the emerging Local Plan is:

“The important historical character of Rye will be preserved and enhanced, maintaining a strong retail and services core with access to sustainable green tourism and leisure opportunities. Areas at risk from flooding and sensitive environmental areas will be protected from inappropriate development and the

high-quality biodiversity and landscape designations will be sensitively managed and enhanced, including community access, through biodiversity net gains from development.

The key employment areas within Rye Harbour will be retained, along with other commercial areas across the town. This includes maintaining the viability of the Port of Rye as a working harbour, while having regard to protecting the integrity of internationally designated habitats. Key tourism areas such as Camber will be promoted through improved accessibility to reduce the dependency on the car, including better utilisation of existing cycle and pedestrian routes.

The eastern cluster of settlements will be better connected by sustainable transport infrastructure, with Rye acting as a key transport hub, and local economies will continue to grow, respecting the historic development pattern of rural communities over time. The strengthened connections to Rye as a sustainable market town, will allow for sensitive development in adjoining villages.”

These priorities and policies have been reflected in the reviewed RNP. In addition, the Rye housing number target was increased to 200 and 1675 sqm of employment space, which is reflected in the reviewed RNP.

4.13 Rother DC April 2025 Update. Following the publication of a new [National Planning Policy Framework](#) by the Government in December 2024, Rother DC then published a new timetable for preparing the new Rother Local Plan. This is set out in detail in our [Local Development Scheme](#), which was approved by the Council’s Cabinet in March 2025. It was now intended to submit the Local Plan to the Government for public examination in December 2026. This would follow a further public consultation around January 2026 which will be focused on proposed site allocations, and publication of the final proposed Local Plan for public comment around Summer 2026.

4.14 Rother DC June 2025 Update. Rother District Council decided to give the public (including landowners) another chance to suggest sites across the district that might be suitable for future development. This was completed on **1 August 2025**.

4.15 As part of this process Rye reassessed all sites with potential development and submitted details for inclusion in the Rother Housing and Employment Land Availability Assessment (HELAA). After this submission, Rye and Rother Planners met on the 15 July 2025 to discuss the government’s desire for more housing and social housing in particular. The discussion focused on the Rye site Reassessment and how it is reflected in the (HELAA). This records all the different sites around the district (and Rye) with the aim of achieving higher housing numbers.

4.16 It was considered that the emerging draft Rother DC Local Plan (Reg 18) 2024 was considered to assess the low side of the housing numbers. Rother DC was very aware of the government's emerging policy and the need for more affordable housing and would look everywhere again to find new sites and also reconsider existing sites to see where densities can be appropriately increased. Rother DC explained that local knowledge was valuable in the process. In the record of this discussion it was generally agreed that higher numbers (perhaps up to 20%) could be achieved by increasing density on the existing allocated sites.

4.17 The emerging draft Rother Local Plan (Reg 18) is arranged in Parts and Chapters. The reviewed RNP complies with these as below.

Emerging Rother Policies	Summary of Policy	Reviewed RNP reflection
Chapter 2		
Priorities GTC and LWL policies	Presumption in favour of sustainable development	Reflected in Section 2
Chapter 3		
Green to the Core	Green to the Core emphasises the need to consider the impact of our planning decisions on the climate emergency, biodiversity crisis and the High Weald National Landscape.	Reflected in Chapter 2
Chapter 4		
Live Well Locally	Live Well Locally recognises that in all planning decisions, the goal is to create healthy, sustainable and inclusive communities.	Reflected in Chapter 2
Chapter 5		
Principles and DEV policies	Vision and development principles	General policies in Section 2

