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The Ride

Ifold

16th August 2025

The Clerk

Plaistow and Ifold Parish Council

Dear M/s Bromley,

Plaistow and Ifold Neighbourhood Plan

Local Green Space

Further to the submission of our initial response to the Parish Councils Round Robin/Flyer dated 24th June 2025 we have now had the opportunity to review the documentation that has been provided.

These further comments or clarifications should be assessed in conjunction with and in addition to those contained in our earlier response.

It might be helpful if we now itemise our areas of concern on the basis of the criteria that would be applied should this case proceed to Judicial Review. Such a review would focus on

Whether proper procedures and legal requirements were followed

Whether Community views were adequately considered

Is there adequate verifiable evidence of the space value to the community

Is the decision of the PC fair and transparent.

We will attempt to deal with the above criteria in order

Whether proper procedures and legal requirements were followed.

The Planning Policy Guidance statement says

“The local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact the landowners at an early stage about the proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of the draft plan.”

It is our view that in order to comply with the above “early” means exactly that. Landowners should be identified and contacted as soon as possible after a potential LGS designation has been identified. They should be informed of any enquiries and surveys initially undertaken and be invited to contribute to the drafting of the proposal to be issued for public consultation.

This requirement to identify and contact the landowners early is absolute. The PC has either followed the due process, or it hasn't. There can be no grey area.

- I have carefully reviewed the documents that have now been provided. Consultation did not happen at all in relation to the earlier 2019 plan. The documentation now supplied confirms that in relation to the Regulation 14 Consultation which took place between September and October 2016 all Parish residents and landowners had been engaged. In so far as we are concerned **this is not true**. To support our position, we would draw attention to the fact that Minutes of the PC meeting held as recently as 17th June 2025 it is clearly noted that “Those owning the Ancient Woodland in the Centre of Ifold could not easily be identified”. If the correct procedure had been carried out in relation to the 2019 plan these details would be on file within the Parish Council Records.
- Documents show that by August 31st 2018 the PC had, confirmed the plan was ready for Regulation 15 submission. We were completely in the dark. **The PC had made no attempt at any stage to identify us as landowners let alone involve us in the preparation of the draft plan or subsequent proceedings.** Fortunately for reasons other than the LGSD the plan was withdrawn. Heaven knows what would have happened if this had not occurred.
- The current plan began life on 8th August 2023. There were many local events organised by the PC relating to the NDP so that they could seek the opinion of the community. Yet again and crucially, the PC failed to identify the private landowners, notify them of potential designation and engage them in the process. **Again, this is a failure to comply with the due process. To make the same mistake twice is inexcusable.**

- The date of the Assessment against NPPF Para 106 Tests is recorded as 25th February 2025.
- The minutes of the NP working Group dated 23rd April 2025 show that following the consultation with the Community, the nomination of the Woodland at the centre of Ifold had little or no support. This meeting was held **after** the date the draft LGSi2 Plan had been signed off ready for Public Consultation.
- It is clear that the PC had no idea of the need to identify and consult the LGS owners until it was brought to the PC Clerk's attention by the CDC Principal Planning Officer on 28th April 2025.
- Following this meeting the Clerk failed to recognise that this was a serious problem, therefore, she did not make any attempt to remedy the situation.
- Despite having been made aware of the notification requirement almost 2 months earlier, the minutes of NP Working Group's Meeting on 17th June 2025 clearly record that the LGSD Assessment regarding the Ancient Woodland in the Centre of Ifold was approved.
- As previously mentioned, following this resolution, it was recorded that those owning the Ancient Woodland could not easily be identified and as a consequence the houses surrounding the woodland would be leafleted to explain the situation. We have already pointed out that if, as asserted by the PC we had already been identified and contacted in relation to the 2019 plan this information would already be on file within the PC records.
- The decision to issue round robin/flyer letters clearly does not meet the requirements of the Legislation. No attempt whatsoever had been made to comply. Following receipt of this letter we promptly took action. However, we were unable to get a response from the Clerk in relation to email requests for specific basic information, in desperation we suggested a meeting to discuss the situation. As a consequence, the Clerk and Cllr Woolf visited our home on the 18th July 2025. At this meeting the Clerk insisted that the widespread publicity was sufficient to meet the requirement of notification. She then went on to say that "the landowners could not be identified as the land registry records were not up to date." This statement can only have been made to try and cover up the real situation. It was immediately challenged and was proven to be incorrect. We insisted that the PC had to meet this obligation whether the information was at hand or needed to be investigated. It was pointed out that there were other means of obtaining this information such as voters lists or even knocking on doors. Even by the time of this meeting the identities of the landowners (other than Mr and Mrs Caddock and ourselves, who had responded to the flyer) were still unknown to the PC although Mrs Caddock had obtained the information herself from the land registry.

