

**Town and County Planning Act 1990
Section 78 (As Amended)**

**FINAL PLANNING
STATEMENT OF COMMON GROUND**

Prepared by:

**Woolf Bond Planning Ltd
for Taylor Wimpey UK Ltd**

and

Lewes District Council



Land south of Green Road, Wivelsfield Green

PINS Ref: 6005671

LPA Ref: LW/24/0820

WBP Ref: 7779

June 2026

CONTENTS

	<u>PAGE</u>
1. Introduction	3
2. Description of the Appeal Site and Surrounding Area	4
3. Description of the Appeal Scheme	7
4. Planning Policy	11
5. Matters Not in Dispute	17
6. Matters in Dispute	23
7. Heads of Terms for Legal Agreement	24
8. Planning Conditions	25
9. Core Documents	26
10. Signed Agreement	27

1.0. INTRODUCTION

- 1.1. This Planning Statement of Common Ground (“SoCG”) relates to a Town and Country Planning Act 1990 Section 78 Planning Appeal lodged by Woolf Bond Planning Ltd on behalf of Taylor Wimpey UK Ltd against Lewes District Council’s failure to determine an outline planning application for up to 150 dwellings, with associated works, parking, landscaping, publicly accessible open space, land for education or community use, with access from Green Road and Eastern Road (LPA Ref LW/24/0820) (“the Application Scheme”, now “the Appeal Scheme”) on land south of Green Road, Wivelsfield (the “Application Site”, now the “Appeal Site”). All matters other than access are reserved.
- 1.2. The Statement records the matters upon which the Appellant and Council have agreed with the intention of assisting with the preparation of more focused proofs of evidence.
- 1.3. Additional Topic – based Statements of Common Ground will be prepared to cover (i) highways; (ii) landscape; and (iii) affordable housing. However, the LPA will only be presenting evidence on; landscape and local green space.

2.0. DESCRIPTION OF THE APPEAL SITE AND SURROUNDING AREA

The Site

- 2.1. The Appeal site extends to approximately 21ha.
- 2.2. Currently, the Site comprises agricultural land to the east and grassland to the west with hedgerow, trees and existing drainage ditch running through the western part of the Site in proximity to the existing residential dwellings on Eastern Road.
- 2.3. A bridleway runs through the Site in a north-south alignment, providing access from Green Road through the Site to the area of ancient woodland to the south (West Woods). The eastern half of the Site is designated as “Local Green Space” in the Wivelsfield Neighbourhood Plan. The entire site is in the countryside and is outside the Wivelsfield Green settlement boundary.
- 2.4. The part of the Site lying to the east of the bridleway is a parcel of agricultural land adjacent to Wivelsfield Primary School. The part of the Site lying to the west of the bridleway is undeveloped grassland, which is positioned to the south and west of existing dwellings on Green and Eastern Roads. The bridleway through the Site accounts for approximately 0.6ha of the Site area. A public footpath runs (broadly) north to south through the western portion of the Site with access from Eastern Road. Further west, an additional bridleway runs north to south. This bridleway and part of Eastern Road form part of the Sussex Border Path promoted route.
- 2.5. In relation to access, the Site is served by an existing vehicular access from Eastern Road and a field gate access by the war memorial along Green Road. It is proposed that this access point be retained only for non-motorised traffic (pedestrian/cycle access) and a new vehicular access be created onto Green Road, to the north (along with an additional pedestrian/cycle access onto the latter). The parties agree that the proposed vehicle access road would run through an area designated as local green space and that it is necessary at the outline stage to assess the potential landscape and LGS impacts of this, to the extent that they can be quantified. Matters of scale (dimensions/width), and appearance (including surface materials and landscaping) would be designed and submitted at reserved matters stage.

