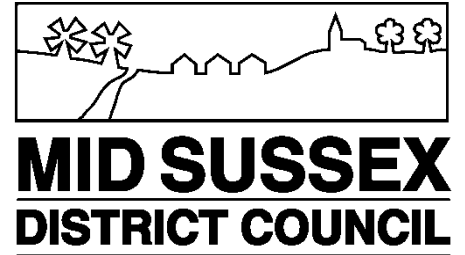


# Mid Sussex District Council



MSDC – 06 c

Response to AP4 Matter 3.4

Response to REP 2079-003 A Black

11th June 2021

## 1.0 MSDC response to REP 2079 – 003 A Black

1.1 In his response to Matter 3.4, Mr Black states, on page 16 of the statement

“It is notable that of the sites within the existing commitments as at 1 April 2020 (as set out in document H5) a total of 9 sites comprising of 477 dwellings were on sites where the lapse date was prior to the start of the examination. The Council must therefore prepare an urgent update to document H5 before the start of the examination to demonstrate that all of these sites commenced and no permissions have formally lapsed.

Of further note is that the permission for a further 19 sites comprising of 1,393 dwellings will lapse by the end of 2021. Further information must be presented by the council to demonstrate that these permissions have a high likelihood of being implemented within 2021 in order to make up a demonstrable part of the five-year housing land supply”.

1.2 The Inspector has asked the Council to respond to this point. The Council contacted Mr Black directly to confirm which sites contributed to the figures set out above. The council has received this list and has responded to the specific sites. It should be noted that the number of sites and number of dwellings differs slightly from those set out in the matters statement.

1.3 A site by site analysis has been undertaken and provided at **Appendix 1**.

1.4 From the analysis it can be seen there are 5 sites that have or will expire during 2021/22 if the sites are not lawfully commenced before the permission expires. Further information on specific site is set out below:

Site	Planning Reference	Expiry date	Gross number of units	Net number of units included in supply	Comment
Tower Car Sales, Tower Close, East Grinstead	DM/17/1537	01/05/2021 (covid extension)	5	5	Permission expired in May 2021. Will not be included as a commitment from 1 <sup>st</sup> April 2022 monitoring year.
Seaspace House, Brighton Road, Handcross	DM/17/0587	01/05/2021 (covid extension)	7	7	Permission expired in May 2021. Will not be included as a commitment from 1 <sup>st</sup> April 2022 monitoring year
Beckford Lewes Road East Grinstead	DM/18/0768	10/07/2021	7	6	Permission will expire in July 2021, unless lawful commence before then. Landowner intentions unclear.
Zenith House Market Place Haywards Heath	DM/18/2155	17/07/2021	17	0	Permission will expired in July 2021, unless lawful commence before then. However, landowner has confirmed permission will not be implemented and site remains in

					employment use. In 1st April 2021 site still appears in the commitments list but with a zero yield.
Aventis House Market Place Haywards Heath	DM/18/2170	17/07/2021	12	0	Permission will expire in July 2021, unless lawful commence before then. However, landowner has confirmed permission will not be implemented and site remains in employment use. In 1st April 2021 site still appears in the commitments list but with a zero yield.
		<b>TOTAL</b>	<b>48</b>	<b>18</b>	

1.5 The monitoring period is as at 1<sup>st</sup> April 2021, and therefore these sites remain as commitments, it is standard practice to use of the base date of the start of the financial year for land supply calculations. As can be seen from the table above only 18 units are included in the 'Commitments' list that have a permission which will expire during 2021/2022 unless implemented. This is a very small number in the overall supply figure, and would have a negligible impact should the permissions not be implemented. If these site were to expire during 2021/22 it is anticipated they would naturally be replaced by future windfall approvals.

1.6 This updated information has been shared with Mr Black and he is 'satisfied that the council has provided reassurance on the matter and it no longer remains an area of concern for us'. This position is confirmed in an email at **Appendix 2**.

