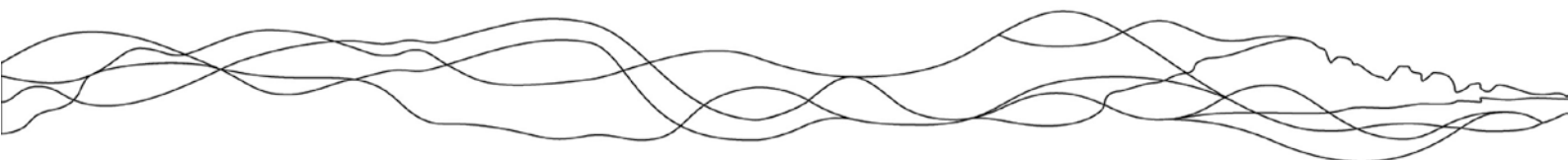


ROGATE AND RAKE  
NEIGHBOURHOOD  
DEVELOPMENT PLAN  
SUBMISSION  
FULL REPRESENTATIONS

19<sup>th</sup> October 2020 - 14<sup>th</sup> December 2020



Respondent Reference:	R1
Organisation or Individual:	Chichester District Council
Agent Details:	N/A

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rogate and Rake Neighbourhood Development Plan - Regulation 16 - CDC Response  
**Date:** 11 December 2020 14:03:43  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[Final CDC Response Rogate and Rake NP Oct 2020.pdf](#)

---

Dear Amy,

Please find attached Chichester District's Council's formal response to the above consultation.

If you have any queries then please do not hesitate to contact me.

Kind regards,

Valerie



**Valerie Dobson**

Principal Planning Officer

Planning Policy

Chichester District Council

[REDACTED]  
<http://www.chichester.gov.uk>



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[REDACTED]

## Rogate and Rake Neighbourhood Development Plan 2020-2033 Submission Document September 2020 (Regulation 16)

### Chichester District Council Response – December 2020

#### General:

The plan is a generally well thought through document and the main development management policies closely align with those of the adopted South Downs National Park Local Plan (SDNP LP).

#### Other representations:

##### Page 13: Section 2.4

The absence of any mention of archaeology is disappointing and should be remedied. Section 2.4 *The Built Environment* would be more accurately entitled *The Built and Historic Environment*, and additional reference on the importance of the preservation of archaeological significance should be included. Other similar references to The Built Environment should also be replaced by reference to the 'historic environment' where this provides a more accurate reflection.

Page 18: Objective 3 Built Environment - this should be amended to more accurately reflect the historic and cultural environment nature of this objective which extends beyond just that which is built; suggest the inclusion of additional text as underlined below:

*To retain, respect and strengthen the cultural heritage and rural character of the existing built form of settlements and their settings within the landscape whilst also encouraging high quality, including contemporary, designs, sustainable building practices and the use of local renewable materials. To ensure suitable preservation of sites of historic and of archaeological interest.*

Amend title of objective relating to 'Built Environment' to correct typos.

Page 28: - Paragraph 4.5.4 – the plan incorrectly references Policy SD28 of the South Downs Local Plan in that it infers affordable housing contributions will be sought on schemes as low as 1 unit. This is incorrect and a “meaningful financial contribution” will only be sought on schemes of 3 units. 1 and 2 unit schemes are not required to provide affordable housing.

##### Page 30: Policy H2 Residential Development in the Open Countryside

Part B of this policy relates to the development of rural exception sites and the provision of affordable housing in perpetuity “possibly by a community land trust”. The Housing Delivery Team understands that a neighbourhood policy cannot prescribe who a developer will work with or how a potential site may come forward. Moreover, as exception sites are typically registered provider or Community Land Trust led, this should be removed to allow more flexibility in the delivery of these sites.

Page 33-34: Policy H6 Allocation of Sites Suitable for Development

Para 4.6.10 – the text refers to part of the site extending in to Liss parish; it is not clear how this will be delivered as part of the site will lie outside the NP designated area.

Part A of the policy indicates the land is under single ownership but ‘could be developed separately, or preferably at the same time’. The plan needs to be careful in that it does not promote the artificial or contrived sub-division of the site which could be detrimental to the delivery of affordable housing within the parish. It is advised that they remove the text on how the site could be delivered.

Part B of Policy H6 allocates a site outside the settlement boundary and within the countryside where adopted South Downs National Park Local Plan Policy SD28 Affordable Homes would apply. It may be more appropriate to consider this under Policy SD29 Rural Exception Sites, however, exception sites cannot be allocated in plans. There are also difficulties with the site in this respect that given its proximity to Liss rather than Rogate it is likely to service a need from outside the district which would not be supported. It would be unlikely that a registered provider would be willing to take either a single unit on in this location or deliver it as an exception site based on the remoteness and small number of units being provided. Such a unit therefore may be provided as a shared equity or discounted sale unit.

**Exercise of Delegated Authority - Director of Planning and Environment**

I hereby exercise my delegated power in accordance with Chichester District Council’s Constitution:

‘to make formal comments on a draft Neighbourhood Plan at Pre-Submission stage and Submission stage’

AND DETERMINE THAT, the above comments are the formal response made by Chichester District Council on the **submission stage** of the **Rogate and Rake Neighbourhood Development Plan 2020-2033 Submission Document September 2020** in relation to comments made under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended by The Neighbourhood Planning (General) (Amendment) Regulations 2015):-

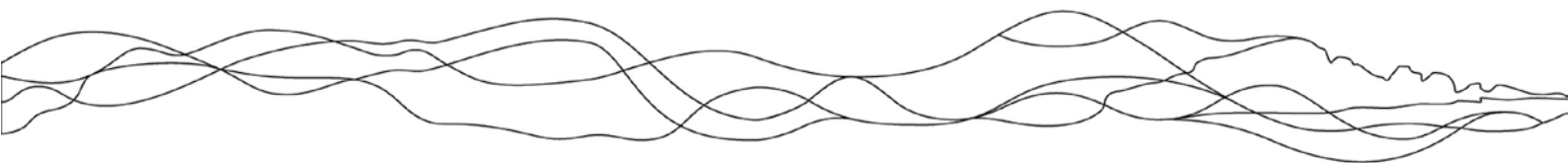
Signed:

A black rectangular box redacting the signature of the Director of Planning and Environment.

**Director of Planning and Environment**

Date: 10 December 2020

Respondent Reference:	R3
Organisation or Individual:	Natural England
Agent Details:	N/A



**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rogate & Rake Neighbourhood Plan (Reg 16 Consultation) NE response 332949  
**Date:** 17 November 2020 12:55:21  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[RRNP\\_Making\\_a\\_representation\\_guidance\\_note.htm](#)  
[332949 NE response.pdf](#)

---

Dear Sir/Madam

Please find Natural England's response in relation to the above consultation attached herewith.

Kind regards

Jacqui Salt

Natural England

Consultation Service

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>**

**Wash hands. Cover face. Make space.**

---

Date: 17 November 2020  
Our ref: 332949  
Your ref: Rogate & Rake Neighbourhood Plan



South Downs National Park Authority  
[Redacted]

**BY EMAIL ONLY**

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Dear Sir/Madam

**Rogate & Rake Neighbourhood Plan Regulation 16 Consultation**

Thank you for your consultation on the above dated 19 October 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this neighbourhood plan.**

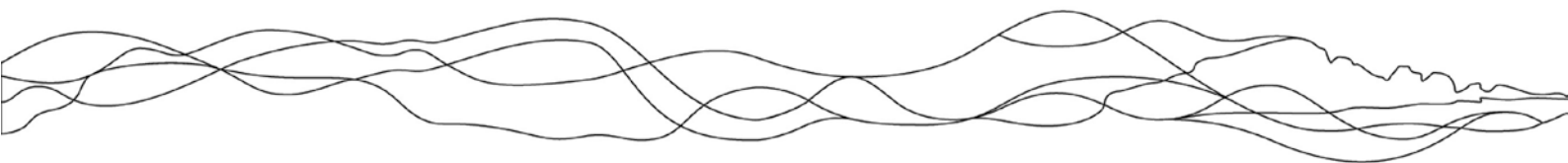
For any further consultations on your plan, please contact: [Redacted]

Yours faithfully

Jacqui Salt  
Consultations Team



Respondent Reference:	R2
Organisation or Individual:	Highways England
Agent Details:	N/A



From:



Subject: Highways England Response (HE ref. #11617) re. Rogate & Rake NP - Reg 16 Consultation

Date: 14 December 2020 12:27:03

Attachments: [image001.png](#)

<b>For attention of:</b>	Neighbourhood Planning, South Downs National Park Authority
<b>Consultation:</b>	Rogate and Rake Neighbourhood Development Plan (2020-2033) Regulation 16 Consultation
<b>Highways England's Reference:</b>	#11617

Dear Neighbourhood Planning,

Thank you for your notification dated 19 October 2020, inviting Highways England to comment on the Rogate and Rake Neighbourhood Development Plan (R&RNDP) (2020 – 2033) Submission, seeking responses no later than 14 December 2020.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with plans and/or proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of Rogate and Rake our focus will be on any potential impact to the A3.

