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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ENGLAND) ORDER 2015

REFUSAL

REFERENCE: DM/25/0445

DESCRIPTION: OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS, FOR UP TO 80 DWELLINGS WITH ASSOCIATED LANDSCAPING, OPEN SPACE, INFRASTRUCTURE AND VEHICULAR AND PEDESTRIAN ACCESSSES.

LOCATION: LAND AT COLWELL FARM, LEWES ROAD, HAYWARDS HEATH, WEST SUSSEX

DECISION DATE: 10 SEP 2025

CASE OFFICER: JOANNE FISHER - JOANNE.FISHER@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The proposed development is located within the countryside outside of the built-up area of Haywards Heath. It is considered that the development would be out of keeping with the rural character of the area and fails to protect the local distinctiveness of the area by extending the settlement boundary of Haywards Heath and eroding the rural nature of the site, contrary to policy DP12 of the Mid Sussex District Plan 2014-2031 and policies E5 and E9 of the Haywards Heath Neighbourhood Plan.

2. The site is considered to be in an unsustainable countryside location where pedestrian access to the town centre would not be convenient or attractive for future residents, and this could not be sufficiently mitigated by the proposed off site works in this application. Therefore, the proposal would result in a heavy reliance on the private car to address basic day to day needs from local services and shops. The proposal therefore conflicts with policy DP21 of the Mid Sussex District Plan 2014-2031 and the provisions of the NPPF which seeks to actively managing patterns of growth to make the fullest possible use of public transport.
3. The development would result in an unacceptable intensification of development within the setting of the Grade II listed Colwell House and North Colwell Barn, an undesignated heritage asset. The development would also detract from the rural character of the setting of the southern part of the Lewes Road Conservation Area. It is not considered that the public benefits of up to 80 dwellings on the site would outweigh the harm to the setting of both the designated and non-designated heritage assets. The proposal is therefore considered to be contrary to the requirements of policies DP34 and DP35 of Mid Sussex District Plan 2014-2031 and the aims of the NPPF and policy E9 of the Haywards Heath Neighbourhood Plan.
4. The proposal would result in the loss of a significant number of trees, which make an important contribution to the character and appearance of the area. The loss of these trees is not adequately compensated for or mitigated against in the application. The proposed development therefore conflicts with policy DP37 of the Mid Sussex District Plan 2014-2031 and policy E9 of the Haywards Heath Neighbourhood Plan.
5. The proposal fails to provide the required affordable housing, the infrastructure contributions, off site highway works and the biodiversity net gain requirements. The application therefore conflicts with policies DP20, DP21, DP31 and DP38 of the Mid Sussex District Plan and the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'

INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme. The Local Planning Authority is willing to provide pre-application advice and advice on the best course of action in respect of any future application for a revised development.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	02.38(01)00		21.02.2025
Other	02.38(01)01		19.02.2025
Planning Layout	02.38(01)02		19.02.2025
Other	MILL24496_21		19.02.2025
Other	(04)01		19.02.2025
Topographical Survey	62713BWLS-01		19.02.2025
Topographical Survey	62713BWLS-02		19.02.2025
Topographical Survey	62713BWLS-03		19.02.2025
Topographical Survey	62713BWLS-04		19.02.2025
Topographical Survey	62713BWLS-05		19.02.2025
Topographical Survey	62713BWLS-06		19.02.2025
Highways Plans	ITL19597-GA-004	H	17.06.2025
Highways Plans	ITB19597-GA-011	B	17.06.2025
Highways Plans	ITL19597-GA-018		18.06.2025
Highways Plans	ITL19597-GA-021	A	17.06.2025
Highways Plans	ITL19597-GA-015	A	19.02.2025
Highways Plans	ITL19597-GA-016	A	19.02.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

REOUTZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).