

FULKING PARISH COUNCIL

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Minutes of the Extraordinary Council Meeting Fulking Parish Council held on Tuesday 25th November 2025 at 7.00pm at the Village Hall, Fulking.

Present

Chairman: Cllr Mark Hind
Fulking Parish Council (FPC): Cllrs Lucy Mehta and Karen Healy

There were four members of the public present. The meeting opened at 7.00pm

AGENDA

Public Participation: There will be a period of 15 minutes set aside at the beginning of the meeting for the public to ask questions or make comments on items on the Agenda. Comments on items not appearing on the agenda can be made at the chairman's discretion.

25/062/PM. Apologies for Absence.

Cllr Tom Kardos who was away on holiday

25/063/PM. Declaration of Interests

Cllr Karen Healy owns Oldwood, Clappers Lane and took not part in the decision process.

25/064/PM. Planning matters - SDNP/25/04453/FUL

Proposal: Retrospective application for the siting of two static caravans and an amenity building

Location: Market Gardens, Clappers Lane, Fulking, West Sussex, BN5 9NH

Consultee Comments SDNP/25/04453/FUL

Market Gardens - Siting of 2 Static Caravans and Amenity Building

Fulking Parish Council (FPC) held a public meeting in the village hall on 25th November 2025 regarding this application and following a discussion Councillors voted unanimously to object.

Summary

Approval of this application will cause significant harm to the landscape character and appearance of

the national park, which has the highest status of protection and will dominate the nearest settled community. It should be rejected by the South Downs National Park Authority (SDNPA) whose primary purpose is to conserve and enhance the natural beauty of the national park.

The following is more detail on why this application should be rejected:

1. Relevant planning decisions

Two planning decisions to reject a retrospective application for 2 gypsy plots on the adjacent Small Acres site are directly relevant to this application:

1) SDNPA Planning Committee decision dated 10th November 2022 – Ref: SDNP/22/04317/FUL

2) Planning Inspector Decision by H A Orr dated 9th April 2024 - Appeal Ref: APP/Y9507/C/22/3313813

Following the above decisions which rejected the 2 gypsy plots a subsequent retrospective application for 1 gypsy plot was submitted, which was also rejected by the SDNPA on 9th September 2024. Enforcement action on the Small Acre site is currently delayed pending a decision by the Planning Inspector following an appeal of the SDNP decision. References: SDNP/24/02216/FUL & APP/Y9507/C/24/3345807.

2. Unauthorised development and harm to landscape

The development of gypsy plots in Fulking started 20 years ago when one gypsy static caravan with associated hardstanding was installed at Market Gardens without planning permission in 2005.

(reference 05/01874/FUL). The modus operandi has been the same for each of the 10 static caravans, touring caravans and amenity blocks which now dominate our small hamlet. Static caravans and the associated hardstanding, drainage, electrical supplies and amenity buildings are installed unlawfully followed by submission of retrospective planning applications.

The retrospective nature of these applications means that the planning authority have little ability to manage the harm to the landscape which inevitably occurs. The Ecology consultation comments for this application state “As the application is retrospective, there is unfortunately little to be gained from an ecology survey and I can only hope that the works were carried out with regard to the relevant wildlife legislation as the habitat on site may have been suitable for reptiles and great crested newts.” Sadly “hope” is not enough to stop the continuing harm which is being done to our precious national park and approval of retrospective applications encourages more of them.

Andrew Griffith MP for Arundel and South Downs commented on 5 May this year regarding a similar unauthorised development in the South Downs National Park: “I completely share the outrage and concern of residents about this illegal breach of all respected planning standards and behaviour. It makes a mockery of a system where we all jump through lengthy and costly hoops to install a dormer window when such brazen breaches happen unchecked.”

(<https://www.bbc.co.uk/news/articles/cx2v20g5lyzo>)

Of the 10 static caravans (and associated paraphernalia) currently sited in our hamlet 6 are on approved gypsy plots; 4 in Market Gardens and 2 in “Conifers” which is adjacent. (ref SDNP/14/03055/FUL). In addition, there 4 unauthorised static caravans: 2 in Small Acres and 2 in

Market Gardens with the Small Acres site waiting a decision by the Planning Inspector since September 2024.

3. Planning Inspector Decision 9th April 2024

The most recent decision of the Planning Inspectorate was by H A Orr on 9th April 2024. She identified the main issues as: Paragraph 26 "...The main issues in the appeal are therefore: The effect of the development on the character and appearance of the area and the SDNP; The effect of the development on the settled local community; and Whether any harm arising from the above matters is outweighed by any other material considerations"

4. Harm to Landscape Character and Appearance

Regarding harm to the landscape and appearance she said:

Paragraph 30 ".... the appeal development now fills a previously undeveloped gap that helped to add a sense of transition, between the village and the more open countryside beyond. It therefore has the effect of extending the built development towards the cricket ground. This is particularly apparent from the various public paths and viewpoints including Devils Dyke, cumulatively making the sites more prominent in this highly sensitive landscape."

