

Appeal ref: APP/D3830/W/24/3350075

LPA ref: DM/24/0446

Land off Scamps Hill, Lindfield, West Sussex

Supplementary Statement of Common Ground on Planning Matters

between

Mid Sussex District Council

&

Gladman Developments Ltd

Signed

Date 19 December 2024



Gareth Giles

On behalf of Mid Sussex District Council

Signed



Date 19 December 2024

John Mackenzie

On behalf of Gladman Developments Ltd

Supplementary Statement of Common Ground on Planning Matters

I. Introduction

- I.1. This Supplementary Statement of Common Ground on Planning Matters has been produced in light of the revised National Planning Policy Framework published in December 2024 as well as associated statements of government policy, new practice guidance and a new Standard Method calculation for housing need which results in higher housing requirement figures for Mid Sussex District.
- I.2. It follows and supplements the main Statement of Common Ground (dated 10th October 2024).
- I.3. The parties agree the new NPPF is a significant change in the planning policy framework within which the appeal will be assessed and fundamentally affects the main issues for the Inquiry.
- I.4. Specifically, the relevant changes are the reintroduction of a 5 year housing land requirement for Mid Sussex District Council (removing the 4 year requirement in force previously), the introduction of an additional 5% buffer, and a new significantly higher Standard Method housing requirement of 1,356 dwellings per year (increased from the April 2024 requirement of 1,039). As a result of these changes, it is agreed between the parties in an accompanying Updated Housing Land Supply Statement of Common Ground (dated 18th December 2024) that the Council cannot demonstrate a 5 year housing land supply as now required and that the tilted balance of NPPF paragraph 11 is engaged in this case.
- I.5. The calculation of the different positions under the new regime are set out in full detail in the Updated Housing Land Supply SoCG.
- I.6. Whilst there is disagreement as to the extent of the shortfall, between the Council's position of 4,815 dwellings equating to 3.38 years worth of supply (-2,304 dwellings) and the Appellant's position of 3,427 dwellings equating to 2.41 years worth of supply (-3,692 dwellings), it is agreed that the shortfall is significant. Therefore, the parties agree that it would not be a good use of Inquiry time to seek to examine the detail of the sites in dispute.
- I.7. In relation to heritage matters, it is agreed that, applying the test in NPPF paragraph 215 (for designated heritage assets) the public benefits of the proposed development outweigh the harm to heritage assets. This is the agreed position whether the Appellant's assessment of the extent of harm arising, or the Council's assessment, is preferred; the different assessments are provided in the relevant Proofs of Evidence.

- I.8. As it is agreed that the public benefits of the proposed development outweigh the harm to heritage assets, the parties agree that it would not be a good use of Inquiry time to seek to examine in detail any differences of expert opinion on heritage harm.
- I.9. For the avoidance of any doubt, it is agreed that there are no NPPF Footnote 7 policies that protect areas or assets of particular importance engaged in this case.
- I.10. In the context of the material change in circumstances introduced through the NPPF, there is now agreement that the NPPF paragraph 11(d)(ii) 'tilted balance' is engaged. The planning balancing exercise should be undertaken on this basis. Both parties agree that the adverse impacts identified (including any harm to the significance of the non-designated heritage asset) do not significantly and demonstrably outweigh the benefits of the proposal.
- I.11. Therefore, in conclusion, the parties agree that the appeal should be allowed and planning permission should be granted, subject to the imposition of appropriately worded conditions and a section 106 agreement to secure the necessary affordable housing and financial contributions to community infrastructure.

[ENDS]