- 2.6. The Multi Agency Geographic Information for the Countryside Map ('MAGIC') and Lewes District Council's Planning Policies Map indicate that whilst a large proportion (56%) of the district is within the South Downs National Park, the Site itself is not covered by any statutory designations for landscape character or quality. The eastern portion of the Site is designated in the WNP as Local Green Space, and the reasons for that designation are set out at paragraphs 5.33 – 5.39 of the WNP. The reasons for designation include the local green space's "acknowledged beauty and tranquillity".
- 2.7. It is agreed that no party in this appeal will assert that the Appeal Site is a valued landscape for the purposes of NPPF paragraph 187. However, the LPA will argue that the Local Green Space designation recognises the beauty and tranquillity of the designated portion of the Appeal Site.
- 2.8. The Site is not located within a Conservation Area and there are no statutory or locally listed buildings or scheduled monuments that would be affected by the proposal. West Wood, to the immediate south of the site, is designated ancient woodland, and is close to the proposed development..
- 2.9. The Site is wholly within flood risk zone 1. There are also a number of surface water flow paths across the site and a Sequential test was undertaken (the application having been submitted prior to amendments to the Planning Practice Guidance).

Site Context

- 2.10. The Site is located within walking and cycling distance from the services, facilities and bus stops in Wivelsfield and Wivelsfield Green, which include a primary school, convenience store, post office, village hall and pub – all of which are within a 2-10 minute walk from the Site. Higher-order facilities are also accessible in Burgess Hill and Haywards Heath.
- 2.11. Wivelsfield Railway Station is within a 15-minute cycle ride of the Site via local roads. This provides onward access via public transport to Brighton, London Victoria, and Eastbourne. Plumpton Station (situated approximately 5km to the south of the Site) and Burgess Hill Station (situated 6km to the south west of the Site) are both accessible via bus from the Site.

3.0 THE APPEAL SCHEME PARTICULARS

The Appeal Scheme Description

3.1. The Appeal Scheme description is as follows:

“Outline planning application for the erection of up to 150 dwellings, with associated works, parking, landscaping, publicly accessible open space, land for education or community use, with access from Green Road and Eastern Road.”

3.2. Only the principle of developing the Site for up to 150 dwellings, along with the other proposed land uses, including a publicly accessible open space and land for education or community use and the means of access are to be determined as part of this outline application/Appeal.

3.3. The means of access comprise:

- Main vehicular and pedestrian access from Green Road
- Pedestrian/cycle access from Eastern Road; and
- Pedestrian/cycle access from Green Road.

3.4. The Appeal Scheme proposes 40% affordable housing to be secured by obligation.

3.5. Appearance, landscaping, layout and scale are reserved for subsequent determination.

Application Plans for Determination

3.6. The Application plans are agreed as comprising the following:

The Scheme

- (i) **Site Location Plan No. CSA/6467/107**
- (ii) **Parameters Plan No. CSA/6467/112 Rev A**
- (iii) **Proposed Green Road Access No. 794-PLN-TRP-00048-DR-004 Rev C**

(iv) **Proposed Eastern Road Footway No. 794-PLN-TRP-00048-DR-006 Rev C**

(v) Development Framework Plan No. CSA/6467/104 Rev I

(vi) Illustrative Masterplan No. CSA/6467/114

(vii) Illustrative Landscape Masterplan No. P23-0592_EN_0010_0001ILMP (Figure 9 in the LVIA)

3.7. As planning permission is sought for the principle of the proposed uses and the means of access, the plans to be 'approved' as part of the appeal are highlighted in bold at (i) to (iv) above. The plans at (v) to (vii) are illustrative plans. They can be subject to a 'general conformity' condition to be imposed upon the grant of planning permission.

3.8. Storey heights are proposed at predominantly 2-storey, with some 2.5 elements in selective locations.

The Application Plans and Particulars

General

3.9. The planning application submitted to the LPA included a number of plans and particulars, the details of which are set out below.

