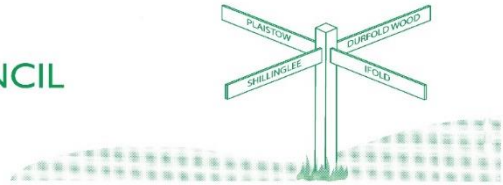


# PLAISTOW AND IFOLD PARISH COUNCIL



**MINUTES** of the Planning and Open Spaces Committee of Plaistow and Ifold Parish Council held on **Tuesday 8<sup>th</sup> August 2023**, at Winterton Hall, Plaistow.

**Present** Cllr. Sophie Capsey (Chair of the Planning & Open Spaces Committee); Cllr. Paul Jordan (Chair of the Parish Council); Cllr. Andrew Woolf; Cllr. Sarah Denyer; Cllr. Doug Brown and Catherine Nutting (Clerk & RFO).

One (1) MOP was in attendance in person.

**P/23/084** Apologies were received and accepted from Mr. David Lugton, **Parish**  
**Apologies** **Tree Warden**, Co-opted Member (no voting rights).

**P/23/085** **Disclosure of interests**  
None declared.

**P/23/086** **Minutes** Actions:  
Clerk & Cllr.  
Capsey  
It was **RESOLVED** to **APPROVE** the **MINUTES** of the meeting held on **11<sup>th</sup> July 2023**, which will be signed by the Chair of the meeting via Secured Signing, in accordance with Standing Order 12(g) as a true record. The signed minutes will be available on the Parish Council's [website](#).

**P/23/087** **Public participation**  
None.

**P/23/088** **To consider new Planning Applications** Actions:  
Clerk  
**South Down National Park Applications:**  
1. [SDNP/23/02778/FUL](#) | Replacement of existing barbed wire and post and rail fencing with black metal 1.2m high 5-bar estate fencing, and 3 no. existing farm gates with black metal 1.2m high 5-bar gates. | The Deer Tower Shillinglee Road Shillinglee Northchapel West Sussex GU8 4SY

The Committee **RESOLVED** to make **NO COMMENT**.

**Tree Applications:**

2. [23/01570/TPA](#) | Crown reduce by 25%, crown lift by up to

4-5m (above ground level) and crown thin by 15% on 1 no. Oak tree (T1) subject to PS/95/00800/TPO. | Hidden Oaks Plaistow Road Ifold Loxwood Billingshurst West Sussex RH14 0TU

The Committee **RESOLVED** to adopt the recommendations of the Parish's Tree Warden and make **NO COMMENT**.

3. [23/01605/TPA](#) | Crown reduce by 2m (all round) on 1 no. Oak tree and fell 1 no. Oak tree. Both trees within Area, A1 subject to PS/11/00103/TPO. | Lake View 3 Hawthorn Close Ifold Loxwood West Sussex RH14 0FU

The Committee **RESOLVED** to make **NO COMMENT**.

#### **Building Applications:**

4. [23/01409/FUL](#) | Demolition of all existing buildings and hardstanding, replaced with 1 no. dwelling with attached garage/store, annexe, pool, pool building, pavilion and paddle court. | Gatliff House Loxwood Road Plaistow Chichester West Sussex RH14 0NY

The Committee **RESOLVED** to **COMMENT** on the application. Letter of Comment appended to these [minutes at A](#).

5. [23/01052/DOM](#) | Proposed rear single storey extension. | High Trees Chalk Road Ifold Loxwood Billingshurst West Sussex RH14 0UE

The Committee **RESOLVED** to make **NO COMMENT**.

#### **P/23/089**

#### **Planning decisions, Appeals and Enforcement**

The list of recent planning decisions appeals and enforcement notices from the Local Planning Authority (LPA) (CDC) was circulated to Members in advance of the meeting and published with the Agenda on the Parish Council's Notice Boards and website. The list was **NOTED** by the Committee and is appended to these [minutes at B](#).

The Committee **NOTED** the judgement of Sir Ross Cranston in the '[Somerset Case](#)' regarding the continued application of EU law regarding Habitat Regulation Assessments in both full and outline

applications.

*“...the Habitats Directive and Habitats Regulations 2017 mandate that an appropriate assessment be undertaken before a project is consented. That is irrespective of whatever stage the process has reached according to UK planning law... The strict precautionary approach required would be undermined if they were limited to the initial - the permission - stage of a multi-stage process.”*

**P/23/090**

**Appeals & Enforcement Action**

Nothing to note at this time.

**P/23/091**

**Sessile Oak Tree Works**

The Committee **RECEIVED** and **NOTED** the [Tree Condition Report](#) of Gale Tree Consultancy regarding the Sessile Oak Tree on Plaistow Village Green.

