

FLETCHING PARISH COUNCIL

Clerk: Gabriella Paterson-Griggs

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MINUTES of the Meeting of **FLETCHING PARISH COUNCIL** held on Monday 5th February 2024 in the Village Hall, High Street, Fletching (7 – 8.51pm).

PRESENT: Councillors R Hannay (Chair), N Collum, S De St Croix, K Minch and L Snelgrove.

Also in attendance: Gabriella Paterson-Griggs (Clerk and RFO) and Councillors Christina Coleman (WDC) Roy Galley (ESCC).

Members of the Public in Attendance: 31

APOLOGIES: Apologies for absence were received from Councillors A Abraham, R Borton, W Constantinou and D Greenish

24/18. DECLARATIONS OF INTEREST

Declarations of interest RECEIVED in respect of items on the agenda, as required by the Members' Code of Conduct:

Minute 24/24 - WD/2023/2627/MAJ Wilderlands Farm, Bell Lane

Councillor De St Croix – Disclosable Pecuniary Interest due to the application site being opposite her property.

In accordance with the FPC Code of Conduct, Cllr De St Croix left the meeting whilst the application was being discussed.

Councillor Snelgrove – Personal Interest due to grazing livestock opposite the application site.

Councillor Collum – Personal Interest (see Minute 24/23 below) and did not participate in any discussion or vote on the matter.

24/19. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the last meeting held on 8th January 2024 were a correct record and were duly signed by the Chairman.

24/20. MATTERS ARISING

There were none.

24/21. REPORT FROM DISTRICT COUNCILLOR CHRISTINA COLEMAN

Councillor Coleman reported that the first draft of the local plan had been published for consideration at the Full Council meeting being held on 8 February. The plan, which sets out where development might go within the District up to 2040, would be published for public consultation in mid March. She encouraged everyone to respond to the consultation in particular in respect of the two sites adjacent to the parish at Ashdown Business Park and Owlsbury. Cllr Coleman explained that although those sites were not allocated within the plan they could not be removed entirely so they were being put out to further public consultation.

24/22. REPORT FROM COUNTY COUNCILLOR GALLEY

Councillor Galley reported that ESCC would be meeting the following day to vote on an increase in Council Tax of 2.99% plus 2% specifically for Adult Social Care. It was noted that an additional £5m grant had been received from the Government and Cllr Galley was lobbying hard to get this spent on the roads. He noted that some patching work had been carried out in Ruston Bridge Road.

With regards to the East Sussex Fire and Rescue service it was reported that the Council Tax increase would be 2.99%. Cllr Galley also stated that there would be a consultation on the proposed closure of Mayfield fire station.

Cllr Galley also queried how Wealden DC would be able to achieve the employment land it states is needed within the local plan without allocating Ashdown Business Park. Councillor Coleman explained the rationale in respect of employment land as set out in the plan.

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24/23. COUNCILLOR RESPONSIBILITIES AND APPOINTMENTS TO WORKING GROUPS

A statement from Councillor Hannay, circulated with the agenda pack, was read out in full at the meeting. In the statement Councillor Hannay raised concerns about Councillor Constantinou's actions in respect of the planning application at Wilderlands Farm. It was noted that Cllr Constantinou had received advice from the Clerk that, given the location of the application site, he should declare a pecuniary interest in the application and take no part in any Parish Council deliberations on the application.

However, it was brought to the Chairman's attention that Cllr Constantinou had been in touch with the two other members of the Planning Working Group (Cllr Constantinou being the third member of the Group) about the application both of whom raised concerns at his actions. Of particular concern was that he had arranged to meet Cllr Collum, about another application as she understood it, at the site where the applicant had been present. Cllr Collum explained, in a statement read out at the meeting, that she was particularly concerned about the event as she felt she had been misled and deceived into visiting the site. She had subsequently reported the incident to the Clerk and the Chairman and declared that she would not participate in the Planning Working Group site visit or any deliberations on the application.