Application as Originally Submitted (August 2024)

Technical Documents

- Covering Letter (Woolf Bond Planning) 19.12.2024
- Application Form
- CIL form
- Planning and Affordable Housing Statement (Woolf Bond Planning)
- Draft Heads of Terms for s106 Agreement (Woolf Bond Planning)
- Design & Access Statement (CSA Environmental)
- Landscape and Visual Impact Assessment (including Lighting) (Pegasus Group)
- Flood Risk Assessment and Drainage Strategy (RPS)
- Sequential Test (RPS)
- Transport Assessment (RPS)

- Travel Plan (RPS)
- Framework Construction Management and Logistics Plan (RPS)
- Noise Impact Assessment (RPS)
- Air Quality Assessment (RPS)
- Heritage Impact Assessment (RPS)
- Archaeological Desk Based Assessment (RPS)
- Ecological Impact Assessment (Ecology Solutions)
- Biodiversity Net Gain Statement & Metric Calculation (Ecology Solutions)
- Biodiversity Checklist (Ecology Solutions)
- Sustainability and Energy Statement (Stantec)
- Sustainability Statement (Stantec)
- Major Development Sustainability Checklist (Stantec)
- Health Impact Assessment (Stantec)
- Social Value Statement (Stantec)
- Preliminary Utilities Appraisal Report (Inc Infrastructure Impact Assessment (Tetrattech))
- Topographical Survey (Survey Solutions)
- Statement of Community Involvement (Cavendish)
- Agricultural Land Classification and Soil Resources Assessment (Reading Agricultural Services)
- Arboricultural Impact Assessment (Aspect Arboriculture)
- Site Investigation (Eastwood)
- Community Facilities Audit (Woolf Bond Planning)

Application Plans

- Site Location Plan No. CSA/6467/107
- Parameters Plan No. CSA/6467/112 Rev A
- Development Framework Plan No. CSA/6467/104 Rev F (later superseded by Rev I)
- Proposed Green Road Access No. 794-PLN-TRP-00048-DR-004 Rev A (Within Appendix 7 of the Transport Assessment) (later superseded by Rev C)
- Proposed Eastern Road Footway No. 794-PLN-TRP-00048-DR-006 (Within Appendix 9 of the Transport Assessment) (later superseded by Rev C)

Supporting Plans (for informative purposes only)

- Illustrative Masterplan No. CSA/6467/114
- Illustrative Landscape Masterplan No. P23-0592_EN_0010_0001ILMP (Figure 9 in the LVIA)

Additional Information Submitted during the Application Process

March 2025

- ESCC Highways Response note 01 containing Updated Site Access and Refuse Vehicle Swept Path plans (RPS):
 - Proposed Green Road Access 794-PLN-TRP-00048-DR-004 B
 - Proposed Green Road Access Refuse Collection Vehicle Swept Path Analysis 794-PLN-TRP-00048-DR-004 A

April 2025

- Response to ESCC Objection Letter dated 13 February 2025 (RPS)

May 2025

- SUDS consultation submission to LLFA comprised of:
 - Completed ESCC application form
 - Parameters Plan No. CSA/6467/112 Rev A
 - Meeting Request Letter dated 11.04.2025 (RPS)
 - Response to East Sussex County Council Objection Letter dated 13th February 2025 (RPS)
 - ESCC LLFA Consultation Response Dated 13.02.2025

June 2025

- TN01: Arboricultural Consultee Response (Aspect)
- Access Plan: Proposed Green Road Access No. 794-PLN-TRP-00048-DR-004 Rev C
- Access Plan: Proposed Eastern Road Footway No. 794-PLN-TRP-00048-DR-006 Rev C

September 2025:

- Briefing Note: L&V Rebuttal (Pegasus)

November 2025

- Cover Letter (Woolf Bond)
- Development Framework Plan No. CSA/6467/104 Rev I
- Arboricultural Technical Note: 11728. TN.02 (Aspect)
- Technical Note: Ecology November 2025 (Ecology Solutions)
- Flood Risk & Drainage Technical Note: HLEF03595 (RPS Tetra tech)
- Built Heritage Technical Note: JCH02048
- Technical Note: Landscape & Visual: R005v1 EN KMSE_Tech Note 2025-11-25 (Pegasus)
- Masterplanning Briefing Note (CSA)
- Surface Water Flood Risk Hydraulic Modelling 794-ENV-HYD21223 Rev 03 (RPS Tetra tech)
- Model Log SW Model-01 (RPS)
- Transport Technical Note: TRP-00048-09 (RPS Tetra tech)

