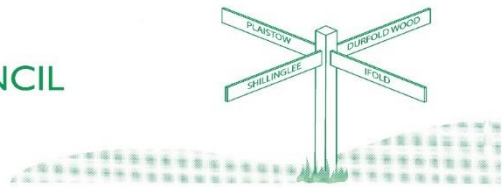


PLAISTOW AND IFOLD PARISH COUNCIL



MINUTES of the Planning and Open Spaces Committee of Plaistow and Ifold Parish Council held on **Wednesday 3rd March 2021**, via remote conference call (Zoom).

Present Cllr. Sophie Capsey (Chair); Cllr. Jerusha Glavin; Cllr. Paul Jordan; Cllr. Nick Whitehouse; Cllr. David Ribbens; Mr. Jon Pearce, Chair of Ifold Estates Limited (IEL) Co-opted Member with no voting rights; Mr. David Lugton, Parish Tree Warden Co-opted Member with no voting rights and Catherine Nutting (Clerk & RFO).

Five (5) Members of the Public were present.

District Cllr. Gareth Evans and Cllrs. David Griffiths and John Bushell were in attendance.

P/21/019
Apologies Apologies were received and accepted from Cllr. Alan Pearson (Chair of the Parish Council).

P/21/020
Disclosure of interests
Cllr. Capsey and Cllr. Whitehouse disclosed personal friendships with the applicant at SDNP/20/05069/FUL. Cllr. Capsey also knows the applicant of 21/00351/DOM. Neither Member participated in the discussions and/or decision making in relation to these two applications.

P/21/021
Minutes
It was **RESOLVED** to **APPROVE** the minutes of 9th February, which will be signed by the Chair via Secured Signing as a true record.

Actions:
Clerk & Chair

P/21/022
Representations from Members of the Public: To receive and act upon, if considered necessary by the Committee, comments made by members of the public either in person, or in writing provided they were sent via email to the Clerk no later than 4pm on 3rd March 2021.
None received.

P/21/023
Appointment of Committee Members – To consider any requests from newly elected Councillors to join the Planning & Open Spaces Committee.

None received.

P/21/024

To consider new Planning Applications

Actions:
Clerk

South Down National Park Applications:

1. SDNP/20/05069/FUL | Erection of farm workshop and office | Shillinglee Bee Farm Shillinglee Park Road Shillinglee Plaistow West Sussex GU8 4TA

No Comment

Tree Applications:

None

Building Applications:

1. 20/03380/DOM | Single storey side extension. Removal of chimney stack. Replacement of existing windows and doors. | El Tambo 7 Ifoldhurst Ifold Loxwood RH14 0TX

No Comment

2. 21/00325/LBC | Proposed works to existing section of boundary garden wall west of dwelling. | Westgrove Shillinglee Park Road Shillinglee Plaistow GU8 4TA

Letter of Comment [appended at A](#)

3. 21/00192/LBC | Addition of 2 no. velux windows to rear elevation. | Home Farm House Shillinglee Road Shillinglee Northchapel GU8 4SY

Letter of Comment [appended at B](#)

4. 21/00128/DOM | New front porches, two storey rear extension and part of loft space converted to habitable room. | Sturbridge The Drive Ifold Loxwood RH14 0TE

No Comment

5. 21/00172/DOM | Single storey side extension (replacing conservatory) and associated alterations, including the insertion of 3 no. velux and 2 no. new windows. Change use of existing garage to habitable accommodation. Creation of feature windows on the south-west and south-east elevations, replacement of all original windows and external doors with polyester coated double glazed units and clad all external walls with horizontal feather edge boarding. | Mariposa The Ride Ifold Loxwood Billingshurst West Sussex RH14 0TF

No Comment

6. 20/03336/FUL | Siting of 2 no. mobile homes with ancillary car parking to accommodate agricultural workers for a temporary period of three years. | Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE

Letter of Objection [appended at C](#)

7. 21/00410/DOM | Erection of single storey rear extension. | Old Hill House Dungate Road Plaistow RH14 0PJ

