

## Minutes of the

### ROADS, PLANNING & AMENITIES COMMITTEE MEETING OF THE BOARD OF CONSERVATORS OF ASHDOWN FOREST

Monday 18 January 2010  
1400 at Beech View, Crowborough Road, Nutley and then  
the Lancaster Room, Ashdown Forest Centre

Present: Mr M Cooper (Chairman), Cllr J Barnes (*ex officio*), Mr R Beal (Ranger), Mr R Galley, Cllr S Martin, Mr J Spicer (Vice Chairman) and Mr E Stenhouse.  
Minutes were taken by Mrs R Marriott.

Also present: Cllr F Whetstone.

#### **01/10 Apologies.**

Mr I Hurst (co-opted), Dr H Prendergast (Clerk), Mr R Thornely-Taylor.

#### **02/10 Declarations of Interest by Members of a Personal or Prejudicial Nature.**

Mr Galley declared that he was a personal friend of Cllr Reid, the owner of the property to be discussed under 03/10 c. Cllr Reid is also a Conservator.

#### **03/10 Planning and property issues**

##### *03.1.1/10 Beech View*

The Chairman summarised the site meeting. Towards the end of the site meeting the Committee had been approached by two people, who came out from the property and asked for an explanation of its presence. The Chairman had explained who they were and why they were there and had assured them that they would receive a letter from Board in the near future.

*03.1.2/10* On returning to the Forest Centre, Mr Beal handed out two aerial photographs taken from Google Earth, the first in 2004 and the second in 2009. The first clearly showed that access to Beech View was through a gate into the farmyard with a footpath running from the yard to the farm house. The 2009 picture clearly showed that a substantial fence had been built separating the farm house from the farm yard and a parking area had been constructed in the field to the east of the house. The access to the field, which is an agricultural access, had been metalled to allow vehicles to gain access to the parking area and a substantial gateway constructed. The map of the licence, signed by the owner, clearly showed only one access to Beech View going through the farm yard. The Committee were unable to ascertain the number of dwellings in the farm yard, but a barn that may have been converted to a residence was visible as were two caravans. A Land Registry map was distributed which showed that Beech View had been registered as a separate dwelling from the farm yard and a section of the field with the parking area had been included. Mrs Martin agreed to inspect the Electoral Roll to see who was resident at both sites.

*03.1.3/10* It was agreed that there had been a serious breach of the bye-laws. Mr Stenhouse suggested that there were three issues of note; the first was a planning matter and he understood that the situation had been brought to the attention of Wealden District Council; the second was the substantial nature of the gateway to Beech View and the third was the non agricultural use of the access. He suggested that similar situations may arise in the future as farms diversify and develop businesses. He asked if the Board should consider changing its position with the possibility of gaining financial benefit. The Chairman reminded the Committee that in October 2007 the Committee had recommended such action to the Board but the Board had maintained its policy of not allowing a second access to a property when it is developed and not allowed the upgrading of agricultural accesses. The original owners had been made fully aware of the situation at that time.

*03.1.4/10* It was agreed that a letter be sent to the original owner of Beech View informing him that the Committee have it in mind to recommend legal action in view of the current

situation; a copy should be sent to the occupiers of Beech View. Cllr Barnes suggested that any solution similar to that suggested in October 2007 should be regarded as an individual derogation of policy; possible legal action could take the form of an injunction for vehicles not to use the agricultural access.

03.2/10 *Nutley Arms*

Following recent correspondence from the County Solicitor, the Committee asked for clarification as to which signs were in breach of the bye-laws before taken the matter further.

03.3/10 *Ridleys Cottage*

Mr Galley stated that the property was not yet occupied and suggested that the matter be reconsidered when it was. Cllr Martin confirmed that the building had not been signed off as completed by the planning inspector.

03.4/10 *Meadow View*

It was suggested that the owners be asked to have the gate hung so that it opened inwards if it was planned to leave the gate open for any length of time. The Committee agreed that light pollution was an increasing problem on the Forest and supported the Clerk's quest to ascertain Wealden District Council's policy on the matter.

03.5/10 *May Cottage*

The Committee supported the Clerk's comments.

#### **04/10 Forest Centre development**

Due to the weather conditions, two meetings of the working party had had to be postponed. A comprehensive paper had been prepared for the rescheduled meeting on 19 January 2010. Mr Spicer asked if the paper covered the cost of the project. The Chairman replied that there was reference to costs but he acknowledged that the project was nearing the stage when a full business plan, including costings, would be needed. This should cover three areas; the proposed development costs, a funding plan and a business plan for the running costs of the completed project.

#### **05/10 Updates**

The Chairman reported a meeting had been held at Gills Lap with two local bikers. They suggested a route which involved much of the track running down Kidds Hill. It was agreed that no cycling should be allowed on the heathland of the Forest, owing to the intrusive nature of the activity, but in areas of woodland, it may be possible to arrange some solution that would involve licensing cycling. The cyclists agreed to develop a business plan which could be presented to the Committee in April. The project would be subject to agreement by the Board.

#### **06/10 Financial information for RPA Committee responsibilities – RPA 2**

It was agreed that the Office Manager would prepare some figures that would do their best to reflect the real cost of the Information Barn.

#### **07/10 Any urgent item for which the Clerk has notice in order to pass to the elected Chairman**

Mr Spicer asked if it was possible for householders to re-register Common Rights. It was agreed the Clerk should explore recent legislation to see if the situation had changed since the Commons Registration Act 1965. Cllr Barnes suggested that the Clerk explore the possibility of creating some sort of "Tenants in kind" who could be given some right by the Lord of the Manor, ie, the County Council. Mr Beal stated that it was already difficult to supply sufficient roadside wood for existing commoners without increasing the number who would wish to take advantage of a right to estovers.

The meeting closed at 1555.