

2 March 2026

Appellant: Miller Homes Limited
Local Planning Authority: Mid Sussex District Council

SLR Project No.: 433.000082.00001

Local Planning Authority Reference: DM/25/0445

RE: Justification for Planning Inquiry Procedure Colwell Farm, Haywards Heath

This statement has been prepared on behalf of the appellant, Miller Homes Limited, to explain why they consider an Inquiry is the most appropriate mechanism for considering the appeal against Mid Sussex District Council (MSDC's) decision to refuse planning permission for the redevelopment of the land at Colwell Farm, Haywards Heath (Application Reference: DM/25/0445).

A formal notice of intention in line with Recommendation 3 of the Rosewell Review was sent to Mid Sussex District Council and the Planning Inspectorate on 13th February 2026. A copy of the notice is appended to this letter.

The appellant is of the view the appeal should be heard via the Inquiry procedure for a number of key reasons.

Firstly, the appeal raises several complex and interrelated planning issues that require detailed technical evidence and cross-examination. These include:

- Ancient Woodland – the site is surrounded by this on two sides
- Heritage – the site is partly in a Conservation Area and near to a Listed Building
- Coalescence between settlements
- Complex highway, transportation and sustainability position which disputed by the LPA but not the LHA
- Off-site highway works and footpath improvements
- Housing Land Supply – the council's 5 year supply shortfall is very significant
- European Habitat Law relating to ecology including dormice, bats, badgers, reptiles, hedgehogs, deer; concern over survey/lighting; loss of mature trees; important hedgerows.
- Footnote 7 of the NPPF in which several inspectors decisions have been quashed recently

Secondly, the above matters will require the engagement of at least seven expert consultants and would benefit from being thoroughly examined through the exchange of evidence and cross-examination by barristers, best conducted via the Planning Inquiry procedure.

Thirdly, the planning application resulted in a very high level of public interest as demonstrated by the number of public comments received. This included commentary on complex matters such as ecology, not raised as a reason for refusal, which may require the involvement of further expert consultants in the appeal.

Fourthly, the planning context within MSDC is complex and is likely to become more so during the course of the appeal. Key complicating factors include:

- The ongoing examination of the Mid Sussex Local Plan Review, which is highly unusual to say the least and which has failed the Duty to Cooperate and then been re-opened.
- Resultant potential changes to the housing land supply position
- The consultation on a draft NPPF and the potential for a new NPPF to be published ahead of the conclusion of the appeal.

For these reasons and having regard to the published guidance on determining the procedure for planning appeals,¹ a planning inquiry is considered the most appropriate route for consideration of this appeal.

Based on this, the appellant expects at least six inquiry days will be required to fully hear these matters. The appellant will however seek to work with the Council in order to focus the areas of dispute and agree key areas of common ground so as to make the most efficient use of time during the inquiry process.

Yours sincerely,

SLR Consulting Limited



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Attachments Copy of Notification of Intention to submit an appeal

¹ <https://www.gov.uk/government/publications/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals>