January 2026

- Flood Risk Assessment and Drainage Technical Not: HLEF03595 (RPS Tetra tech)
- Surface Water Flood Risk Hydraulic Modelling 794-ENV-HYD21223 Rev 04 (RPS Tetra tech)

4.0 PLANNING POLICY

The Development Plan

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2. For the purposes of this appeal, the Development Plan comprises the following:
- Lewes District Council Local Plan Part 1: Joint Core Strategy (“JCS”) (May 2016); (“LPP1”)
 - Lewes District Council Local Plan Part 2: Site Allocations and Development Management Policies (February 2020); (“LPP2”)
 - Wivelsfield Neighbourhood Plan (February 2016); (“WNP”) and
 - Ditchling, Streat and Westmeston Neighbourhood Plan (2018) (“DSWNP”).
- 4.3. The settlement boundaries in the adopted Joint Core Strategy were identified to provide for a net increase of 5,494 dwellings in the period 2010 to 2030 in the part of the District beyond the National Park (275 dpa).
- 4.4. The Core Strategy is more than five years old, and in accordance with the requirements in paragraph 78 and footnote 39 of the NPPF, the housing requirement falls to be determined by the local housing need derived from the application of the standard method.
- 4.5. The current housing need for Lewes, derived from the application of the standard method, is 687 dwellings annually (including the necessary 5% buffer). This substantially exceeds the 275dpa housing requirement identified in the Core Strategy.
- 4.6. It is agreed that the settlement boundaries are out of date as they need to be breached (in places and subject to other planning considerations) if the housing requirement is to be met. Separately, the Council is not able to demonstrate a five year supply of deliverable housing land.
- 4.7. Listed below are the specific policies considered to be relevant to determination of the Appeal.

- 4.8. The extent to which the Appeal Scheme accords or conflicts with the policies in the Development Plan is to be addressed in evidence.
- 4.9. As the Appeal Scheme is submitted in outline (save for access), matters associated with more detailed design of the site layout are to be addressed at the reserved matters stage.

Lewes District Council Local Plan Part 1: Joint Core Strategy 2010-2030 (Adopted May 2016); (“JCS”)

- SP1 (Provision of Housing and Employment Land)
- SP2 (Distribution of Housing)
- CP1 (Affordable Housing)
- CP2 (Housing Type, Mix, Density)
- CP7 (Infrastructure)
- CP8 (Green Infrastructure)
- CP9 (Air Quality)
- CP10 (Natural Environment and Landscape)
- CP11 (Built and Historic Environment and Design)
- CP12 (Flood Risk, Coastal Erosion and Drainage)
- CP13 (Sustainable Travel); and
- CP14 (Renewable and Low Carbon Energy)

Lewes District Council Local Plan part 2: Site Allocations and Development management policies (February 2020); (“LPP2”)

- DM1 (Planning Boundary)
- DM14 (Multifunctional Green Space)
- DM15 (Outdoor Playing Space)
- DM16 (Children’s Playing Space)
- DM19 (Agricultural Land)
- DM20 (Pollution Management)
- DM22 (Water Resources and Water Quality)
- DM23 (Noise)
- DM24 (Protection of Biodiversity and Geodiversity)
- DM25 (Design)
- DM27 (Landscape Design)
- DM33 (Heritage Assets)
- DM35 (Footpath, Cycle and Bridleway Network)

Wivelsfield Neighbourhood Plan 2012032 (Made 2018): (“WNP”)

- Policy 1 (Spatial Plan)
- Policy 3 (Education)
- Policy 5 (Design)
- Policy 6 (Green Infrastructure and Biodiversity)

- Policy 7 (Local Green Spaces)

Ditchling, Streat and Westmeston Neighbourhood Plan 2017-2032 (2018): (“DSWNP”)

- DS1 (Development Strategy)
- CONS2 (Design Standards)
- CONS3 (Heritage Assets)
- CONS6 (Landscape and Views)
- CONS8 (Dark Night Skies)
- CONS9 (Habitats and Biodiversity)
- CONS12 (Green Infrastructure)
- CONS13 (Links to the Countryside)

Local Plan Review

4.10. Lewes District Council has, in connection with its emerging Local Plan, undertaken a review of the settlement hierarchy (July 2023) for the parts of the district lying outside the National Park.