Cllr Hannay explained that he felt Cllr Constantinou's actions called into question the Parish Council's ability to sustain trust that parishioners put in it as councillors must not just abide by the Nolan principles but be seen to do so. It was noted that at a meeting with Cllr Hannay and the Clerk to discuss the matter Cllr Constantinou did not accept that his actions had the potential to cause harm to the reputation of the Parish Council.

A proposal to remove Cllr Constantinou from the Planning Working Group was discussed. Councillors expressed the opinion that there should be zero tolerance to this kind of behaviour as parishioners had to be able to trust members of the parish council. Members of the public also raised concerns about Cllr Constantinou's behaviour in respect of a number of incidents and questioned why he continued to be a councillor. The Chairman explained that a councillor could only be disqualified if they received a custodial sentence of three months or more. He stated that if anyone had a complaint about Cllr Constantinou's behaviour as a parish councillor it should be reported to the Monitoring Officer at Wealden District Council and any issues that caused alarm, harassment or distress should be reported to the Police.

It was proposed and seconded that Councillor Constantinou be removed from the Planning Working Group and all other areas of responsibility that he was allocated to.

It was **RESOLVED** unanimously that Councillor Constantinou be removed from all Working Groups and other areas of responsibility of the Parish Council.

24/24. PLANNING APPLICATION – RECEIVED

The Chairman extended the public participation time, that usually took place before the meeting, to allow the Parish Council to hear from the applicant and from members of the public who wished to express a view.

WD/2023/2627/MAJ Wilderlands Farm, Bell Lane, Fletching TN22 3YB

Proposed change of use of land for mixed agricultural/educational purposes with temporary rural workers' dwelling, agricultural building and ancillary development and part retrospective application for the wildlife pond.

The Parish Council OBJECTS to this application. Comments in full attached as an appendix to these minutes.

Note: Cllr Collum did not participate in the discussion or vote on the application and Cllr De St Croix left the meeting whilst this application was being discussed.

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24/25. WORKING GROUPS / EXTERNAL GROUPS

- i. *Neighbourhood Plan*: Councillor Hannay reported that a set of potential policies had been drafted and that quotes were being sought from consultants. In parallel to that the Working Group was looking at the vision and objectives.
- ii. *Fletching Recreation Ground Committee (FRGC)*: The Clerk reported that the pavilion refurbishment works had commenced and were due to be completed before the cricket season starts again in April.
- iii. *Ashdown Forest Liaison Group*: the notes of the Group, circulated to councillors prior to the meeting, were noted. Councillors were pleased to see a new CEO had been recruited and it was suggested they be invited to a future meeting. It was also noted that the paid parking scheme was considered a success and that the monies received were going towards keeping the forest healthy.
- iv. *WGD Draft Local Plan meeting*: Councillors Hannay and Collum had been at the meeting which had been attended by 41 parishes as well as the Leader and Deputy Leader of Wealden District Council, the Planning Portfolio Holder and the Director of Place. Cllr Coleman was also in attendance. At the meeting the requirements of the new NPPF and the calculation of housing requirements were explained. For Wealden this should be 1200 per year but in the draft local plan this had been set to 953 which included sites that had been given planning permission but had not yet been built out. Previously 709 had been built annually. It was also noted that the SHELAA was still awaited. Cllr Hannay confirmed that the meeting had been very useful and was well supported by Wealden DC.

24/26. CORRESPONDENCE RECEIVED

- i. *Wealden District Council – Parish Conference*: It was **AGREED** that Councillors Hannay and De St Croix would attend the Parish Conference on 14 March 2024.
- ii. *ESCC – Draft Local Transport Plan Consultation*: Cllr Hannay explained that this was back on the agenda as it had been highlighted that one of the proposals in the plan was to dual the A22 Uckfield by-pass. He requested that if any councillors wished to make a comments to send them to him by 21 February so that they could be collated and submitted by the Clerk before the deadline.
- iii. *ESCC – Rural Grass Cutting Options*: Correspondence had been received from ESCC giving the Parish Council two options in respect of the grass cutting carried out by ESCC. It was **AGREED** that Option 2 be requested - cuts at the start of the season as visibility cuts only at junctions and insides of bends with the second cut being the usual 1 metre swathe along the verge plus the visibility cuts.
- iv. *Request for a Grit Bin at Ketches Lane*: This item was **WITHDRAWN** as the bin had been supplied from elsewhere.

