



Ancient Woodland Exceptional Circumstances Statement

Retrospective planning application for two glamping pods for overnight guest use, associated decking, pergolas, footpaths, solar panels, updates to existing permeable track and parking and turning area by each pod.

at

**Bucklands Farm Brantridge Lane Balcombe Haywards
Heath West Sussex RH17 6JT**

On Behalf of:
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CONTENTS

1	INTRODUCTION	3
2	SITE AND SURROUNDINGS	ERROR! BOOKMARK NOT DEFINED.
3	PLANNING HISTORY	ERROR! BOOKMARK NOT DEFINED.
4	DEVELOPMENT PROPOSAL	ERROR! BOOKMARK NOT DEFINED.
5	PLANNING POLICY	ERROR! BOOKMARK NOT DEFINED.
6	DEVELOPMENT APPRAISAL	ERROR! BOOKMARK NOT DEFINED.
7	CONCLUSION.....	ERROR! BOOKMARK NOT DEFINED.
	Appendix 1.	Error! Bookmark not defined.

1 INTRODUCTION

- 1.1 This Statement has been prepared by Batcheller Monkhouse on behalf of Mr Thomas Givons in support of a retrospective planning application (reference DM/25/1556) for 2no glamping pods for overnight guest use, associated decking, pergolas, footpaths, solar panels, updates to existing permeable track and parking and turning area by each pod within Birchetts Wood, Bucklands Farm, Brantridge Lane, Balcombe, Haywards Heath, West Sussex, RH17 6JT. The application is made on a retrospective basis.
- 1.2 This statement provides examination of the circumstances which are considered to justify the development of the two glamping pods in this location (Ancient Woodland) in accordance with Paragraph 193 of the National Planning Policy Framework.
- 1.3 This statement should be read in conjunction with the arboricultural report prepared by David Archer Associates – Arboricultural Consultants dated 29 August 2025.

2 POLICY CONTEXT

2.1 The National Planning Policy Framework (NPPF) states at paragraph 193 that:

When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;

2.2 Footnote 70 refers to infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat as an example of an exceptional reason. Footnote 70 does not state that exceptional reasons are limited to this example only.

3 EXCEPTIONAL CIRCUMSTANCES CASE

3.1 Need Case

- 3.1.1 Bucklands Farm, like many other agricultural businesses has had to diversify its operations to remain a viable enterprise. The farm continues to maintain a hay and silage production offering alongside timber and forestry activity, but as can be seen from the planning history for the site, numerous alternative activities and uses have been sought over the last 10-15 years to supplement and diversify the offering from the farm.
- 3.1.2 The agricultural sector as a whole faces a number of economic and environmental challenges of which the operation at Buckland Farm has experienced all:

Financial Risk and Instability: Reliance on a single or limited number of crops or agricultural/forestry activities would leave the enterprise vulnerable to market fluctuations, weather variability, pests and diseases and changes in Government policy. Farming is capital-intensive, with narrow profit margins and significant up-front costs for equipment, inputs and labour. A farm which depends entirely on one crop or activity may struggle during low-yield years and suffer from inconsistent revenue. Parts of the woodland at Bucklands Farm have been subject of a statutory plant health notice relating to pest control of spruce trees and parts of the woodland are affected by ash die back disease with programmes for clearance agreed with the Forestry Commission. The reduction in government subsidies for the agricultural industry in the UK as a whole over recent years is well documented.

Changes to Market Demand: A farm reliant on one product might struggle to meet demand shift or (as is most relevant here) might miss out on higher-value markets.

Climate Adaptation: Different crops including woodland have different climate tolerances, which means changes like extreme temperatures, drought, or excessive rainfall can have a significant impact on health and yield.

Policy and Regulatory Alignment: The government is increasingly supporting diversified farming operations through subsidies for environmentally friendly practices, incentives for organic and sustainable farming and farm transition programs

Farming enterprises which are overly specialised run the risk of not qualifying for subsidies and other support.

3.1.3 The enterprise at Bucklands Farm has looked to add multiple revenue streams to the hay/silage production and forestry core to try to address the above challenges and build the resilience and long-term viability of the business. The introduction of the glamping pods has played a significant part in supporting the financial viability for the farm enterprise. The glamping pods have opened a new revenue stream that is separate from the farm's core agricultural activities. The farms hay/silage and forestry/timber production activities are seasonal but the glamping pods are offered for stays all year round bridging the off-peak farming revenue gap. The ability to offer a unique and tranquil woodland location has been key to the success of this diversified revenue stream and the quality of the glamping pods offering is such that they command higher nightly rates than standard campsites and indeed many traditional holiday-let accommodation. The occupancy rate throughout the year is extremely high and the popularity of the glamping pods is evident from the online reviews – the importance of the woodland location being clearly expressed by all.

