Statement of Common Ground

Colwell Farm, Haywards Heath (MM66)

Miller Homes Limited

Appeal Reference: AP/26/0023

LPA Allocation Ref. 844(MM66)

Appeal By Miller Homes Ltd

22 October 2026

Revision: 3.0

Signed:



Nick Billington MRTPI
Technical Director – SLR Consulting on behalf of Miller Homes Ltd
Date: 22-10-2026

Signed:



On behalf of the Local Planning Authority:
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Date: 23-10-2026

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1 - SLR	21 September 2026	AG	NB	NB
1.1 - SLR	09 October 2026	NB	NB	NB
1.1-MSDC	16 October 2026	AM		
2.0 - SLR	19 October 2026	NB		
3.0 - SLR	22 October 2026	NB		

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1.0 Introduction and Background

Background

1.1 This Statement of Common Ground (SoCG) has been prepared jointly by Miller Homes Limited and Mid Sussex District Council (MSDC) (hereafter referred to as 'the Council').

1.2 This Statement refers to land at Colwell Farm, Haywards Heath RH17 7TB (the "Site") which comprises a proposed allocation (Ref. 844) within the Schedule of Main Modifications proposed by the Council to the Mid Sussex District Plan 2021-2039. The Modification reference is MM66.

1.3 The Site's allocation is in line with a substantial and up-to-date technical evidence base prepared in connection with Planning Application Ref. DM/25/0445, an outline application with the following description of development:

"Outline application with all matters reserved except for access, for up to 80 dwellings with associated landscaping, open space, infrastructure and vehicular and pedestrian accesses."

1.4 The application was recommended for approval by officers and received no objections from technical consultees on the majority of matters. However, the Planning Committee voted 5-6 against the proposal leading to its refusal, demonstrating the finely balanced nature of the decision.

1.5 The application was then subsequently the subject of an appeal and public inquiry, which concluded on 13th August 2026, and then latterly on 14th September 2026, with written representations made on the new National Planning Policy Framework (NPPF) (adopted in August 2026). The appeal decision is anticipated shortly.

1.6 The Council did not defend any of its reasons for refusal. The Site formed part of the long list of additional sites (MS-TP4, published 15th May 2026) that were considered suitable to meet Inspector Bore's request for additional housing allocations to meet a higher housing requirement.

1.7 Evidence presented to promote the site through the local plan process demonstrated the Site is suitable, available and achievable, and therefore deliverable.

1.8 This has been supplemented by evidence presented during the planning application and inquiry relating to the residential development of the site.

1.9 Miller Homes Limited have worked closely with all site landowners and hold an option agreement over the entirety of the Site with all landowners, providing confidence that the Site is available and can be delivered.

1.10 As such, it is capable of making an important contribution towards meeting housing needs and supporting the early delivery of homes during the Plan period as a medium sized site.

1.11 The SocG is structured as follows:

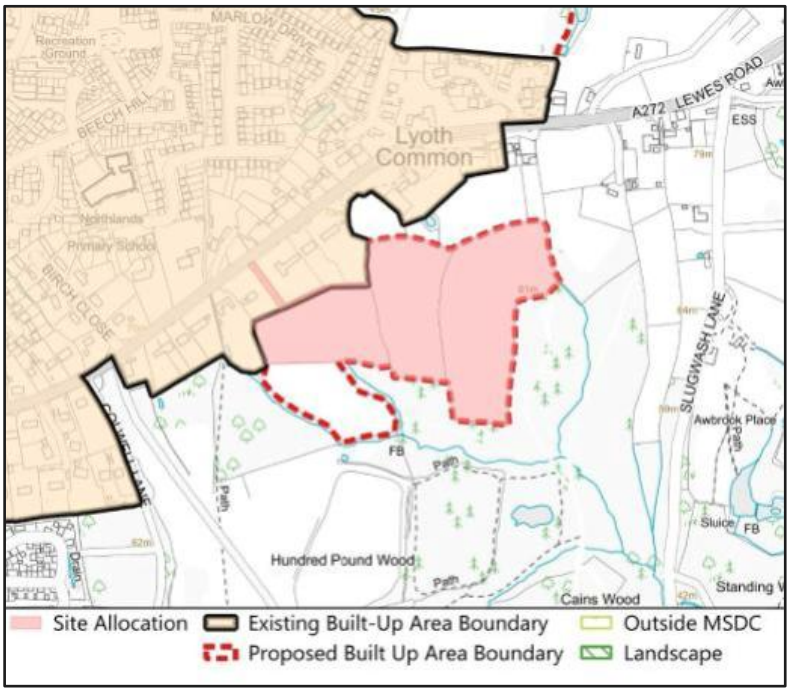
- **Section 2: Site Location**
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2.0 Agreed Position

Proposed Allocation

2.1 The Site forms Proposed Allocation Ref. 844 (Main Modification 66: Land at North Colwell Farm, Lewes Road) within the Schedule of Main Modifications to the Mid Sussex District Plan 2021-2039. An extract of the proposed allocation is shown in Figure 3-1 below.