Action:  
Clerk

The Committee **NOTED** the **RECOMMENDED** tree surgery **WORKS** and confirmation from the **LPA's** that the removal of deadwood is **EXEMPT** from the need to make a formal planning application for works on a tree subject to a TPO.

Prior to the meeting, the Clerk circulated three (3) quotes for the recommended works to all Members. Due to the proximity of the tree to Common House Lane and the Lady Hope Play Park, it was important to schedule the works without delay. The contractor with the most competitive quote and timescale was appointed.

The Committee **NOTED** the appointment of **1<sup>st</sup> CALL TREES LTD** and **RATIFIED** the decision of the Clerk, made pursuant to the [Scheme of Delegation](#) paragraphs 3.1.17, 3.1.19 and 3.1.30.

**P/23/092**

**23/00140/FUL Little Springfield Farm**

The Committee **NOTED** the [correspondence received](#) from the Planning Officer and **RATIFIED** the Clerk's **RESPONSE** made pursuant to the [Scheme of Delegation](#) paragraphs 3.1.11. The Clerk's representation and the LPS's response is appended to these [minutes at C](#).

The Committee **COMMENTED** that every effort had been made by the Council to afford protection for the site's neighbours.

**P/23/093**

**Land to the east of The Street and south of Common House Road, Plaistow**

The Committee **NOTED** the email correspondence received from the developer asking for the Council's comments regarding the design of the site.

The Committee **NOTED** the **NEED** for a **POLICY** for responding to developers and **RESOLVED** to **DEFER** the matter until **AFTER** the **FULL COUNCIL** had made a decision regarding a [NEIGHBOURHOOD DEVELOPMENT PLAN](#).

**P/23/094**

**CAGNE Newsletter - Gatwick Airport apply to rebuild the emergency runway as a 2nd runway via a Development Consent Order.**

Action:  
Clerk

The Committee **NOTED** the [CAGNE](#) update regarding Gatwick Airport's planning submission to the Planning Inspectorate for a Development Consent Order in respect of the Northern Runway Project which has been accepted for examination.

The Committee **RESOLVED** to make a formal **COMMENT**, as the current and future flight paths impact the Parish, particularly Ifold, in terms of noise and air pollution. Previously, the Parish had an active group campaigning against the expansion of Gatwick Airport. The Committee **RESOLVED** to **ASK CAGNE** if it has prepared an **EXAMPLE RESPONSE** document for Parish Councils to use.

**P/23/095**

**Proposed permanent Traffic Order Loxwood Road - TRO/CHI8006/RC**

Action:  
Clerk

The Committee **NOTED** the TRO application to extend the existing bus stop clearway on the north side of Loxwood Road adjacent to Plaistow & Kirdford Primary School and to extend the operative hours to apply 7am to 7pm daily.

The Committee **RESOLVED** to make **NO COMMENT** and is **SUPPORTIVE** of the **TRO**.

**P/23/096**

**Consultations & Correspondence**

Actions:  
Clerk

*Please refer to the Council's website for background documents referred to below ([here](#)).*

The Committee **NOTED** the following matters: -

- The article regarding 'County Councils appointed to prepare Local Nature Recovery Strategies for Sussex'.

- CDC's update of the Local Plan draft submission and the publication of all responses received during the Regulation 19 consultation process on CDC's [website](#).
- Mr. Reynolds' departure from the Planning Working Group.
- Letter from South Downs National Park (SDNP) regarding Parish Priorities Statements. The Committee **RESOLVED NOT** to prepare a **Parish Priority Statement**.
- WSCC's concerns to government over proposed Infrastructure Levy.
- CDC will reintroduce Planning application neighbourhood notification letters.
- WSCC's update letter on minerals and waste planning policy activities.
- A MOP comments regarding the Council's comments for application 23/00851/DOM | Ground floor rear extension, new garage to front of property and new boundary treatment with entrance gate. | Oakfield Plaistow Road Ifold Loxwood Billingshurst West Sussex RH14 0TU

**P/23/097**

**Date of next meeting**

29<sup>th</sup> August, 7:30pm Winterton Hall, Plaistow.

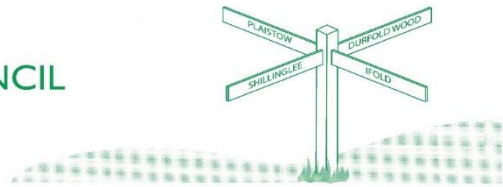
Actions:  
Clerk

The Committee **NOTED** and **ACCEPTED APPOLOGIES** from Cllr. Denyer.

The Clerk will attend this meeting remotely, via Zoom.

