

Statement of Common Ground re: 5 Year Housing Land Supply

Appellant: Miller Homes Limited

Outline application for up to 80 dwellings – Land at Colwell Farm, Lewes Road, Haywards Heath

LPA refs: DM/25/0445 and AP/26/0023, PINS ref: 6005786

Appeal ref: 6005786
Site Address: Land at Colwell Farm, Lewes Road, Haywards Heath
Appellant: Miller Homes Limited
Date: 16 June 2026
Authors: Ben Pycroft on behalf of the Appellant and Mid Sussex District Council

Contents

1.	Introduction	1
2.	Matters agreed re: 5YHLS	2



1. Introduction

- 1.1 This topic specific Statement of Common Ground (HLS SoCG) sets out common ground on the single issue of housing land supply between the Appellant (Miller Homes Limited) and the Local Planning Authority (Mid Sussex District Council) for an appeal relating to land at Colwell Farm, Lewes Road, Haywards Heath.
- 1.2 This final version of the HLS SoCG is jointly agreed by:

Ben Pycroft

Ben Pycroft, Senior Director, Emery Planning on behalf of the Appellant

Date: 16/06/26

J Fisher

Joanne Fisher, Team Leader Applications on behalf of the Local Planning Authority

Date: 17/06/2026



2. Matters agreed re: 5YHLS

2.1 The following elements are agreed by both parties.

The base date for assessing the 5YHLS

2.2 The base date for calculating the 5YHLS as set out in the Council's Local Plan examination topic paper "MS-TP4: Housing" is 1st April 2026. This is the agreed base date for the purposes of this appeal and the 5YHLS period is to 31st March 2031.

2.3 Only sites that were "deliverable" at the base date of 1st April 2026 should be included in the 5YHLS.

The figure the 5YHLS should be measured against

2.4 The adopted strategic policies of the Mid Sussex District Plan 2014-2031 (adopted March 2018) are more than 5 years old and have not been reviewed and found to be up to date. Therefore, in accordance with paragraph 78 and footnote 39 of the Framework, the 5YHLS should be measured against the local housing need calculated using the standard method set out in paragraph 2a-004 of the PPG. This is 1,343 dwellings per annum calculated as follows:

- Step 1 = 0.8% of the latest (i.e. 2025-based) housing stock of 70,260 dwellings = 562.08;
- Step 2 = Affordability adjustment using the mean average affordability over the five most recent years for which data is available (i.e. 2020-25) of 12.31 = 2.3889
- Therefore, the local housing need = 1,342.753.

The buffer

2.5 In accordance with paragraph 78a) of the Framework, the 5% buffer applies.

The deliverable supply

The Council's position

2.6 MS-TP4 states that the deliverable supply at 1st April 2026 is 7,136 dwellings. This comprises the following components of supply as set out in Appendix 3 of the document:



Table SOCG1 – Components of the deliverable supply at 1st April 2026 – as set out in MS-TP4

	Component	Y1 2025/26	Y2 2026/27	Y3 2027/28	Y4 2028/29	Y5 2029/30	Total 5YHLS
A	Commitment – site has outline or full planning permission	789	792	654	555	500	3,290
B	Commitment – Allocated sites without planning permission	0	16	36	55	24	131
C	Submission District Plan Housing Allocations	0	37	260	578	690	1,565
D	Site Review – List for further testing	0	39	273	747	784	1,843
E	Small sites (less than 5 dwellings)	57	56	56	0	0	169
F	Windfall allowance	0	0	0	69	69	138
	Total	846	940	1,279	2,004	2,067	7,136

2.7 As can be seen from the table above, 1,843 of the 7,136 dwellings are on a long list of potential sites for further testing (component D). Appendix 3 of MS-TP4 explains that there are 35 sites on the long list. The appeal site is one of the 35 sites and the trajectory included in MS-TP4 is as follows:

Table SOCG2 – Trajectory for the appeal site within MS-TP4

Ref	Site	Y1 2025/26	Y2 2026/27	Y3 2027/28	Y4 2028/29	Y5 2029/30	Total 5YHLS
844	Land at north Colwell Farm, Lewes Road, Haywards Heath	0	25	55	0	0	80



- 2.8 Paragraph 1.70 of MS-TP4 explains that until further testing of these 35 sites and due diligence has been undertaken, there is still an element of uncertainty around whether the sites included for further testing will progress to an allocation in the Local Plan. It states that the Council will publish a final five-year supply position once the list of additional allocations has been finalised alongside a detailed trajectory. Paragraph 1.77 of MS-TP4 states that the Council considers it will be able to demonstrate a 5YHLS upon adoption of the Local Plan assuming that it is adopted in 2026/27 and subject to confirmation of the sites allocated.
- 2.9 Including the 35 sites listed, MS-TP4 concludes that against the proposed adopted requirement plus shortfall and a 5% buffer, the deliverable supply of 7,136 dwellings would equate to 5.72 years upon adoption of the Local Plan.
- 2.10 For the purposes of calculating 5YHLS for this appeal, and given the status of the 35 sites on the long list, they should not be included in the deliverable supply. This means that the Council considers that the deliverable supply at 1st April 2026 is 5,293 dwellings (i.e. $7,136 - 1,843 = 5,293$).

The Appellant's position

- 2.11 The Appellant has not provided its own assessment of the sites included within the 5,293 dwelling figure set out above. However, both parties agree that even on the Council's figure, the shortfall in the 5YHLS is substantial and therefore the issue is not determinative in this case and need not be tested in evidence. The Appellant therefore considers that 5,293 dwellings is a maximum figure.

The agreed 5YHLS position for the purpose of this appeal

- 2.12 The agreed position for this appeal is set out in the following table:



Table SOCG3 – The agreed 5YHLS position at 1st April 2026 for the purpose of this appeal

	5YHLS requirement	
A	Annual local housing need	1,343
B	5YHLS requirement without buffer (A X 5)	6,715
C	5% buffer (5% of B)	336
D	5YHLS requirement including 5% buffer (B + C)	7,051
E	Annual 5YHLS requirement including 5% buffer (D / 5)	1,410
	Supply	
F	Deliverable supply at 1 st April 2026	5,293
G	Supply in years (F / E)	3.75
H	Shortfall against the 5YHLS requirement including 5% buffer (F – D)	-1,758

The Council cannot demonstrate a 5YHLS

- 2.13 As set out in table SOCG3 above, the Council cannot demonstrate a 5YHLS. It is agreed that the maximum level of supply the Council can demonstrate is 3.75 years and the shortfall in the 5YHLS is at least 1,758 dwellings. It is agreed that this is a substantial shortfall.