Figure 2-1: Cowell Farm Allocation (Extract from the Schedule of Main Modifications)



2.2 It is agreed that, given the scale of housing need within the district and the limited availability of previously developed land, the delivery of sustainable greenfield sites like Colwell Farm that adjoin existing settlements will be necessary to meet identified housing requirements.

2.3 It is also agreed that the outcome of Appeal Ref. DM/25/0445 is not determinative of whether the Site should be allocated within the Local Plan.

Policy Wording

2.4 All the allocation policy criteria 1-12, as set out in MM66 relating to the allocation site, are agreed with the exception of criteria 3, 5, and 7. Miller Homes has suggested alternative wording for criteria 3, 5 and 7 within their Regulation 19 response.[1] Miller's position is that these provide additional clarity and remove duplication. The MSDC does not consider that these changes are necessary for soundness.

2.5 MSDC have proposed a change to the wording of criterion 6 in the following terms:

"6. Provide an appropriate buffer to the adjacent ancient woodland (Cains Wood) and priority habitat (deciduous woodland) to the south and east of the site ***having regard to the objectives of the West Sussex Local Nature Recovery Strategy.*** ~~*and ensure*~~

[1] Comment ID 17073748/7572/1

~~*enhancements to the adjacent ancient woodland and priority habitat (deciduous woodland).”*~~

2.6 Miller (a) agrees with the removal of the final phrase ~~(struck through)~~ and (b) does not object to the addition (**bolded and underlined**).

Site Access

2.7 It is common ground between both parties that access to the Site should be taken from the A272 Lewes Road.

2.8 The outline planning application proposes in detail vehicular access via a simple priority junction, incorporating a footway and at-grade pedestrian crossing over Lewes Road, designed in accordance with relevant local and national highway standards.

2.9 The Local Highway Authority raised no objection to the proposed access arrangements and pedestrian crossing of Lewes Road, and the site access details were not disputed by any party to the appeal.

2.10 Overall, it is agreed that a suitable access arrangement can be achieved from the A272 Lewes Road and that the proposed allocation is capable of accommodating safe and appropriate vehicular and pedestrian access, including the provision of a crossing to facilitate connections to the existing footpath network.

Sustainable Location

Haywards Heath

2.11 It is agreed that the Site represents a sustainable and logical extension to the existing built-up area of Haywards Heath, a Category 1 Settlement, and is capable of contributing towards the Council's identified housing requirements over the plan period.

2.12 It is common ground between the parties that Haywards Heath is an appropriate location for new housing growth, being identified within the District Plan as a settlement which benefits from a comprehensive range of employment, retail, health, education, leisure and community facilities, together with good public transport provision. As a Category 1 Settlement, Haywards Heath is one of the principal locations within the district where development should be directed.

2.13 It is therefore agreed that the proposed allocation of the site aligns with the Council’s proposed spatial strategy for development in the district.

Connectivity Tool and accessible location

2.14 In this regard, both parties agree that the Site has been thoroughly assessed through the Council's site selection, sustainability appraisal and evidence-gathering processes and has been identified as a sustainable location for development. This reflects the proximity of the Site to services and facilities within Haywards Heath, including education, healthcare, retail and community facilities within walking distance of the site.

2.15 It is further agreed that the Site benefits from good connectivity to local amenities through the existing footway and public rights of way network. In particular, the Site has good access to local amenities and that Public Footpath 29CU provides a suitable year-round pedestrian connection.

2.16 The Connectivity tool is not an NPPF 2023 requirement and even under the current NPPF (2026), the Connectivity Tool is just one of a number of tools used to assess the sustainability and accessibility of Sites and should be considered alongside wider quantitative and qualitative evidence.

Sustainable Travel Infrastructure

2.17 It is agreed that the proposed allocation can support improvements to sustainable travel infrastructure and pedestrian connectivity.