No Comment

8. 21/00396/DOM | Side extension to existing bungalow and conversion into a chalet bungalow style house with detached garage. | Oakburn Plaistow Road Ifold Loxwood RH14 0TY

No Comment

9. 21/00351/DOM | Erection of a detached single-storey garage and adjoining workshop. | Crab Apple Cottage Dungate Road Plaistow RH14 0PJ

Letter of Objection [appended at D](#)

P/21/025

To receive list of recent Planning decisions, Appeals and Enforcement from the Local Planning Authority (CDC)

List circulated to Members in advance of the meeting and published with the Agenda on the Parish Council Notice Boards and website. The list is appended to these [minutes at E](#).

P/21/026

Appeals & Enforcement Action – consideration & updates

Clerk

a. Oxencroft, Ifold

An Enforcement case is open in relation to Oxencroft, reference PS/20/00414/CONHH. In relation to the entrance gates, any enforcement action is held in abeyance until a decision has been made on the planning application (PS/21/00077/FUL). The LPA have not received any application in connection with the temporary residential use of the land. A [Planning Contravention Notice](#) (PCN) will be issued to request further information in relation to the use of the site, including what additional buildings/mobile homes/caravans are on the land and if there is a connection to a septic tank.

b. Woodpeckers, Chalk Road, Ifold

Enforcement case 21/00028/CONHH. The LPA has informed the Council that it has closed the matter as no breach of planning control has been identified.

Members felt this had been a desk study and were dissatisfied with the conclusion. The wall is out of keeping for the area and changes the entire feel of The Twittens.

It was **RESOLVED** to further write to **ENFORCEMENT**; please refer to [appendix F](#).

c. Hardnips Barn, Crouchlands Farm - breach of planning control has been resolved.

The Council has been advised that the breach of planning control has been resolved. On this basis no further action can be taken under the LPA's planning powers and the case has been closed.

d. Moyana, The Drive, Ifold

The Planning Inspector allowed the [Appeal](#). Both CDC and the Parish Council objected to this application originally.

e. Sparrwood Farm, Plaistow 19/02903/FUL refused 6/2/2020
Appeal ref: W/4001101 (beta service) **appeal decision pending**

f. Sparrwood Farm, Plaistow 20/01448/FUL refused 25/9/2020 **awaiting appeal start date**

g. PRoW at Sparrwood Farm
(i) Regarding the planting of a hedge on a PRoW which may become overgrown and adversely affect passage along the path
(ii) the dumping of horse manure on a PRoW

It was **RESOLVED** to **WRITE** to the **PRoW Team** regarding Path 621 and bridleway 636.

P/21/027

Clerk's Update

Crouchlands Farm, Rickmans Lane, Plaistow, Billingshurst, West Sussex, RH14 0LE

The [Environmental Impact Assessment](#) is in the public domain.

It was **RESOLVED** to **OBTAIN THREE QUOTES** for Planning Consultants to advise the Parish Council in relation to the Crouchlands Farm planning applications which are anticipated.

P/21/028

Date next meetings

Full Parish Council: Wednesday 10th March 2021, 19:30 via Zoom

Winter & Emergency Plan Committee: Wednesday 17th March 2021, 19:30 via Zoom

Planning & Open Spaces: Wednesday 24th March 2021, 19:30 via Zoom

There being no further business, the Chair closed the meeting at 20:40

PLAISTOW AND IFOLD PARISH COUNCIL



4th March 2021

Ms Vicki Baker
Planning Officer
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

Dear Ms Baker,

Re: 21/00325/LBC | Proposed works to existing section of boundary garden wall west of dwelling. | Westgrove Shillinglee Park Road Shillinglee Plaistow GU8 4TA

The Parish Council considered the above application at its Planning and Open Spaces Committee meeting on 3rd March 2021.

The Parish Council is disappointed to note that this is a retrospective application for works already begun in the curtilage of a listed building.

The Parish Council defers to the expertise of the LPA's Conservation and Heritage Team and trusts that the listed building advisor will assess the application and comment appropriately.

