

Mid Sussex District Plan Review Examination

Our ref 65901/04/MS/RN
Date 10 February 2026
From Lichfields obo Berkeley Latimer

Subject Matter 2: Housing Supply and Headroom

1.0 Whether enough housing land has been allocated to ensure that, along with existing permissions and commitments, enough housing land will come forward to meet the housing requirement through the life of the plan and that a 5 year housing land supply will be maintained.

a) Anticipated housing supply over the plan period

- 1.1 The anticipated housing supply has been updated by the Council within MS-TP2, reflecting time passed since the submission of the Plan. The January 2026 position sets out 21,241 homes in the supply over the plan period 2021-2040, which would more than meet the proposed housing requirement of 20,674.
- 1.2 The proposed housing supply aligns with NPPF Para 69 a) having 5 years of specific deliverable sites as set out within Appendix 1 of MS-TP2 and Para 69 b) with developable sites or other component of supply identified for the remainder of the plan period.
- 1.3 As per Appendix 2 of MS-TP2, it is only in the final four years of the revised plan-period to 2040 (i.e. years 11 to 15) - assuming the plan is adopted in 2026 - that the expected supply of homes falls consistently below the annual housing requirement. In all bar one other year (2024/25), the Council expects to deliver above the annual requirement. In this context, the NPPF (Dec 2023) only requires plans to identified *sites* “*where possible, for years 11-15 of the plan*” (Paragraph 69) and is therefore considered to accord with the broad thrust of this policy, meeting the overall requirement.
- 1.4 Notwithstanding, we note that the MS-TP2 is not supported by a tabular trajectory, setting out the anticipated delivery rates from different sites and components of supply on annual basis across the whole of the plan period (it is only supported by a graphical illustration at MS-TP2 Appendix 2). Without such information, Berkeley Latimer is unable to comment on any particular component of supply, and it may be helpful and assist the examination if such information is provided.

b) The amount of potential supply headroom over and above the housing requirement

- 1.5 Under the NPPF 2023 there is no prescribed supply headroom for which the local plan must achieve in policy terms. However, Berkeley Latimer considers that ensuring a

sufficient headroom is important to ensure that the Council can maintain both a rolling five-year housing land supply, as well as ensure the overall housing requirement of the plan is met. We consider such a headroom is necessary and appropriate to plan for; it provides flexibility and resilience within the trajectory and insurance against potential delays bringing forward particular sites. The Plan's headroom is identified as 567 homes, equivalent to c.2.7% of the overall requirement.

c) The supply trajectory over the plan period

- 1.6 The Council is proposing to use a stepped trajectory which will see the delivery of 999 dpa in the first 10 years of the plan and 1,187 dpa in the final nine years of the plan. The trajectory would seemingly meet that, albeit Berkeley Latimer would observe that there appears to be flexibility within the trajectory that might allow for any 'step-up' to be substantially reduced or even a flat housing requirement to be adopted. In any event, Berkeley Latimer broadly supports the supply trajectory set-out within Appendix 2, with significantly elevated levels of housing in the middle years of the plan (2030-2035) aligning with the delivery of significant strategic allocations such as Land to the south of Reeds Lane, Sayers Common. Such strategic site allocations are considered fundamentally necessary to maintain a consistent and constant backbone of housing supply over the plan period, supplemented by smaller sites, windfall allowances and other non-strategic allocations.
- 1.7 This reflects NPPF 2023 paragraph 74 which sets out that
- "The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns..."*
- 1.8 Those strategic sites identified form an imperative part of maintaining the supply trajectory of large numbers of new homes.

d) The potential for lower than anticipated supply arising from delivery impediments, longer lead in times and slower build out rates

- 1.9 The key factor in planning against potential delivery impediments is the headroom to which the Council applies against its housing requirement. The Council has applied a 5% headroom to those existing commitments that are not yet subject to a planning application, commencement or completion. In addition, a 5% headroom has also been applied to those proposed allocations that have not yet achieved planning consent.
- 1.10 Berkeley Latimer agrees that applying a buffer to these sites is appropriate, though applying a 5% headroom to just these elements of the housing supply over the plan period results in the overall buffer being 567 houses or c.2.7% overall. The potential for lower than anticipated supply arising from delivery impediments, longer lead in times and slower build out rates is a factor on a site-by-site basis (and Berkeley Latimer will review the trajectory set out and proposed for its DPSC3 allocation accordingly within our Matter 7 Statement), but the key consideration is not just the % headroom adopted (and whether it is a big or small number) but also the specific assumptions made, whether the prospects for achieving

delivery are individually reasonable (relating to the NPPF 2023 Annex 2 definitions of deliverable and/or developable), and what contingencies the plan provides to mitigate against delay in housing supply coming forward.