We note that the Plan will work on a housing development figure of between 10-20 units on two sites across the parish, with additional 'windfall' development. The two sites identified within the R&RNDP include:

1. Renault Garage and Bungalow South of A272, Rogate - capacity for up to 9 houses and either two flats or two workshops
2. Land on North side of B2070 London Road West of Flying Bull PH, Rake – capacity for up to 4 houses

Highways England note that the 2017 Housing Needs Survey carried out by Chichester District Council shows the need for more dwellings to be delivered, up to 30 in Rogate and Rake Parish. Highways England does not have any concerns or objections to the Rogate and Rake NDP or to the delivery of up to 30 dwellings over the Plan period to 2033. However, if proposed new housing sites or the quantum of development in Parish significantly exceeds the target of 30 new homes up to 2033, then we will wish to be consulted and may require an assessment of the cumulative impact upon the A3.

Thank you for consulting Highways England. Should there be any queries regarding this response, please contact the team at

Regards,

**Sent on behalf of Kevin Bown, Spatial Planning Manager Area 4**

**Richard Franklin**

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://www.highways.gov.uk>

**Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or similar. We will continue to seek to work to our statutory and**

other deadlines. In case of IT or other issues, as a precaution, please copy all emails to

[REDACTED]

. Thank you.

*This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.*

**Highways England Company Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF |**

<https://www.gov.uk/government/organisations/highways-england> |

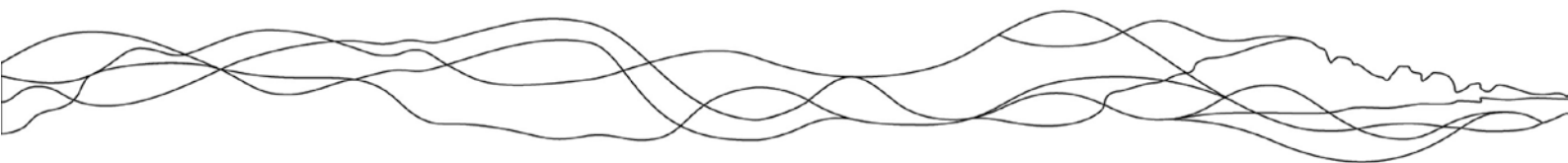
[REDACTED]

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[REDACTED]

Consider the environment. Please don't print this e-mail unless you really need to.

Respondent Reference:	R4
Organisation or Individual:	Environment Agency
Agent Details:	N/A



## Kate Dobbin

---

**From:** Oxley, Marguerite [REDACTED]  
**Sent:** 01 December 2020 12:44  
**To:** [REDACTED]  
**Subject:** Rogate & Rake Neighbourhood Plan (Reg 16 Consultation) - Comments from the Environment Agency

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Amy

Thank you for inviting the Environment Agency to comment on the Rogate and Rake Neighbourhood Plan Submission version.

We are a statutory consultee in the planning process providing advice to Local Authorities and developers on pre-application enquiries, planning applications, appeals and strategic plans.

Together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

We aim to reduce flood risk, as well as protecting and enhancing the water environment. Our comments are as follows:

### **Flood Risk**

We are pleased to see that the proposed development sites have been directed to the areas at the lowest probability of flooding and that they are both located within Flood Zone 1.

### **Water Quality**

In terms of the two site allocations, we cannot see reference to the proposed arrangements for foul drainage. Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010, any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters. As stated in our previous comments, we recommend communication with Southern Water to understand their requirements in relation to connection to the sewer.

Kind regards

Marguerite Oxley


Marguerite Oxley | Technical Specialist | Sustainable Places | Solent and South Downs Area |  
[REDACTED]



our Commitment:

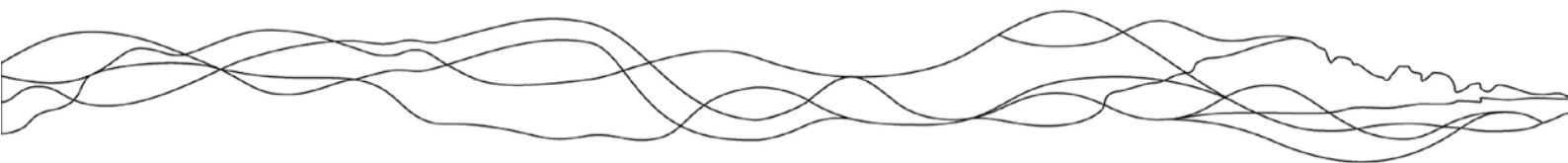
Sustainable Places will prioritise and drive forward environmental outcomes from our work with local authorities and partners across the Solent and South Downs Area

**We have moved to GOV.UK. Our website is now available at: [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency).**

We offer a cost recovery service for bespoke pre-application advice. For more information go to: [gov.uk](http://gov.uk) or 

<b>CORONAVIRUS</b> <b>PROTECT YOURSELF &amp; OTHERS</b>	For the latest guidance: - INTRANET.EA.GOV - NHS.UK/coronavirus - GOV.UK/coronavirus	 Environment Agency
--	---	---

Respondent Reference:	R5
Organisation or Individual:	Liss Parish Council
Agent Details:	N/A



# LISS PARISH COUNCIL



Telephone [REDACTED]

VAT registration no. [REDACTED]

Planning Policy Team  
South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

8<sup>th</sup> December 2020

Dear Mr Slaney,

## **Re: Rogate and Rake Neighbourhood Development Plan**

Overall Liss Parish Council support this well considered and useful Neighbourhood Development and welcome the following inclusions:

1. Policy H3 makes sound recommendations concerning the Conversion of Existing Residential Properties
2. Policy H4 makes sound recommendations concerning Replacement Dwellings, Extensions and Annexes.
3. Listed Community Assets of interest to Liss/Rake include “The Flying Bull”, “The Jolly Drover” and “Oliver’s Piece” viewpoint.

However Liss Parish Council have concerns about the potential of Clayton Court being used as a possible development site given it was proposed in earlier versions of the Rogate and Rake Neighbourhood Development Plan. Although it is not included in the current plan we feel the exceptional reasons, given in Policy H2, to enable additional development outside the SPB could allow its future development. Any development of this site would have a major impact on the Liss Parish and we would expect to be consulted on any future proposals.

Given the B2070 (Old A3) meanders through the Liss and Rake parish boundaries we would like to be involved at an early stage on any future traffic calming initiatives proposed along that stretch of road.

Yours sincerely,



Lizzy Keeling  
Assistant Parish Clerk

Clerk: Sarah Smith, e-mail: [REDACTED]  
Responsible Finance Officer: Liz Ford, [REDACTED]  
Assistant Clerk: Lizzy Keeling, e-mail: [REDACTED]





**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rogate and Rake Neighbourhood Plan Consultation  
**Date:** 15 December 2020 11:27:43  
**Attachments:** [Liss Parish Council Response to Rogate and Rake Neighbourhood Development Plan.pdf](#)  
**Importance:** High

---

Good morning,

I am hoping to submit the attached as the Liss Parish response to the Rogate and Rake Neighbourhood Plan Consultation. I apologise that it is a day late, I badly broke my ankle at the weekend and was still in hospital recovering from surgery yesterday! Really hope our response can still be considered?

Kind Regards,

Lizzy Keeling

*Assistant Clerk*

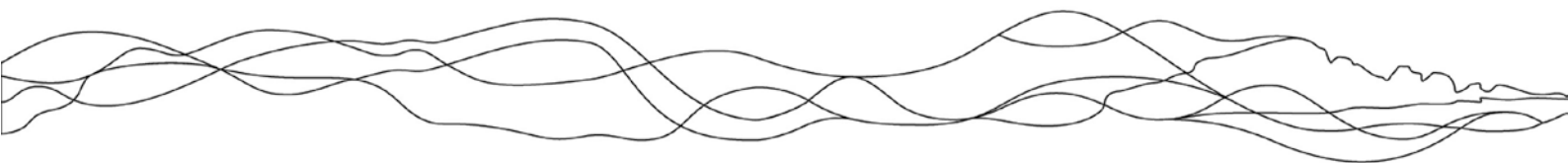
Tel: [REDACTED]

*Council office is currently closed due to Coronavirus pandemic  
Working hours: 9.30am - 3pm Monday to Thursday*

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Respondent Reference:	R6
Organisation or Individual:	SDNPA
Agent Details:	N/A



**Appendix 2: SDNPA response to the Rogate & Rake Neighbourhood Plan – Submission Document**

Page number	Section	Comments	SDNPA Recommendation
		<p>General</p> <p>The SDNPA welcomes the submission of the Rogate &amp; Rake Neighbourhood Plan (RRNP), and wishes to congratulate the Parish Council and Neighbourhood Plan Steering Group (NPSG) on reaching this milestone. We acknowledge that the process of preparing the RRNP and supporting evidence has taken a considerable length of time with several delays occurring mainly due to circumstances beyond the control of the Parish Council / NPSG. We would therefore like to commend all those involved for their patience and perseverance.</p> <p>The SDNPA provided detailed comments at the Pre-submission consultation in 2017 and we welcome the changes to the RRNP that have been made in response to these comments. We note that the overall vision, objectives and policies of the RRNP have not changed significantly since the pre-submission consultation. We therefore reiterate our original general comment on the plan which we consider to contain many good ideas. The Plan provides a supportive framework for landscape management and function both directly and indirectly. The Plan is also well presented, providing succinct contextual information on the parish and clearly drafted planning policies which can be used in the determination of planning applications.</p> <p>We recognise that drafting of the RRNP has occurred over a long period of time, much of which was prior to the adoption of the South Downs Local Plan. This was a challenge given that the adopted Local</p>	