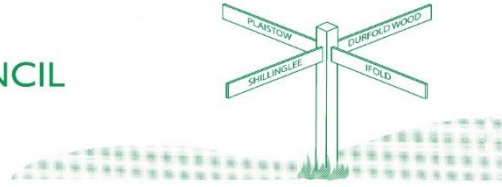
Yours sincerely

Catherine Nutting
Clerk & RFO to Plaistow and Ifold Parish Council

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Clerk & RFO: Miss Catherine Nutting
Tel: 01403 871652. Email: clerk@plaistowandifold.org.uk
www.plaistowandifold.org.uk

PLAISTOW AND IFOLD PARISH COUNCIL



4th March 2021

Ms Vicki Baker
Planning Officer
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

Dear Ms Baker,

**Re: 21/00192/LBC | Addition of 2 no. velux windows to rear elevation. | Home Farm House
Shillinglee Road Shillinglee Northchapel GU8 4SY**

The Parish Council considered the above application at its Planning and Open Spaces Committee meeting on 3rd March 2021.

The Parish Council defers to the expertise of the LPA's Conservation and Heritage Team and trusts that the listed building advisor will assess the application and comment appropriately.

Yours sincerely

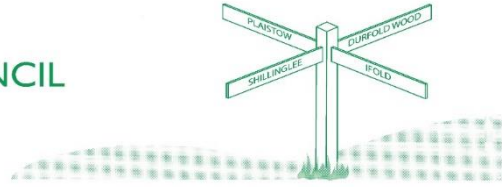
A handwritten signature in black ink, appearing to read 'Catherine Nutting'.

Catherine Nutting
Clerk & RFO to Plaistow and Ifold Parish Council

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Clerk & RFO: Miss Catherine Nutting
Tel: 01403 871652. Email: clerk@plaistowandifold.org.uk
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PLAISTOW AND IFOLD PARISH COUNCIL



4th March 2021

Ms Vicki Baker
Planning Officer
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

Dear Ms Baker,

Re: 20/03336/FUL | Siting of 2 no. mobile homes with ancillary car parking to accommodate agricultural workers for a temporary period of three years. | Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE

The Parish Council considered the above application at its Planning and Open Spaces Committee meeting on 3rd March 2021.

The Parish Council **objects** to this application for the following reasons.

The farm currently benefits from one vacant property at Hardnips Barn, Crouchlands Farm, Rickmans Lane, Plaistow, RH14 0LE. Additionally, it owns two (2) cottages on Rickman's Lane, which, the Parish Council understands, are currently occupied by employees of Artemis Land and Agriculture engaged in the decommissioning of the AD which is almost complete. The Parish Council respectfully requests that all existing properties are utilised to their full potential, including the cottages on Rickman's Lane, before looking to establish new buildings, however temporary. It maybe that the cottages are best used as accommodation for agricultural workers under the circumstances.

The Parish Council is concerned that there is no pre-existing hardstanding at the proposed location. If irrefutable evidence is provided as to why Hardnips Barn and the two cottages cannot be used, then the Parish Council submits that there are existing hardstanding areas at the Farm where the mobile homes could be situated, without the need for constructing new and additional hardstanding areas within the countryside.

The Parish Council offers no credit for the time and money spent on decommissioning the unlawful plant equipment. This is entirely irrelevant. The Council has concerns regarding the Agricultural Assessment and lack of financial assessment and questions whether the quantity of livestock at the

