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Subject: Update 123 Judicial Review developments  
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On August 19<sup>th</sup> we updated you as follows .....

That our Judicial Review claim has not been rejected by Mr Justice Holgate, Planning Liaison Judge, at the Royal Courts of Justice. He called in the Secretary of State as an Interested Party because, in Justice Holgate's words:

*“This claim raises a point about the legality of controlling housing mix by conditions dealing with “reserved matters”. The Court considers that this issue may have wide implications for other cases such that it would be assisted by written submissions from the Secretary of State.”*

Since then on September 6<sup>th</sup>, we heard that the Secretary of State’s representative had submitted their response to Mr Justice Holgate.

A quote from the Secretary of State’s submission:

*“The Claimant’s [Village Concerns] central submission is that if a Council wishes to control the number of bedrooms per dwelling at reserved matters stage, it must impose a specific condition on the outline planning permission. The Secretary of State agrees.”*

(In this case, the Council within this claim is of course Wealden District Council.)

This agreement with our claim from the Secretary of State is very good news. It strengthens our case and has encouraged us to proceed.

Our Barrister has now written a further submission to the Court reiterating the major points of our case incorporating responses to points made by WDC, the Defendant, Swansea Enterprise (Hesmonds owner) Interested Party and the Secretary of State

(Financial Officer), Interested Party, and the Secretary of State, also Interested Party, submissions .

We now wait for Mr Justice Holgate to make his decision as to whether we have Permission to proceed to a Judicial Review.

This is positive news. We will need to keep fundraising. Financial contributions and ideas for fundraising events and activities gratefully received.

Our fundraising page, Just Giving is still active: <https://www.justgiving.com/crowdfunding/saveeasthoathlyfromoverdevelopment>

Thank you once again for all your moral and financial support.

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