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Friday, 12 February 2021

**Objection to:**

**Application WD/2020/2660/PO for the: Discharge of the Planning Agreement by Obligation between Wealden District Council and Swansea Enterprises Corp (dated 24 November 2011). Site: Hesmonds Stud, London Road, East Hoathly, Lewes, BN8 6EL. Bourne Rural Planning Consultancy Ltd December 2020**

1. The Steering Group of the Village Concerns Action Group represent the views of over 200 supporters from our community. We object to Planning Application WD/2020/2660/PO for the Discharge of the Planning Agreement by Obligation between Wealden District Council and Swansea Enterprises Corp (dated 24 November 2011). Site: Hesmonds Stud, London Road, East Hoathly, Lewes, BN8 6EL. Bourne Rural Planning Consultancy Ltd December 2020.

2. The 2011 Planning Application (WD/2011/1560/MAJ ) identified the four stable yards and their different functions. It proposed the provision of yard manager accommodation at each yard and the upgrading of the facilities. Also the creation of The Lake House where the owner of the Stud would live. The four yards and The Lake House were one business. The investment was met with approval by the local community and hence there were no objections. There was no suggestion that it was anything other than one business.

3. Within 5 years the Stud decided that it no longer needed the American Barn yard. An Application was submitted (WD/2016/2796/MAO) in 2016 to build 205 homes. Part of that proposal included the demolition of the recently refurbished American Barn, Stables and yard managers accommodation. Within hours of the Planning Committee voting to approve the Outline Consent for this Application in 2020 the Stud put the Tourles Farm yard up for sale as a working Stud Farm. The remaining 2 yards have been put forward for housing in the most recent "call for sites" in the

Wealden Local Plan SHELAA process. The bulk of the livestock at the Stud has been relocated to France with the clear intention of running down the stud business in East Hoathly.

4. It is quite clear that the Conditions were imposed on the 2011 Planning Application precisely to prevent the breaking up of the existing Hesmonds Stud business. There was never any suggestion in 2011 that all four yards were not part of an integrated business. There was no suggestion that the American yard was superfluous and was about to be put up for housing development. When the Hesmonds application was submitted in 2016 and when it was determined in 2020, there was no suggestion that the Stud was about to put Tourles Farm up for sale. There is no mention in this current Application that the Stud business has mostly already been relocated to France and that the owner has offered up the remaining 2 yards up for housing development.

5. This Application also ignores the general principle of Agricultural Land Use. This land is for agricultural use. The current Stud business is one form of agricultural use. If the Stud business changes then it remains land for agricultural use and should revert to other forms of farming as it has done for at least the last 400 years.

6. Paragraph 3.12 of this Application states that: In terms of financial viability, the rural estates surveyor concluded that: "I consider it is fair to conclude that these proposals for the continuation and development of the stud are indeed genuine, reasonably likely to materialise, and are capable of being sustained for a reasonable period of time." We argue that 2011 to 2016 is not a reasonable period of time. We suspect that the intention all along was for the constructive asset stripping of this land and that it was always intended to put the land up for housing development. As such, the 2011 Application was disingenuous and the 2016 Application also concealed the full scope of the plans that have now emerged.

7. Village Concerns and many local people raised objections to the 2016 Application on the basis of the viability of the Stud business. This was disregarded by the Planning Department. It did not merit comment in the Officers Reports and was not mentioned in the PCS Meeting. We believe that this was wrong and it is being examined in relation to our legal challenge to the decision to grant Outline Planning Consent.

8. This Application is therefore disgracefully incomplete. It seeks to remove the Conditions to allow it to complete the asset stripping of this once viable and important local business and employer. The foreign billionaire owner seeks to maximise his profit to the utter detriment of the local community.

9. Paragraph 3.17 of this Application indicates that the business being carried out by Hesmonds Stud does not need all of the land that forms the business. It suggests that only 30 of the 271 hectares is required for the number of horses being kept at the Stud. This argument is devoid of any credibility. The number of horses being kept on the land is the choice of the operators of the business. They could simply expand their operations to make full use of the land. They could lease/rent the surplus land. They could carry on other forms of agricultural or equine business on the land. However, the constructive dismantling of a business does not allow the owner to have all the planning conditions removed to allow him to do what he wants with the land.

10. The default position for this land is agricultural use not housing development. The land is for agricultural use. If the Stud business does not need it all then the surplus land should be used for other forms of agriculture. This has been the practise for all the time that the Stud business has existed. Land not needed by the Stud was leased or rented to other local farmers to graze or plant crops.

11. Paragraph 3.20 of this Application states that: "Furthermore, and in any event, the dwelling was never part of the stud. It was not to be occupied by a worker and there is no agricultural occupancy condition attached to this dwelling. The application sought merely for a replacement dwelling. There was never a requirement to tie this dwelling to the overall land holding." This statement is utterly false. The Lake House was never intended as a replacement dwelling. It was occupied by the owner of Hesmonds Stud and his family and we suggest that this very firmly ties it to the business and the operation of Hesmonds Stud.

12. This Application makes a repeated claim that the 2011 Planning Application proposed things that were policy compliant. It then goes on to assert that this means that the Conditions should therefore be lifted. This ignores the purpose of the Conditions which is to protect the use of the land going forward and the integrity of a business. This Application puts forward no argument or evidence to show that the business remains viable or will remain viable after the loss of The American Yard, the proposed sale of Tourles Farm Yard, the transfer of the majority of the livestock to France or the proposal to put the remaining two yards up for housing development.

13. Paragraph 3.37 of this Application seems to suggest that the NPPF requirement for planning obligations (Planning Policy Statement 7) gives them hope that they have a case. This is based on the criteria that planning obligations should be "necessary to make the proposed development acceptable in planning terms". They mistakenly seem to think that breaking up this business and putting all the land up for housing is acceptable in planning terms.
14. We absolutely reject the premise that Hesmonds Stud comprises of 4 separate businesses. It is one business being run on a 271 hectares of agricultural land. If there is land surplus to the needs of the Stud then they should lease/rent it to other farmers as has been the practise for many decades.
15. We ask Wealden why was this matter not put before the Planning Committee when the 2016 Application was heard last year ?
16. Village Concerns requests that this Application is considered by the full Planning Committee and not dealt with as a Delegated matter.
17. Village Concerns is taking legal advice on this matter and reserves the right to make further comments in due course.

Katherine Gutkind and Tania Freezer  
Co Chairs  
Village Concerns