4.11. The review identified the settlements considered by the Council to be most sustainable, based on the level of services, facilities and amenities. The Council proposes a hierarchy of settlement categories as follows:

- District Centres (Seaford, Newhaven, Peacehaven & Telscombe);
- Rural Service Centres (Newick, Ringmer);
- Local Villages (Broyle Side, Cooksbridge, Chailey North, South Highton);
- Service Villages (Barcombe Cross, Plumpton Green, **Wivelsfield Green** and South Chailey); and
- Hamlets (Barcombe, Chailey Green, **Wivelsfield**).

Local Plan Update

4.12. The Council’s revised Local Development Scheme (February 2026), does not envisage a new Local Plan until 2027.

4.13. The Council intention is to submit its new Local Plan to PINS by the end of 2026.

4.14. The Council believes the emerging Local Plan will be adopted in 2027. The Appellant does not consider this to represent a realistic timetable.

- 4.15. . The recent Regulation 18 consultation that was undertaken earlier this year does not propose to meet the housing need when calculated via the Standard Method. Applying the Council's approach to the Standard Method results in a requirement for the plan period of 15,004 dwellings (682dpa). In contrast, draft Policy SSD1 plans for 8,570 dwellings over the plan period (389dpa).
- 4.16. The Site was previously identified as a potential housing allocation for 190 dwellings under Policy RES3 of the superseded 2003 Local Plan.

Five Year Housing Land Supply

- 4.17. The Council cannot currently demonstrate a five year supply of deliverable housing land for the five year period 1st April 2023 to 31st March 2028. This is the most up to date detailed assessment of the sources of deliverable housing supply within the district as shown in "Five Year Housing Land Supply (2023-2028) – Annual Position Statement at 1st April 2023" (May 2023).
- 4.18. It is agreed that as the existing Local Plan which sets the housing requirements was adopted more than five years before the appeal, the calculation of five year supply is derived following the methodology in the NPPF (December 2024).
- 4.19. For the purposes of this appeal, it is agreed that the adjustment to the district's five year housing target is determined from the proportion of the district's dwelling stock that lies outside of the South Downs National Park. This accords with that detailed in paragraph 3.2 of the most recently published statement on five year supply¹. This confirms that the land outside of the South Downs National Park contains 77% of the district's dwellings.
- 4.20. The agreed calculation of the housing requirement consistent with the latest published inputs into the specified formula consistent with the PPG² are:
- For step 1, the most recent published housing stock for Lewes District was issued on 22nd May 2025. Table 125 of latest published data indicates that there were 47,635 dwellings in the whole

¹ "Five Year Housing Land Supply (2023-2028) – Annual Position Statement at 1st April 2023" (May 2023)

² "Housing and Economic Development Needs Assessments" chapter, paragraph ID ref 2a-004-20241212

district (including areas in the National Park). The 0.8% threshold figure in the formula associated with step 1 is therefore 381.08³.

- For the purposes of this appeal, consistent with paragraph 3.2 of the most recently published land supply statement which indicates that 77% of the district lies outside of the National Park, the revised threshold figure is 293.4316⁴.
- For step 2, the latest median workplace based affordability ratios were published on 26th March 2026. The published data states that the “mean average ratio for the last five years” (2021-25) for Lewes District was 11.49.

4.21. Applying the formula in Step 2 to determine the adjustment factor from the most recent average affordability ratio (11.49) results in a figure of 2.2331.

4.22. The resulting base 5 year requirement applying the specified methodology is therefore agreed as 655dpa⁵

4.23. NPPF paragraph 78 requires the imposition of either a 5% or 20% buffer, depending upon the Housing Delivery Test Results.