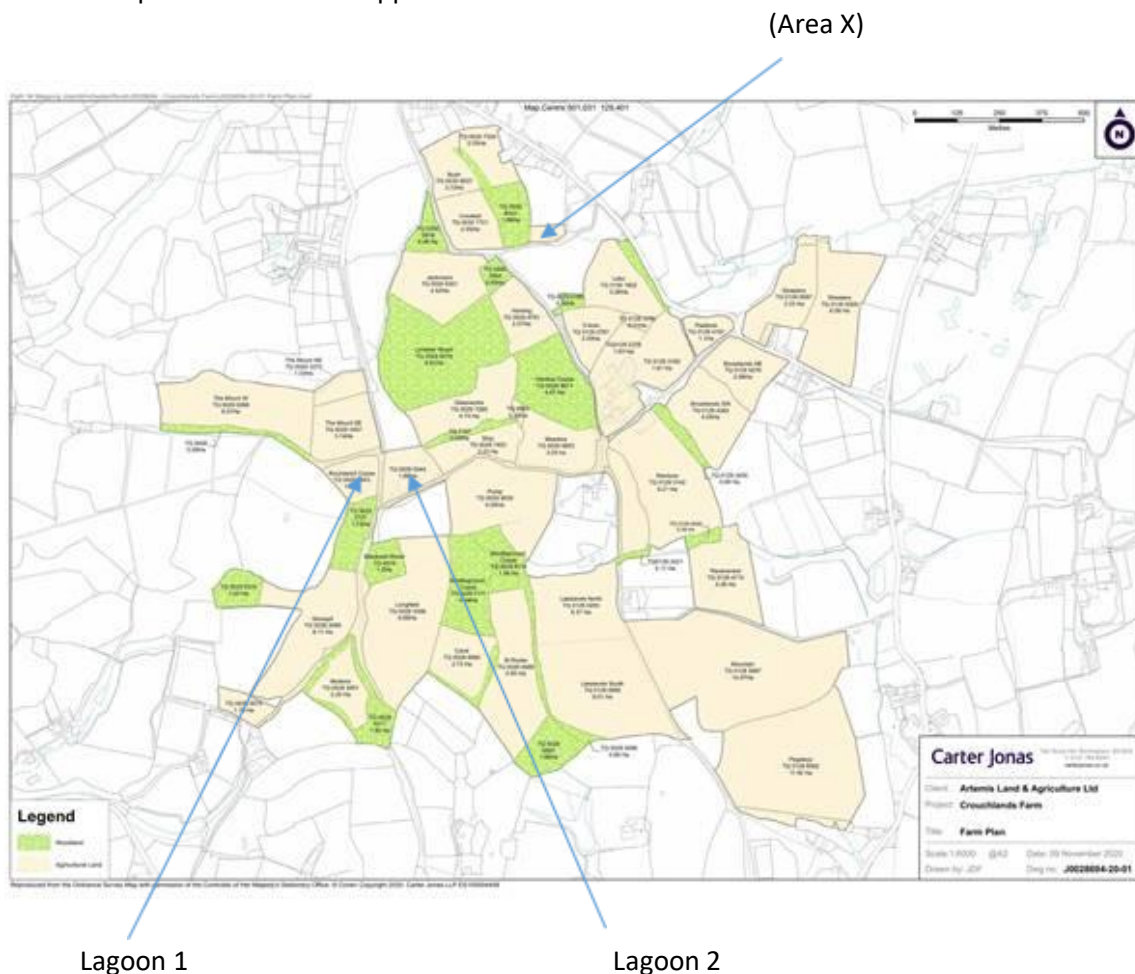
Farm warrants the need for residential workers? The Council respectfully requests the LPA undertakes due diligence to satisfy itself onsite living accommodation for workers, as a condition of their employment, is fundamental to the financial sustainability of the enterprise. The Parish Council asks CDC to appoint their own agricultural advisor to undertake an assessment and advise accordingly.

Furthermore, the Agricultural Assessment states that there are four (4) general purpose buildings on site. Historically however, only one of these buildings has been for 'general purpose' and the others are/were cattle and cubicle houses.

Please find enclosed maps of the Ancient Woodland and Public Rights of Way for the parish area. The Council asks that the Planning Officer refers to these documents when assessing this application and ensures that the requisite buffer zone is respected and maintained in relation to the Ancient Woodland in particular.

Similarly, the Parish Council asks that the Planning Officer ensures that they refer to the correct maps of the area when considering the application. The Council is concerned that the map submitted with the Planning Statement and Agricultural Needs Appraisal is incorrect.

This is the map submitted in the application:



The Planning Officer will note that the area around lagoons 1 and 2 are shown as agricultural land. However, this is an inaccurate representation. Both lagoons were built in woodland and are bordered

immediately by trees and should still be shown as such, save for the exact footprint of the lagoons. Lagoon 2 in particular has a large area of woodland around it which is not shown in this map.