3.1.4 The glamping pods offer full-time employment for one farm employee (the applicant) and form a critical part of the farm business in terms of revenue generation.

3.2 Alternative Locations

3.2.1 The extent of the applicant's landholding is outlined in a plan attached at **Appendix 1**. The vast majority of the woodland within their holding is designated as Ancient Woodland so there is no alternative woodland location that would not result in development within the Ancient Woodland designation. The woodland setting of the glamping pods is the key factor attracting visitors to the accommodation. Other locations within the applicants holding do not offer the same unique selling point. Furthermore, all the non-wooded areas of the applicant's Landholding are either occupied by buildings which are in active use or land that is actively farmed and generating income already. It would not be practical or financially viable to lose those areas of revenue and activity.

3.2.2 In terms of the specific locations within the Ancient Woodland area the locations of the pods were selected due to their proximity to existing forestry tracks and being within existing clearings in the woodland thus not leading to the need to remove trees

to accommodate the glamping pods. There are no alternative locations within the applicant's landholding that would provide the same opportunity to offer the quality of experience that is currently presented.

3.3 Level of Harm to Ancient Woodland

3.3.1 Criterion a) of paragraph 193 of the NPPF requires that development in Ancient Woodland should be refused if it creates significant harm and criterion c) of the same paragraph directs that development in Ancient Woodland which causes loss or deterioration of Ancient Woodland should be refused unless there are wholly exceptional reason and a suitable compensation strategy exists.

3.3.2 It has been established through previous appeals cases (in particular appeal case APP/W2275/V/11/2158341 relating to an area of Ancient Woodland at Oaken Wood affected by extension of quarrying activity at Hermitage Quarry, Aylesford, Kent) that *"in order to properly balance the harm against the benefits, the characteristics of the Ancient Woodland in question must be assessed."*

3.3.3 The submitted report by David Archer Associates considers this issue in more depth but in summary the following points can be drawn about the characteristics and general health/quality of the Ancient Woodland at Birchetts Wood where the glamping pods are sited:

- Whilst subject of an Ancient Woodland designation, Birchetts Wood is not a 'virgin' woodland but rather a plantation woodland so has a lower baseline value than other Ancient Woodlands. This is recognised in its classification as 'Ancient Replanted Woodland' as opposed to 'Ancient Woodland'
- There are no trees within the woodland observed that could be considered as 'Ancient' or Veteran'
- Birchett's Wood and the adjacent woodland has recently been the subject of extensive forestry operations to remove Ash trees infected with 'Ash Dieback' and conifers infected with Spruce Bark Beetle. The use of heavy forestry machinery to achieve these essential operations has caused substantial damage to the woodland floor and associated flora through

heavy compaction of the soils. The shrub understorey in these areas has also been substantially destroyed by these operations.

3.3.4 The level of harm caused by the introduction of the two glamping pods is not considered to be significant due to the following factors:

1. The vehicular access tracks used by those accessing the pods have been in existence for some time as forestry access tracks, evidenced by the compacted nature of the hardcore surface. The upgrading of these tracks has caused no additional harm to the condition of the Ancient Woodland.
2. The narrowness of the tracks means that there will be no adverse effects on the hydrology of the adjacent woodland. Any surface water run-off will percolate into the adjacent sub-soil without hinderance. The small area covered by the pods themselves will result in no change to the hydrology of the local area.
3. No additional tracks have been provided for pedestrian access through the woodland so the use of the glamping pods does not give rise to pedestrian access to parts of the woodland not already accessible by the existing vehicular forestry access tracks.
4. As there has been no recent excavation of the soil horizons immediately adjacent to the pod locations or the trackways, the soil of the Ancient Woodland remains substantially undisturbed.
5. The glamping pods have been located on a steel framework placed directly on the pre-existing soil surface a additional excavations into the original soil horizon adjacent to the pods was necessary. The surrounding decking is supported on timber posts which has created a dark shelter underneath the deck.
6. The construction of the glamping pods has required no felling of any trees as the pods are located in existing clearings within the woodland. The tree canopy had not been disturbed or diminished thereby maintaining the biodiversity within the woodland canopy. There has been no removal of any shrub understorey and the overall connectivity of the woodland area has been maintained following siting of the pods.

7. The pergola structure located adjacent to one of the glamping pods is located in close proximity to an existing oak tree. The oak tree is in good health currently and shows no obvious signs of ill health or long-term health being compromised. The report by David Archer confirms that the integrity of the tree roots surrounding the pods remains intact. Works to remove the pergola would require significant ground disturbance with heavy machinery which would have a greater adverse effect on the root system and health of the oak tree than the continued presence of the pergola structure in its current form .