4.24. The most recent Housing Delivery Test results were issued on 12th December 2024. For Lewes District this indicates that 89% of the housing needed had been delivered. This results in the imposition of a 5% buffer as delivery was above the 85% threshold specified in NPPF footnote 40.

4.25. It is agreed that the Council’s most recently published comprehensive list of the deliverable sources of supply for the period 1st April 2023 to 31st March 2028 is within “Five Year Housing Land Supply (2023-2028) – Annual Position Statement at 1st April 2023” (May 2023). This indicates that the Council’s deliverable supply is 1,904 dwellings⁶ and is the agreed position solely for the purposes of this appeal.

4.26. The agreed five-year housing land supply position is as follows:

³ 47,635 x 0.008

⁴ 381.08 x 0.77

⁵ 293.4316 x 2.2331 = 655.262 (rounded to 655).

⁶ Tables 4-6

Annualised Requirement	655
Five year Requirement	3275
5% Buffer	164
Total Five Year Requirement:	3439 (687.8dpa)
Supply	1,904
Shortfall	-1535
Yrs Supply	2.77

- 4.27. It is agreed that the extent of the shortfall is substantial.
- 4.28. In the circumstances, it is agreed that the Council's housing land supply position does not need to be tested in evidence. This will save time and resources prior to and during the inquiry.
- 4.29. It is likely that the shortfall can be reduced if planning approval is given for a range of sites, including on land beyond but contiguous/close to settlement boundaries and land or sites not currently allocated for housing in the adopted development plan.
- 4.30. In the circumstances, it is agreed that for the purpose of paragraph 11 of the NPPF, the most important policies for determining the application are out of date and para. 11 (d) is engaged as a starting point.
- 4.31. The Council considers that the contribution of market housing proposed through the Appeal Scheme is a material consideration of substantial weight; and that the delivery of affordable housing from the Appeal Scheme also attracts substantial weight. The Appellant attributes very substantial weight to the delivery of market housing from the Appeal Scheme, and, separately, also attributes very substantial weight to the delivery of affordable housing from the Appeal Scheme.

5.0 MATTERS NOT IN DISPUTE

- 5.1. Matters not in dispute, as outlined below, cover a broad range of issues – some of which are intended to be detailed in topic specific SoCGs. Should the extent of matters not in dispute change as a result of production of those other SoCGs, this Planning SoCG will be updated accordingly.

Housing Land Supply

- 5.2. It is agreed that the analysis set out in section 4 above is correct and that the Council has a deliverable 5 year supply of 1904 dwellings against a requirement for 3,439 dwellings. This shortfall, of 1535 dwellings equates to a 2.77 year housing land supply. It is agreed that the extent of the shortfall is substantial.

Affordable Housing

- 5.3. The Appeal Scheme proposed to deliver 40% of all dwellings on-site as affordable housing units.
- 5.4. Subject to securing the affordable housing in a S106 agreement, the Appeal Scheme would comply with Core Policy 2 of the Lewes District local Plan Part 1.
- 5.5. The parties will agree a S106 planning obligation to secure the affordable housing on-site.

Site Location & Description

- 5.6. The summary of the Site's location and physical description provided in Section 2.
- 5.7. The parties agree that the Appeal Site is in the countryside, outside the settlement boundary and that there is conflict with the spatial strategy.

Highways and Transport

- 5.8. It is agreed that the Appeal Scheme can facilitate safe and suitable access for all users. Additionally, the Appeal Scheme would not prejudice the safe operation of the wider highway network.
- 5.9. It is agreed that the Appeal Site is a sustainable location for this development.
- 5.10. It is agreed that the access road passing through the Local Green Space to the east of the Site constitutes development.