- The letter was drafted and dated 24th June. This was at a time when the draft proposal was about to be or was already published for Public Consultation. Therefore, we the landowners had not been given any opportunity whatsoever to discuss or challenge the contents, resolve any issues before the document was in the public domain.
- It is not clear why on the 17th June 2025 the PC continued with their intended timetable rather than pause, take a step back and fulfil the legal requirements. Whether it was ignorance of the specific process of notification or whether as this particular proposal originated within the PC itself, it decided to press on regardless. Whatever the reason for the decision it can only be construed as negligence.
- In her letter to Mrs Caddock dated 5th August 2025, the Clerk “states that the flyers to the Property Owners were posted on the 24th June 2025.” This is yet another example of us being fed false information. Both Mr and Mrs Caddock and ourselves can firmly state that these letters were hand delivered sometime the following week, possibly even later.
- The letters were addressed to “the property owner” As far as we are concerned it is extremely fortunate that it was opened at all. Along with everyone else we are constantly being bombarded with junk mail advertising products or begging for money. These find their way through our letter box on almost a daily basis. Very often we put this kind of communication straight into the recycling bin unopened. There was nothing on the envelope to indicate the importance of the contents. Surely in view of the nature of the enclosure, along with the PC’s legal obligation and the need to establish a paper trail to prove the legal process including notification had been complied with “**signed for**” delivery would have been more appropriate and secure.
- Turning to the letter itself, bearing in mind that the landowners were, in all probability, lay people like ourselves with no knowledge of planning laws, the contents are seriously lacking in information. Following its receipt, I contacted the Clerk twice for clarification but she did not answer any of my questions, she merely thanked me for engaging with the PC and tried to fob me off.
- Specifically, the flyer indicates that the PC had already consulted with the community at large, (**behind our backs**) and goes on to confirm that the draft plan will be published shortly. It assures the owner that such designation does not result in any additional rights of public access. What it doesn’t say is that we as landowners should have been consulted at an early stage, given access to any surveys or consultations that led to its inclusion, nor were we advised that we should have been given the opportunity to contribute the draft proposal. The letter did not even include a copy of the map or an advance of the LGSi2 Assessment that had been signed off in February 2025.

- Surely, when the PC wish to propose a LGSD in respect of private land it is essential that the landowners concerned are identified at least at this stage but preferably earlier. The landowners need to know is paramount, far more important than that of the general community. After all it is our land that the PC seek to place restrictions on that could affect our freeholders' rights.
- The way the letter has been drafted is an attempt to assure the land owners that their rights would not be affected and to imply "it is already a done deal". Many ordinary members of the community would take reassurance from this and not question whether such a designation is correct in law. The PC obviously gambled that their failure in the procedural process would escape notice and they did not expect to be challenged.

Conclusion, the PC is clearly in breach of its statutory obligations. It follows that LGSi2 is not valid and should be withdrawn with immediate effect.

Were Community views adequately considered.

- Despite many local meetings over the years since 2013 the Community itself did not nominate this area. Although during the consultation period there was some general support for preserving the environment we have seen no real evidence of Community Support in respect of this specific plot of land. This begs the question "why would the Community at large be concerned?" The answer is simple. The land in question has no public access, it is barely visible from the Road and cannot be distinguished from the leafy environment that is the main characteristic of the Ifold Estate. There were other issues in the forefront of their minds such as a children's playground, local amenities for leisure and housing development, these were obviously of much greater concern. The PC cannot contend that there is widespread community support based on the fact that they did not receive objections to the proposal. The lack of response is a sign that the exact opposite is true. The community had other more important concerns on their mind that had a direct effect on the quality of their lives. The sole driving force behind this proposal is the Parish Council, this is their project which they have repeatedly championed since 2013. Because of this they seem to be determined to get this proposal adopted, and by doing so have ignored the lack of interest shown by the community at large. It goes without saying our views were not asked for and therefore not considered at all.

Is there Adequate verifiable evidence of the space value to the community

- In the third paragraph on page 2 of the minutes of the Extraordinary Meeting of the PC , held on 8th August 2023 the Chairman explained that the intention was to prepare a wholly new NDP, it would not be a revival of the one that had been previously drafted and withdrawn.

