Mid Sussex District Council

Statement of Common Ground

Mid Sussex District Plan

Land west and east of
Malthouse Lane, Burgess Hill

Mid Sussex District Council and Vistry

October 2026

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1.0 Introduction

1.1 This Statement of Common Ground ('SoCG') is a joint working draft being prepared by Vistry Group ('Vistry') and Mid Sussex District Council ('MSDC'), hereafter referred to as "the Parties", in relation to the preparation of the Mid Sussex District Local Plan ('MSDLP'). It records matters that are agreed or under discussion and will be updated as discussions progress. This SoCG is focused on "Land west and east of Malthouse Lane, Burgess Hill" (MM60), hereafter referred to as "the Site".

1.2 This SoCG is provided to inform the Examination into the soundness of the MSDLP. Following the examination hearings, held in February and March 2026, the Site has been included in the July 2026 Schedule of Main Modifications as proposed allocation MM60, "Land west and east of Malthouse Lane, Burgess Hill". This SoCG therefore records the Parties' position on the proposed allocation, the requirements of draft Policy MM60 and the infrastructure necessary to support delivery. It also addresses land ownership and control, joint working arrangements, the Illustrative Masterplan, planning application timeframes, and indicative phasing and trajectory.

1.3 It is appreciated that liaison in relation to the matters included in this SoCG is ongoing and will be subject to review. Moreover, this SoCG is not binding on any party and is agreed without prejudice to further matters of detail that any party may wish to raise subsequently through the Examination of the MSDLP.

2.0 Land Ownership and Control

2.1 Vistry and their landowner partners have a legal interest in the full area of the Site defined by the red line boundary shown below in Figure 1. All landowners within the Site are committed to facilitating the delivery of the proposed development.



Figure 1: Land South West of Burgess Hill site boundary.

2.2 Both parties are aware of matters raised by third parties at the main modifications' consultation that reference covenants and/or restrictions to development of the land. The promoter has taken legal advice in collaboration with the landowner that has confirmed that there are no private property rights that pose an insurmountable barrier to development of the land.

2.3 It must be noted, however, that in order to deliver access to the site, the Site requires access across land owned by MSDC to the west of Jane Murray Way. This land forms part of the Burgess Hill 'Green Circle' network. The Parties will work collaboratively over facilitating an agreement for this point of access.

2.4 An Illustrative Masterplan has been prepared by Vistry, together with its external team of environmental consultants, to show how the Site can be integrated into the local built and natural context and delivered holistically.



Figure 2 – Illustrative Masterplan of the Site

3.0 Policy Specifics and Infrastructure Requirements

3.1 The Parties note that the Site is now included in the July 2026 Schedule of Main Modifications as MM60, a proposed housing allocation titled “Land west and east of Malthouse Lane, Burgess Hill”. MM60 identifies the Site as SHELAA site 1105, with a gross area of approximately 54 hectares and an indicative capacity of 750 dwellings. The boundary shown on the MM60 site map encompasses the built development and the land required for mitigation, including landscape buffers and open space.

3.2 The Parties will use this updated SoCG to identify the matters arising from the draft policy that are agreed, and to record any points that remain subject to further technical work or detailed drafting.

3.3 Vistry submitted representations to the Main Modifications consultation dated 4 September 2026 supporting the allocation of the Site under MM60, while proposing limited amendments to improve clarity and consistency. Those representations seek to ensure that the stated yield is treated as indicative rather than as a cap; propose refinements to avoid duplication within the green-infrastructure requirements and to retain flexibility over the detailed form of the primary access. These are Vistry’s representations and do not record an agreed Council position unless expressly stated elsewhere in this SoCG.

MM60 allocation and draft policy requirements

3.4 MM60 proposes the allocation of the Site for an indicative capacity of 750 dwellings, which is the figure promoted during site selection and tested by the Council. The draft policy also identifies on-site infrastructure, financial contributions and other works required to support the allocation. The detailed timing, specification, apportionment and delivery mechanisms for these items will be established through the masterplanning, planning application and planning-obligation processes, informed by proportionate technical evidence.

