



Meeting by 'Zoom' video conferencing due to ongoing Covid-19 pandemic.

Councillors in attendance: Chairman: Zoe Maclehose (ZM), Laura Craven (LC), Max Harwood (MH), Elena McCloskey (EM), Gerard McCloskey (GM), Mairi Rennie (MR) and Deirdre Walkling (DM).

Clerk: Debbie Harknett

There were six members of the public in attendance.

Meeting started at 6.30pm.

Chairman: Zoe Maclehose

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Clerk: Debbie Harknett

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- 1) **It was noted the meeting would not be recorded.**
- 2) **There were no apologies for absence as all councillors were in attendance.**  
LC noted she would need to leave the meeting at 7.00pm due to a prior commitment.
- 3) **There were no declarations of interest.**
- 4) **The minutes of the last meeting held on 15<sup>th</sup> February 2021 were approved as a true record for signing.**
- 5) **Representations from the public:**
  - a) A MOP addressed the meeting to support points made by other members of the public. SSE have to remove the hardstanding as part of a contractual obligation that is irrevocable. The application area is larger than the existing hardstanding; whether this is an error or intentional is unknown. The vague description of 'agricultural storage' is concerning and could include machinery, pallets, cars, caravans for workers. Traffic to the current SSE site is well marshalled and vehicles go north of the village but North Street residents are concerned there would be an increase in volume and size of vehicles using the narrow roads. The vast industrial workings are visible as part of the vista from Harting Hill; from outside of our parish. Concern that if permission were granted what further works would follow? He, and others from North Street are against the application.
  - b) A MOP noted the site is 300 metres from a residential property, there is a nearby bridleway that is not mentioned in the survey and a footpath beside the complex.
  - c) A MOP noted the farmers field behind the cattlebarn at Commonsides is littered with old vehicles, caravans etc and is concerned we couldn't stop it happening here.
  - d) A MOP expressed concern on behalf of many people who have anxiety about the possible loss of the view but find it difficult to object when the applicant is a friend and/or neighbour. The MOP has passed on the details of the Clerk for comments and is investigating the possibility of a 'class action' group objection.

**6) Planning applications –**

Case No:	SDNP/21/00246/FUL	Comments closing:	22 March 2021
Officer:	Louise Kent	Applicant:	W.A. Davey & Son
Location:	Land West of Bull Hill, Rogate		
Proposal:	Retention of existing hardstanding for agricultural storage purposes.		

- a) ZM noted the planning committee had a site visit last week and thanked Pete Davey (the applicant) for showing us around and meeting members.
- b) ZM noted that we have received 16 objections from members of the public in relation the application for the retention of hardstanding, details (with names retracted) had been circulated to the committee for consideration ahead of the meeting. The originators have given permission for the detail to be shared with SDNPA alongside our response.  
There was much discussion:
- c) DM noted the site is the size of Old Trafford football pitch and shared concerns and reasoning and sought photos of the site prior to the installation of the hardstanding. Reasons for objecting are around landscape (SDNPA policy SD4), tranquility SD7, dark skies SD8, guidance to farmers re hardstanding, the obligation of SSE to remove it, of view from and of the site (in accord with our NP), visibility from footpaths/bridleway/SDNP/Harting Down/Didling/A272, impact of traffic on the village, concern about what would be stored on the site.
- d) GM reminded the meeting the area would be used for storage regardless of whether or not the hardstanding remains and without it access to the site would bring a lot of mud onto the road.

- e) EM questioned if permission couldn't be granted for some of the area (say 1/3) and with it being cut back from the view thereby working with the applicant.
- f) Clerk reminded the meeting they have to consider the application in front of them; the applicant may have suggested possible amendments to the site but these have not been submitted.
- g) It was suggested that we request the Officer to not just visit the site but also locations along the South Downs where it is visible.
- h) After much discussion ZM sought support for objecting as outlined in c) above and including the objections received alongside our comments. With two members abstaining, one having left and four agreeing the motion was therefore carried.

**Comments:**

**1) Rogate Parish Council's (RPC) decision to object**

RPC arranged a site visit with the applicant on Thursday 4<sup>th</sup> March and the applicant kindly showed us round the site and explained his rationale for wishing to keep the hardstand which SSE had constructed on his land. We discussed our different positions.