24/27. FINANCE AND ASSETS

- i. The invoices and payments for February 2024 were **AUTHORISED** and the Council's current financial position and bank reconciliation were noted.

Note: Cllr Galley left the meeting at 8.25pm before the following items of business.

- ii. It was **RESOLVED** that Mulberry & Co be appointed as the Internal Auditor for the 2023/24 accounts.
- iii. The Budget 2023/24 Quarter 3 update was **NOTED**.
- iv. CIL Funds – It was **AGREED** that quotes be sought for: a path in the burial ground; replacement public litter bins; and a new handrail by beside the village hall.

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24/28. GRANT APPLICATION

The Grant application from the Fletching Recreation Ground Charity for £2145 for a new fire alarm system for the Pavilion was considered and it was **RESOLVED** that the grant be awarded in full.

24/29. BURIAL GROUND

No requests or permits for the Burial Ground had been received.

24/30. POLICIES

The following Policies were **APPROVED**:

- i. Filming and Recording at Meetings Policy
- ii. Press and Media Policy
- iii. FPC Privacy Policy

The Draft Resilience Plan was noted and it was **AGREED** that it come back to the next meeting.

24/31. ENFORCEMENT – PLANNING

- i. *Flitteridge Farm*: It was noted that there had been two further helicopter flights but that the 28 days permitted per year had not yet been reached.

24/32. PLANNING APPLICATIONS - RECEIVED

It was **RESOLVED** to make the comments as set out after each application in respect of the following:

- i. **WD/2023/2627/MAJ Wilderlands Farm, Bell Lane, Fletching TN22 3YB**

This application was discussed earlier in the meeting – see Minute 24/24 above.

- ii. **WD/2023/3137/PIP Equestrian Manege (Sand School) at Little Barkham Farm, Goldbridge Road, Piltdown TN22 3XL**

Erection of detached three-bedroom single-storey dwelling with car port and associated works.

The Parish Council OBJECTS to this application. Comments in full attached as an appendix to these minutes.

- iii. **WD/2023/3156/LB Trading Boundaries, Sheffield Green, Sheffield Park TN22 3RB**

Minor alterations to the first floor involving removal of two non-load bearing partition walls which form a corridor and separate the current staff kitchen and office.

The Parish Council had NO COMMENTS to make on this application.

24/33. PLANNING APPLICATIONS - DECISIONS

Planning decisions RECEIVED from Wealden District Council since the last meeting:

Applications Approved

- i. **WD/2023/2900/NMA Sheffield Park Garden, Sheffield Park TN22 3QX**

Non-material amendment to WD/2023/0139/F – revised seating of bench type 2, 3, 4, 8 and 10.
(APPROVED 8 January 2024)

- ii. **WD/2023/2872/FA Moons Farm, Sharpsbridge Lane, Piltdown TN22 3XG**

Variation of condition 6 of WD/95/0915/F to allow former garden store to remain as a kitchen.
(APPROVED 18 January 2024)

Applications Refused – none since the last meeting

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Applications Withdrawn

i. **WD/2023/2941/LB Sheffield Park Garden, Sheffield Park TN22 3QX**

Renewal of Oak Hall W/C facilities. (WITHDRAWN 24 January 2024)

24/34. PARISH IN BLOOM 2024

It was **AGREED** that the Parish be entered into the Parish in Bloom 2024 competition.

24/35. ITEMS FOR THE PARISH MAGAZINE

It was agreed that the following items be included for the next edition of the Parish Magazine:

- Request for areas that CIL funds could be used for

24/36. AGENDA ITEMS FOR FUTURE MEETINGS

- Splaynes Green Phone Box

It was requested that Councillors contact the Clerk with any other items they wish to be considered at the next meeting.

24/37. TIME AND DATE OF NEXT MEETINGS

The next meeting would be held on Monday 4th March 2024 at 7pm in the Village Hall

Annual Parish Meeting – It was agreed that the Annual Parish Meeting be held on Thursday 9th May 2024.

