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**Your Ref:** APP/D3830/W/24/3350075  
**Our Ref:** AP/24/0046

**Date:** 22/01/2025

Kerr Brown  
The Planning Inspectorate

Via Email Only

Dear Mr Brown,

### **CIL Compliance Statement**

#### **Appeal by Gladman Developments Ltd Site Address: Land off Scamps Hill, Lindfield, West Sussex**

I refer to the above appeal. The appointed Inspector has asked for a statement from the Local Planning Authority (LPA) to justify the infrastructure contributions that have been sought for the development. This letter and the accompanying statement from West Sussex County Council (WSCC) provide the justification for the infrastructure sought from the appellants.

#### **1.0 Background**

- 1.1 The Planning Act 2008 defines what is meant by the word 'infrastructure'. Section 216 of this Act provides a list of infrastructure but it is clear that this list is not exhaustive. That fact is demonstrated by the use of the word 'includes' prior to the list being set out. The glossary to the Mid Sussex District Plan 2014-2031 defines infrastructure as follows: *"Includes roads and other transport facilities; flood defences; schools and other educational facilities; medical facilities; sporting and recreational facilities; and open spaces"*. A copy of the District Plan is listed as core document (CD7.1). On page 120 of the District Plan is a table providing examples of what is meant by Infrastructure.
- 1.2 The development plan for this part of Mid Sussex is the Mid Sussex District Plan 2014-2031 and the Lindfield and Lindfield Rural Neighbourhood Plan. Policy DP20 in the District Plan refers to infrastructure provision. The District Council adopted a supplementary planning document (SPD) entitled '*Development Infrastructure and Contributions*', dated October 2019. This is listed as a core document (CD7.8). The SPD sets out the basis for calculating infrastructure contributions and the thresholds that will be applied for requiring infrastructure contributions.
- 1.3 The required sums are calculated by reference to the SPD.

- 1.4 The National Planning Policy Framework (December 2024) sets out the government's policy on planning obligations in paragraphs 56 and 58 which state:

*“56. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.*

*58. Planning obligations must only be sought where they meet all of the following tests:*

*a) necessary to make the development acceptable in planning terms;*

*b) directly related to the development; and*

*c) fairly and reasonably related in scale and kind to the development.”*

- 1.5 These tests reflect the statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (CIL Regulations).

## **2.0 Relevant Development Plan Policies**

- 2.1 District Plan Policy DP20 sets out the need for necessary infrastructure to either exist or be provided to support proposed residential development. It provides for Legal Undertakings and/or Agreements to be required in appropriate circumstances and for provision of necessary infrastructure to be secured by means of financial contributions.

## **3.0 District Council Infrastructure**

### **3.1 Formal Sport**

In the case of this development, a formula based contribution is required toward formal sport pitches and ancillary facilities at Lindfield Common and / or Hickmans Lane. The additional local population caused by the development will lead to further use of these important facilities.

The development site is less than 400m from Lindfield Common which provides publicly accessible cricket, football pitches, tennis courts and a bowling green used by local clubs and residents of all ages. The site is managed by the Council and improvements to the tennis courts have been identified as a priority in the Green Space Investment Plan. The Council's Playing Pitch Study also supports an upgrade to the bowls pavilion which is leased to Lindfield Bowling Club. The club participates in five leagues and have a busy calendar with over 70 friendly matches, 'turn up and try' days for new bowlers and trophy events each year.

Hickmans Lane, which is under a mile from the development site, is another important multi-pitch site in Lindfield which consists of a Council owned cricket ground and three football pitches. The site is used by Lindfield Cricket Club and teams from Lindfield Juniors FC and Lindfield FC. The Local Football Facility Plan, produced by the Football Foundation, highlights the need for natural grass pitch improvements at Lindfield

Common and Hickmans Lane plus pavilion refurbishment at Hickmans Lane to provide better changing facilities; this is also a priority project listed in the Council's Green Space Investment Plan.

### 3.2 Community Buildings

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case of this development, a formula based financial contribution is required to make improvements to the 1st Lindfield Scouts Hut and / or King Edward Hall and / or Barn Cottage Community Centre. The additional local population caused by the development will lead to further use of these important facilities.

The 1st Lindfield Scouts Hut on Eastern Road is approx. 250m from the development site. The hall is currently used by nearly 100 young people each week and is available for community hire for parties, meetings and other activities such as dance and exercise classes. The scouts were seeking funds to provide a new toilets, a shower and a kitchen upgrade to enable them to make it available to a wider clientele.

King Edward Hall is situated in the centre of Lindfield village and is a flourishing community venue which is being used to capacity. It is a constrained site so it is difficult to make any major expansion but the trustees are keen to make more use of the Old Fire Station and outdoor space within the footprint of the site to create additional areas for hire and storage.

Mid Sussex District Scouts have planning approval to construct a new community centre at Barn Cottage Recreation Ground which is just over half a mile from the development site. This facility will provide a range of activities, programs and services such as scout groups, youth clubs, exercise and dance classes, drama and music groups, support services for children and families, meetings, training and learning. The Scouts are currently fundraising to cover the costs of fitting out this new community facility. S106 contributions received in respect of the Scamps Hill development will be used to fund one or more of these projects which will help to expand the community building provision within walking distance of the development site.

### 3.3 Local Community Infrastructure

The development of sustainable communities requires the provision of a wide range of local facilities and services. Whilst many of these are specifically highlighted in the Council's Development Infrastructure and Contributions SPD, there are other important local services and facilities which are not listed but are still needed by the community. Seeking contributions towards such local facilities and services through Local Community Infrastructure (LCI) contributions is an established principle at Mid Sussex.

In this case, a formula based contribution is required towards the extension of capacity at Walstead Burial Ground and/or provision of additional street lighting by Logs Car Park at Lindfield Common and/or provision of additional street lighting on the footpath between High Street and Newton Road, Lindfield.

Walstead Burial Ground is a little over 400 metres from the site. The additional population caused by the development will lead to more pressure on burial ground capacity in the local area. This project has been identified for inclusion following discussions with Lindfield Rural Parish Council.

The two street lighting projects are both located within 600 metres of the site. The increased local population as a result of the development will increase pedestrian activity in the two identified areas where a shortfall in street lighting provision has been recognised by the local community. These street lighting projects have been identified for inclusion following discussions with Lindfield Parish Council.

- 3.4 In terms of the scale of contributions required, the '*Formal Sport*', '*Community Buildings*' and '*Local Community*' figures are all calculated on a per head formulae based upon the number of units proposed and average occupancy (as laid out in the Council's Development Infrastructure and Contributions SPD) and therefore are wholly commensurate in scale to the development.

#### **4.0 Non-District Council Infrastructure**

- 4.1 In addition to infrastructure that is provided by the District Council, there is a requirement under the District Councils Development and Infrastructure Contributions SPD for developments to contribute to infrastructure that is provided by external bodies. In the case of this application the external body is West Sussex County Council. The County Council has provided a separate statement of compliance which is attached with this correspondence.

#### **4.0 Conclusion**

- 4.1 Mid Sussex District Council contends that the infrastructure contributions and obligations set out are in full accordance with the requirements of the National Planning Policy Framework (December 2024) and sections 122 and 123 of the Community Infrastructure Levy Regulations 2010 and requests that the Inspector includes these requirements, should it be determined that the appeal is allowed, and planning permission is granted.

Yours sincerely

Stuart Malcolm  
Sustainable Communities Development Delivery Manager