The applicant has farmland to the North, East, West and South of Rogate. Clearly under normal circumstances, RPC would wish to give farmers, including the applicant, as much support as possible. However, RPC is constrained by planning rules and policies. After much discussion, the RPC has decided to object to this application on the basis of our Neighbourhood Development Plan (the R&RNDP") and SDNP policies. Our reasons are set out below.

**2) Objections received**

RPC is aware of the strength of local opposition having received sixteen objections (copy attached) to the proposal from the residents of Rogate some of which have been logged on the SDNP website. We feel the Planning Officer should take these into account as they evidence concerns on landscape and other planning matters. Some were only sent to our Clerk as the objectors did not feel comfortable sharing their identity for various reasons. The Clerk does not feel they have been duplicated or sent other than by the person from whom she received the email.

**3) The hardstand and SSE's obligation to remove the hardstand**

SSE, as a public utility, did not need planning permission for the electricity substation and the hardstand. However, as a corollary, they have a clear legal obligation to remove the hardstand and restore the area to agricultural land (The Town and Country Planning Act (General Development Order 2015 Class A Temporary Buildings and Uses)). The field in question has been used for asparagus and we understand this is a profitable crop.

We are convinced that SSE should comply with its planning obligations which we had been assured they would. Accordingly, for this reason as well, we oppose the planning application as it would defeat this legal obligation and the designation of the site as one for temporary use only. This temporary use is soon to come to an end.

The application appears to cover not only the hardstand (which is a massive area and appears to be greater than the Manchester United football pitch at Old Trafford) but also an area of the field below it of .95 hectares which we understand may be a third larger than the hardstand.

**4) The Rogate and Rake Neighbourhood Development Plan ("R&RNDP").**

In addition to the SDNPA policies (contained in the South Downs Local Plan), the policies of our R&RNDP also apply as the Examiner has stated that:

*.... upon SDNPA issuing of the Decision Statement, under Regulation 18 of the Neighbourhood Planning Regulations, indicating how it intends to respond to my recommendations, the plan as modified, can be accorded **significant weight in development management decisions**, until such time as a referendum is held.*

The SDNPA Decision Statement will be approved at their planning committee on 11 March.

Consequently, the characterising views defined in our R&RNDP are also relevant and View 7 is on Bull Hill / North Street exactly at the entrance to the hardstanding and so it will be significantly and adversely impacted.

In addition, view 19 will also be impacted as will the view from the A272 approaching the village from the west.

**5) Relevant SDNPA planning policies**

The key policies of the National Park are a presumption in favour of sustainable development set out in the NPF, a duty to have regard to National Park Policies and the great weight to be attached to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. Under the Stafford Principle, if there is a conflict between these purposes the National Park Authority will give

greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.

We are of the opinion that the retention of the hardstanding would not enhance the natural beauty (and wildlife) of the area itself and the surrounding areas. It would spoil many of the views from Bull Hill itself, the road beside it and other vantage areas including the South Downs Way (from near Buriton to Didling), Harting Down, Nyewood, stretches of the A272, properties to the East of Bull Hill etc. The applicant's adviser on landscape admitted there was a moderate to low impact from viewpoints and that is with bunds and background screening. This was not a full LVIA. We think it should have been and we regard the impact on natural beauty as severe. The landscape assessor mentions a background of trees but the ones behind the SSE compound are small, spaced out and deciduous. The conifers behind them have all been cut down except a great deal further up the hill. Consequently, we do not accept that there is a background screening of trees and the negative impact of the hardstand on natural beauty is undeniable.

**6) SDNP Guidance to farmers**

Under this SDNP Guidance to Farmers, hardstanding for a large farm needs to be limited to the area that is reasonably required for agriculture on the unit and no larger than necessary to meet the identified need and that all other requirements of Class A are met. There is no evidence in the planning application to show how these tests can be complied with.