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WD/2023/2627/MAJ Wilderlands Farm, Bell Lane, Fletching TN22 3YB

Proposed change of use of land for mixed agricultural/educational purposes with temporary rural workers' dwelling, agricultural building and ancillary development and part retrospective application for wildlife pond.

At its meeting on Monday 5th February 2024 the Parish Council approved the comments below in respect of this application:

It is important to understand the nature of this application which is for:

- A change of use of land to mixed agricultural/educational use.
- The construction of a temporary rural worker's dwelling on the land
- The construction of an agricultural building (a barn) with a yard (see also WD/2023/7018/AD)
- Ancillary development (comprising a parking area and a "container")
- Retention of a "conservation pond" (already constructed but without a planning consent).

The site currently comprises agricultural pasture land of some 22 acres bounded by further open pasture fields, woodland and a public footpath. It lies within what is now known as The High Weald National Landscape; formerly The High Weald Area of Outstanding Natural Beauty. The name may have changed but the designation has not; it remains an AONB. The statutory purpose of the AONB "to conserve and enhance the natural beauty of the designated landscape" remains unchanged and the High Weald AONB Management Plan remains valid. Local authorities have a legal duty to have regard in their decisions to conserving and enhancing the natural beauty of the AONB.

This duty is fully acknowledged in the NPPF (Dec 2023), particularly at paragraphs 182 and 183 (emphasis added):

182. *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*
183. *When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

This application has been designated as a "major application" and it is surprising that in those circumstances the applicants have neither referred to these paragraphs in the application nor made any serious attempt to address the issues within them. In the Parish Council's view, since the applicants have made no attempt to show what are the "exceptional circumstances" to justify this major development, that alone is sufficient to warrant the application being refused. The Parish Council does, however, question a number of other statements made in support of the application. It is also noted that the applicants appear to rely on a number of outdated and/or irrelevant policies in support of their application.

The statements lodged in support of the application each say that "....the applicants have a tenancy agreement to manage 17.8ha (44 acres) of adjacent meadows belonging to Great Britain Foundation" in

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addition to the ownership of the application site. However, there is no evidence of any such tenancy agreement lodged with the application. Indeed, during the course of the inspection, the councillors were advised by the applicants that there is not one. In the Parish Council's view therefore, the applicants' business case in support of the application (to the extent relevant) can only be considered in the context of the 22 acres that they have acquired. As such, it fails completely.

The application goes into detail about the enterprise of alpaca farming but there is little detail about the intended herd of pedigree Highland cattle. There is also mention of the possible introduction of pigs and rare breed of chickens and duck. However, the 22 acres of land that they own would not in the Parish Council's view be sufficient to maintain the number of alpacas that they intend to rear/breed, let alone the additional cattle (with pigs, chickens and ducks). The business case makes no sense.

However, even assuming that there is a business case that could be made (which is not accepted) the application cannot in the Parish Council's view be sustained in any event.

The construction of a dwelling (temporary or not) in a prominent position in the middle of an unspoilt rural setting within the AONB cannot be justified in any circumstances. Contrary to the proposition made by the applicants, it is considered that the dwelling (as shown on the floor plan and elevation drawing) is very prominent in the open countryside and its placing would have a materially detrimental impact on the surrounding unspoilt rural landscape.

Similar considerations arise in relation to the construction of a substantial barn and creation of a yard (as shown on the relevant floor plan and elevation drawing) with the same consequence.

The Parish Council is incidentally concerned that the site already has on it, standing compost toilets and two towable army looking trailer/camping facilities, which it is understood are used by the applicants as temporary accommodation and for storage.