There being no further business, the Chair closed the meeting at 19:25

## PLAISTOW AND IFOLD PARISH COUNCIL



9<sup>th</sup> August 2023

Freya Divey  
Planning Officer  
Chichester District Council  
East Pallant House  
1 East Pallant  
Chichester  
PO19 1TY

Dear Freya Divey,

**Re: 23/01409/FUL | Demolition of all existing buildings and hardstanding, replaced with 1 no. dwelling with attached garage/store, annexe, pool, pool building, pavilion and paddle court. | Gatliff House Loxwood Road Plaistow Chichester West Sussex RH14 0NY**

Plaistow and Ifold Parish Council considered the above application at its Planning and Open Spaces Committee meeting on 8<sup>th</sup> August 2023 and makes the following comments: -

The Parish Council notes that Gatliff House was previously called Valtony, and its relevant planning history under that former name.

The Council notes the water neutrality and offsetting report submitted with the application and respectfully requests that the Planning Officer does due diligence and satisfies themselves that the development can satisfactorily achieve the required water neutrality standards: -

- The proposed offsetting measures are suitable forms of mitigation to offset the water demands of the proposal.
- The mitigation measures can be secured and/or enforced by the LPA in perpetuity.

The Council notes that the 2-bedroom annexe guest accommodation does not include any kitchen facilities, which it considers unusual given its separation within the site from the main dwelling house.

The Parish Council respectfully asks that the Planning Officer ensures that future kitchen facilities will not be added, thereby altering the current water neutrality and offsetting calculations.

If the LPA is so minded to approve the application, the Parish Council respectfully asks the Planning Officer to impose a condition that all the auxiliary accommodation and buildings on the site (annexe, pool building and pavilion) remain ancillary to the enjoyment of the main dwelling house, known as Gatliff House, Loxwood Road, Plaistow, Chichester, West Sussex, RH14 0NY and/or Valtony, Loxwood Road, Plaistow, Billingshurst, West Sussex, RH14 0NY in perpetuity; and permitted development rights

are removed to prevent any of the auxiliary accommodation and buildings on the site from becoming used as separate and independent dwellings in the future.

Yours sincerely



Catherine Nutting

Clerk & RFO: Catherine Nutting

Tel: 07798631410 | Email: [clerk@plaistowandifold-pc.gov.uk](mailto:clerk@plaistowandifold-pc.gov.uk) | [www.plaistowandifold-pc.gov.uk](http://www.plaistowandifold-pc.gov.uk)

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## Appendix B – P/23/089

### **ITEM: 6. To receive list of recent Planning Decisions, Appeals and Enforcement from the Local Planning Authority – CDC**

#### **Planning Decisions:**

CDC Weekly Decision List, 27 w/e 05.07.2023

None to note

CDC Weekly Decision List, 28 w/e 12.07.2023

None to note

CDC Weekly Decision List, 29 w/e 19.07.2023

1. [PS/23/01403/PA6ABE](#) | Dr Peter Binks | Boundarylands Cottage Durfold Wood Plaistow Billingshurst West Sussex RH14 0PN | Erection of a new steel framed agricultural building for machinery storage close to existing agricultural buildings and stables. **REFUSE**

CDC Weekly Decision List, 30 w/e 26.07.2023

1. [PS/23/01142/PA1AA](#) | Mrs R Wenman | Everley Plaistow Road Ifold Loxwood Billingshurst West Sussex RH14 0TU Proposed construction of an additional storey above the original floor plan of the single storey dwelling | **PLANNING PERMISSION REQUIRED**
2. [PS/23/01503/PNO](#) | Mr Haines | Lakeside Farm The Lane Ifold Billingshurst West Sussex RH14 0UH | General purpose agricultural grain store | **PRIOR APPROVAL REQUIRED HEREBY REFUSED**

CDC Weekly Decision List, 31 w/e 02.08.2023

None to note

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## Appendix C – P/23/092

From: clerk@plaistowandifold-pc.gov.uk  
Sent: 25 July 2023 11:15  
To: Alicia Snook Subject:  
RE: 23/00140/FUL Little Springfield Farm

Hi Alicia,

Thank you for your email and for explaining the steps taken by the LPA to investigate / consider this matter.

Please can you confirm that you have reviewed the Certificate of Lawful Use issued in December 2002 and in particular the Second Schedule – extent of the site, the land and buildings forming Little Springfield Farm - to ensure that the dwellinghouse/commercial buildings/area of the site were not linked at this point?

Subject to the answer to the above query, as the LPA, it is for CDC to decide what conditions are appropriate. The Parish Council has raised an issue, in its capacity as a Statutory Consultee, and this has been taken into consideration by the LPA. Nevertheless, the PC would respectfully query if a condition should now be imposed, formally tying the dwellinghouse to the commercial estate?

The Parish Council understands that it would appear the two are not currently linked; but that is not to say that they cannot and/or should not now be so linked. The risk of not doing so is that the dwellinghouse could be separately sold, thereby ensuring the total annexation of the commercial activity at the site – the commercial use would exist / be run entirely separately from any residential occupation.