Sites with lapse rate before end of the calendar year

Town / Parish (NP Area)	Site Address (sites of 6+ units)	Overall Total (Gross)	Overall Losses (Gross)	Overall Cmpltns (Net)	Total Remaining (Net)	PP Ref #	PP Lapse Date	SHLAA ID#	MSDC response
Ansty & Staplefield	Land south of Bolney Road, Ansty	20	0	0	20	DM/19/1235	06/09/2021	629	Site complete
Burgess Hill	Land west of Freeks Lane Burgess Hill	460	0	0	460	DM/19/3845	19/12/2021	969	England in place
Burgess Hill	Keymer Tile Works Nye Road phase 3	180	0	37	143	DM/16/5617	20/06/2020	91	construction commenced and well progressed
Burgess Hill	66a Victoria Road Burgess Hill West Sussex RH15 9LH	10	0	0	10	DM/18/1435	13/12/2021	544	Site complete
Burgess Hill	Manor Court Valebridge Road Burgess Hill	14	15	0	-1	DM/17/1937	03/08/2021	963	construction commenced
Burgess Hill	1 Cyprus Road Burgess Hill	10	1	0	9	DM/17/4575	20/07/2021	447	construction commenced
East Grinstead	Hill Place Farm, Turners Hill Road, East Grinstead	200	0	0	200	DM/19/1067	01/11/2021	562	construction commenced
East Grinstead	Rear of Dunnings Mill, Dunnings Road	12	0	0	12	DM/18/4899	10/07/2021	22	construction commenced
East Grinstead	Packer Court Quarry Rise East Grinstead	14	0	0	14	DM/17/1941	03/08/2021	964	construction commenced
East Grinstead	Dart Court Quarry Rise East Grinstead	16	0	0	16	DM/17/1935	03/08/2021	965	construction commenced
East Grinstead	Beckford Lewes Road East Grinstead	7	1	0	6	DM/18/0768	10/07/2021	433	then Permission will expire in July 2021, unless lawful commence before then. However, landowner has confirmed permission will not be implemented and site remains in employment use. In 1st April 2021 site still appears in the commitments list but with a zero yield.
Haywards Heath	Zenith House Market Place Haywards Heath	17	0	0	17	DM/18/2155	17/07/2021	966	yield. Permission will expire in July 2021, unless lawful commence before then. However, landowner has confirmed permission will not be implemented and site remains in employment use. In 1st April 2021 site still appears in the commitments list but with a zero yield.
Haywards Heath	Aventis House Market Place Haywards Heath	12	0	0	12	DM/18/2170	17/07/2021	967	2021 site still appears in the commitments list but with a zero yield.
Hurstpierpoint and Sway	Kingsland Laines Reeds Lane Sayers Common Hassocks Wes	120	1	0	119	DM/19/1148	18/12/2021	220	construction commenced
Slaugham	Land east of Brighton Road, Pease Pottage phase 1	156	0	43	113	DM/17/2534	13/10/2021	666	Phase complete
Worth	Land South of Hazel Close, Crawley Down	60	0	0	60	DM/19/2974	22/11/2021	281	construction commenced
<b>16 sites</b>		<b>1210</b>							

Sites with lapse rate prior to start of Examination

Town / Parish (NP Area)	Site Address (sites of 6+ units)	Overall To	Overall Lo	Overall Cn	Total Rem	PP Ref #	PP Lapse Date	SHLAA ID#	MSDC response
Burgess Hill	Former Sewage Treatment Works	325	0	0	325	DM/19/1895	Pen S106	45	Council resolution to grant planning permission subject to S106.
Burgess Hill	Kings House, 68 Victoria Road, Burgess Hill	13	0	0	13	DM/17/2490	15/02/2021	544	Permission expired no longer a commitment Commenced. Permission likely to be replaced by DM/19/3331 which is an amended scheme, resolution to grant permission subject to S106
Burgess Hill	Burgess Hill Town Centre, Civic Way, Burgess Hill	142	0	0	142	DM/15/3858	14/03/2019	528	subject to S106
East Grinstead	Tower Car Sales, Tower Close, East Grinstead	5	0	0	5	DM/17/1537	13/07/2020	759	Permission expired in May but commitment as at 1st April 2021
East Grinstead	Martells Store, 1-4 Normans Road, Queens Road, East Grinstead	129	0	22	107	DM/15/5067	22/05/2020	768	only 1 unit remains to be completed on the site
East Grinstead	Wallis Centre, De La Warr Road, East Grinstead	7	0	0	7	DM/16/3196	28/02/2020	778	Site complete
East Grinstead	Phoenix House, 53-59 Lingfield Road, East Grinstead	11	0	0	11	DM/16/3651	12/09/2020	369	new application DM/19/1256 - expires 05/05/2023
East Grinstead	15 and 39 Crawley Down Road, Falbridge	63	1	0	62	DM/17/2570	04/01/2021	197	Construction commenced
East Grinstead	Queensmere House, 49 Queens Road, East Grinstead	14	0	0	14	DM/17/2725	26/01/2021	923	Construction commenced
East Grinstead	17 Copthorne Road, East Grinstead	26	1	0	25	DM/16/5502	09/03/2021	548	Construction commenced
Lindfield Rural	Land east of High Beech Lane Lindfield	43	0	0	43	DM/19/2845	25/11/2020	151	Construction commenced
Lindfield Rural	Land east of High Beech Lane Lindfield (custom plots)	3	0	0	3	DM/17/2271	26/04/2021	151	Construction commenced
Lindfield Rural	Land Gravelly Lane and Scamps Hill	130	0	33	97	DM/17/3311	07/03/2020	6	Construction commenced - completions on site
Lindfield Rural	Land adjacent to Barn Cottage, Lewes Road, Scaynes Hill	51	0	0	51	DM/19/0145	07/02/2020	725	Construction commenced - nearing completion
Lindfield Rural	Land south of Scamps Hill Lindfield	200	0	0	200	DM/15/4457	01/03/2021	483	REM now approved on the site DM/20/2763 Permission will expire in July 2021, unless lawful commence before then
Slaugham	Seaspaces House, Brighton Road, Handcross	7	0	0	7	DM/17/0587	19/07/2020	321	then
Slaugham	Slaugham Manor, Slaugham Place, Slaugham	25	0	9	16	DM/16/2531	21/12/2019	765	Construction commenced
Slaugham	Golf House, Horsham Road, Pease Pottage	25	0	11	14	DM/17/0747	31/10/2020	218	Site complete
Twineham	Twineham Grange Farm, Bob Lane, Twineham	6	0	0	6	DM/17/1374	13/12/2020	924	REM now approved on the site DM/20/3788
West Hoathly	Bluebell Woodland, Bluebell Lane, Sharpthorne	14	0	6	8	DM/17/2710	09/03/2021	645	Site complete
Worth	Land rear of Tiltwood House, Gage Close, Crawley Down	5	0	0	5	DM/16/0600	15/04/2019	960	Construction commenced
<b>21 Sites</b>		<b>1161</b>							

