

From: Alicia Snook
Sent: Wednesday, July 19, 2023 11:57 AM
To: Plaistow and Ifold Parish Council
Subject: 23/00140/FUL Little Springfield Farm
Importance: High

Good morning,

I hope this email finds you well. I am writing regarding 23/00140/FUL Little Springfield Farm.

Further to your consultation comment dated 12.04.23, I request clarification on a topic included within your comment. Specifically, it was stated –

“If the application is approved, the Parish Council respectfully asks the Planning Officer to impose a condition that the replacement residential dwellinghouse remains ancillary to the commercial estate in perpetuity.”

Please could you clarify as to whether there was a particular application you were referring to which included a condition tying the dwelling to the commercial estate? I cannot work out if you are referring to a specific planning application reference. We can then take this into consideration as part of the assessment and final decision making.

Many thanks



Alicia Snook
Planning Officer
Majors and Business
Chichester District Council

Dear Alicia,

Sorry for the delay in coming back to you. This time of year is always tricky with holidays etc.

Please refer to the three attached documents.

- Paragraph 1.2 of the Planning Statement explains the need to replace the house.
- Paragraph 2 of the LPA's refusal for planning app. 19/02182/FUL explains how the house forms part of the site.
- Paragraph 6 of the Planning Inspector's appeal decision also states what is included within the site (including the house).

The purpose of the PC seeking a condition that the residential dwellinghouse remains ancillary to the commercial estate in perpetuity is to prevent any annexation of the dwellinghouse from the commercial enterprise allowing it to be separately sold/developed in the future.

The applicant identifies that, as the dwellinghouse currently stands, it 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.”

This para in the Planning Statement (1.2) is absolutely key. (Parish Council’s own emphasis).

The LPA & PINs decisions - regarding residential development – illustrates the restrictions of the site.

I trust this helps.

With best wishes
Catherine

From: Alicia Snook
Sent: Wednesday, July 26, 2023 10:29 AM
To: Plaistow and Ifold Parish Council
Subject: RE: [EXTERNAL] RE: 23/00140/FUL Little Springfield Farm

Dear Catherine,

Thank you for providing clarification regarding this matter. It has been useful to understand your position further.

In light of your email, I have undertaken further investigation and discussed this matter with a Principal Planning Officer. During investigations, I revisited the planning history for the site, read previous decision notices and considered the documents included in your previous email.

Officers conclude that it does not appear that the existing dwellinghouse is tied to the commercial estate as no planning conditions relating to this have been included on the various previous decision notices. Officers agree that the dwellinghouse and commercial estate are associated with each other, due to being in one ownership, however, there is no record of a planning condition formally tying the dwellinghouse to the commercial estate.

In light of this, would the Parish Council be satisfied if officers did not insist that a planning condition tying the dwellinghouse to the commercial estate was added to the decision notice? We do not feel this would be appropriate for this application given the planning history for the site.

I look forward to hearing from you in due course.

Many thanks



Alicia Snook
Planning Officer
Majors and Business
Chichester District Council

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
Plaistow and Ifold Parish Council
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