By formally tying the dwellinghouse to the commercial estate ensures that the owner/occupier both lives and works on site and is therefore mindful of the impact the commercial activity has on the site's neighbours / wider community of Ifold – as it also impacts their own enjoyable domestic occupation of the land. It is interesting to note that some of the reasons the current owner wishes to build a new dwellinghouse is to move away from the disturbance caused by living *“next to the main access road into the Little Springfield Farm commercial estate and subject to noise impact by HGV vehicles using the estate that by reason of no controls can operate un restricted 24 hours per day, all year...”*

Neighbouring properties do not have the luxury of 'relocating' to get away from the *“noise impact by HGV vehicles using the estate [...] main access road...”* Were the dwellinghouse and commercial use to be wholly separate, the site's use class with *“no controls which can operate unrestricted 24 hours per day”* could be exploited by a new commercial owner who has no personal domestic occupation / association with the site, or Ifold community leading to unpleasant issues.



In 2002, the owner/occupier applied for a Certificate of Lawful Use or Development due to their own commercial activity. The Applicant in 2002 both lived and worked on the site, in the same way as the current Applicant does. The Parish Council respectfully asks the following question: -

But for the evidence which demonstrated that the use of the land and buildings had been for industrial purposes for a period of 10 years before the application was made, would CDC have granted planning permission for mixed use of the land and buildings within classes B2 and B8? i.e., had the site never been used in this way before, and had this been a new application for commercial use at the site, would a B2 and B8 class use been granted within the centre of a rural residential settlement?

If the answer is objectively no / unlikely, then the Parish Council respectfully asks the LPA to do all in its powers to mitigate the disruption the now lawfully existing commercial use of the site could/does have on the local community. The nature of this disruption is clearly explained by the Applicant themselves, which is powerful evidence of the material planning considerations for imposing a condition formally tying the dwellinghouse to the commercial estate: - *The dwellinghouse is "located next to the main access road into the Little Springfield Farm commercial estate and subject to noise impact by HGV vehicles using the estate that by reason of no controls can operate un restricted 24 hours per day, all year. Although, both the house and commercial estate are in one ownership, the owner and applicant would prefer to separate their private domestic life from work. The intention is to relocate the dwelling within the existing curtilage away from the main access to the commercial estate and place the new dwelling on what is a tennis court."*

These disruptions can be mitigated in perpetuity by formally tying the dwellinghouse to the commercial estate – the owner/occupier must live with their own commercial activity. This would also allow a future opportunity for the site to be sold/owned by someone who does not seek to run a commercial enterprise, or who wishes to 'downscale' / change the commercial activity to something less impactful with noise and HGV vehicles using the estate unrestricted 24 hours per day, all year.

However, if the dwellinghouse can be independently sold, the site's commercial use becomes its primary use/objective, which could be highly detrimental to the community of Ifold.

The Parish Council looks forward to hearing from you.

With best wishes  
Catherine Nutting  
Clerk & RFO

\*\*\*

Good morning,

Thank you for your email regarding 23/00140/FUL Little Springfield Farm.

Officers have taken your points below into consideration and reviewed them. Upon discussing and investigating further, I can confirm that we will not be imposing a planning condition tying

the replacement dwelling to the commercial estate on the decision notice, as given the planning history there is not a planning reason to do so, and to do so would be contrary to the NPPF and national guidance. Such a condition would be extremely vulnerable to being challenged and likely to be subject of a costs award for unreasonable behaviour.

Upon considering the planning history (including the ELD as mentioned in your email), the existing dwellinghouse was never tied to the commercial estate and it would not be reasonable to now do so. The existing dwelling could be sold separately at any time and without being in breach of planning control. Paragraph 55 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, relevant to the development permitted and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

In this instance a condition tying the dwelling to commercial estate would not be necessary, relevant to the development permitted or reasonable given the existing circumstances where the existing dwelling could be sold separately. A one-for-one replacement dwellinghouse is acceptable in principle at sites across the district and in this instance the relocation of the dwellinghouse would not result in any detrimental impacts on the surrounding character of the area.

With regards to concerns of noise/disturbance, we note your comments/concerns about the commercial estate. This application however, only concerns the area of the dwellinghouse (i.e. the land within the red line boundary). The red line boundary does not extend to the commercial estate, therefore this section of the site is not for consideration as part of this planning application. Please note, there is other legislation which falls outside of the planning process which provides protection to the amenities of neighbours.

In conclusion, officers do not feel that it would be necessary or reasonable to now impose a planning condition tying the dwellinghouse to the commercial estate as there is no planning reason to do so. The impacts of the commercial estate is a consideration outside the remits of the application. I will be proceeding for approval shortly.

Many thanks



**Alicia Snook**

Planning Officer  
Majors and Business  
Chichester District Council

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