

Mill House  
Beacon Lane  
Northiam  
East Sussex  
TN31 6PJ

18 June 2020

Mr Edwin Corke  
Senior Planning Officer  
Rother Planning Department  
Rother District Council  
Town Hall  
Bexhill-on-Sea  
East Sussex TN39 3JX

Dear Mr Corke

**RR/2019/840/P Outline: Development of 6 dwellings (Amended)  
Ferry Road - Land at, Rye TN31 7DJ**

On behalf of Rye Conservation Society, I am writing to restate our objection to the above application for the following reasons.

We note that ESCC Highways has no objection to the access and level of parking provision given that the road is now to be widened and provided with a pavement. Network Rail (NR) has withdrawn its objection subject to the applicant meeting the NR covenants which we take to be the design criteria set out in their email of Feb 2020 (see comments below on trees). In addition we note that Rother Environmental Health is satisfied that subject to conditions, concerns as to noise, vibration and ground contamination can be overcome.

**1.0 Flooding criteria**

One of our original concerns related to the location of the site within the zone 3 flood plain and we note the requirements of the Environment Agency(EA) that the ground floor should not be used for habitable accommodation but used only for 'utility room and garaging'. We note that the EA requirement for the ground floor level to be set at 3.85 AOD has been met.

We remain concerned that the applicant has merely amended the designation of the original ground floor kitchen to utility room and that internal garages have only been provided in two of the six houses. Our concern is that in all cases the ground floor utility room is larger than the first-floor kitchen, has direct access to the garden and in four of the houses is provided with a bay window.

We also note that in the sequential flood test the housing sites designated in the Rye Neighbourhood Plan were not taken into account, whilst the Development and Site Allocation Plan was noted, which omits Rye because of the adopted Rye Neighbourhood Plan.

Honorary Secretary: David Bookless, Top Flat, Faraday House, The Mint, Rye TN31 7EW

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## 2.0 Internal house design

A direct result of the amendments noted in 1 above, to meet EA flood requirements, is that the kitchen/dining/living space within the overall area of the dwelling is considerably lower as a percentage than that provided in other developments such as Bridge Point in Rye and Donsmead in Northiam.

An analysis of House 6 shows that the GF utility room and storage represents some 22% of the total floor area as against 4% for the kitchen and 19% for the combined living/dining/kitchen area. This represents a serious under-provision which, in our view, will inevitably lead to the use of the utility room with its access to the garden and generous work-top provision as habitable accommodation.

We do not believe the plans as designed meet the EA requirements to limit habitable accommodation to the first floor and above.

## 3.0 Mass and scale

Our major objection remains that of an inappropriate scale given the surrounding houses in Ferry Road and Cyprus Place, as shown below.



Cyprus Place

Scale of surrounding residential buildings



Ferry Road &  
Queen Adelaide

The scale of the proposed houses is as shown below.

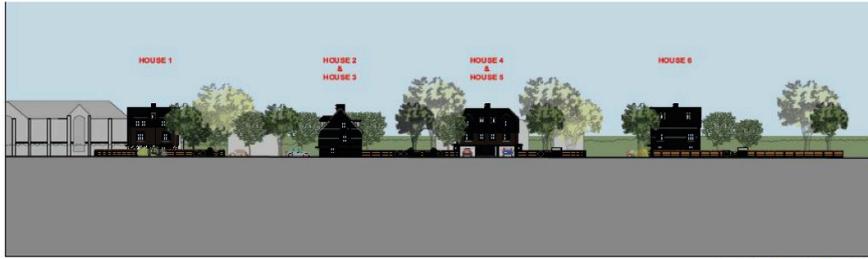
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Proposed Elevation of House 1 and Street scene.

What is apparent from the above is that the scale of the proposed units is NOT 2.5 storeys as described in the Design and Access Statement but a full 3 storeys plus roof and relates to the former granary at 48 Ferry Road and not to the surrounding residential streets.

We would also wish to point out that drawing A202E Sectional elevations gives a false impression of the scale of the buildings and the trees to be retained and provided. It is in our view completely irrelevant to show the windmill in relation to House No 1 as it is over 150m away and House 6 is some 90m away. The relationship of the proposed houses is to the surrounding houses and should be seen in relation to the mass and height of the Granary at No 48 Ferry Road.

We would also point out that the drawing A202E shows trees between the railway line and the site fence and on the site of the current application. There are no trees on the NR land (see below).



We understand that one of the requirements of NR is that trees are limited to where they can be planted and also as to species.

#### **Landscaping**

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will

2

As the tree report states that only two existing trees are to be retained, we believe that drawing A202E gives a false view of both future planting and apparent scale.

For these reasons we believe that the current application does not meet the requirements of Rother Core Strategy policy EN2 Stewardship of the Historic Built Environment and EN3 Design Quality and Rye Neighbourhood Plan Policy D1 High Design Quality and E3 Heritage and Urban Design.

#### **4.00 Loss of green corridor and biodiversity**

Development on this site and the parallel site on the other side of the railway line has been refused both by Rother and at appeal.

In 2009, a development of 9 apartments RR/2009/421/P was refused with one of the grounds for refusal being:

- 3 The development of the site to the north west of the railway with two blocks of flats would represent a significant loss of part of the green corridor alongside the railway to the detriment of the amenities of local residents and the character of the area without adequate proposals to landscape the area and provide mitigation for the areas lost. As such the proposal would conflict with Policy GD1 (ii) and (iv) of the Rother District Local Plan.

It is our view that the elimination of the green corridor along the NW side of the railway line conflicts with the policies of the Rother Core Strategy 2014 EN3 Biodiversity and Green Space and Rye Neighbourhood Plan Policy E2 Green Infrastructure.

The Society notes that, in the appeal decision confirming refusal for development on the parallel strip of land to the SE of the railway line RR/2009/419/P, the inspector was concerned as to the loss of the green corridor; a 4.5m strip was to be retained. This is not the case on the current site where, due to the narrow width, construction will be taken hard up to the boundary with the retention of only two trees across the whole site. The inspector's comments were as follows.

#### *Character and appearance*

11. Despite the generally poor quality of its vegetation I am in no doubt that the appeal site contributes positively to the setting of the car park and to the general character and appearance of the area. However, I note that the proposed development would retain a landscaped strip of some 4.5m wide along the northwestern part of the site and that a further strip of vegetation would be retained between the site boundary and the railway.
12. In these circumstances it seems to me that it should be possible, subject to an appropriate landscaping condition, to mitigate the loss of vegetation such that there would be no material harm to the character and appearance of the area -

#### **5.0 Previous assessment of Use**

In the 2009 SHLAA that accompanied the 2006 Local Plan, both sites either side of the railway line including the current site (ref. RY31) were shown as excluded following assessment. In the SHLAA 2013 that supported the Core Strategy 2014, the sites were not even considered for assessment, primarily we believe because of loss of green space and biodiversity and because any development would be of a sub-standard nature due to the constraints of the site. In addition we note that the site was excluded from the designated housing sites in the Rye Neighbourhood Plan.

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For the reasons noted above we believe that the current application should be refused.

Yours sincerely

Julian Lockett  
Chairman, Planning Committee  
Rye Conservation Society