Page number	Section	Comments	SDNPA Recommendation
		<p>Plan policy for the Parish at the time was largely out of date (Chichester Local Plan 1999) and policies for the South Downs Local Plan (SDLP) were in draft form. There is, as a result, several overlaps between RRNP policies and adopted SDLP policies, and in a few instances we have identified potential conflicts between the two - we have highlighted these in our comments below.</p>	
13	2.5.4	<p>For clarity, Policy SD26 of the South Downs Local Plan (SDLP) identifies a housing provision of approximately 11 new homes in Rogate during the plan period 2014-2033. SD26(4) states ‘NDPs that accommodate higher levels of housing than is set out [in the policy] will be supported by the National Planning Authority providing that they meet local housing need and are in general conformity with the strategic policies of the development plan.’</p> <p>It is noted that preparation of the RRNP has been informed by a Local Housing Needs Survey undertaken in 2017, which identified a local housing need of up to 14 market homes and up to 25 affordable homes. It is also noted that the Housing Needs Survey identifies a need for smaller 1-3 bedroom sized homes. This concurs with the purpose of Strategic Policy SD27 of the SDLP</p>	None
22	Policy NE1: Conserve, Protect and Enhance the Natural Environment	<p>We note and welcome the inclusion of policy text here requiring project-level Habitats Regulations Assessment for development proposals within 5km of the Wealden Heath Phase 11 SPA. This reflects the outcome of the Habitats Regulations Assessment of the RRNP.</p>	No further changes requested.

Page number	Section	Comments	SDNPA Recommendation
		Further minor amendments made to this policy in response to our Reg 14 Pre-submission comments are also welcome.	
26	Policy BE1: Locally distinctive design within the Parish	<p>Objective 3 BE could be clarified to state 'use of renewable building materials found in the local area'</p> <p>We would also recommend the following amendment to the policy criterion c.iii to make it more effective for development management purposes:</p> <p>c. iii. the treatment of boundaries <u>is appropriate for its location and respects the village or hamlet setting</u></p> <p>The addition of criterion (b) since the pre-submission draft is welcome given the quality of dark night skies in the neighbourhood area. The supporting text could also helpfully refer to the quality of dark night skies to give this criterion some context. The parish is within the dark sky core of the International Dark Sky Reserve and contains some of the darkest night skies of the National Park.</p>	<p>Revise objective and policy wording</p> <p>Include details of the quality of dark night skies in the supporting text</p>
27	Policy BE2: Conservation Area	We welcome the inclusion of reference to the setting of the Conservation Area and locally distinctive building materials in this policy.	No further changes requested.
28	Housing Para. 4.5.3	Reference to the NPPF should be updated to paragraph 61 which refers to the size, type and tenure of housing needed for different groups in the communities being reflects in policies.	Update NPPF reference.
28	Housing	We note that the provision of affordable homes is an important element of what the RRNP seeks to achieve. Given that the South	Delete table at paragraph 4.5.4.

Page number	Section	Comments	SDNPA Recommendation
	Para. 4.5.4	Downs Local Plan is now adopted we would recommend deleting the table in paragraph 4.5.4 (which we also note contains an error in the first row – meaningful financial contributions are sought on sites with gross capacity for 3 homes).	
28	Housing Para. 4.5.6	The SDNPA strongly encourages the involvement of community-led housing organisations who are looking to create permanently affordable housing needs. To achieve this aim, the SDNPA makes available modest financial grants towards to the cost of affordable homes delivered via community led housing groups (which includes Community Land Trusts).	None
28	Para 4.5.8	Reference to the SDLP should be updated to state the SDLP is adopted as of July 2019.	Update reference to the SDLP.
30	Policy H2: Residential Development in the Open Countryside	<p>The NPPF has been updated since this policy was drafted. Criterion f should refer to paragraph 79 of the NPPF.</p> <p>We reiterate our comments raised at Reg 14 consultation that Policy H2 re-emphasises much of the protection already afforded by national policy and SDLP policy. This additional layer may be unnecessary, risks creating confusion and may in places be in conflict with higher level policy, thereby undermining the level of protection afforded.</p>	Reconsider whether this policy is necessary.
27	Policy H4: Replacement Dwellings,	Policy H4 is concerned with appropriate replacement or extension of existing dwellings. SDLP Policy SD30 sets specific requirements regarding the replacement of existing dwellings, limiting the additional floor area to approximately 30% compared to the existing dwelling, to	Consider the relationship between Policy H4 and Policies SD30/31 of the SDLP.

Page number	Section	Comments	SDNPA Recommendation
	Extensions and Annexes	<p>reduce the loss of small homes in the National Park through replacement by substantially larger homes.</p> <p>Policy SD31 of the SDLP also sets a limit of approximately 30% additional floorspace for extensions, to avoid the over-extension of existing dwellings and the adverse impact that this has on the character and appearance of both settlements and the countryside.</p> <p>Both SD30 and SD31 are non-strategic policies of SDLP, such that where there is a conflict between a NDP policy and Local Plan policy, the most up-to-date policy takes precedence. We consider Rogate Neighbourhood Area could lose the 30% limits of SD30/31 with the making of NDP and policy H4 and query whether this is the intention of the Parish Council?</p>	
29-32	Policy H6: Allocation of Sites Suitable for Development	<p>Strategic Policies SD4 and SD5 of the SDLP require a landscape-led approach to the design and layout of all proposals in the National Park. Whilst we appreciate that the indicative layouts in the RRNP may have been included to demonstrate how a certain quantum of development could be achieved on the sites allocated, their inclusion could undermine good contextual design and the evidence base / landscape-led approach for well-designed places. We therefore recommend the plan includes a red line boundary of the sites only. This is consistent with the approach to site allocations in the SDLP.</p>	Remove indicative layouts and include red line boundary of site allocations only.

Page number	Section	Comments	SDNPA Recommendation
		<p><u>H6 (a) Renault Garage and Bungalow South of A272, Rogate</u></p> <p>We welcome the changes made to this policy in response to our pre-submission comments.</p> <p>The rear boundary of the site is a historic landscape feature and we request specific reference to conserving this in the policy.</p> <p>Reference in criterion viii to an indicative layout should also be removed.</p> <p><u>H6(b) Land on north side of B2070 London Road west of Flying Bull PH, Rake</u></p> <p>During the Regulation 14 consultation we raised a number of concerns with this site including the loss of trees, the site's elevated position next to the B2070 London Road, and the inclusion of proposed gardens extending beyond the designated Neighbourhood Area. In regard to the latter, it is noted that RPC have consulted Liss Parish Council and received no objection to the proposed allocation.</p> <p>We acknowledge that amendments have been made to the policy criteria which go some way towards to addressing these concerns. Nevertheless, the site has a series of constraints which will need to be carefully addressed in any future planning application.</p> <p>Given the comments above regarding removal of indicative layouts in the NDP, we consider the criteria of the policy should be clearer in requiring development to be set back from the London Road and provision made for a soft landscaped area along the frontage.</p>	<p>Include reference to the historic field boundary.</p> <p>Remove reference to indicative layout.</p> <p>Include requirement for soft landscaping on frontage of the site.</p>



Page number	Section	Comments	SDNPA Recommendation
		<p>We note a new requirement for a footpath connecting with village hall grounds, this should be secured through a suitable planning obligation.</p> <p>The second proposed allocation is in Rake and responds to community feedback that development should not be considered in this part of the parish also. It should be noted that Rake is not identified as a settlement in Policy SD25: Development Strategy of the SDLP and it does not have a housing provision figure set in Policy SD26. The allocation would not therefore contribute to meeting the housing provision figures set in SD26 for Rogate although it is noted that site H6 (a) is expected to meet the housing provision for Rogate.</p>	
37	Policy EWI: Supporting the Rural Economy	<p>We consider that Policy EWI appears to allow for a wide range of development within the countryside and query whether this is the intention of the RPC? We suggest a cross reference to strategic Policy SD25 Development Strategy of the SDLP to ensure that appropriate exceptions to development in the countryside are retained.</p> <p>The use of the word “redevelopment” is unclear – e.g. does this support demolition of redundant farm buildings and erection of newbuild in their place? Policy SD41 of the SDLP sets detailed requirements regarding the conversion of redundant agricultural or forestry buildings in the countryside, providing support for the rural economy whilst protecting and enhancing the character of the countryside. We’d recommend cross-reference to Policy SD41 in criterion (b).</p>	Clarify intention and wording of policy and relationship with Policy SD41 of the SDLP.