3.5 **Infrastructure identified by MM60** — On-site provision comprises land for a full-day care nursery; natural, semi-natural and amenity green space; play areas; outdoor sports; and parks and gardens. Financial contributions are identified towards improvements at Burgess Hill Station, sustainable transport, education, library provision, community buildings, local community infrastructure, emergency services, health and other outdoor provision. The policy also requires highway works and sustainable transport measures.

3.6 The table below reproduces the draft MM60 policy requirements verbatim. Inclusion of a requirement records the wording of the proposed policy only and does not, by itself, indicate that Vistry or the Council has agreed its interpretation, detailed design response, scale, timing, apportionment, viability implications or delivery mechanism. Those matters are identified separately as agreed in principle, under discussion or requiring further evidence.

No.	MM60 policy requirement — verbatim	Vistry position	Council position	Agreed position	Further work or evidence required
1	Provide a suitable primary access to the site via a roundabout junction on Jane Murray Way.	Supports provision of a suitable primary access from Jane Murray Way. The Main Modifications representations note that detailed design may continue to evolve and seek sufficient flexibility over the final access solution; they support the current reference to a suitable access while reserving detailed design matters.	The Council support a modification to criterion 1 of Policy MM60 in line with the promoters position. The suggested modification is: "Provide a suitable primary access to the site via ~~a roundabout junction on~~ Jane Murray Way."	Agreed	Access design and transport evidence.
2	Provide a suitable secondary access to the site off a new junction on Danworth Lane, which is to be accessible via the proposed Land West of Burgess Hill allocation, DPSC1, and improvements to Danworth Lane.	This matter is agreed in principle. However, detailed design may continue to evolve and seek sufficient flexibility over the final access solution. This could include the use of Malthouse Lane as the secondary access to the allocation, and the main access for the western parcel.	Agree. Noted that detailed design may continue to evolve and site promoters might seek sufficient flexibility over the final access solution.	Agreed	Access, land-control and delivery evidence, coordinated with DPSC1.
3	Provide opportunities to improve connectivity between the eastern and western parcels	The eastern and western parcels are currently connected by a private drive serving existing dwellings; this feature will be utilised as a pedestrian, and cycle and bus route to connect the parcels, with consideration to be given to a bus gate	Agree	Agreed	Movement strategy and masterplan.

		in this location.			
4	Provide a new multi-functional local neighbourhood centre with flexible retail, cultural and health facilities to support the community.	This matter is agreed in principle. The location of the neighbourhood centre to be agreed through the application process.	Agree. Noted that the location of the neighbourhood centre to be agreed through the application process.	Agreed	Need, scale, location, phasing and delivery evidence.
5	Provide strategic active travel routes and internal active travel routes along Malthouse Lane and Danworth Lane in the western part of the site and connections to Burgess Hill in the eastern part of the site and to Hurstpierpoint.	Supported in principle. The submitted masterplanning identifies segregated cycleways, footpaths and links to existing routes, open spaces and the Green Circle network, with coordination required across the Site and DPSC1.	Agree	Agreed	Integrated movement and active-travel strategy.
6	Provide bus service improvements to include consideration of re-routing or extending services to serve the site. Mobility hubs to be provided at key locations within the site offering electric bike / scooter hire and charging facilities.	Supported in principle. Vistry's representations identify the potential to extend or re-route existing bus services through the Site and DPSC1 and propose a network of electric bike and scooter mobility hubs, subject to operator engagement and detailed specification.	Amend criterion 6 to read: 6. **Where necessary and appropriate to do so,** ~~P~~**p**rovide bus service improvements to include **increased frequencies and** consideration of re-routing or extending services to serve the site**, and / or make a proportionate contribution towards sustainable transport measures including bus service provision**. This is for consistency with other site policies and to provide flexibility in future provision and to ensure deliverability.	Agreed.	Public-transport strategy, operator engagement and mobility-hub specification.

