

Clear and Obvious Mistake in Allocating Site HOR1 for Development

Dear District Councillors & WDC Officers

At the Central East Parish Cluster meeting held on 19th March 2025, Wealden said that all Draft Local Plan site allocations would be reconsidered for the new Regulation 18 Consultation. Although, it was also stated that most would remain unchanged. This email and attachment provides the factual evidence demonstrating that site HOR1 has been incorrectly allocated for development. A prior Decision Notice (6th August 2013) from WDC through Condition 33, determined that this site should be retained and enhanced as part of a habitat creation area as described in the Design and Access Statement. Additionally, the Wealden Open Space Report has designated this site as Natural Open Space (ID 98).

We are sending this to all District Councillors and Senior Officers, so that who ever is involved in re-looking at the site allocations has the facts and information in this email to hand. These show that WDC has mistakenly allocated the land (identified in the Draft Local Plan as) HOR1 for development (with 5 dwellings). Although, having already successfully Made the Horam Neighbourhood Plan, we do have first-hand experience of the workloads involved in preparing a Plan so can understand how such details may have been missed among the time constraints and the many other requirements that were needed to go into the Wealden Draft Local Plan.

Site HOR1 it is a roughly rectangular 0.4ha/1acre area situated on the northern side of the access road to Discovery Way industrial units/Horam Village Hall fronting the A267 and was part of the old Merrydown cider factory site. Prior to the redevelopment of Merrydown this site was a largely untended meadow with a pond and a stand of trees in the northwestern corner; it still is today. See attachment.

In the Decision Notice dated 6th August 2013 for Planning Application WD/2011/2817/MAJ (the redevelopment of the former Merrydown cider factory site), Condition 33 states *'This planning decision relates solely to the following plan(s) and (where appropriate) documents'*, the reason given for this condition was *'For the avoidance of doubt'* and included in the subsequent list of documents is the *'Design and Access Statement dated 13 August 2013'*.

In the Design and Access Statement, Section 5 (Design) states that:

'The principles of the design proposals will be achieved by:-

– By carefully designing a scheme which does not harm the existing habitats on site but allows them to be preserved and enhanced'.

'Existing Site Constraints -- there are trees located on the site along the northern and north-eastern boundaries, the perimeter of the 'Great Crested Newt Pond' and....'

'The site contains a number of ecological features as follows:

- 1. An existing pond to the south of the site containing Great Crested Newts*
- 2. Slow worms to the south of the site, with a dispersal route westwards towards Home farm*
- 3. Bat foraging and activity routes along the northern and eastern boundaries and around the pond'*

'Site Layout

The key features of the layout are set out below:.....

Majority of significant trees and vegetation retained.....

Existing meadow and pond at the southern boundary to be retained and enhanced as part of a habitat creation area' - (Bold is our doing to emphasise what the Design and Access Statement intended)

As has been clearly shown above, this site was required to be retained and enhanced as part of a habitat creation area as per the WDC planning decision of 6th August 2013; it must be retained as habitat, not allocated for development as HOR1.

Until the Horam Neighbourhood Plan reached the Examination stage this site had been included as a potential Local Green Space. Also, a Project involving local volunteers had been proposed and planned to enhance this site which had been retained but neglected since the development of Merrydown.

The Examiner's initial comments had praised the *'very comprehensive analysis in the Local Green Spaces Assessment'* in the Horam Neighbourhood Plan. In the Examiner's Final report, when commenting on the Projects that the Parish Council were planning he stated *'I am satisfied that the Projects are both appropriate and locally-distinctive. The following are particularly noteworthy: H (iii): Land at corner of A267'*

Project H(iii) aims to improve this site by creating a tranquil area with seating, bins, bird feeders, replanting for shade and all-weather permeable footpaths made of some 'bark-chip'/'compacted-stone' material.

The Wealden Draft Local Plan was published during the Horam Neighbourhood Plan Examination, designating the site as HOR1 for development. Wealden asserted its authority, threatening the Horam Neighbourhood Plan's approval unless this site was removed as a potential Local Green Space.

The Examiner, therefore, had no choice but to remove this site as a Local Green Space; however, he intentionally kept the Project to enhance this site in the 'Made' version of the Horam NP.

Developing this site also contradicts the April 2022 Wealden District Council Open Space Report, which stated Horam Parish lacked 40,578 sqm of Natural and Semi-Natural Greenspace and 11,943 sqm of Amenity Greenspace based on the 2022 population (which has since grown). According to the 2022 Wealden Open Space report, only two Natural and Semi-Natural Green Space sites are designated in Horam Parish, one of which is this site and is identified as Horam Natural Green Space 2, Site ID 98 (but HOR1 in the Draft Local Plan). By allocating this site for development, Wealden intends to reduce the number of designated Natural and Semi-Natural Green Spaces in Horam Parish by half and decrease the area of Natural and Semi-Natural Green Space by nearly a quarter. This reduction would occur in a Parish that is already considered deficient in Natural Green Space.