Page number	Section	Comments	SDNPA Recommendation
38	Policy T1: Encouraging Sustainable Travel	We welcome the change to this policy in response to our previous comments in regard to any adverse impact international nature conservation designations.	None.
38	Policy T3: Parking	To note, the SDNPA has recently consulted on a draft Parking SPD for the National Park.	
40	Policy CHI: Community Facilities	Suggest that the term 'supported' rather than 'encouraged' is more appropriate in the context of development management.	Amend policy wording.
42	Policy CH3: Public Open Spaces, Village Greens and Local Green Space	<p>We understand the intention of this policy is to identify public open spaces of local value to residents. In addition, particular open spaces are identified as demonstrably special to the local community and are to be designated as Local Green Spaces in accordance with paragraphs 99 and 100 of the NPPF.</p> <p>The SDNPA is supportive of the principle of Local Green Space designations. We are mindful, however of the criteria of the NPPF that states LGS designation should only be used where green space is demonstrably special to the local community and holds a particular local significance and that designating land as LGS should be consistent with the local planning of sustainable development. In light of this, the independent examiner may come to a view that one or more of the proposed sites do not meet the tests of the NPPF. The SDNPA will</p>	

Page number	Section	Comments	SDNPA Recommendation
		duly consider any such recommendation the examiner decides to make.	
46	6. Implementation	<p>We note the addition of reference to the use of Community Infrastructure Levy under paragraph 6.1.4</p> <p>Para 6.1.2 should state that planning decisions will be made in accordance with the Development Plan unless material considerations indicate otherwise. Once made, the RRNP and SDLP will form the Development Plan for the Rogate neighbourhood area</p>	<p>None</p> <p>Amend text in reference to the making of planning decisions.</p>
	SEA / SA	<p>A Sustainability Appraisal incorporating Strategic Environmental Assessment has been completed to support the preparation of the RRNP. This includes an appraisal of the key environmental constraints at each development site considered in the preparation of the RRNP, and potential effects that may arise as a result of development at these locations. The assessment concludes that the RRNP is likely to lead to a series of long term positive effects. Some minor negative effects were also identified, but given the scale of the proposals, these negative effects are however likely to be insignificant.</p>	<p>The conclusions of the SEA/SA are noted.</p>
	HRA	<p>A Habitats Regulations Assessment has been undertaken, including Appropriate Assessment of expected likely significant effects to European Sites due to air quality, recreational pressures and urbanisation issues. The HRA concludes that the appropriate safeguarding policies exist within the SDLP and RRNP, therefore, no adverse effect would occur on the integrity of European Sites.</p>	<p>The conclusions of the HRA are noted.</p>

Report to	<b>Planning Committee</b>
Date	<b>10 December 2020</b>
By	<b>Director of Planning</b>
Title of Report	<b>The South Downs National Park Authority's response to Submission (Reg 16) consultation on the Rogate &amp; Rake Neighbourhood Development Plan (RRNP)</b>
Purpose of Report	<b>To agree the content of the South Downs National Park Authority's (SDNPA) representation to the Independent Examiner</b>

**Recommendation: The Committee is recommended to agree the table of comments as set out in Appendix 2 of the report which will form SDNPA's representation to the Independent Examiner of the RRNP.**

## **1. Introduction and Summary**

- 1.1 The SDNPA actively promotes and supports community led planning, particularly Neighbourhood Development Plans (NDP) where growth needs to be accommodated and planning issues exist. On adoption, NDPs form part of the development plan for the neighbourhood area, alongside strategic planning policies of the South Downs Local Plan (SDLP).
- 1.2 Rogate Parish Council (RPC) is the 'qualifying body' with responsibility for preparing the Rogate and Rake Neighbourhood Development Plan (RRNP). RPC submitted the RRNP (Appendix 1) to the SDNPA for examination on 5 October 2020. An eight-week publicity period commenced on 19 October 2020 and runs until the 14 December 2020, during which time local residents and other stakeholders are invited to submit representations to the SDNPA. These representations will be collated and submitted to the Plan's Examiner.
- 1.3 The progression of the RRNP to submission stage is to be welcomed and the SDNPA wishes to congratulate RPC and the Neighbourhood Plan Steering Group (NPSG) on reaching this milestone. It is the result of a considerable amount of hard work by the Parish Council and the wider community. The preparation of the RRNP has taken a considerable length of time with several delays occurring mainly due to circumstances beyond the control of the RPC / NPSG. The SDNPA would therefore like to commend all those involved for their patience and perseverance.
- 1.4 The SDNPA's comments ([Appendix 2](#)) were prepared using input from SDNPA officers. They set out the proposed representation to be submitted to the examination of the RRNP.

## **2. Background**

- 2.1 The RRNP covers the plan period 2020 to 2033 and has been prepared for the designated neighbourhood area, which follows the Rogate parish boundary. The area was originally designated by SDNPA in March 2013. The neighbourhood area was re-designated in 2020 following a small change to the Parish boundary. The designation map is attached as [Appendix 3](#).

- 2.2 In 2012 RPC took the decision to prepare a NDP for the whole parish. A project manager was appointed and a team of volunteers formed a steering group to oversee the production of the NDP. Then followed an enquiry by design process comprising a series of public meetings, workshops and community survey to inform the initial drafting of the NDP. A Housing Needs Survey was also conducted in partnership with Chichester District Council identifying local housing needs, in particular, for younger households seeking affordable rented homes and first time buying opportunities as well as older people looking to 'right-size' to a 2/3 bedroom home within the parish.
- 2.3 An initial pre-submission consultation on a draft RRNP was conducted in 2015. This draft RRNP did not allocate sites and subsequently RPC decided to prepare a revised draft including sites for development. A second pre-submission consultation was carried out from June to August in 2017. The consultation was publicised on the village website, newsletter and through email to over 200 residents and local businesses on the RPC database. Copies of the RRNP were made available at the Rogate village shop, Rake Garden Centre and the Flying Bull PH. More details of the consultation process can be found in the [Consultation Statement](#).
- 2.4 In 2017 when RPC requested a screening opinion for Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA), the SDNPA screened out the need for HRA subject to mitigation measures to be included in the policies of the draft RRNP. In 2018 the Sweetman vs the Wind high court ruling determined that mitigation measures could not be included in a screening opinion. The RRNP therefore would need to be subject to an Appropriate Assessment, which also triggers the need for a SEA. The completion of these assessments has meant considerable delay to progressing the RRNP. The recommendations of the SEA/SA and HRA have been incorporated into the submission RRNP.
- 2.5 The [SDNPA response to the Pre-submission consultation](#) was agreed by Planning Committee following a site visit on 3 August 2017. The SDNPA response largely focused on local housing need, with clarifications sought on the evidence base. Concerns were also raised regarding the availability and respective constraints of the proposed sites for allocation. At the time of responding, the South Downs Local Plan (SDLP) was in draft form, nevertheless the SDNPA response highlighted areas of overlap and scope to align the RRNP with emerging SDLP policy.
- 2.6.1 The Submission version of the RRNP incorporates a series of amendments in response to the comments received from the SDNPA and other consultees during the pre-submission consultation. It is noted that the overall vision, objectives and policies have not changed significantly. The SDNPA formal representation to the RRNP submission consultation is relatively brief, given officers have worked closely with the NPSG over the years of plan preparation. However, some outstanding issues regarding the relationship between the RRNP and adopted policies of the SDLP (in particular Policies SD30/31, SD4/5 and SD41) are highlighted for consideration by the independent Examiner.
- 2.7 The SDNPA representation, together with any further changes agreed by the Planning Committee, will be submitted to the independent Examiner following approval at Planning Committee.

### **3 Submission and Examination**

- 3.1 The SDNPA is required under the Town and Country Planning Act 1990 (as amended) to support communities in the preparation of NDPs, this includes taking the plan through the process of independent examination.
- 3.2 All representations made on the RRNP, including those of the SDNPA, are collated by the SDNPA and passed to an independent examiner to consider as part of the Examination of the RRNP. The independent Examiner for the Neighbourhood Plan is required to consider whether the RRNP meets the "Basic Conditions" set out in law under the Localism Act 2011. In order to meet the Basic Conditions, a Neighbourhood Plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with EU obligations and human rights requirements; and
- Be compatible with the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

#### **4. Rogate and Rake Neighbourhood Plan – SDNPA Submission response**

4.1 The SDNPA submission representation can be found at [Appendix 2](#). The following key points and overarching issues are raised in the representation:

- It is recognised that drafting of the RRNP has occurred over a long period of time, much of which was prior to the adoption of the SDLP. This was a challenge given that the adopted Local Plan policy for the Parish at the time was largely out of date (Chichester Local Plan 1999) and policies for the SDLP were in draft form. There is, as a result, several overlaps between RRNP policies and adopted SDLP policies, and in a few instances potential conflicts between the two are identified.
- Policy H4 is concerned with appropriate replacement or extension of existing dwellings. SDLP Policy SD30 sets specific requirements regarding the replacement of existing dwellings, limiting the additional floor area to approximately 30% compared to the existing dwelling, to reduce the loss of small homes in the National Park through replacement by substantially larger homes. In addition, Policy SD31 of the SDLP also sets a limit of approximately 30% additional floorspace for extensions, to avoid the over-extension of existing dwellings and the adverse impact that this has on the character and appearance of both settlements and the countryside. Both SD30 and SD31 are non-strategic policies of SDLP, such that where there is a conflict between a NDP policy and Local Plan policy, the most up-to-date policy takes precedence. The SDNPA queries whether it is the intention of the Parish Council to supersede the 30% limits of SD30/31 with the making of Policy H4 of the NDP?
- Strategic Policies SD4 and SD5 of the SDLP require a landscape-led approach to the design and layout of all proposals in the National Park. It is considered that the inclusion of indicative layouts within the NDP for the site allocations could undermine good contextual design and the evidence base / landscape-led approach of the SDLP. It is therefore recommended the RRNP includes a red line boundary of the sites only. This is consistent with the approach to site allocations in the SDLP.
- Policy EW1 appears to allow for a wide range of development in the countryside and it is queried whether this is the intention of the Parish Council? It is suggested that cross references are made to Policies SD25 and SD41 of the SDLP to retain appropriate exceptions to development in the countryside.