3.3.5 The glamping pods and associated infrastructure are not considered to create a significant level of harm to the condition of the ancient (replanted) woodland and as such the effects on the condition of the Ancient Woodland are not considered to be of sufficient scale or extent as to create a reason to refuse the application under criterion a) of paragraph 193.

3.3.6 With regard to criterion c), the introduction of the glamping pods has not resulted in any loss of Ancient Woodland and the report by David Archer Associates confirms that, in their professional opinion, no deterioration of the woodland has been brought about by the siting of the glamping pods. In light of the conclusions of this technical assessment it is contended that criterion c) is not in fact engaged. However, for robustness of case and in the event that the Council disagrees with this assessment and can identify deterioration that has occurred as a result of the introduction of the glamping pods, set out below is a detailed examination of the 'wholly exceptional reasons' considered to apply in this instance and a compensation strategy that can be offered. In the event that the Council disagrees with the conclusions of the report prepared by David Archer Associates, the weight of exceptional reasons presented must be balanced against the scale and extent of deterioration that can be identified as having occurred as a result of the glamping pods to offer fair and proportional assessment of the development in question.

3.4 Wholly Exceptional Reasons

3.4.1 Footnote 70 of the NPPF indicates that (amongst other things) public benefits arising from a development can form 'wholly exceptional reasons'. There are a number of public benefits that are considered to arise from the introduction of the glamping pods at Birchetts Wood which are detail below.

Direct Improvements to the Health and Longevity of the Ancient Woodland

The income generated by the glamping pods has enabled the applicant to invest significantly in the following areas which are directly linked and indeed required to secure the maintenance and improvement of the health and longevity of the woodland: This investment has enabled a more comprehensive approach to the management of the woodland than was able to be taken prior to the introduction of the glamping pods. The better management of the woodland area will ensure that the woodland area is preserved in an enhanced condition for future generations.

Machinery and Equipment: Purchase of a Tree shear implement for the farm's excavator which allows the felling of unsafe and diseased trees at much greater efficiency. The hydraulic flow of the excavator had to be upgraded to allow the current excavator to use this attachment. Approximately. £8k investment.

Acquisition of a chainsaw and associated safety equipment for use in thinning and coppicing operations. £1k investment in the chainsaw and associated PPE, with constant petrol and other consumable purchases.

Purchase of a log splitter for the farm's tractor to allow sustainable local firewood to be produced for the farm and for the glamping enterprise from the diseased trees and within the legal limit of 5m³ of timber being felled per calendar quarter.

Consultancy and Specialist Advice: Engagement of a forestry consultant to prepare a Woodland Management Plan which adheres to UK Forestry Standards and to assist in accessing Countryside Stewardship higher tier grants for further proactive management.

Securing professional arboriculture advice from Glen Harding Trees on trees at risk of failure and ensuring public safety.

Labour and Manpower: Employment of contractors for woodland related work, i.e experienced and competent tree surgeons.

New Hedgerow Planting: Approximately 100m of new hedgerow trees planted alongside the farm track leading to the pods.

Other Wildlife and Biodiversity Improvements/Benefits: Providing bird food for songbirds in the winter and installing three new bird boxes within the woodland. There are ambitions to install further bird and owl boxes in additional areas.

A deer management plan has been developed for the holding which historically has had an unsustainable population of fallow deer. Pro-active fallow deer management has been introduced to support the recovery of flora and fauna and to encourage natural woodland regeneration, thereby enhancing overall biodiversity. Income generated from the pods has been reinvested into the purchase of deer high seats, enabling safe and effective management of the population.

Direct Employment Generation

Managing and running the glamping enterprise offers sole employment for one individual - the applicant Mr T Givons. The glamping enterprise has also indirectly supported and continued to support other supply chain businesses such as the pod manufacturer, labour required to install the pods and other infrastructure such as the decking and hot tubs, installation and ongoing maintenance of solar energy and drainage services, private refuse collection and food/products offering supplied by local producers.

Contribution to the Local Economy

Visitors to the glamping pods will contribute to the local economy through expenditure at local shops, pubs, restaurants, cafes and other services and facilities. This is set out in more detail in the 'Market Research' document provided by Glampitect which indicates that it is anticipated the pod accommodation would contribute on average circa £134k to the Mid-Sussex local economy per year with visitors to glamping accommodation being likely to spend more on average in the local economy than those staying in traditional camping facilities.