Therefore, based on this factual evidence that:-

(a) In 2013 Wealden determined that this site should be retained as a habitat creation area, and

(b) Wealden designated this site as Natural and Semi-Natural Green Space (ID 98) in their 2022 Open Space Report,
Wealden now has a straightforward opportunity to remove site HOR1 as an allocation for development in their Draft Local Plan reassessment.

Wealden then, should support making the site available and accessible, long-term, to Horam Parish Council thus enabling the Parish Council to enhance it as a tranquil habitat area for all residents, in line with the Horam Neighbourhood Plan.

Thank you.
Yours sincerely
Clerk

Extracts from Landscape and Visual Assessment Report:- showing that site HOR1 was always intended to be retained and enhanced as a habitat area.

Former Merrydown Cider
Factory,
Horam

WEALDEN DISTRICT COUNCIL			
13 AUG 2012			
ACTION			
BY			
PLANNING AND BUILDINGS CONTROL			

Landscape and Visual Assessment

16 JUL 2012			
ACTION			
BY			
PLANNING AND BUILDINGS CONTROL			

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LEGEND



Existing trees to be retained



Existing scrub retained

PLANTING PROPOSALS



Extra-heavy / semi-mature trees



Standard trees



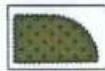
Ornamental hedge planting



Native hedge planting



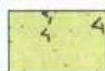
Native thicket planting



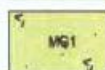
Ornamental shrub planting



Amenity grass



Existing meadow grass retained

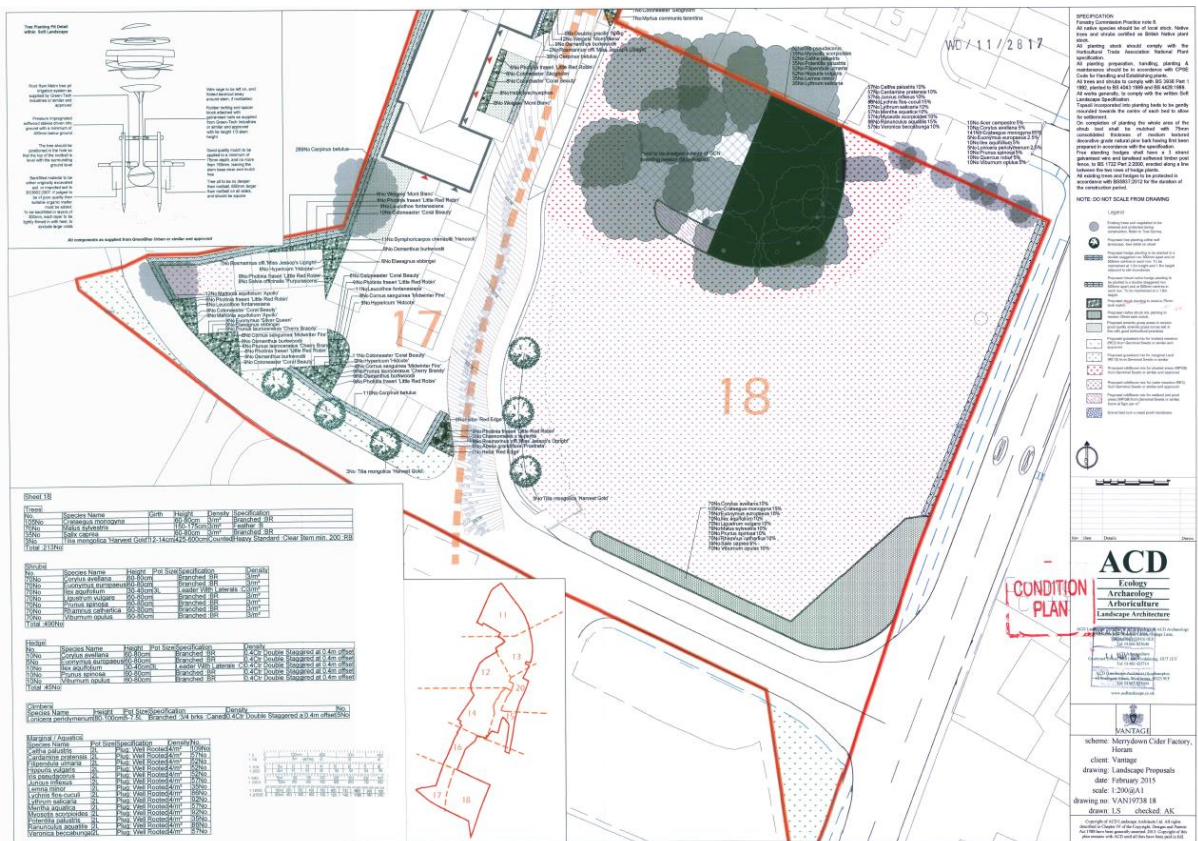


Wet meadow grass seeding



Application Boundary

Also Condition Plan 42 Below



Legend enlarged