#### **5 Planning Committee**

5.1 The SDNPA response to the Submission consultation of the RRNP is presented to Planning Committee as the NDP proposes a slightly higher level of development than set out in the SDLP. Policy SD26 of the SDLP sets a housing provision figure for Rogate of 11 new homes. Policy SD26 also supports NDPs that accommodate higher levels of housing than is set out in the policy where they meet local housing need and are in general conformity with the strategic policies of the development plan. The RRNP has sought to meet the housing needs of the community, especially for young people and older people wishing to remain in the Parish. In response, the RRNP allocates sites to deliver up to 15 new homes, increasing the

provision of suitable new homes for the community including the provision of affordable homes.

## 6 Next steps

- 6.1 If agreed the SDNPA response to the Submission consultation will be collated with all other representations and submitted to an independent examiner to be considered as part of the Examination of the Rogate and Rake NDP.

Stage	Timescale & further details
Examiner appointment	The Examiner is in the process of being appointed to examine the RRNP
Examination	Examination is expected to take 6-8 weeks including preparation and issuing of the final report.
Examiner issues final report	The Examiner will make one of the following recommendations: <ul style="list-style-type: none"> <li>• The Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements</li> <li>• The Neighbourhood Plan, as modified, should proceed to Referendum</li> <li>• The Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.</li> </ul>
Decision on a Plan Proposal	If time allows <sup>1</sup> , Planning Committee will be asked to consider the Decision Statement which sets out the modifications to be made to the plan in response to the Examiner's report.
Referendum	Subject to a successful examination and the approval of the Decision Statement, there will be a referendum (held in May 2021 at the earliest) when the community are asked: <i>“Do you want the South Downs National Park Authority to use the neighbourhood development plan for Rogate to help it decide planning applications in the neighbourhood area?”</i> If over 50% of those who vote say yes, the RRNP will automatically become part of the Development Plan and the SDNPA is then under a duty to ‘make’ the neighbourhood plan within 8 weeks of the referendum.

## 7 Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	Yes – Agreement of the Decision Statement and agreement to ‘Make’ the RRNP at a subsequent Planning Committee if a Referendum is successful.

<sup>1</sup> Government regulations now require Decision Statements be published within 5 weeks of an Independent Examiner's report being issued. If there is insufficient time to take the Decision Statement to Planning Committee, it will be delegated to officers.

Implication	Yes/No
Does the proposal raise any Resource implications?	Yes - The SDNPA has invested staff resources in supporting the development of the RRNP by attending meetings and responding to queries. There has also been financial resource provided through the reallocation of the Government's New Burdens funding and the allocation of SDNPA funding amounting to £17,480. This funding has contributed to the cost of undertaking SEA, HRA and early preparatory work. The SDNPA has claimed £10,000 in new burdens funding from CLG to date and should be able to claim £20,000 to cover the cost of the Examination and Referendum.
Has due regard been taken of the SDNPA's equality duty as contained within the Equality Act 2010?	Due regard has been taken of the SDNPA's equality duty as contained within the Equalities Act 2010. Rogate Parish Council who has the responsibility for preparing the neighbourhood plan have prepared a Consultation Statement demonstrating how they have consulted the local community and statutory consultees. One of the Basic Conditions which the RRNP is required to meet is to 'Be compatible with EU obligations and human rights requirements' therefore the Examiner will be required to check that the plan does not breach this condition.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy: 1. Living within environmental limits 2. Ensuring a strong healthy and just society 3. Achieving a sustainable economy 4. Promoting good governance 5. Using sound science responsibly	Rogate Parish Council as the qualifying body with responsibility for preparing the neighbourhood plan must demonstrate how its plan will contribute to the achievement of sustainable development. This is set out in the Basic Conditions Statement. Please note that the sustainability objectives used by qualifying bodies may not be the same as used by the SDNPA, but they will follow similar themes. <b>Strategic Environmental Assessment</b> Rogate Parish Council has undertaken a SEA/SA in support of their NDP. Rogate Parish Council has undertaken a HRA in support of their NDP.

## 8 Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The NDP does not meet the basic conditions	Low	Medium	SDNPA planning officers have been contributing to the preparation of the emerging RRNP and are comfortable that it meets basic conditions. This will be tested by the examination of the plan and



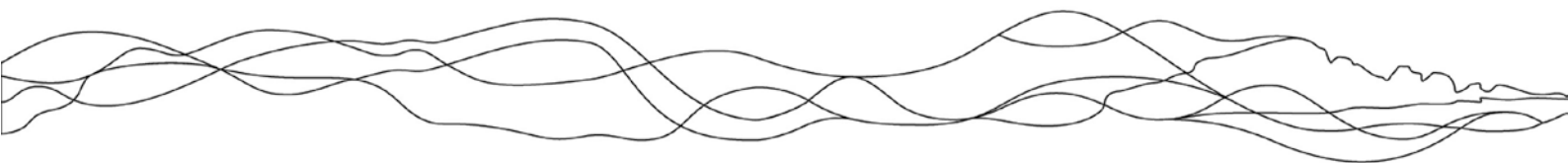
SDNPA not raising all areas of concern at this stage.	Low	Medium	<p>should issues be identified there are a number of mechanisms available through which they can be addressed.</p> <p>Although the comments at this stage should relate only to the basic conditions, officers also take the opportunity to raise more detailed areas in order to add value to the plan or reduce any areas of conflict. It is up to the Examiner as to whether they consider them or not. However, it is hoped that this will produce a better quality plan.</p>
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**TIM SLANEY**  
**Director of Planning**  
**South Downs National Park Authority**

Contact Officer: Amy Tyler-Jones (Senior Planning Policy Officer)  
Tel: [REDACTED]  
email: [REDACTED]

- Appendices
1. [Rogate & Rake Neighbourhood Plan – Submission version](#)
  2. [SDNPA comments on the Submission version of the RRNP](#)
  3. [Rogate Designated Neighbourhood Area Map](#)
- SDNPA Consultees: Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning
- External Consultees: The Submission version of the RRNP is open to anyone to comment on. The SDNPA has publicised it and circulated to all known interested parties. Officers will coordinate all the responses and forward them to the Examiner.
- Background Documents: [SDNPA Response to the RRNP Pre-submission consultation](#)  
[RRNP Basic Conditions Statement](#)  
[RRNP Consultation Statement](#)  
[RRNP Strategic Environmental Assessment / Sustainability Appraisal](#)  
[RRNP Habitats Regulation Assessment](#)

Respondent Reference:	R7
Organisation or Individual:	South East Water
Agent Details:	N/A



14<sup>th</sup> December 2020



Our Reference: SEW Response\_RRNP\_14/12/20  
Your Reference: Rogate & Rake Neighbourhood Plan

[REDACTED]

Planning Policy Team  
South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

[REDACTED]

Dear Sir/Madam,

**Proposal: Rogate & Rake Neighbourhood Plan**

South East Water would like to thank Rogate Parish Council and South Downs National Park Authority for bringing the Rogate & Rake Neighbourhood Plan Consultation to our attention.

Each water company is legally required to prepare a Water Resources Management Plan (WRMP) every five years. South East Water published our WRMP19 in August 2019. This plan sets out how we intend to maintain the balance between increasing demand for water and available supplies over the next 60 years up to 2080. The plan takes into account planned housing growth as well as the potential impact of climate change and includes our ambitious water efficiency programme. For more information please visit our website:

<https://corporate.southeastwater.co.uk/about-us/our-plans/water-resources-management-plan-2019/>

In South East Water's most recent business plan we have committed to play an active role regionally in relation to the impact of housing growth on water. We will develop a policy together with local stakeholders – appreciating the balance of supplying water, the need for society to ensure environmentally sustainable future water resources, and also the ongoing support of the south east region and its economic development. South East Water aims to respond to 100 per cent of all national, local and regional authority consultations and seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply infrastructure. Please see our business plan:

[https://corporate.southeastwater.co.uk/media/2901/sew\\_five\\_year\\_business\\_plan\\_2020-2025.pdf](https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf)

[REDACTED]

TELEPHONE

[REDACTED]

EMAIL

[REDACTED]

EMERGENCY LINE

[REDACTED]

WEBSITE

[www.southeastwater.co.uk](http://www.southeastwater.co.uk)

South East Water Ltd  
Registered in England No. 2679874

[REDACTED]

ISO 9001 Certified  
ISO 14001 Certified  
OHSAS 18001 Certified  
South East Water is an Investor in People



**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Date:** 14 December 2020 16:00:58  
**Attachments:** [SEW response - Rogate and Rake Neighbourhood Plan Consultation.pdf](#)

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Dear Sir/Madam,  
Hope this email finds you well. Thank you for getting in touch with South East Water about the Rogate & Rake Parish Council Neighbourhood Plan Consultation. Please find attached to this email South East Water's formal response.

Please do not hesitate to contact us if we could be of any further assistance.

Kind regards,

Pedro Santos

Water Resources Analyst

Water Resources

[REDACTED] [www.southeastwater.co.uk](http://www.southeastwater.co.uk)



South East Water Logo



Pure Knowhow Logo



South East Water, [REDACTED]

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**From:** [REDACTED]  
**Sent:** 19 October 2020 15:03  
**Cc:** [REDACTED]  
**Subject:** IMPORTANT: Rogate and Rake Neighbourhood Development Plan Consultation

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After a whole series of additional hurdles these past few years, we have finally arrived at the point where the R&RNDP is out for a final public consultation known as the Regulation 16 Consultation.