		Development Potential and Targets - RNP Section 4 - H1 and H2 DEV 3 – RNP E1 DEV 6 – RNP E1
Chapter 6		
Health and Well Being	Improving health and well being	RNP objective 1 and policies throughout for access, walking and wheeling. RNP Infrastructure I1
Chapter 7		
Infrastructure	Infrastructure and digital access	RNP – I1
Chapter 8		
Housing	Numbers, mix and design	Section 4 – and RNP Policies H1 to H8 and D1
Chapter 9		
Economy	New development and regeneration	RNP Policies B1 to B3
Chapter 10		
Landscape	Rural land and seascape	RNP Policies E1 to E3
Chapter 11		
Environment	Flood risk, land stability, Habitats and greenery	RNP Policies D1, E1, F1, E2 and T1
Chapter 12		
Heritage	Managing heritage aspects	RNP Policy D1 and E3 Rye Conservation Appraisal
Appendices		
Town Centres		RNP B1 and Rye Conservation Appraisal
Sites of International Importance		RNP E3

Monitoring		RNP Section 6
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4.18. Does the RNP conform with extant European Union Obligations? In 2019, the RNP took full account of the Environmental Impact and Habitat Regulations, which no longer generally apply.

- a. Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive).
- b. Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive).
- c. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively), the conclusion of the HRA screening statement and consultation is: “there is likely to be no significant effect of the Rye Neighbourhood Plan on the European sites. Rother District has advised that a separate assessment is not required.”
- d. Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) and the Water Framework Directive (2000/60/EC). This is to confirm that there are no policies contained in Rye neighbourhood that are within the scope of the directives.
- e. Human Rights Equalities Impact Assessment: An equalities impact assessment has not been undertaken, as no longer required under the Equalities Act 2010, but it is not considered the Plan discriminates unfairly or in a manner which is contrary to the Human Rights Act 1998.

4.19. In the reviewed RNP (Section 1) Rye took account of all relevant studies linked to the emerging draft Rother Local Plan (Reg 18). These are listed in RNP Section 1.

Changes to National Planning

5.1 Rye notes that there have been significant revisions to the national planning system in England, proposed in late 2025 and early 2026, placing a stronger emphasis on housing delivery, density and alignment with new, higher-level local plans. It also notes that while Neighbourhood Plans (NPs) remain part of the

statutory development plan, their role is being refined to ensure they support, rather than hinder, the government's target of 1.5 million new homes.

5.2 In particular Rye has noted that the Levelling Up and Regeneration Act (LURA). came into force on 25 March 2024 and has implications for neighbourhood plans. Sections 98 and 99 of the Levelling Up and Regeneration Act (LURA) 2023, make significant changes to the legal framework for neighbourhood planning in England.

5.3 These sections amend the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990, focusing on the content of neighbourhood plans and their "basic conditions". The LURA makes the following amendments:

Section 98: Contents of a Neighbourhood Plan

- Expands Content Scope: Clarifies and expands what policies can be included, specifically allowing policies relating to the amount, type, location, and timetable of development.
- Infrastructure and Design: Enables neighbourhood plans to include detailed infrastructure requirements, affordable housing requirements, and design requirements.
- Climate Change and Nature: Introduces requirements for neighbourhood plans to contribute to the mitigation of and adaptation to climate change, and to take account of local nature recovery strategies (LNRS).
- Alignment with National Policy: Specifies that neighbourhood plans must not be inconsistent with or repeat any National Development Management Policies (NDMPs).

Section 99: Neighbourhood Development Plans and Orders: Basic Conditions

- Preventing Obstruction: Stipulates that neighbourhood plans cannot hinder, prevent, or reduce the housing delivery set out in Local Plans.
- Stricter Conformity Test: Replaces the "general conformity" test with a stricter requirement ensuring plans do not conflict with strategic planning.
- Environmental Reports: Mandates that plans comply with Environmental Outcomes Reports (EORs).

5.4. In all, Rye Neighbourhood Planners have worked to ensure that, given the severe constraints on Rye (flood risk, geography and surrounding protected biodiversity) the Neighbourhood Plan aligns with the wider strategic network.

5.5 The Addendum Section 1 to the Rye Neighbourhood Plan Basic Conditions Statement, at the start of this document, reflects the latest conditions for the preparation and making of Neighbourhood Plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the: Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B Planning and Compulsory Purchase Act 2004: ss 38A-C Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended). The review of the Rye Neighbourhood Plan has considered these changes.

Anthony Kimber MBE PhD

RNP Coordinator

May 2026