

Nick Billington

From: Ann Biggs <ann.biggs@midsussex.gov.uk>
Sent: 10 September 2025 11:01
To: Nick Billington
Cc: Chris Lyons; Angela Moore; Mark Jackson; Joanne Fisher; Steven King
Subject: RE: Colwell Farm, Haywards Heath (DM/25/0445) - Mid Sussex district Council Planning committee 21-08-2025

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Nick

Thank you for your email and I note that your colleague, Chris Lyons, has left me a voicemail.

I have reviewed the content of your email dated 26 August 2025 concerning the claims made over the receipt of the late letter from Richard Buxton Solicitors and the perceived impact on the District Planning Committee's decision to refuse planning permission DM/25/0445 on 21 August 2025. There is no procedural failure in the manner in which the application was determined, as the salient points raised in the letter were fully addressed by the planning officer as part of their initial presentation to the Committee, allowing for questions and forming the basis for Committee deliberations.

There is no mechanism available for an application to be referred back to Committee to be redetermined on the request of an applicant, however an appeal the Planning Inspectorate remains an option open to your clients.

The decision notice will be issued today.

Kind regards

Ann Biggs
Assistant Director for Planning and Sustainable Economy
01444 477077
ann.biggs@midsussex.gov.uk
www.midsussex.gov.uk

Working together for a better Mid Sussex



From: Nick Billington <nbillington@slrconsulting.com>
Sent: 05 September 2025 16:11
To: Ann Biggs <ann.biggs@midsussex.gov.uk>
Cc: Chris Lyons <chrislyons@slrconsulting.com>; Angela Moore <amoore@slrconsulting.com>; Mark Jackson <mark.jackson@miller.co.uk>
Subject: FW: Colwell Farm, Haywards Heath (DM/25/0445) - Mid Sussex district Council Planning committee 21-08-2025
Importance: High

Dear Ann,

I just tried calling to find out if you had any update on the issuing or not of our decision notice in light of the below email.

I am on leave from today for a week, so if you can please copy my colleagues Chris and Angela, and my client, Mark, into any response that would be appreciated.

If you do need to speak to someone next week, please contact my colleague Chris Lyons – his number is +44 7974 108763

Please note I am due to be away from the office on leave the week starting 8th September, returning 15th September.

Kind Regards,
Nick

Nick Billington

MRTPI

Principal Planning Consultant - Environmental & Social Impact Assessment

O +44 3300 886631

M +44 7974 108360

E nbillington@slrconsulting.com

SLR Consulting Limited

Mountbatten House, 1 Grosvenor Square, Southampton, Hampshire, United Kingdom SO15 2JU



Confidentiality Notice and Privacy

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise the sender by e-mail and then delete the e-mail and any attachments from your system without retaining any copies. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission or the transmission of any viruses. Messages to and from us are monitored for reasons of security, to protect our business and to ensure our compliance with legal and regulatory obligations and our internal policies. Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, time and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR has a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions contained in the message and any attachment(s) for any purpose.

We take your privacy seriously. For information about how we process your personal data, please see our Global Privacy Notice [here](#).

SLR is committed to the responsible and ethical use of relevant technologies including artificial intelligence (AI). If you have any questions or concerns, please contact us directly.

SLR Consulting Limited. A company incorporated in England and Wales with registered number 03880506 and with its registered office at Third Floor, Summit House, Red Lion Square, Holborn, London, WC1R 4QH.

From: Nick Billington <nbillington@slrconsulting.com>

Sent: 26 August 2025 15:54

To: Joanne Fisher <joanne.fisher@midsussex.gov.uk>; steven.king@midsussex.gov.uk

Cc: Mark Jackson <mark.jackson@miller.co.uk>; Solomon Agutu <solomon.agutu@midsussex.gov.uk>

Subject: Colwell Farm, Haywards Heath (DM/25/0445) - Mid Sussex district Council Planning committee 21-08-2025

Importance: High

Dear Joanne and Steven,

I email in respect of last week's planning committee on the 21st August 2025 at which our application for residential development of land at Colwell Farm, Haywards Heath was heard. MSDC reference **DM/25/0445**.

We understand that the letter from Richard Buxton Solicitors, as attached, was circulated to all Councillors on the planning committee just prior to the meeting. The letter was drafted by a solicitor appointed by the speakers, and raises a number of legal points. Based on the date of the letter, 20th August 2025, it cannot have been circulated more than a day before to Cllrs and officers. The first we heard of the letter's existence was an allusion to it within the update sheet provided at committee, and then confirmed in the speeches given by the two local objectors. The first we were able to see of the letter was the day after committee, on the 22nd August, when it was published on the public file for the application.

I appreciate that you yourselves will not have had long to consider the letter ahead of committee, but given the matters raised, we strongly consider we should have had sight of the letter and an opportunity to respond to the letter before committee took place. Miller Homes have as yet not taken legal advice on the letter, but are likely to do so shortly. Nonetheless, it seems to us, given the matters raised and given they seem to have had a considerable bearing on members consideration of the application based on the debate, that as a matter of fairness we should have had a right to both consider and respond to the letter before the application was heard at committee. If this were not possible in the timescales in which the letter was circulated to members, then deferral of the application was an option to enable further consideration, by all parties, of its content and to enable a response to be given if required. To be clear, it is the timing of the letter and the lack of ability to consider and respond before a decision was taken by the committee which is our chief concern. At this stage we make no comment on the letter's content other than it clearly influenced members consideration of the application. We believe issuing the decision, in light of the above, could be grounds for a challenge to the decision on the basis of procedural unfairness.

Given the above, we consider you should withhold issuing the decision to enable consideration of the letters content, a response provided if deemed necessary, and then the decision should be reconsidered.

This is no reflection on your work as officers, as I can appreciate you were put in a difficult position by the timing of the letter being released but I'm sure you can appreciate the potential procedural unfairness this has resulted in for my client and the resultant question it puts on the proper and fair consideration of the application which potentially raises questions about the legal status of any decision that may now be issued.

If you could please confirm receipt of this email and confirmation that it is being considered and timescales for a full response that would be appreciated.

Kind Regards,

Nick Billington

MRTPI

Principal Planning Consultant - Environmental & Social Impact Assessment

O +44 3300 886631

M +44 7974 108360

E nbillington@slrconsulting.com

SLR Consulting Limited

Mountbatten House, 1 Grosvenor Square, Southampton, Hampshire, United Kingdom SO15 2JU



Confidentiality Notice and Privacy

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise the sender by e-mail and then delete the e-mail and any attachments from your system without retaining any copies. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission or the transmission of any viruses. Messages to and from us are monitored for reasons of security, to protect our business and to ensure our compliance with legal and regulatory obligations and our internal policies.

Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, time and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR has a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions contained in this message and any attachment(s) for any purpose.

We take your privacy seriously. For information about how we process your personal data, please see our Global Privacy Notice [here](#).

SLR is committed to the responsible and ethical use of relevant technologies including artificial intelligence (AI). If you have any questions or concerns, please contact us directly.

SLR Consulting Limited. A company incorporated in England and Wales with registered number 03880506 and with its registered office at Third Floor, Summit House, Red Lion Square, Holborn, London, WC1R 4QH.

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling +44 (0) 1444 458 166 and remove this email and its attachments from your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.