The consultation starts on Monday 19 October and will close on Monday 14 December 2020.

I attach a letter from SDNPA with an associated guidance note. I also attach a poster which you may be able to display for others to see. The guidance note explains the next steps.

**WE NEED YOUR COMMENTS!**

The documents are on the SDNPA website:

[www.southdowns.gov.uk/rnp](http://www.southdowns.gov.uk/rnp) [[southdowns.gov.uk](http://southdowns.gov.uk)]

and Rogate Parish Council's website:

<https://rogateparishcouncil.gov.uk/council-projects/neighbourhood-plan/>  
[[rogateparishcouncil.gov.uk](http://rogateparishcouncil.gov.uk)]

The main document is the Rogate and Rake NDP - Submission Document

You are being contacted because the organisation you represent is one of our statutory national or local organisations and we previously contacted you. Other statutory organisations are being directly contacted by SDNPA. If you are not now the most relevant person within the organisation please forward this email and attachments to someone who is. If you do not wish to be consulted, please let me know and you will be removed from the contact list.

Many thanks

Steve Williamson

Rogate Parish Council  
[REDACTED]

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Go paperless and view your bills 24/7 when you sign up to manage your account online.  
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For details of how we manage your personal information or to exercise any of your rights over it please see [www.southeastwater.co.uk/privacy](http://www.southeastwater.co.uk/privacy).

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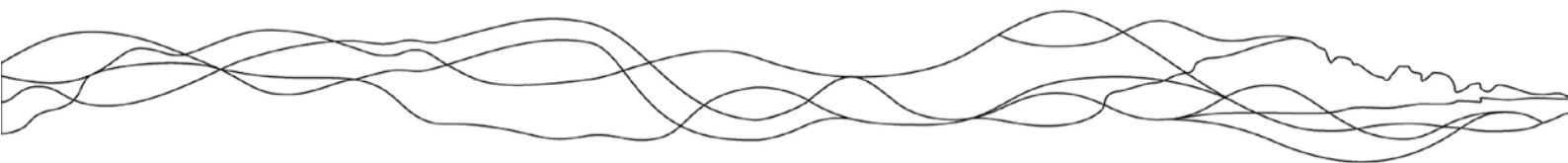
South East Water Limited

Registered Office: [REDACTED] Place of Registration:  
England Registration Number: 2679874

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Respondent Reference:	R8
Organisation or Individual:	WSCC
Agent Details:	N/A



**From:** [REDACTED] on behalf of [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rogate & Rake Neighbourhood Plan (Reg 16 Consultation)  
**Date:** 14 December 2020 14:13:13  
**Attachments:** [image001.png](#)  
[WSCC Services Response.pdf](#)

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Good Afternoon,

Thank you for consulting WSCC on the Rogate & Rake Reg 16 Neighbourhood Plan. Please find attached the officer-level services response. It should be noted that these comments represent the views of WSCC as a service provider rather than landowner, and as such should be treated separately from any response you may receive from the Asset Management Team.

For future reference, please send all Local and Neighbourhood Planning related correspondence to [REDACTED] and to [REDACTED] and remove any other contacts you may have from your database (i.e. the Planning Services generic inbox).

If you have any questions please do contact us.

Kind regards,

The Planning Policy and Infrastructure Team

**Planning Policy and Infrastructure**

Planning Services

West Sussex County Council

**Location:** [REDACTED]  
[REDACTED]

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## **Rogate & Rake Neighbourhood Plan Regulation 16 – WSCC Services Officer Level Comments – December 2020**

Thank you for the opportunity to comment upon the Submission Neighbourhood Plan for Rogate & Rake.

The focus of the County Council's engagement with the development planning process in West Sussex is the new Local Plans that the Districts and Boroughs are preparing as replacements for existing Core Strategies. Whilst welcoming the decisions of so many parishes to prepare Neighbourhood Plans, the County Council does not have sufficient resources available to respond in detail to Neighbourhood Plan consultations unless there are potentially significant impacts on its services that we are not already aware of, or conflicts are identified with its emerging or adopted policies.

In general, the County Council looks for Neighbourhood Plans to be in conformity with the District and Borough Councils' latest draft or adopted development plans. The County Council supports the District and Borough Councils in preparing the evidence base for these plans and aligns its own infrastructure plans with them. The County Council encourages Parish Councils to make use of this information which includes transport studies examining the impacts of proposed development allocations. Where available this information will be published on its website or that of the relevant Local Planning Authority.

In relation to its own statutory functions, the County Council expects all Neighbourhood Plans to take due account of its policy documents and their supporting Sustainability Appraisals, where applicable. These documents include the West Sussex Waste Local Plan, Minerals Local Plan, West Sussex Transport Plan and the West Sussex Lead Local Flood Authority Policy for the Management of Surface Water. It is also recommended that published County Council service plans, for example Planning School Places and West Sussex Rights of Way Improvement Plan, are also taken into account.

### **Strategic Transport Assessment**

The Strategic Transport Assessment of the South Downs Local Plan Preferred Options, tested the cumulative impact of development proposed within the National Park (Scenario 1: Local Plan Preferred Options) and an additional scenario which tested a higher housing number (Scenario 2: Medium Housing Target + 60%). A further assessment has also been made of the impacts of a revised distribution of development in Midhurst and Easebourne. The County Council has worked collaboratively with SDNPA to inform the Strategic Transport Assessment along with the additional assessment and on the basis of continuous review of the work carried out, supports its conclusions.

The purpose of the Strategic Transport Assessment was to undertake an assessment of the transport implications of development proposed by the South Downs Local Plan on the highway network, identify the impacts and appropriate and feasible mitigation. Mitigation measures have then been included in the

Infrastructure Delivery Plan that accompanies the South Downs Local Plan. The Strategic Transport Assessment took account of the sites allocated in the South Downs Local Plan and included a forecast estimate of background traffic growth.

In considering the Neighbourhood Plan for Rogate & Rake, the size and location of proposed site allocations have been taken into account when considering if further transport evidence is required at this stage.

The overall level of development proposed in the Rogate & Rake Neighbourhood Plan is in accordance with the forecast estimate of background traffic growth assumed in the Strategic Transport Assessment. The Strategic Transport Assessment indicates that there will be no severe impacts on the transport network that cannot be mitigated to a satisfactory level. The County Council considers that this provides sufficient evidence to justify the overall level of development proposed in the Rogate & Rake Neighbourhood Plan. Therefore, it is not necessary to produce further transport evidence before allocating the sites proposed in the Neighbourhood Plan for Rogate & Rake.

The Strategic Transport Assessment indicates that over the plan period, traffic conditions in some locations are likely to worsen due to the effects of background traffic growth. If not addressed through improvements to the highway network, this could exacerbate existing congestion issues, or lead to congestion in previously uncongested locations. Therefore, as development takes place there will be a need for improvements and / or financial contributions to be secured towards the delivery of these improvements.

The County Council have no overriding concerns about the transport impacts of the Rogate & Rake Neighbourhood Plan. However, given that the submission Neighbourhood Plan for Rogate & Rake includes the proposed allocation of small scale housing sites, it should be noted that site specific matters in the Neighbourhood Plan will need to be tested and refined through the Development Management process (through the provision of pre-application advice or at the planning application stage) or as part of a consultation for a Community Right to Build Order. Whilst the County Council supports the proactive approach undertaken to allocate sites in the Neighbourhood Plan, we are unable to comment on site specific matters at this stage.

The County Council currently operates a scheme of charging for highways and transport pre-application advice to enable this service to be provided to a consistent and high standard. Please find further information on our charging procedure through the following link:

[http://www.westsussex.gov.uk/leisure/getting\\_around\\_west\\_sussex/roads\\_and\\_pathways/plans\\_and\\_projects/development\\_control\\_for\\_roads/pre-application\\_charging\\_guide.aspx](http://www.westsussex.gov.uk/leisure/getting_around_west_sussex/roads_and_pathways/plans_and_projects/development_control_for_roads/pre-application_charging_guide.aspx)

## **Specific Comments**

*Policy H3, Policy H6 and Policy T3*

It is suggested these policies could refer to [WSCC Guidance for Parking at New Developments](#), which has been updated since the Reg 14 consultation.

*Policy H6 Allocation of Sites Suitable for Development*

This Policy references footpath retention and addition, but links for cyclists as well would be advantageous. We would support the provision of Bridleways by either upgrading existing footpaths or by creating new Bridleways to increase active travel opportunities locally.

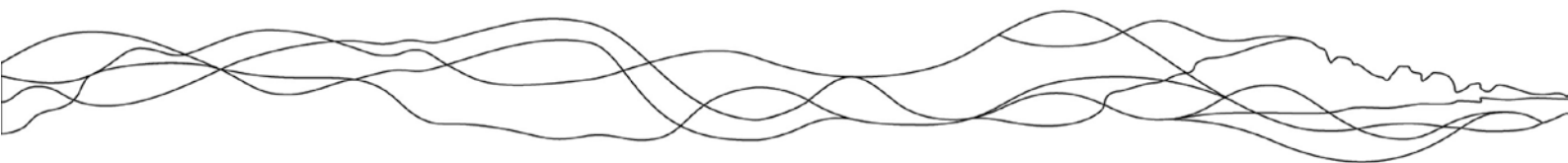
*Part a. Renault Garage and Bungalow South of A272, Rogate.*

WSCC as the Lead Local Flood Authority (LLFA) notes the above site experiences elevated groundwater levels between 0.025m and 0.5m of surface for 1:100 event. This potential high groundwater level should be taken into consideration in the drainage strategy for any development on site.