2.18 The application proposals include a range of highways works and pedestrian facilities in the locality of the site as follows:

1. Financial contributions towards improvements to Public Footpath 29CU, enhancing walking routes to local facilities and Northlands Wood Primary Academy school.
2. Financial contributions (via a 'Total Access Demand Contribution') towards cycle and pedestrian improvements to Scaynes Hill to Lindfield and/or pedestrian improvements at South Road, Haywards Heath.
3. Measures designed to encourage walking and reduce reliance on the private car, through implementation of a site-specific Travel Plan.
4. Contributions towards and support for a Traffic Regulation Order (TRO), including provision of a TRO highways works scheme if the TRO is successful, to extend the existing 30mph speed limit on Lewes Road past the proposed site access.
5. New pedestrian crossing facilities on Lewes Road to improve connectivity between the Site and Haywards Heath.
6. Removal of layby on Lewes Road north of the Site to provide a continuous footway.
7. Footway improvement works to Snowdrop Lane.
8. Pedestrian crossing improvements within the Walnut Park residential area north of the Site.

2.19 The above measures are supported by the Council and the Highways Authority.

2.20 Items 1-4 of the above measures are all secured via the agreed planning legal agreement made between the landowners, Miller Homes, MSDC and WSCC.

2.21 Items 5-8 are secured by proposed planning conditions agreed between Miller Homes and MSDC.

2.22 The above measures align with the improvements sought in the allocation policy wording by:

- Directly delivering or facilitating delivery of sustainable transport measures
- Providing safe pedestrian crossing from the site to the north side of A272/Lewes Road to enable safe connectivity to the PRoW HAH/29CU/1, as well as facilitating improvements to the quality of the PRoW for year-round use
- Facilitating the reduction of the speed limit on the A272 Lewes Road

2.23 It is agreed that such provisions will ensure residents have access to a genuine choice of travel modes and support the policy objective of promoting sustainable patterns of movement.

2.24 It is agreed that bus stop improvements are not an explicit requirement of the site allocation policy MM66 and no bus stop improvements were identified as being necessary by MSDC or the Highways Authority during the consideration of the application and subsequent appeal.

2.25 The Council's latest IDP notes that this site should contribute towards improvements to cycle storage and access at Haywards Heath station. It is agreed that no improvements were identified as being necessary by MSDC or the Highways Authority to facilities at Haywards Heath Train Station during the consideration of the planning application and subsequent appeal.

Ecology

2.26 It is common ground between the parties that the Site can be allocated and developed without giving rise to unacceptable impacts on biodiversity or protected species.

2.27 The Council's ecological consultee, Place Services, raised no objection to the proposed development and concluded that ecological effects could be appropriately mitigated and managed. https://slrgroup-my.sharepoint.com/personal/agailitis_slrconsulting_com/Documents/Microsoft Copilot Chat Files/6005786 - Appellant%27s Closing Submissions - 13 August 2026.pdf

2.28 It is agreed that no ecological constraints have been identified that would preclude allocation or development of the Site. https://slrgroup-my.sharepoint.com/personal/agailitis_slrconsulting_com/Documents/Microsoft Copilot Chat Files/6005786 - Appellant%27s Closing Submissions - 13 August 2026.pdf

2.29 It is also agreed that the development can be designed to minimise habitat fragmentation, retain and enhance ecological corridors, and provide opportunities for biodiversity enhancement in accordance with the requirements of the development plan. https://slrgroup-my.sharepoint.com/personal/agailitis_slrconsulting_com/Documents/Microsoft Copilot Chat Files/6005786 - Appellant%27s Closing Submissions - 13 August 2026.pdf

2.30 It is further agreed that there are no priority or irreplaceable habitats within the Site that would prevent development from coming forward

Ancient Woodland

2.31 Both parties agree that the Site does not contain any Ancient Woodland and this is supported by the consultee responses to the planning application. It is agreed that there is no evidence to support a positive conclusion that Ancient Woodland is present within the Site.

2.32 Both parties agree that, having regard to the relevant policy tests, published guidance and the historic cartographic, aerial photographic and ecological evidence, the development of the Site would not result in the loss or deterioration of Ancient Woodland.

2.33 During the appeal, the Rule 6 Party suggested that the north-east boundary feature on the north-east edge of the site may comprise Ancient Woodland. Whilst the Council and Miller Homes agree that it does not constitute Ancient Woodland, in the unlikely event that a different conclusion were reached, a suitable buffer can be incorporated to the north-east boundary feature alleged to be Ancient Woodland and the site would continue to be suitable for allocation for residential development.

2.34 It is agreed that the only area of Ancient Woodland in proximity to the Site is Cains Wood, located to the south and east of the Site. The proposed allocation specifically requires the provision of an appropriate buffer to this woodland. Both parties agree that an appropriate buffer, including the 15m buffer proposed along the southern and eastern boundaries of the Site, is capable of ensuring that any effects on Cains Wood are appropriately avoided.

Heritage

2.35 It is agreed that heritage considerations do not preclude the allocation of the Site or the principle of development.