- However, this, so far of LGSi2 is not the case. The current proposal is simply exactly that, a cut and paste job of what had gone before.
- At the meeting of the NP Working Group on 23 April 2025 it simply approves the previous proposal.
- In her letter dated 5th August 2025 the Clerk states that at that meeting an assessment was put forward using evidence gathered in relation to the earlier plan. She does not say exactly the nature of this evidence, its source or the date it was originally gathered or supplied. No due diligence was carried out at this time to test the accuracy of the previous assessment nor did the PC start with a blank sheet of paper and carry out their own survey or initiate any kind of consultation in order to satisfy themselves that the content was correct. This is in direct contradiction of the Chairman's statement two years previously that there would be a fresh approach.
- This proposal originated from within the PC itself. There should be minutes of the meeting in relation to the drafting of the original plan indicating the source of the information it contained and to include what documentary evidence such as surveys and consultations undertaken on which the statements contained within items b.) 6 and the overall conclusion were based. This does not appear to be the case. We have not been given any indication of the source of this information. Furthermore, we have not been provided with any documentary evidence to show that the assertions made in the Assessment have any basis in fact. It is therefore reasonable for us to conclude that no official surveys or consultations regarding the land were ever carried out., What we can say for certain that our land has never been the subject of such a survey, or at least if one was carried out it was without our knowledge and permission. In addition, we know that the views of the landowners were not sought. It follows that the assumptions contained in the report in relation to the wildlife cannot be substantiated. They are based on pure speculation. Despite this, the Clerk asserts that the information is **100% accurate**. She cannot possibly say this with any justification. This may be her view but there is no evidence to support it. Then unbelievably she goes on to contradict herself by saying that **"The information contained in the assessments is believed to be accurate, however, the NP and evidence base will evolve through the consultation with the Parish"**. With due respect the first port of call for this information is the landowners themselves and should have been undertaken the first place in order to substantiate the Original Assessment. Otherwise, it is a sham, nothing more than a fishing expedition to test the water. What information and underlying documentation could members of the Parish possibly have in relation to private land that they do not have any access to and are in fact barely aware of its existence. This is simply not good enough. it should be remembered that the proposal if it goes forward has potentially serious consequences for the

landowners' rights over their freehold property. Every restriction on freehold land adversely affects its value and the ability to sell. Therefore, the PC have an absolute duty of care to ensure that they keep this in mind and provide documentary evidence of the highest possible standard to support any contentions made in their Assessment. This aspect has already been addressed in our earlier responses regarding item 6, 13 and 15. We repeat that there has been no attempt to monitor the wildlife and how it affects the eco system. Nor is there any survey that demonstrates how our gardens are special and provide habitat that the rest of Ifold does not. Further hearsay and anecdotal evidence during the consultation period will not be sufficient to qualify as verifiable documentary evidence.

- Not only this, the PC should have considered that this land consists of gardens that belong to 5 individual homes. It is not necessary to run separate formal assessments for each Parcel of land but the PC needs to be able to evidence that each separately owned piece of land within the designation meets the NPPF criteria. Clearly the PC is unaware of this requirement. There is no record of it having been addressed. Furthermore, the current proposal includes Mr and Mrs Caddock's immediate garden to include lawn and outbuildings.
- The PC place great, if not total reliance on the fact that this site is Ancient Woodland and as such is demonstrably special to the local community. This is the underlying reason for it being proposed as designated LGS. If Ancient Woodland is the main reason for such designation, it should be noted that over the years several similar sites have been considered by the PC for designation but have not gone forward. These include Barn Wood, Poundfield Wood and Corner Copse on Foxbridge Lane. This obviously begs yet another question "Why, if Ancient Woodland is the main reason for designation, our woodland is the only one that is included in the current proposed plan?" We ask ourselves, what is the verifiable evidence to support the PC's insistence that our wildlife is different from and more special than that that may be found in these other sites within the Ifold Estate and surrounding areas as a whole. Yet again we are forced to look at motive, whether the fact that as the PC initiated the nomination of our lands' inclusion means that it is determined to see it progress and as a consequence is unable to step back and take a more balanced and reasonable approach that can be fully justified.
- Furthermore, Ancient Woodland is not in itself included within the definition of being "demonstrably special" to the local community contained at LSGi2b. Any assessment must be based solely on those criteria specifically mentioned. At our meeting with the Clerk and Cllr Woolf it was confirmed to us that the PC were going forward and relying on the basis of "the richness of wildlife". We have already addressed this aspect in our first response.