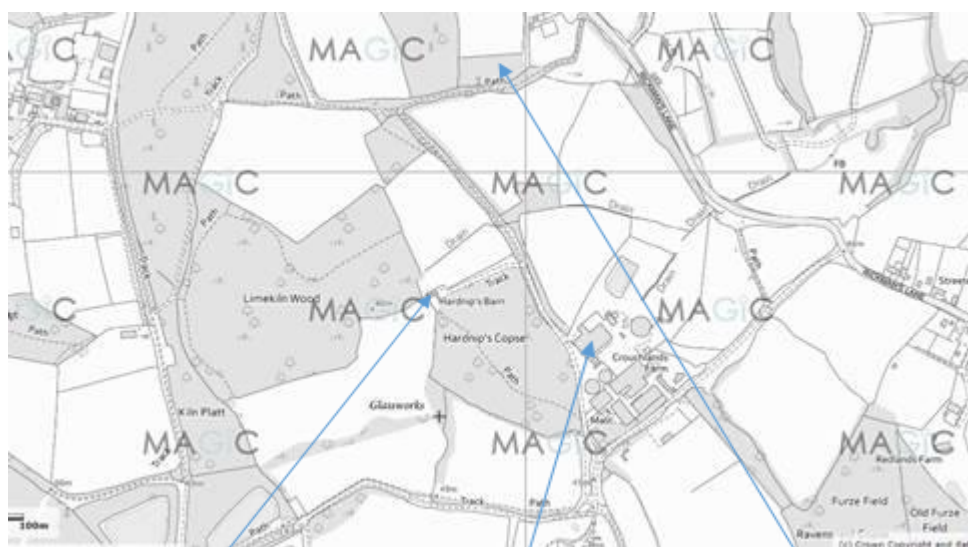
The area is correctly shown in the current Magic Map here:



Lagoon 2 surrounded by woodland

Lagoon 1, surrounded by woodland

On the map submitted with the application an area labelled 'Area X' is demarked without woodland (see above). This area is woodland and should be shown as such:



Hardnips Barn

Cow shed

Area X is woodland

Finally, the Parish Council questions the reliance on Permitted Development Rights with respect to the existing mobile home, which has been recently moved onto the Farm.

Yours sincerely



Catherine Nutting

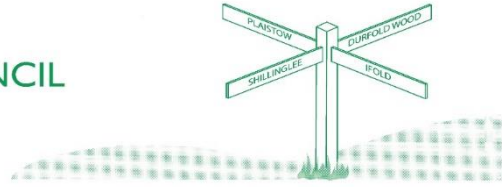
Clerk & RFO to Plaistow and Ifold Parish Council

cc. Mr A. Frost, Head of Planning, Chichester District Council

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Clerk & RFO: Miss Catherine Nutting
Tel: 01403 871652. Email: clerk@plaistowandifold.org.uk
www.plaistowandifold.org.uk

PLAISTOW AND IFOLD PARISH COUNCIL



4th March 2021

Ms Vicki Baker
Planning Officer
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

Dear Ms Baker,

Re: 21/00351/DOM | Erection of a detached single-storey garage and adjoining workshop. | Crab Apple Cottage Dungate Road Plaistow RH14 0PJ

The Parish Council considered the above application at its Planning and Open Spaces Committee meeting on 3rd March 2021.

The Parish Council has concerns regarding the size of the proposed building, particularly given its prominent location close to the public highway. The Parish Council respectfully submits that it will be visually intrusive and detrimental to the visual amenity of the area.

Additionally, the Parish Council asks that the Planning Officer conditions any permission for both the detached single-storey garage and adjoining workshop to the enjoyment of the main dwelling house known as Crab Apple Cottage.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Catherine Nutting'.