7	Provide suitable areas of open space equipped with play facilities, sport and other leisure and recreation facilities across the site.	Supported in principle through a landscape-led masterplan providing substantial natural public open space, play, sport and recreation. Vistry's representations query duplication between the separate references to natural, semi-natural and amenity green space, play, outdoor sports and "parks and gardens", and seek clarification that financial contributions for other outdoor provision apply only where need is not met on-site.	Agree. The infrastructure requirements listed in the 'Infrastructure' box in the policy are based on Appendix 5 of the District Plan, but it is recognised that the exact quantum / contributions will be dealt with at the planning application stage i.e. negotiated or if some elements are already being provided for on-site.	Agreed	Open-space assessment, standards, layout and delivery.
8	Informed by a Heritage Statement, provide an appropriate layout and design which retains and integrates the vistas to the chapel at Hurstpierpoint College from land within the site and that preserves or enhances the setting of the Grade II Listed Building 'Kents Farmhouse' to the north of the western part of the site.	Agreed in principle. Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agree. Noted that detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agreed	Heritage Statement, views analysis and design response.
9	Informed by a Heritage Statement, the design and layout will sensitively respond to the setting of other nearby historic buildings.	Agreed in principle. Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agree. Noted that detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agreed	Heritage Statement and design response.
10	A permeable network of green	Supported. The submitted	Agree	Agreed	Green-infrastructure

	and blue 'living links' will be provided across the development with provision for walking and cycling. Integrating green travel corridors for active travel throughout with links to the 'Green Circle'.	masterplanning provides a permeable network of green and blue infrastructure, active-travel routes and connections to the Green Circle, with detailed alignment and delivery to be resolved through the application-stage strategies.			and movement strategies.
11	A multifunctional green corridor will be created adjacent to Herrings Stream, providing an informal park, as well as quiet walking routes, biodiversity retention/enhancement and SuDS drainage measures.	Supported. Vistry's representations describe a multifunctional Herrings Stream corridor incorporating public parks, wetland planting, ponds, basins, swales and rills, with biodiversity, amenity, active-travel and flood-resilience benefits. Detailed drainage, ecology and management arrangements remain to be developed.	Agree. Noted that detailed drainage, ecology and management arrangements remain to be developed.	Agreed	Green-infrastructure, ecology and drainage evidence.
12	Create and enhance woodland and buffer strips along the river corridor to renaturalise and improve connectivity and riparian habitats having regard to the objectives of the West Sussex Local Nature Recovery Strategy.	Agreed in principle. Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agree. Noted that detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agreed	Ecology, arboriculture and landscape evidence.
13	Provision of pedestrian and cycle routes throughout the site to connect into the existing rights of way network to connect people with key destinations and	Supported in principle. The submitted masterplanning identifies segregated cycleways, footpaths and links to existing routes, open spaces and the Green Circle network, with coordination required across the Site and	Agree	Agreed	Rights-of-way and active-travel strategy.

	facilities within the site and beyond.	DPSC1.			
14	The northern extent of Malthouse Lane will need to provide space for non-car modes to retain its rural character and encourage active travel.	Agreed in principle. Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agree	Agreed	Highway design and landscape evidence.
15	Provide an appropriate landscape buffer to the western and southern edges of the site to minimise the perception of coalescence with Hassocks and Hurstpierpoint.	Supported in principle. Landscape work informing the masterplan indicates that existing woodland vegetation along the southern boundaries substantially contains views and can avoid visual or perceived coalescence. The detailed extent and treatment of buffers will be confirmed through landscape and visual evidence.	Agree. Noted that the detailed extent and treatment of buffers will be confirmed through landscape and visual evidence.	Agreed	Landscape and visual evidence and masterplan response.
16	Avoid the appearance of a car-dominated layout in the design of the development in accordance with the Mid Sussex Design Guide SPD.	Agreed in principle. Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	Agree	Agreed	Design coding and movement strategy.
17	Consider the watercourse to the south and east of the site and the nearby ponds in the site drainage strategy to avoid direct and indirect impacts.	Supported. The emerging blue and green infrastructure strategy incorporates wetland planting, ponds, basins, swales and rills to manage surface water, build resilience to flood and drought risk and provide biodiversity and amenity benefits. Detailed hydrological and ecological assessment remains required.	Agree, Noted that detailed hydrological and ecological assessment remains required.	Agreed	Drainage, hydrology and ecology evidence.
18	Incorporate the	Agreed in principle.	Agree. Noted that	Agreed	Rights-of-way