- The legislation provides different forms of protection that are applicable to any particular situation. We have already said that the blanket TPOs are sufficient to protect the birds and the bats. If the PC had carried out “due diligence” they would know that the land in question is not a single area but forms part of the immediate gardens of 5 family homes. Each garden has its own boundaries that as far as we can tell without trespass are clearly fenced, this in some cases is necessary to prevent pets wandering on to their neighbours’ land. It follows that contrary to the statement at item 7 on the LGSi2 Assessment, there is no through route for animals to forage because their way is barred, they cannot breach the fencing. There is no discernible forage trail within the woodland as a whole, we have seen no sign of consistent or regular animal activity such as droppings etc. Access to each individual plot can only be gained from each individual front garden. Bearing in mind that each individual plot has to meet the criteria, we can categorically state that as far as our land is concerned there are no badger sets or any other evidence that it is the home of deer or foxes. Neither is there a forage trail as our land is securely fenced. Even our runner beans and roses have not been nibbled this year. There is no evidence whatsoever that turtle doves nest in our trees, and the bats are able to roost there if they so desire. Their habitats are safe as the TPOs completely protect them and planning restrictions are there to prevent any development. This information makes the comment on this aspect in the LGSi2 conclusion completely valueless.
- The TPOs, Ancient Woodland designation and strict planning laws are more than sufficient to protect this land. The Clerk’s statement that where a site is both Ancient Woodland and Designated as a LGS it benefits from dual layers of protection. We would strongly disagree with the assessment that LGSD would benefit this area. It completely overlooks or perhaps deliberately ignores the fact that there are multiple forms of protection already in place, i.e. Ancient Woodland, TPOs and Planning Restrictions. Furthermore, it enjoys the benefit of being in private ownership and is therefore not at risk from the activity of community at large.
- The Clerk has not been specific as to the nature and identification of the increased protection she is referring to. She has completely failed to explain why the existing protections are insufficient. The reasons she has provided are to us are just words with no underlying substance whatsoever. Crucially we have not been provided with any evidence that specifically identifies and quantifies the exact nature of the additional benefit a LGSD would bring. We would remind you that no physical survey of the land, its wildlife, and how it is different from and more special than that which can be found within the wider area that is Ifold Estates has ever been commissioned. We contend that LGS Designation would not add any demonstrable additional benefit over and above the protection the land already enjoys. This is private land, a LGSD cannot affect the way in which

individual owners use their gardens. They will continue to enjoy and use their property within the course of their everyday lives in exactly the same way whether or not there is a LGSD in place. The ecological protection would not increase at all should the PC manage to secure designation. We repeat and emphasise most strongly that LGSD adds no measurable additional value or benefit. In these circumstances the established principle applies. A LGSD should not be sought as a means to add weight to planning restrictions. If granted the LGSD will mean that development of the land will be governed by Green Belt Legislation. However Green Belt Status is a consequence of a LGSD, **it is not a justification for seeking it.**

Is the decision Fair and Transparent.

At the time of the Publication of the Section 14 Document in June/July 2025 the PC had been anything but Fair and Transparent. The above review demonstrates that for at least 9 years possibly 12 the PC has sought to have our land designated as LGS. The first Assessment reached the submission of a Section 15 submission without any attempt to identify and notify the Landowners and involve them in the drafting of the Section 14 Assessment. We as landowners were only saved on that occasion by the section 15 submission being withdrawn in 2022 for reasons wholly unrelated to LGSD.

The plan was resurrected in August 2023 and the PC still failed to comply with the Legislation. The PC signed off the LGSi2 in February 2025, having undertaken no enquiries whatsoever to verify that the information it contained was correct in every detail and more importantly still continued to ignore or possibly remained unaware of the legislation that required them to identify and liaise with the landowners regarding the preparation of the draft proposal.

This error was pointed out to the Clerk by the CDC Principal Planning Office on 28th April 2025, two months after the plan was finalised.

We cannot be sure that all documents requested have been provided, for example there are no minutes that cover the potential for designation of our land when it was initially nominated and discussed and the evidence on which the designation assessment was based nor the minutes of a meeting which we believe took place on 15th July 2025. The minutes of the Meeting with CDC Planning Officer were not provided. These had to be sourced from the internet.

Even after the warning given by the Planning Officer the PC took no action to identify the land owners, instead they agreed to issue a round robin flyer that gave no real information nor did they attach any supporting documentation of any kind or indication that the Landowners should have had the opportunity to comment on the plan before it was placed in the Public Domain. Excuses for failure to comply with the legislation are

not realistic. They simply couldn't be bothered. They simply pressed on with their own agenda hoping that no one would cause waves.