Catherine Nutting
Clerk & RFO to Plaistow and Ifold Parish Council

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Clerk & RFO: Miss Catherine Nutting
Tel: 01403 871652. Email: clerk@plaistowandifold.org.uk
www.plaistowandifold.org.uk

ITEM: 7. To receive list of recent Planning Decisions, Appeals and Enforcement from the Local Planning Authority – CDC

Planning Decisions:

CDC Weekly Decision List, 07 w/e 17.02.2021

1. PS/20/02674/FUL | Mr Oliver Stott | Fairfield Chalk Road Ifold Loxwood RH14 0UA | Installation of fence on the south-west boundary. **WITHDRAWN.**

<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QJJOMHERHNL00>

2. PS/20/03286/PLD | Mr & Mrs Baillon | Old Hill House Dungate Road Plaistow RH14 0PJ | Rear single storey extension. **WITHDRAWN.**

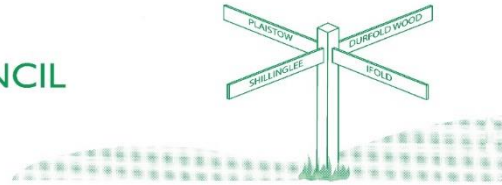
<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QLFTQMERJV800>

CDC Weekly Decision List, 08 w/e 23.02.2021

None to note.

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PLAISTOW AND IFOLD PARISH COUNCIL



8th March 2021

Sue Payne
Planning Officer
Planning Enforcement
Chichester District Council

Sent via email: spayne@chichester.gov.uk

Dear Ms Payne,

Re: 21/00028/CONHH | Woodpeckers, Chalk Road, Ifold | Means of enclosure in excess of 1 metre adjacent to a highway.

Thank you for your email dated 1st March in which you set out Planning Enforcement's reasoning and decision not to take enforcement action in relation to the above referred to matter.

The Parish Council has considered the rationale and wishes to make the following representations.

The Parish Council submits that the wall *is* adjacent to a highway, namely Chalk Road.

The legislation governing this installation is Schedule 2, Part 2, Class A, A.1(a)(ii) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This section states:

A.1 Development is not permitted by Class A if—

(a) the **height** of any gate, fence, **wall** or means of enclosure erected or constructed **adjacent** to a **highway used by vehicular traffic** would, after the carrying out of the development, exceed—

[(i) not cited as irrelevant]

(ii) in any other case, **1 metre** above ground level

(Emphasis added)

The **height** of the wall is uncontentious; it is a matter of fact that it exceeds 1 meter above ground level.

Chalk Road is a **highway** by virtue of being a designated bridleway (#635).

The term 'highway' is understood by the common law meaning of the word as a way over which members of the public have a right to pass and repass.

Bridleway is defined in the Highways Act 1980 as *"a **highway** over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway"*.

As a matter of fact, Chalk Road (the highway) is used by vehicular traffic.

The Parish Council submits that the fact that Schedule 2, Part 2, Class A, A.1(a)(ii) specifically refers to a **'highway used by vehicular traffic'** is significant.

'Highway' is a very imprecise term and encompasses many other legally defined ways, such as footpaths, bridleways, and carriageways. The use of the term 'highway' appreciates that the way may not, in of itself, be designated for vehicular use, such as a footpath or bridleway, however, by adding "used by vehicular traffic" recognises that, as a matter of fact, it is used by vehicles regardless of designation. The legislator could have used the legally defined term 'carriageway'¹ instead, which would not have required the qualification "used by vehicular traffic" and would have eliminated footpaths and bridleways from any consideration.

Therefore, when considering the facts of this matter in respect of all the elements of Schedule 2, Part 2, Class A, A.1(a)(ii) the Parish Council submits that the installation of a wall above 1 meter adjacent to Chalk Road, Ifold is not lawful under permitted development and should have been subject to a planning application.

The Parish Council encloses with this letter some photographs of the wall taken from Chalk Road.

We look forward to hearing from you at your earliest convenience.

Yours sincerely



Catherine Nutting

Clerk & RFO: Miss Catherine Nutting
Tel: 01403 871652 | Email: clerk@plaistowandifold.org.uk

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¹ "Carriageway" means a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles. s.329(1) Highways Act 1980