

From: Village Concerns villageconcerns2016@gmail.com
Subject: Update 110 URGENT Section 106 re Hesmonds Stud
Date: 18 February 2021 at 13:52
To: Village Concerns villageconcerns2016@gmail.com



A Section 106 agreement (imposing Planning Conditions) was placed on the Hesmonds Stud Farm when it was redeveloped in 2011.

The effect of that agreement is that no part of Hesmonds Stud Farm (including the land recently approved for up to 205 houses) can be split and sold off. This also impacts on the Buttsfield Lane 2 houses.

In particular, there is an obligation binding on the applicant and its successors in title: "Not to sever the legal or equitable ownership of...any part of the Property from the remainder of the Property by way of gift, lease, sale or other transaction". This was to prevent the fragmentation of the business and protect its viability.

This poses a significant problem for the proposed development. The planning application site cannot be sold to a house builder to construct in accordance with the planning permission, and nor could individual homes constructed on the site be sold off in the future.

Because of this the applicant has applied to Wealden District Council to remove or discharge the Section 106 conditions. The number for this planning application is WD/2020/2660/PO.

It is highly likely that this application will be dealt with via a delegated decision by Wealden District Council with no or limited input from the Councillors nor the public.

It is the view of Village Concerns that the Planning Conditions should not be discharged as the reasons for imposing these Planning Conditions on this land in 2011 remain in place today.

We would encourage you to respond. **The deadline for replying online to this application is tomorrow, Friday 19th February.**

The link for responses is:

<https://planning.wealden.gov.uk/plandisp.aspx?recno=152294>

Please use your own words. Thank you.

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Stay safe during these difficult times.