e) The resilience of the plan against such contingencies

- 1.11 It is for the Council to consider and evidence whether the headroom provided is sufficient, but Berkeley Latimer would note:
- 1 There are in-built mechanisms within the planning system by which additional land supply can be brought forward to provide additional flexibility within the trajectory during the course of the Plan period, if required, including for example:
 - a Plan-review, with it necessary for the LPA to monitor delivery and update the plan as necessary (and as set out in our Matter 1 statement, we consider an early review may be necessary under NPPF transitional arrangements in any case); and
 - b The application of the presumption in favour of sustainable development, noting that the plan will be considered out-of-date should at any point there not be a demonstrable five-year housing land supply during the plan period;
 - 2 The approach to lead-in times at some of the strategic sites is precautionary (see MS-TP2 para 3.19). Taking Berkeley Latimer's site at DPSC3 by way of an example, the Council has sought to spread delivery from year six onwards (i.e. starting in 2030/31) but Berkeley Latimer is anticipating submitting a planning application in Autumn 2026, which could see housing delivery earlier than the 2030/31 assumption (we will explain more on this as part of our Matter 7 statements). In essence, by adopting cautious assumptions, some flexibility may already be built into the trajectory.
 - 3 The Council has sought to identify where the specific risks within the trajectory are, and tailored its headroom response to those risks (see MS-TP2 paras 3.21-3.23).

- 1.12 In such circumstances, it is considered there is a degree of resilience within the Plan, though this might be bolstered by explicit reference within the Plan to future review processes, as may be necessary where delivery impediments, longer lead in times and/or slower build out rates transpire. The NPPF requires that LPAs monitor such delivery on an active and ongoing basis.

f) The 5 year housing land supply position at adoption

- 1.13 The five-year housing land supply (5YHLS) position is calculated appropriately¹, applying a 5% buffer to the five-year requirement, indicating a five-year supply requirement of 5,245. The full housing supply identified within Years 1-5 of the plan is 5,362, resulting in a surplus of supply of 387, leading to a 5YHLS supply of 5.37.
- 1.14 Berkeley Latimer would note, however, that this has been calculated based on the assumption that the proposed stepped trajectory is acceptable. If the stepped trajectory was not applied and a linear trajectory (as originally set out with the submitted local plan) the

¹ Table 19, MS-TP2

delivery requirement per year would be 1,088dpa, plus any accumulated shortfall from the earlier years of the plan against this annual requirement (c.28 homes). We calculate, broadly, the total five-year supply requirement (including a 5% buffer) under this trajectory would be 5,741 against a total supply of 5,632. Therefore, without the application of the stepped trajectory, the Council on its current evidence would be unable to demonstrate a 5YHLS, albeit it would only require additional supply of c.109 homes to be evidenced within the five year period.

- 1.15 In Berkeley Latimer's view this highlights the necessity for the Council to facilitate the early delivery of strategic site allocations wherever possible, with those strategic site allocations potentially able to also contribute towards the 5-year land supply upon adoption of the Plan.
- 1.16 We note that the Council at MS-TP2 Table 20 sets out that using a base date of 1st April 2026 (as may well apply at the point of adoption) the Council anticipate the 5YHLS position will have improved to 5.88 years, with an uptick in 'deliverable' supply to 6,167 homes. It seems likely on such a basis (even without a stepped trajectory) the Plan will be able to identify a 5YHLS upon adoption on the basis of the Council's evidence.

g) The ability to maintain a rolling 5 year housing land supply

- 1.17 The Council is confident that it can maintain a rolling 5YHLS as set out in TS-TP2 Table 20. Particularly during the mid-parts of the plan trajectory, when strategic sites are on stream and delivering, there is a healthy buffer against the housing requirements.