After receipt of the flyer, the Clerk, when asked for simple clarifications responded promptly but did not answer the questions posed. The above review fully demonstrates the level of resistance we have experienced in obtaining information. Once forced to engage with us we have been supplied with information which is clearly incorrect and demonstrably untrue along with assertions that have no supporting evidence or documentation. Initially we had to offer a meeting at our private home to make any progress at all.

The Clerk insists that the information contained in the LGSi2 originally prepared at least 9 years ago is 100% accurate but admits that there is no underlying documentation, surveys or other evidence to support it. Nor are there minutes to record exactly how the information was gathered. She then goes on to say that if it is not accurate then it will be amended in the consultation process. **The draft document should contain statements that can be supported by hard verifiable evidence not supposition.** No due diligence exercise was carried out in August 2023 to ensure that the information in the LGSD was correct and supported by the appropriate evidence. The onus is on the PC to justify this proposal. It should not be for the landowners to have to fully investigate not only the legislation itself, whether the proposal is fully supported by verifiable evidence, but also whether the PC have complied with the legislation and have been wholly truthful in the explanations they have supplied to us. **This cannot be right.**

The PC has had at least 9 years to prepare the plan and has published it on two occasions without any consultation with us. In addition, throughout this process the PC has had the support of CDC. This has to be viewed in stark contrast with the fact that we are lay people and on receipt of the round robin flyer had no understanding at all of what was going on. In the first instance, when contacted the PC was reluctant to give us any information at all. In reality we have had all of six weeks to start from scratch, research the legislation ourselves and spend considerable time gathering and assembling the material to enable us to challenge them. It is fortunate that we had the necessary skills to do this, other landowners may not have done. This has been an enormous time commitment. This report today alone has taken me 26 hours over 4 days to assemble. This does not count the hours spent emailing the PC, preparing for and facilitating a meeting, preparing our initial response, reviewing the documents themselves and the internet research necessary to be in a position to defend our landowners' rights. **This state of affairs is wholly unacceptable.**

The PC are being unreasonable insisting that the existing protections are not sufficient to protect the land. **THEY ARE. They have not been able to identify in what circumstances they are insufficient and the degree of additional protection a LGSD would bring.** It would appear to us that the PC are attempting to use LGSD as a means

to justify obtaining in effect Green Belt Regulations in order to add weight to prevent or dismiss any future planning applications that may be made. They have provided no reason for us to believe otherwise.

We believe that we have serious grounds for complaint. We would ask that the PC respond fully to our comments before their next scheduled meeting where it is intended to review the results of the consultation. In the interests of justice this is only fair and reasonable request. If the PC had followed the procedure correctly and exercised “due diligence,” consulted us at an early stage all these areas of contention would have been ironed out many years before any Draft Assessment reached the public domain. You are already aware that we are over 80 years old and the stress, distress and other health issues dealing with this has caused us and their associated costs. The effect on our mental and physical wellbeing has been intolerable and will continue to be so until all the questions and comments we have put forward have been fully addressed. The last plan took nine years to be withdrawn, realistically we may not last that long. In addition, there have been costs relating to seeking necessary legal advice including the letter sent to you on behalf of Mr and Mrs Caddock. When we met with the Clerk and Cllr Woolf, we gave them verbal details of the difficulties both Mr and Mrs Caddock and ourselves have encountered with our neighbours. These difficulties are solely based on the premise that they, other landholders, firmly believe, incorrectly, that the purpose of the designation is to prevent the development of the land in question. This has led them to conclude that we are opposing LGSD as we have plans to develop our land sometime in the future. We have previously, for over 30 years, have had very good relationship with our neighbours. This adverse personal reaction to us is very upsetting and not deserved. It has been wholly caused by the PC’s lack of consultation and the failure to provide clarity to all concerned. After all we are the innocent parties in this total debacle, the problem is not of our making. We are relying on the statement Cllr Woolf gave us when we met. We quote “it is not the intention of the PC to upset anybody.” We therefore look forward to receiving the PC’s proposal as to how they intend to remedy this situation.

Finally we would like to place on record that should the PC decide to retain the LGS Designation we reserve the right to pursue all available legal remedies to include representations to the independent examiner and an application for judicial review on the grounds of the representations included but not limited to those we have explained in this document and our previous initial response as well as all other comments to include the information given when we met and the correspondence between us via email.

Yours sincerely

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