**7) Footpaths and bridleways**

There is a Bridleway running directly along the rear of the SSE compound. There is a Bridleway and a Footpath running East on the other side of Bull Hill near Rogate Lodge. There is a Bridleway running North from Durleighmarsh Farm along with many others in the locality. We believe the hardstand and agricultural storage will be visible from all these rights of way and odours will be a problem in relation to the footpath mentioned first above and potentially the ones near Rogate Lodge. These problems are in addition to the visual impact noted under point 5 above.

**8) Agricultural storage**

This does not appear to be a legally defined term which could well cause problems going forward. For instance does it cover piles of woodchip mentioned by the applicant? With dung there may be problems of run off which will be exacerbated by the removal of the conifers to the North of the SSE compound and any rise in the water table.

**9) The impact on Rogate village**

There are already problems with tractors turning into North Street from the A272 where it is almost inevitable they will cut the corner. North Street itself is very narrow in places and not wide enough for a car on one side and a tractor/lorry on the other. The applicant relies on the SSE traffic management plan which meant all the lorries had to come from the North. However, there is no legally binding commitment incumbent on the applicant to comply with this. In reality, woodchip is stored in fields near Fyning and there are cattle so inevitably there will be tractors and lorries going up and down North Street and potentially Slade Lane at times.

**10) Dark skies and security fences**

Though not included in the application security fences and gates could be a possibility and these issues and concerns relating to the SD8 Dark Skies Policy may be a problem and difficult to monitor and control.

**11) Officer site visit and SDNP Committee**

We would ask that the Officer does not just visit the site but also views the site from other strategic parts of the SDNPA – areas as noted above.

Should the Officer not be minded to reject this application we hereby confirm that we would want the decision to be made at Committee level (rather than under delegated powers) and there are significant additional points that we would want to raise. This is because of the sensitivity of the site and the type of activity which is difficult to monitor or control. Consequently, RPC and many residents are concerned about this application.

Attached:      Objections received from parishioners  
                     Photos of the site from afar

The MOPs left with thanks for joining the meeting and sharing their views.

Case No:	SDNP/21/00407/LIS&00406/HOUS	Comments closing:	16 March 2021
Officer:	Louise Kent	Applicant:	Mr and Mrs Pearce
Location:	Terwick Old Rectory, Rogate GU31 5EQ		
Proposal:	Single storey extension and siting of oil tank.		
There was discussion about the Council decision and the following comment was approved with 3 Members agreeing to its submission and one Member abstaining from the vote.			
Comments:	<i>While the Council had no objections to the siting of the oil tank and the principal of an extension of the size proposed they felt the design was out of keeping with the grade II listed building.</i>		

Case No:	SDNP/21/00610/HOUS	Comments closing:	23 March 2021
Officer:	Rebecca Perris	Applicant:	Mr B. Hennessey
Location:	Vicarage Farm, Slade Lane, Rogate GU31 5BL		
Proposal:	The erection of a detached 3 bay oak framed garage with home office on the first floor.		
Comments:	<i>The Council had no objections to this application.</i>		

Case No:	SDNP/21/01077/PA3O	Comments closing:	30 March 2021
Officer:	Derek Price	Applicant:	Mary Giles
Location:	Durleigh Marsh Car Sales, Durleighmarsh, Rogate GU31 5AY		
Proposal:	Prior Approval application for the Change of Use from Light Industrial (Class B1(c)) to 1 no. residential dwellinghouse unit (Class C3)		
Comments:	<i>Rogate Parish Council have considered this prior-application proposal for change of use from light industrial to residential dwellinghouse. We would object to this application in line with our Neighbourhood Plan policy H2: Residential Development in the open countryside. To be considered as an exception to this policy the existing building would have to be proved as being redundant and the proposals to lead to an enhancement of the immediate setting. The proposed plans do not meet this requirement and we consider the design of the proposed residential building to be out of keeping with the other residential buildings in the area.</i>		

12) The draft response letter to Tim Slaney was discussed and will be circulated for approval. DM explained how a section 106 can be used as positive governance to make a site that is unacceptable acceptable with conditions.

13) The next **Planning Committee Meeting** is scheduled to be held at **6.30pm on Monday 29<sup>th</sup> March 2021** via 'Zoom' video conferencing.

There being no further business the meeting closed at 7.56pm.

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**Chairman**

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**Date**