3.0 Site Delivery

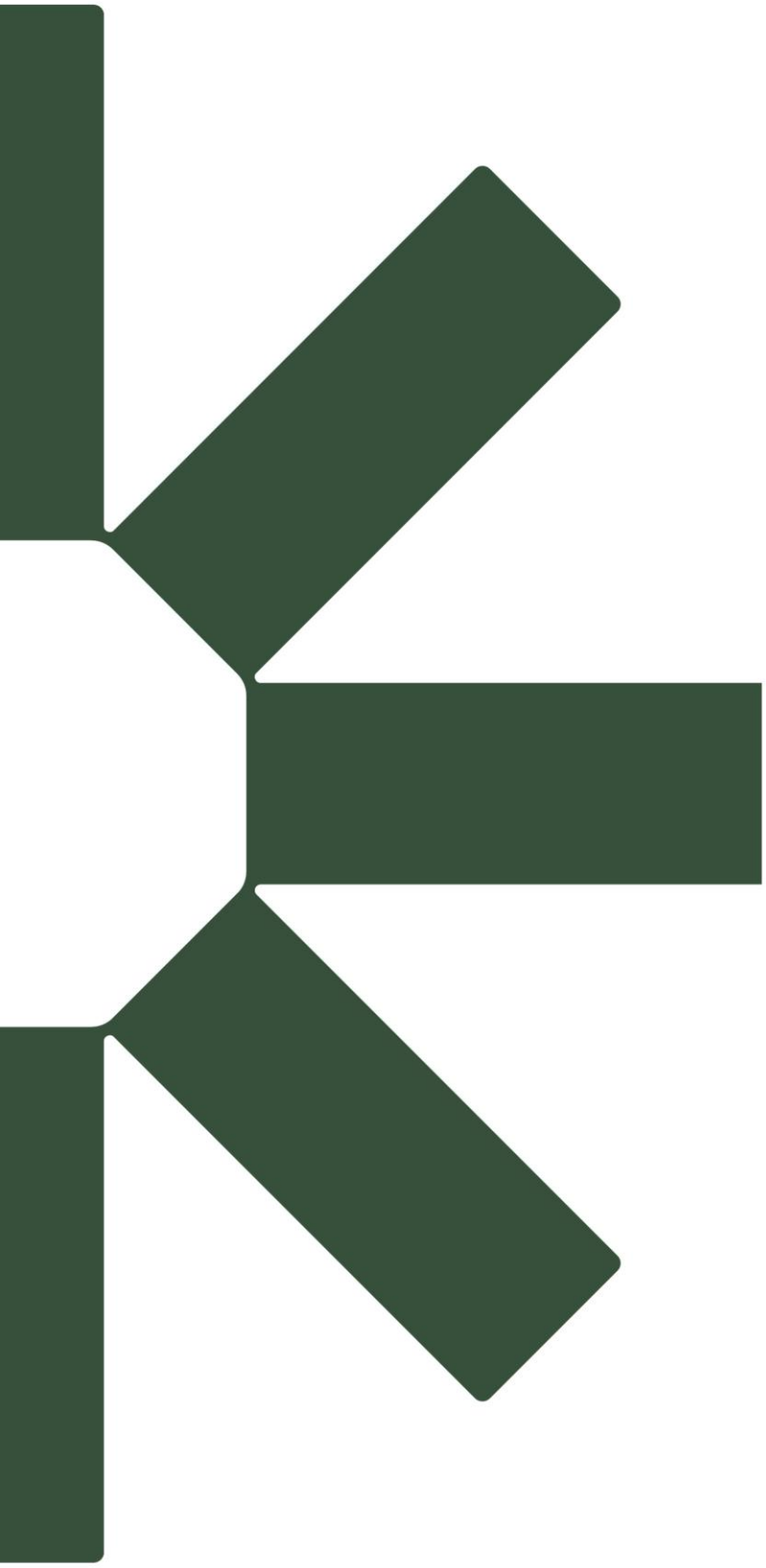
3.1 It is agreed that the site is deliverable in the early part of the plan period for 80 dwellings.

3.2 Miller Homes, a national house builder with local experience in West Sussex, is committed to bringing forward the site's development as soon as possible. They are in an option agreement with all relevant owners to take on development of the site once outline approval is granted.

3.3 Subject to the granting of outline permission this year, the agreed anticipated timeline for delivery for the site is as follows:

- RMA Submission – Early 2027 (if outline permission granted)
- Commencement – Early Summer 2027
- First completions - Winter 2027/28
- Delivery rates in each year between 2026/27 and 2040/41 –
  - 2027/28 – 25 dwellings,
  - 2028/29 – 55 dwellings

Appendix A Site Location Plan



Making Sustainability Happen