	public rights of way crossing the site in the design and layout of the site including maintaining current alignment.	Detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.	detail will evolve through the application process, but agreement to the sentiment of the policy requirement is confirmed.		survey and masterplan response.
19	Informed by an Archaeological Assessment, address any issues for the Archaeological Notification Area covering part of the site.	Agreed.	Agree	Agreed	Archaeological assessment and any necessary evaluation.
20	Address any impacts associated with the Brick Clay (Weald clay) Minerals Safeguarding Area.	Agreed.	Agree	Agreed	Minerals safeguarding assessment and consultation.

3.7 For the purposes of progressing the SoCG, requirements 5, 10, 13, 14 and 18 should be addressed through one coordinated movement and active-travel strategy while retaining each separate policy test. Requirements 8 and 9 should be informed by a single Heritage Statement that distinguishes the specific vistas and the setting of Kents Farmhouse from the settings of other nearby historic buildings. Requirements 11, 12 and 17 should be addressed through an integrated green-infrastructure, ecology and drainage workstream, again without merging or diluting the individual requirements.

3.8 The Parties agree that the allocation at Land west and east of Malthouse Lane, Burgess Hill and the associated strategic road infrastructure has been assessed within the strategic highway model developed by SYSTRA, to underpin the Mid Sussex Transport Study and test the impact of planned development on the strategic and local highway network; and that this modelling work is robust and demonstrates a transport strategy for the Site to enable the development to deliver significant benefits to the local highway network.

3.9 The Parties agree that the development of the Site could be served by suitable bus routes to enhance modal choice. Further, the Parties agree that suitable walking and cycling routes can be provided to connect the Site to surrounding areas, together with targeted enhancements to the existing public rights of way and bridleway networks. The sustainable principles of the transport modelling work are supported, and it is agreed the

Site has the ability to deliver pedestrian and cycle infrastructure required to facilitate this. All Parties agree with this approach to integrate sustainable travel infrastructure to drive modal shift away from the private car.

3.10 The evidence work prepared and referred to above concludes that the proposed delivery of growth can occur over the plan period provided that the necessary strategic infrastructure is delivered to enable housing and employment to be developed and that appropriate measures are put in place to mitigate any impacts.

3.11 Whilst it is agreed that what is included in the Viability Appraisal and Infrastructure Delivery Plan is sufficient in terms of informing the MSDLP policy, further work is required to aid delivery on the ground. This information will be produced through ongoing discussions with the key stakeholders. This will include details of contributions towards the on and off-site highway works, sewage infrastructure upgrades, having regard to the clarity sought above, and education, health, and community facilities.

4.0 **Deliverability**

4.1 The Parties note that the Site is proposed for allocation through Main Modification MM60 with an indicative capacity of 750 dwellings. The Parties agree that the Site is capable in principle of delivering the housing capacity identified in MM60, subject to the requirements of the draft policy and the detailed planning process. The Council has tested this level of growth in-combination with other sites proposed for allocation through transport modelling sustainable ability appraisal and Habitat Regulation Assessment. Whilst the 750 is an indicative yield, further assessment would be required to determine if significantly higher yields could be accommodated on this site. The Council is not proposing to test these higher yields through this Plan process. The Council is satisfied that an indicative yield of 750 is sound.

4.2 Vistry considers that the figure of 750 dwellings should be treated as an indicative minimum and the appropriate capacity of the Site may be refined through further masterplanning and technical evidence at application stage.

4.3 The growth proposed will play a key role in contributing to the housing needs of the District over the plan period.

a) Joint working

4.4 The Parties are committed to constructive joint working to bring forward and deliver the proposed growth. Joint working has already been a large factor in the preparation of the submission MSDLP, the preparation of this SoCG and the Illustrative Masterplan.