**From:** [Andrew Black](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Site Allocations DPD representation  
**Date:** 10 June 2021 21:41:51  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Hi [REDACTED]

Thanks for sending this through, this is a helpful update.

I don't think it is necessary to roll this into a statement of common ground. I am happy for it to be provided to the inspector and for this e-mail to be provided to the inspector that I am satisfied that the council has provided reassurance on the matter and it no longer remains an area of concern to us.

Thanks for taking the time to pull this together quickly and engaging on the matter.

With thanks

Andrew

**Andrew Black**

[REDACTED]

[www.andrewblackconsulting.co.uk](http://www.andrewblackconsulting.co.uk)



---

**From:** [REDACTED]  
**Date:** Thursday, 10 June 2021 at 10:44  
**To:** Andrew Black <[andrew@andrewblackconsulting.co.uk](mailto:andrew@andrewblackconsulting.co.uk)>  
**Cc:** [REDACTED]  
**Subject:** RE: Site Allocations DPD representation

Dear Mr Black,

We have now reviewed the list you helpfully sent and have prepared a response to each one. I note that the figures are not the same as those given in your statement to Matter 3.4 but I have worked on the basis of your list.

I think it would be useful if you could review and provide a comment as required, and then perhaps we could see if it is possible to confirm the position through a statement of common

ground as you suggested.

I look forward to hearing from you.

Kind Regards,

[REDACTED]

[REDACTED]

Planning Policy

Economic Promotion and Planning

[REDACTED]

[REDACTED]

Working Together for a better Mid Sussex

---

**From:** Andrew Black <andrew@andrewblackconsulting.co.uk>

**Sent:** 04 June 2021 16:31

**To:** [REDACTED]

**Subject:** Re: Site Allocations DPD representation

Dear [REDACTED]

Please find an attached marked up version of the document H5. I have highlighted the permissions blue where the lapse rate was prior to the start of the examination and then highlighted the sites in yellow where the lapse rate is before the end of this calendar year.

I have actually then cross referenced this list with your latest five year housing land supply statement (which wasn't available at the time of making my reps / matters statement). I acknowledge that several of the sites are within your 5YHLS statement as having commenced but there are several where there is no information available.

It may be that several of the sites have commenced and it is simply a matter of updating the table. I would be happy to agree common ground on this position with you and update the inspector accordingly in the interests in assisting on this matter.

I hope this is helpful. Please contact me if you require any additional information.

With thanks

Andrew

**Andrew Black**

  
[www.andrewblackconsulting.co.uk](http://www.andrewblackconsulting.co.uk)





[www.carbonneutralbritain.org](http://www.carbonneutralbritain.org)

In 2021, ABC will be supporting Oxygen, who work with vulnerable young people in need across Kingston, as its chosen charity of the year.

<https://www.oxygen-online.org>

---

**From:**    
**Date:** Friday, 4 June 2021 at 14:14  
**To:** Andrew Black <[andrew@andrewblackconsulting.co.uk](mailto:andrew@andrewblackconsulting.co.uk)>  
**Subject:** Site Allocations DPD representation

Dear Andrew,

You will be aware that the Site Allocations DPD Inspector has asked the Council to undertake some further work in relation to Housing Land Supply.

In your response to the Inspector's Matter 3 Q 3.4 you refer to a number of commitments and question the current status of them. Are you able to provide me with a list of the sites you refer to, to enable us to be able to respond to the points raised. The two points are:

"It is notable that of the sites within the existing commitments as at 1 April 2020 (as set out in document H5) a total of **9 sites comprising of 477 dwellings** were on sites where the lapse date was prior to the start of the examination" and "Of further note is that the permission for a further **19 sites comprising of 1,393 dwellings** will lapse by the end of 2021".

I look forward to hearing from you.

Regards,

[REDACTED]  
[REDACTED]  
Planning Policy  
Economic Promotion and Planning

[REDACTED]  
[REDACTED]  
Working Together for a better Mid Sussex

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.

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.