Local Green Space Designation

- 5.11. Decisions for managing development within Local Green Space should be consistent with national policy for Green Belts in Chapter 13 of the NPPF. It is agreed that pursuant to NPPF paragraph 153, substantial weight should be given to any harm found to be occasioned to the Local Green Space, including harm to its openness.
- 5.12. The issue of whether or not the Appeal Scheme involves 'inappropriate' development' in the Local Green Space will be addressed in evidence by way of reference to NPPF paragraph 154. The Appellant's position is that the Appeal Scheme does not comprise 'inappropriate development' in the Local Green Space.
- 5.13. The parties agree that if the Inspector found that the Appeal Scheme does involve 'inappropriate development', this is by definition harmful to Local Green Space and should not be approved unless the potential harm to the Local Green Space by reason of inappropriateness and any other harm arising from the proposal is clearly outweighed by other considerations (pursuant to NPPF paragraph 153 'very special circumstances' test).

Relevant Planning Policy

- 5.14. The relevant adopted Development Plan policies are listed in section 4 above.

Flood Risk and Drainage

5.15. As confirmed by the LLFA, the Appeal Scheme is acceptable with regard to matters of flood risk and drainage. It is agreed that the Appeal Scheme can be made safe from flooding for its lifetime.

Agricultural Land

5.16. The parties agree the land is not classified as 'Best and Most Versatile Agricultural Land'.

Landscape

5.16 It is agreed that no party in this appeal will assert that the Appeal Site is a valued landscape for the purposes of NPPF paragraph 187. However, the Site does form part of the countryside. The parties agree there is a Neighbourhood Plan designation of Local Green Space covering part of the Site (Policy 7 WNP). The Council will refer to the beauty and tranquillity of the LGS site in evidence.

Arboriculture and Ancient Woodland

5.17 The parties agree that the Appeal Scheme maintains an appropriate buffer to the Ancient Woodland, as confirmed in Natural England's consultation response, and that there will be no deterioration of irreplaceable habitat.

Ecology and Biodiversity

5.18 The Appeal Scheme, with the proposed mitigation, is acceptable in ecological terms. The Biodiversity Net Gain requirements are satisfied.

Education

5.19 The Education Authority has shown its "support for the land in the LGS designated area, next to the primary school, to be reserved for education purposes....should it be necessary to serve housing growth in the local area"

Heritage

5.20 The Site is not within a Conservation Area nor are there any statutory or locally listed building upon the Site itself. There are a number of Grade II listed buildings in the vicinity of the Site known as Jenners, Botches, and Jack of Clubs Cottage but the proposed development would not adversely affect their significance nor impact their setting.

5.21 Additionally, it is agreed that the Appeal Scheme would be acceptable with regard to impacts on non-designated heritage assets. Namely, the Wivelsfield War Memorial. The proposal would however change the landscape near the war memorial

Public Open Space

5.22 The proposed 16.5ha of public open space is significantly in excess of that required by any applicable policy within the Development Plan. The delivery of public access to Local Green Space and its planning significance is a disputed planning matter. The Council accepts there is some limited positive benefit, but that this is significantly outweighed by the harm to the LGS openness, beauty and tranquillity.

Planning Balance

5.23 The parties propose different scales when attributing weight to the benefits and harms (ranked from high to low):

Appellant

- Very Substantial
- Substantial
- Very Significant
- Significant
- Moderate
- Limited
- Very limited
- Neutral

Local Planning Authority

- Substantial
- Significant
- Moderate
- Limited
- Very limited
- Neutral

5.24 The parties to this SOCG agree that development plan policies for the supply of housing are out of date and that paragraph 11(d) of the NPPF is engaged. It is accepted that the Council is not able to demonstrate a five-year supply of deliverable housing against the Standard Method.

5.25 Both the WNP and DSWNP were made more than 5 years ago. As such, the parties agree that NPPF paragraph 14 is not engaged.

5.26 It is agreed that there would have been no reason for refusal in respect of heritage. However, it is agreed that the War Memorial must be considered as a relevant factor in assessing landscape effects.

5.27 The parties agree that the Council has no objection to the Appeal Scheme on ecological grounds.

5.28 It is agreed that the Appeal Scheme can be made safe from flooding for its lifetime.

5.30 It is agreed that the Appeal Scheme will not cause deterioration of irreplaceable habitat.

5.31 It is accepted that Lewes District Council is a CIL Charging Authority and financial contributions will be secured at the reserved matters stage once the amount of chargeable floorspace is fixed.