4.5 The Parties will continue to work together, and are committed to public consultation, community involvement and stakeholder liaison in respect of the Site. This will include engaging with parish and town councils, and other local interest groups. The Parties will seek to work with stakeholders to ensure the development is designed to seek to minimise impacts upon the existing communities and deliver the vision and objectives for the Site.

4.6 There will be continued joint working with statutory consultees, building on the constructive discussions undertaken to date.

b) Illustrative Masterplan

4.7 Vistry has prepared an Illustrative Masterplan for the sustainable extension of Burgess Hill. The Illustrative Masterplan (shown at Figure 2 and enclosed at Appendix 1) is landscape-led and has been informed by the site's opportunities and constraints. The Illustrative Masterplan provides indicative information on land uses, layout, green and blue infrastructure and the access and movement strategy and infrastructure requirement / delivery strategy.

c) Planning Application Timeframes

4.8 A Planning Performance Agreement (PPA) will be negotiated between the Parties to progress discussions. This PPA will address both pre-application discussions and an application for scoping of an EIA. The PPA will run up to the determination of a planning application. The aim of the PPA is to continue to facilitate joint collaborative work.

4.9 Following publication of the July 2026 Main Modifications, Vistry has begun work on pre-application engagement and the technical work needed to respond to MM60 and support a planning application. The programme for any planning application will be coordinated with the remaining examination stages, adoption of the MSDLP and preparation of the allocation-wide masterplan. The Parties will keep the programme under review through the proposed Planning Performance Agreement.

d) Indicative Phasing

4.10 Vistry will provide indicative high level phasing plan to demonstrate potential sequencing of development. Where appropriate, the delivery of the Site and the phasing of the infrastructure necessary to facilitate its delivery is a matter that is subject to detailed discussions with MSDC and the statutory providers to ensure the sustainable development of the area.

e) Indicative Trajectory

4.11 In the context of the above, an indicative delivery trajectory for the MM60 figure of 750 dwellings is set out below. The trajectory is provided for plan-

making purposes to demonstrate the potential rate and sequencing of housing delivery and will be refined through detailed masterplanning and the planning application process.

	Annual Housing Total	Cumulative Housing Total
Year 1	0	0
Year 2	50	50
Year 3	75	125
Year 4	100	225
Year 5	100	325
Year 6	100	425
Year 7	100	525
Year 8	100	625
Year 9	100	725
Year 10	25	750

f) Infrastructure Delivery

4.12 The Parties recognise and agree that the infrastructure requirements associated with the proposed growth are such that there will be a requirement for the cost to be shared equitably between the other site allocations where appropriate. The Parties agree that consideration should extend to the potential of pooling s106 contributions from other developments in the District to assist in the delivery of certain strategic infrastructure.

g) Viability

4.13 The Parties agree that the Site is deliverable with the proposed infrastructure requirements and agree with the findings of the Mid Sussex District Plan Viability Study (HDH, May 2022) and associated viability note(s).

5.0 Summary

5.1 The proposed allocation at Land west and east of Malthouse Lane, as identified in MM60, is capable in principle of delivering 750 dwellings during the plan period, together with the infrastructure and mitigation required by the draft policy. Vistry considers that 750 dwellings should be treated as an indicative minimum rather than a cap.

5.2 The Parties are committed to working together to ensure the infrastructure associated with this growth is delivered in a timely fashion and that the development is integrated with the wider area in a holistic manner.

6.0 Conclusions

6.1 This joint working draft records the common ground reached to date and identifies matters that remain under discussion or require further evidence. The Parties will continue to work jointly to resolve the outstanding matters and support the delivery of a vibrant and sustainable new urban extension to Burgess Hill.

7.0 Signatories

7.1 Once the outstanding matters have been resolved, this statement will be confirmed on behalf of the following organisations:

Mid Sussex District Council

Signature



Date: 23.10.26

Vistry Homes Limited

Signature

R. Butler

Date: 23/10/2036

Appendices

Appendix 1: Illustrative Masterplan