*Community Projects: Transport and Travel*

It should be noted that such schemes would be subject to appropriate community highways scheme process. Further details can be found at this [link](#).

Respondent Reference:	R9
Organisation or Individual:	Historic England
Agent Details:	N/A





Planning Policy  
SDNPA  
South Downs Centre  
Midhurst  
GU29 9DH

Direct Dial: [REDACTED]

Our ref: PL00160604  
14 December 2020

Dear Sir/Madam

**RE: ROGATE AND RAKE REGULATION 16 (SUBMISSION) NEIGHBOURHOOD PLAN**

Thank you for consulting Historic England on the Rogate and Rake (Regulation 16) Submission Neighbourhood Plan.

Historic England previously provided comments on the Regulation 14 Pre-submission plan in our letter dated 18<sup>th</sup> August 2017. We note that the consultation statement states that it includes at Appendix 10 a table of how the statutory consultee comments have been addressed. However it is not clear from this how the detailed comments we previously provided had been taken into account.

We therefore welcome the changes that have been made to the revised Neighbourhood Plan in response to our previous comments, but re-iterate those which have not been addressed and that we think are still relevant to this stage of the plan making.

We welcome the description of the historical development of Rogate and Rake in paragraphs 2.1.1- 2.1.9. We also welcome the reference to the old sandstone bridges at Habin and Durford (both scheduled monuments) as one of the special qualities of the parish in paragraph 2.3.4.

We are pleased to note that the parish values its heritage assets (paragraph 2.4.4) and welcome Figure 2.3 Heritage Assets, particularly its inclusion of historic landscape characterisation information. However, given that this figure refers to historic landscape features and not just built development, we think this section should be entitled Built and Historic Environment".

We think it would be helpful for owners or developers who wish to make changes within the conservation area for the neighbourhood plan to say more about this, especially as there appears to be little information on this at a District and National Park level and that there is no Conservation Area Appraisal. Information could include: when was it designated, what is its special interest (i.e. the reason for designation). This information would underpin Policy BE2. and will add local value and knowledge to the planning process.



[REDACTED]  
Telephone [REDACTED]  
HistoricEngland.org.uk





The preparation of a Neighbourhood Plan offers the opportunity for the local community to identify locally-important buildings and features. The National Planning Practice Guidance states "... where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale. Non-designated heritage assets, such as locally important buildings, can make an important contribution to creating a sense of place and local identity. We therefore question whether this issue has been included as part of the Neighbourhood Plan process and whether there are any locally important buildings that could be identified and protected through this plan?

Given the high quality historic environment of the village and that the parish values its heritage assets (paragraph 2.4.4), we would expect to see a specific reference to heritage in the Vision e.g. a "heritage assets will be conserved and enhanced". We welcome Objective 3 BE but for clarity suggest the heading is Built and Historic Environment.

We support the use of Neighbourhood Plans to identify views of the landscape and heritage assets that merit consideration in planning decisions. However, policies to protect the quality of such views need to be sufficiently specific to identify where a proposal would be unacceptable. We recommend specifying clearly what it is in the view, or what the character of the view is, that is considered worthy of protection. This should be either within Policy NE1 or in a more detailed appendix where each view has a particular element or character that needs careful consideration, which can then be referred to in the policy.

A useful way of doing this would be to have a set of photographs and describe the key positive features in each of the chosen views. Where these include heritage assets and the view contributes to their significance or appreciation it would be very helpful to highlight this as well.

We also recommend for consistency with our comments above that Section 4.4 is entitled Built and Historic Environment. We would also welcome a policy specifically for the conservation and enhancement of locally important heritage assets in the Plan area, such as those that are identified through a community action from the Neighbourhood Plan (mentioned below), identified on the Local Planning Authority's Local List, those that may come to be identified through planning applications or the Historic Environment Record (HER) or when non-scheduled archaeological sites are discovered.

Finally, you may also wish to include within the Neighbourhood Plan some future community actions or projects associated with these policies such as: the preparation a Rogate Conservation Area Appraisal; and the preparation of a comprehensive list of





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locally important buildings and features.  
Thank you again for consulting Historic England.

Yours sincerely,

Alma Howell

Alma Howell  
Inspector of Historic Buildings and Areas



Telephone [REDACTED]  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rogate and Rake Regulation 16 (Submission) Neighbourhood Plan  
**Date:** 14 December 2020 18:27:27  
**Attachments:** [G\\_HERef\\_PL00160604\\_376686\\_Rogate\\_and\\_Rake\\_Regulation\\_16\\_\(Submission\)\\_Neighbourhood\\_Plan.pdf](#)

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Dear Sir/Madam,

Please find attached Historic England's response to the consultation on the Rogate and Rake Regulation 16 (Submission) Neighbourhood Plan.

Kind regards,

**Alma Howell MSc, MRTPI**

**Inspector of Historic Buildings and Areas - Development Advice (East Sussex, West Sussex and Surrey)**

London & South East | Regions Group

Historic England | [REDACTED]

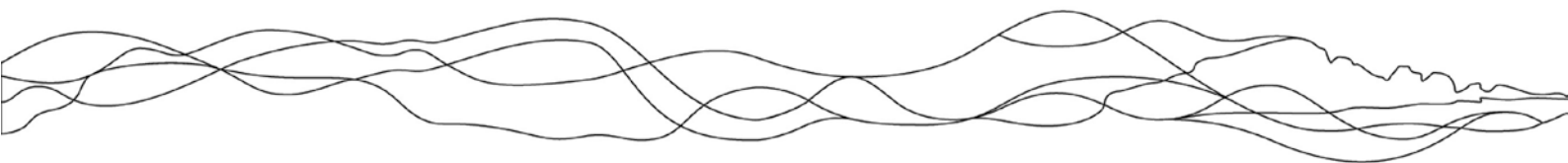
Direct dial: [REDACTED] Mobile no: [REDACTED]

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[Mark it as spam](#)  
[Blacklist sender](#)



Respondent Reference:	R10
Organisation or Individual:	Southern Water
Agent Details:	N/A



**From:** [REDACTED]  
**Subject:** RE: Rogate & Rake Neighbourhood Plan (Reg 16 Consultation)  
**Date:** 08 December 2020 15:28:48  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Dear Sir/Madam,

Thank you for your email below, inviting Southern Water to comment on the Submission Rogate & Rake Neighbourhood Plan. I confirm we have reviewed the document and are pleased to note our previous comments have been addressed, and we therefore have no further comments to make. We look forward to being kept informed of the Plan's progress.

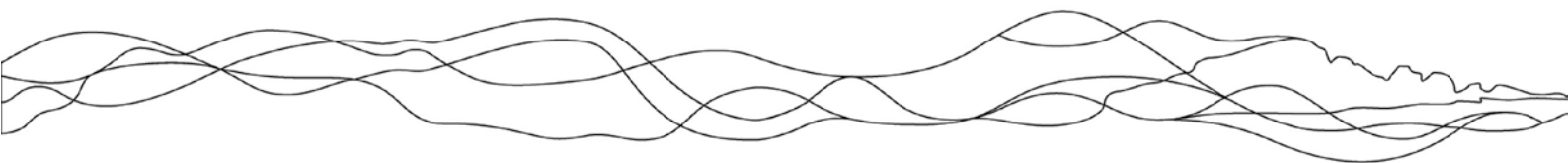
Yours faithfully,

**Charlotte Mayall**  
**Regional Planning Lead**  
**Hampshire & West Sussex**

M. [REDACTED]  
[southernwater.co.uk](https://southernwater.co.uk)



Respondent Reference:	R11
Organisation or Individual:	Resident 1
Agent Details:	N/A



**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Rotate & Rake Neighbourhood Plan V39  
**Date:** 14 December 2020 11:57:12

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For the attention of Amy Tyler-Jones ( the SDNP NP Planning Policy Team )

Hello Amy,

I have tried to phone you a few times but with no luck so far as I would have preferred to talk to you before submitting an e-mail.

Kate Dobbin SDNP Support Officer kindly confirmed that the submission dates for comments as invited to the latest version (39) of the Rogate and Rake Neighbourhood Plan (NP) runs up to and includes Monday 14th Dec.

These are my queries and comments with regard to this NP;

For context - Terwick Woodland (TW) is owned by Rogate Parish Council (RPC) and adjoins my property [REDACTED].

**Extent of Local Green Space 2 ( LGS2 ) with respect to TW boundary with [REDACTED]” ( page 43)**

The exact extent of the proposed LGS2 ( Local Green Space 2 ) is difficult to ascertain from the small thumb nail diagram ( page 43 ) within the NP document. As a rough indication of the location of TW and the boundary between it and [REDACTED] it may suffice but it can not be a definitive representation of the same.

