From: **Village Concerns** villageconcerns2016@gmail.com
Subject: Village Concerns Update 132 - Judicial Review Assessment
Date: 31 January 2022 at 10:18
To: Village Concerns villageconcerns2016@gmail.com
Bcc: [redacted]

Dear Supporter,

We have written to the Chief Executive of Wealden District Council to plead that they do not waste any more public money trying to defend the Judicial Review of the Hesmonds planning decision. We have copied this to all the councillors involved in the original committee meeting and the press. We believe that the strength of Justice Lang's words in granting our permission give us great hope for a successful outcome. This is bolstered by the support of the Secretary of State for Levelling Up, Housing and Communities on one of the grounds of our claim.

Nevertheless, the continued pursuit of the Judicial Review will require more expenditure by Village Concerns for which we will need additional fundraising. It is perfectly proper to question the merits of this. The case for continuing our battle:

> We still believe development of 205 homes is grossly excessive and unsustainable in addition to the harm it will cause to our heritage assets and Conservation Area. The existing infrastructure cannot cope and there are no plans to improve anything. The planning committee ignored the views of this community and the many organisations that objected. We have the moral high ground.
>
> We have already spent a considerable amount of money fighting this battle and it could be argued that this is wasted if we do not see the case through to its conclusion.
>
> If Village Concerns had not campaigned against this development since 2016 it would probably have already been completed. Accepting this development would undoubtedly attract even more speculative developers into our community.

If we win the case, we will recover our costs. If we concede, we would incur the costs of the defendant and developer (capped to £10,000).

Winning this case will lay down a marker to other developers and Wealden that this community fights for what is right.

It is correct to point out that if we win this case then the matter is not closed. The current developer (Parker Dann) could immediately submit a similar application for the same site. Also, the potential purchaser of the site (Redrow), have indicated that they will submit a full planning application for 205 homes on the site. However, our campaign will have bought us time. If we win, the principle of development on the site will have been quashed. Any new application would have to establish this again and would be subject to:

A new public consultation.

Scrutiny against the new and more demanding Environment Act.

Scrutiny against an emerging draft Wealden Local Plan.

Scrutiny against the draft East Hoathly with Halland Neighbourhood Plan (which could be at the public referendum stage by the time any new applications are considered).

A new consideration by Planning Committee. Planning has become a much more controversial issue in recent years. Councils are now challenging the government housing targets and councillors are becoming less compliant. We are unlikely to be as badly served in a future Planning Committee.

It is the view of the Steering Group that we continue to fight this case and we hope to retain your support of our campaign and fundraising efforts.

You are in receipt of this email because you have previously requested to be part of Village Concerns email list.
If you no longer wish to receive these emails, please let us know.