The further works include the provision of a "temporary container", creation of a substantial parking area and provision of a pathway leading from the car park to the dwelling. Little or no information is provided as regards these ancillary items. Notwithstanding the stated intention to use the land for "educational purposes", virtually no information is given as regards traffic management, particular on access to/from and use of the car park. It is noted that East Sussex County Council, in its response to the application, object to the proposed development due to insufficient information on the grounds that:

"The applicant proposes to use the land for an on-site employee dwelling and educational purposes. I consider this to be an intensification in use of the site and there is likely to be an increase in trip generation. The development currently has two access points to the proposed site. In order for this site to be used safely, one of the accesses would require stopping up and reinstating as verge. Visibility splays haven't been provided on any of the plans sent and are rather vague".

It was noted on the inspection that the pond (which has been constructed without planning consent) was little more than half full. This was surprising given that the higher land was heavily saturated following a period of substantial rain fall. On that basis it is questioned whether a pond in this position (which is in any event wholly out of keeping with the current use of the field) is sustainable. Whilst appreciating that it is February, it was also noted that there was little sign of life around the pond and a noticeable lack of scrubs and habitats for pond life.

The Parish Council **OBJECTS** to this application

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WD/2023/3137/PIP Equestrian Manege (Sand School) at Little Barkham Farm, Goldbridge Road, Piltdown, TN22 3XL

Erection of detached three-bedroom single-storey dwelling with car port and associated works.

At its meeting on Monday 5th February 2024 the Parish Council approved the comments below in respect of this application:

The application is not a full planning application but seeks permission in principle for the above development. The application site currently comprises an equestrian sand school for which a planning consent was obtained in 1999 subject to a condition that; *“The riding arena shall be for the private use of the occupants of Little Barkham Farm only”*. It is understood that the current occupants do not have any horses and in consequence the sand school is no longer used as such.

The proposal is to construct a single storey three-bedroom dwelling comprising c.124 sq m with garden ground, car parking and a separate car port (although the latter appears to be outside the application site boundary). Although site and layout drawings are included in the application, it should be noted that the design is indicative only and may not reflect what is constructed in the event that a consent in principle is given.

The site (which lies within the “Upper Field”) lies between the house known as Little Barkham Farm and other land forming part of “Upper Field”, which was the subject of a planning application in 2022 (WD/2022/0019/F) for the construction of two detached four bedroom and two semi-detached three-bedroom dwellings with associated works. That application was refused by Wealden District Council, and that refusal was upheld on appeal (APP/C1435/W/22/3297916). That appeal was decided in conjunction with an appeal against a refusal for a development of the adjoining “Lower Field” which raised similar issues (APP/C1435/W/22/3297438). These are referred to as the “Appeal Decision”. It is noted in particular the following overall conclusions of the Inspector:

- 1 *“There is no defined development boundary for Piltdown, which is a rural settlement characterised by ribbon development along Goldbridge Road, the A272, between Haywards Heath and Uckfield. It is therefore in the countryside for the purposes of planning policy.” (para 5).*
- 2 *“Piltdown lacks the characteristic facilities of a village” (para 8).*

The view of the Parish Council is that the issues in this case are broadly the same as those in the Appeal Decision; namely, whether the construction of a house on this site would amount to a substantial and incongruous visual intrusion of suburban style development into the open countryside. It is believed that it would, for the same reasons as set out clearly in the Appeal Decision. In consequence, the Parish Council concludes that, in accordance with the Inspector’s findings in the Appeal Decision, (a) the site is not a suitable location for a residential development having regard to local and national planning policy (b) the proposal will have an adverse impact on the character and appearance of the countryside and (c) the proposed development will harm the setting of Little Barkham Farmhouse, a Grade II Listed Building.

The applicant argues that the site is previously developed land. The Parish Council considers that this is an incorrect analysis and application of the definition in the NPPF (Annex 2). The NPPF definition states the PDL must contain a permanent structure (which the application site does not) or be in the curtilage of a permanent structure.

It is understood that the original sand school was subject to a personal planning permission for private use (WD/1999/0689/F) and there was no reversionary land use condition on the personal planning permission. The land was sold some time ago. Thus, as the condition has not been varied, the ménage now has nil use and constitutes its own planning unit. Thus it does not, and cannot, form curtilage of any permanent structure. So it follows that the land does not constitute PDL in accordance with the NPPF definition.

The Parish Council **OBJECTS** to this application.