I do not know what diagrams / information has been provided as input to the NP process, or may form part of any potential registration, but the precise and exact boundary between [REDACTED] and TW was determined by surveyors and by order of the court, and agreed between Rotate Parish Council ( registered owner of TW ) and myself owner of [REDACTED], and fenced off some 15 or so years ago. The land registry document will reflect this. Any registration of TW as a LGS must respect this boundary.

**TW as a proposed Local Green Space ( page 42 & 43)**

TW was gifted to the RPC to hold for the benefit of the local community in 1991. I retain rights over TW although RPC have not sought to discuss their LGS proposals directly with me.

TW remains subject to the Covenant (11th November 1991) which bestows obligations on the owner (RPC) including "not to use the property or allow or permit it to be used for any purpose other than as woodland for peaceful recreational purposes ." and reservations and rights over the same retained for the owners of [REDACTED] e.g. right to run water soil gas fuel oils electricity telephonic signals and other services through any sewers drains watercourses pipes cables wires or other channels or conductors ...under or over the property."

Whilst I have no intention of exercising these particular rights they, and indeed all the obligations and rights, can not be extinguished or circumvented by virtue of any proposed new registration.

By virtue of the Covenant RPC are already legally obliged to keep and maintain TW as woodland for peaceful recreational purposes; So whilst TW might seem to meet the NPPF criteria for designation of land as LGS it is difficult to see any additional local benefit to it being so.

Registration of TW as a LGS in itself would not be a problem per se PROVIDED it does not usurp, replace, or interfere with the existing obligations, responsibilities, reservations and rights that TW is

already legally subject to.

To be clear I am happy that TW should be maintained as woodland for peaceful enjoyment for the local community. This is the case now so I just wish to ensure that any potential new registration can not override or interfere with the existing legal obligations, responsibilities and rights.

### **Dark Night Skies - fenestration and glazing (page 26)**

On a more general point I accept the general idea of the dark night skies principle however I do not agree that the reference within Policy BE1 B ( page 26 ) to include avoidance of “ ...unprotected upward-facing fenestration, and large areas of gazing facing open countryside”.

This is potentially incompatible with the proposals within the NP to include "contemporary, architectural design"

People have glass and windows to allow natural light into their homes and this is a basic human right.

The problem in cities and urban towns is the quantity and concentration of shops, businesses, street lamps, and garages etc. that contribute to skyward bound light.

Domestic properties tend to use curtains that negates, or at least minimises, most light used within the house escaping.

Lights are not used at night in domestic properties especially within rural communities that are sparsely populated anyway.

Skylights should also be allowed and conservatories should also be allowed for the same reasons.

The NP also stresses the importance of people enjoying rural views in this area and should not then seek to limit the ability for some to potentially enjoy the same from their homes.

Initiatives that ensure for example that sports floodlights only project light downwards are to applauded but It is unreasonable to limit glass or windows in people homes in this area.

### **Replacement Dwellings, Extensions and Annexes (page 31)**

It is right that each proposal should be supported where deemed “ appropriate for the size of the plot “.

I do not agree that support can only be given for “ ..... an extension of a scale significantly less than the main building or is a replacement of a scale not significantly larger than the existing“. Each proposal should be viewed on its own merit rather than a blanket restriction.

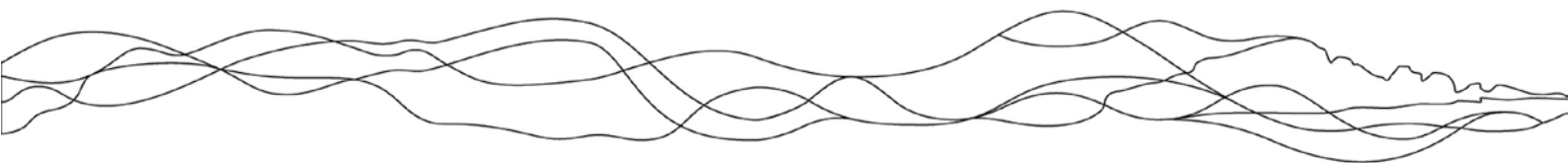
I appreciate that the Dark Skies and Replacement Dwelling elements may well be subject to the overriding SDNP Local Plan ? but make these points anyway.

I trust you will consider these points. In particular the first two specific points regrading TW ( i.e. boundary and existing rights ); Please confirm the situation on this. I am happy to discuss the same with you if it helps.

Thank you.

A large, bold, black stylized letter 'E' is positioned at the bottom left of the page. The letter is composed of solid black blocks, with a small gap in the middle of the vertical bar on the right side.

Respondent Reference:	R12
Organisation or Individual:	Resident 2
Agent Details:	N/A



**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Rogate and Rake Neighbourhood Development Plan Consultation: IMPORTANT  
**Date:** 01 November 2020 18:14:26

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I have had a good look at what must be close to the final document Steve, and my overall impression is that all the hard work has resulted in a very professional planning guide and framework. There are numerous aspects which please me greatly, the housing guidelines, the dark skies statement, much of the traffic control. On this last point, not surprisingly for two oldies well into their 80's, Judith and I are happy to see the emphasis on pedestrian safe-passage and the work already done which in my view has greatly improved road discipline in the Village centre. We need better controls on speeds in the surrounding roads but I guess the plan is not the place for that.

Anyway, thanks to all who have done the hard work to get where we are now, and we wish you a nice rest after your own leadership.

Best wishes, [REDACTED]

----- Original message -----

**From:** [REDACTED]  
**Date:** 19/10/2020 15:32 (GMT+00:00)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Rogate and Rake Neighbourhood Development Plan Consultation: IMPORTANT

After a whole series of additional hurdles these past few years, we have finally arrived at the point where the R&RNDP is out for a final public consultation known as the Regulation 16 Consultation.

The consultation starts on Monday 19 October and will close on Monday 14 December 2020.

I attach a letter from SDNPA with an associated guidance note. I also attach a poster which you may be able to display for others to see. The guidance note explains the next steps.

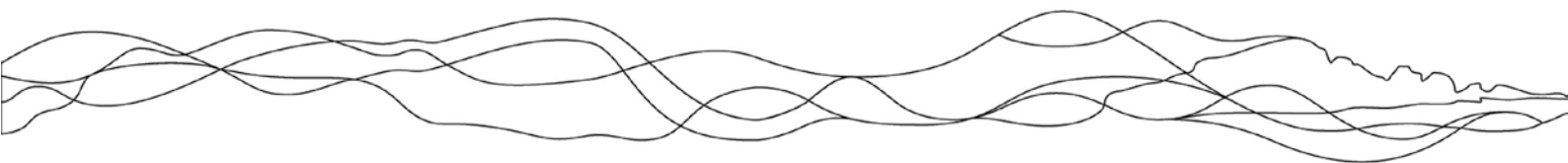
**WE NEED YOUR COMMENTS!**

The documents are on the parish council's website:

<https://rogateparishcouncil.gov.uk/council-projects/neighbourhood-plan/>

and the SDNPA website:

Respondent Reference:	R13
Organisation or Individual:	Resident 3
Agent Details:	N/A





## Kate Dobbin

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**Sent:** 27 November 2020 11:39  
**To:** [REDACTED]  
**Subject:** Rogate and Rake Neighbourhood Plan - submission version - review comments

Hello, I live in the centre of Rogate within the Conservation Area.

I wish these points to be considered in relation to the Rogate and Rake Neighbourhood Plan - submission version.

With reference to development proposals for Rogate (reference 4.6.5) I have these comments.

1. Having eliminated all other optional sites within Rogate, the plan now offers just a single site reference 4.6.5 / H6, as illustrated in drawing 4.4. This drawing merits careful study to see just how compact the plan really is.
2. The site itself seems sensible site for consideration, but being the sole remaining option within the village, appears to be attempting to achieve **too many dwellings** from a site measuring only circa 0.7 of an acre, or circa 0.3 of a hectare.
3. With 11 dwellings and 15/16 parking spaces proposed, this has resulted in them all being seriously small, both in terms of internal square meters and garden sizes. Some of these dwellings appear to have external sizes of circa 6m \* 6m, with similar size gardens.
4. The document states that Conservation Policy BE2 will apply across the entire site. I did a walk around the village yesterday and could see no such condensed dwelling currently within the Rogate Conservation Area, where typically most dwellings have widths of > 9 metres, most having medium to large gardens.
5. One must question whether permission would be granted with regard to Conservation rules.
- 6. Parking and Vehicular Access**
7. There are no public parking areas whatsoever within the village centre, so any new development would need to provide **all** parking needs of both the new residents, their visitors and any deliveries.
8. Living in a village with very limited public transport links generally results in each adult requiring a car, so the circa 15/16 is insufficient for 11 dwellings.
9. The width of the parking spaces also appears somewhat ambitious as they seem to be < 2.5 metres wide, so one would question if it were possible to both park and exit a vehicle.
10. Looking at the drawing and the narrowness of the proposed drive, one must question whether Dust carts or Fire Engines could enter from the A272 and operate within the site. There definitely does not appear to be room for them to turn around within the site, so they would need to reverse in from the main A272.
11. In summary, I believe the site is a good choice, but with circa 5-7 dwellings would seem more viable, for the above reasons.

I understand there is a consultancy period up to 14<sup>th</sup> December. My concerns above clearly span matters relating to practicalities / Conservation / Planning / The Plan itself. Please kindly advise on which of the above are areas in which your review would be concerned, and the process for your response. Many thanks - [REDACTED]