5.32 The harms identified and weighting attributed to them are summarised as follows:

Harms	Appellant	Council
Conflict and harm to Spatial Strategy and settlement boundaries.	Limited	Moderate Negative Weight
Harm to Landscape and Natural Environment	Moderate	Substantial negative weight
Loss and harm to a Designated Local Green Space	No harm	Substantial negative weight
Sustainable Location	No harm (moderate positive benefit)	No harm/ Neutral weight
Loss of agricultural land	Very limited	Very limited negative weight
Harm to the Village Built Environment and Character	No harm	Moderate Negative weight
Harm and suburbanization to Public Rights of Way	Very limited	Significant Negative weight

5.33 The benefits, (and neutral) identified and weighting attributed to them are summarised as follows:

<u>Benefits</u>	Appellant	Council
The delivery of 90 market homes	Very substantial	Substantial positive weight
Affordable Housing (40%)	Very substantial	Substantial positive weight
Delivery of publicly accessible Local Green Space	Moderate	Limited positive weight
Land for education/ community use	Moderate	Moderate positive weight
Economic Benefits (job creation and local expenditure)	Moderate	Moderate positive weight
Environmental Benefits & Biodiversity Net Gain	Moderate	Very limited positive weight
Delivery of sustainably located homes	Moderate	Neutral weight

5.34. The parties will apply their respective weightings to their evidence.

6.0 MATTERS IN DISPUTE

6.1. The matters presently in dispute, to be addressed in evidence, comprise as follows:

- (1) The impact of the proposed development on the Local Green Space.
- (2) Whether the proposed development constitutes inappropriate development in the Local Green Space.
- (3) The effects of the proposed development on character and appearance of the landscape.
- (4) The weight to be afforded to the harms and benefits in the overall planning balance

7.0 HEADS OF TERMS FOR LEGAL AGREEMENT

- 7.1. It is agreed between the parties that the Appellant will provide planning obligations, in the form of an undertaking under Section 106 of the Town and Country Planning Act (1990) in favour of Lewes District Council and East Sussex County Council.
- 7.2. The legal agreement will ensure the financial contributions and other compliant obligations to enable the proposed development to go ahead are provided in accordance Regulation 122(2) of the Community Infrastructure Levy Regulations and the content at paragraphs 56, 57 and 58 of the NPPF.
- 7.3. Subject to meeting the necessary tests at paragraph 58 of the NPPF, it is considered that the following may be provided for in a legal agreement:
- Affordable Housing (40%) (up to 60 dwellings)
 - On-site public open space provision
 - Sustainable Transport/Travel Plan
- 7.4. The legal agreement will be completed in accordance with the Inspector's instructions.

8.0 CONDITIONS

- 8.1. It is agreed that there should be a schedule of conditions agreed between the parties, for discussion with the Inspector during the Inquiry.
- 8.2. The schedule will be compiled and submitted to the Inspector prior to the Inquiry.

9.0 CORE DOCUMENT LIST

- 9.1. It is agreed that there should be a common list of reference documents and these are to be referenced as Core Documents to the Inquiry. The list will be compiled and a full set of the documents will be provided for the Inspector.

10.0 AGREEMENT: SCHEDULE OF COMMON GROUND

10.1. This document is accepted as the agreed Statement of Common Ground for the Appeal being considered under PINS Ref: 6005671

10.2. It has been duly signed by representatives of the Appellant (Taylor Wimpey UK Ltd) and Lewes District Council.

Signed for Woolf Bond Planning Ltd on behalf of Taylor Wimpey UK Ltd:

Name	Brigid Taylor
Signature	<i>B. Taylor</i>
Date	02.06.2026
Position	Director

Signed on behalf of Lewes District Council:

Name	Marc Dorfman
Signature	Marc Dorfman, (Typed by Marc Dorfman)
Date	26-6-2
Position	Lewes DM Senior Planning Advisor