Paragraph 48 "... great weight is to be given to conserving and enhancing landscape and scenic beauty in national parks, which attracts the highest status of protection. I have also found that the appeal development in addition to the existing permitted sites, result in a cluster of sites, that fail to conserve or enhance the landscape and scenic beauty of the area, or to respect the scale and pattern of development of this small rural village, such that it dominates the nearest settled community. In combination I have attributed significant weight to this combined harm."

The planning inspector concluded that the 2 gypsy mobile homes currently stationed on the land would cause significant harm to the character and appearance of the national park. The rationale being development in a previously underdeveloped area (para 30) and a cluster of sites (para 48) Approval of this application will also result in development in a previously undeveloped area and result in the built area extending southwards towards the scarp slope. It also creates a cluster of static caravans and amenity buildings which are highly visible from the public footpaths on the scarp slope and from the Devils Dyke viewpoint, one of the most popular in the South Downs National Park.

5. Domination of the Settled Community

The Planning Inspector said;

Paragraph 39 "...in my judgement these additional pitches in such close proximity to those already permitted, result in a cluster of caravan sites, that fail to respect the scale and pattern of development of this small rural village, such that to a limited degree, it dominates the nearest settled community. The development is thus in conflict with Policy SD33 of the LP that seeks to ensure that sites do not result in being over concentrated in any one location or disproportionate to nearby communities."

Previous planning inspector's decisions on Market Gardens and the adjacent Conifers site have concluded that a smaller number of gypsy plots would dominate the village:

G Chamberlain 8th February 2021 - APP/Y9507/W/19/3225109 (Market Gardens)

Para 21. "In conclusion, the proposal when considered cumulatively would, in a physical sense, result in a disproportionate over concentration of pitches in one location."

S Hand 22nd February 2016 - APP/Y9507/C/15/3062034 (Conifers)

para 21 page 7 "In my view three gypsy plots comes close to but does not dominate the settled community, and that argument becomes stronger with further applications".

We still await a decision from the Planning Inspector regarding the appeal for 1 gypsy plot at Small Acres. If that is approved then approval of this application will result in 9 gypsy plots in close proximity. There are 47 dwellings on Clappers Lane – therefore, the existing six gypsy pitches account for 13% of dwellings. An increase to 9, will result in nearly 20% of dwellings on Clappers Lane being gypsy pitches.

This is clearly an over-concentration and dominance to our small rural hamlet and the local settled community. This is a material consideration and contrary to section 7.118 of Policy SD33 in the Local Plan, the National Planning Policy Framework (NPPF) and the linked Planning Policy for Traveller Sites (PPTS) and therefore the application should be refused.

6. Other Considerations

Personal Circumstances

The application claims "The two static caravans have been brought on site to house Mrs Bluebell Hearne, the elderly mother/mother-in-law of the applicants, who's declining health requires on site care. Mrs Hearne's care is being provided by the applicants' niece, Miss Chantell Mitchell who resides with her young son [not of school age] in the other caravan."

This is the same person who it is claimed resides on the Small Acres site and was mentioned in the Inspectors Decision dated 9th April 2024:

Paragraph 41. "Prior to the Hearing the appellant advised that the occupancy of the site had changed..... The second caravan is now occupied by the Aunt of the co-owner of the appeal site. She is understood to have been on site for the last year. A Doctor's letter has been provided that supports the evidence given at the Hearing regarding her health. Her sister and grandchildren live on the adjacent site and are understood to provide her with support."

The Planning Inspector concluded in Paragraph 42: "I acknowledge that as with all those who travel, a settled base would enable these families, to have better access to both medical care and other essential support and services.However, from the evidence I have, there is little to suggest that this needs to be provided at this particular site, rather than one in a more appropriate location. For these reasons I give the personal circumstances of the occupiers limited weight."

Assessment of needs

The Mid Sussex District Council GTAA April 2022 is the most up-to-date assessment of need and shows no current unmet need for the Mid Sussex Area of the SDNP which includes Fulking. In any case if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites,

the PPTS December 2023 provides specific exceptions for a National Park.

SDNPA are aware that static caravans on the Market Gardens site are being rented out to the general public and the site appears to be operating, at least in part, as some kind of commercial operation necessitating the entrance signage which states "Market Garden Caravan Site"

7. Conclusion

Paragraph 49 of the Inspectors 2024 decision says "Overall, in my judgement, the combination of factors in favour of the development are not sufficient to clearly outweigh the significant harm I have identified to the character and appearance of the SDNP and the settled community."

This application also significantly increases the harm to the character and appearance of the SDNP and the settled community and should therefore be rejected

25/065/PM. Planning Matters - SDNP/25/04591/LDE

Proposal: Use of Oldwood Cabin as a separate independent unit of residential accommodation.

Location: Oldwood , Clappers Lane, Fulking, West Sussex, BN5 9NJ

Councillors discussed the technical change of use and agreed that no comment was required.

Next Ordinary Meeting set for Thursday 15th January 2026.