Broadening the Choice of Overnight Accommodation

The pods present a unique offering which is available all year-round acting as a suitable alternative when other seasonal accommodation is closed. The submitted Market Research document details that the existing tourism accommodation in the local area is largely provided through B & B's, Inn's or self-catering accommodation. The glamping accommodation at Bucklands Farm therefore broadens the type of

tourism accommodation available in the area. The need for this form of accommodation has been demonstrated by the high level of bookings for the accommodation – the pods have circa 95% occupancy rate. There are well-recognised mental health benefits from glamping holidays offering immersive experiences that allow people to connect to the natural environment – such as at Bucklands Farm

3.4.2 In addition to the public benefits outlined above, the applicant would also contend that the following points constitute ‘wholly exceptional reasons’:

- The glamping pods have been constructed in existing clearings in the woodland meaning no trees were removed to facilitate them.
- There were existing tracks in situ already to allow access for forestry work and the pods have been located expressly to make use of those and to limit the requirement for additional vehicular access tracks to be created.
- Removal of the glamping pods would create more damage to the woodland than their retention.

3.5 Suitable Compensation Strategy

3.5.1 Criterion c) of paragraph 193 of the NPPF states that where there are ‘wholly exceptional reasons’ to permit development that has impacted an irreplaceable habitat then there must also be a suitable compensation strategy. The applicants have been managing the woodland at Bucklands Farm for in excess of 20 years but to enable the management to continue in a manner that would ensure the continued maintenance and enhancement of the woodland, more significant investment is needed.

3.5.2 As referred to above, the income from the glamping accommodation is directly used to fund the purchase of equipment for use within the woodland management scheme. The report by David Archer associates details the significant damage that has been caused to the woodland soil structure and associated flora and fauna (notably invertebrates and small mammals) through the statutory clearance works required by the Forestry Commission to control pests and disease identified in the woodland. The monomial replanting required by the Forestry Commission is detailed to be insufficient to satisfactorily compensate for the loss and damage to the woodland. There is therefore an opportunity to draft and implement a detailed woodland management

plan to both mitigate the recent damage and ensure continuing improvements to the woodland soil structure. as a woodland management plan for the woodland.

- 3.5.3 The preparation of a woodland management plan is already in progress and income from the glamping enterprise has enabled the appointment of a specialist arboricultural consultant to help formulate and prepare this. The woodland management plan can be secured as part of the determination of this current planning application but would not otherwise be mandatorily provided were the glamping pods not in place and the revenue from the enterprise able to fund it.
- 3.5.4 Income from the glamping enterprise has also been used to install bird boxes in the woodland and purchase bird food thus increasing the biodiversity of the woodland. It is also noted that the report by David Archer Associates comments that the decking surrounding the pods is supported on timber posts which has created a dark shelter underneath the deck and an attractive habitat for many inhabitants of the woodland. This provides a sheltered environment for many species and adds to the diversity of ecological niches within the woodland.
- 3.5.5 All of the above are directly linked to the glamping enterprise and collectively offer suitable and proportionate compensation strategy should the Council consider that criterion c) of paragraph 193 is invoked or that these measures are necessary to otherwise ensure the acceptability of the proposal in planning terms.

4 CONCLUSION

- 4.1 This statement has been written to consider the impacts of the two glamping pods subject of retrospective application DM/25/1556 on the area of Ancient Woodland within which they are sited at Birchetts Wood, Bucklands Farm, Brantridge Lane, Balcombe. The statement considers how criterion a) and c) of paragraph 193 of the NPPF in relation to Ancient Woodland are met.
- 4.2 The statement should be read in conjunction with the submitted report dated 29th August prepared by David Archer Associates which makes detailed technical assessment of the condition and characteristics of the Ancient Woodland and the impact of introducing the glamping pods and associated infrastructure on the health, condition and longevity of the woodland.
- 4.3 It is concluded that the level of harm created to the Ancient Woodland would not be significant and therefore a reason for refusal under criterion a) of paragraph 193 of the NPPF is not created.
- 4.4 In relation to criterion c) of paragraph 193 of the NPPF, it is concluded that there has been no loss or deterioration of the Ancient Woodland caused as a result of the introduction of the Glamping pods and associated infrastructure. We contend that criterion c) is not engaged. However, should the Council disagree and are able to identify loss or deterioration caused by the glamping pods and associated infrastructure, a number of 'wholly exceptional' reasons for permitting the development have been outlined, including directly funding improvement and enhancement of the woodland itself, benefits to the local economy and the fact that the removal of the pods and associated infrastructure would create far greater harm than their retention. A suitable strategy of compensation in this event has also been outlined.
- 4.5 With reference to paragraph 193 of the NPPF, the application to retain the two glamping pods and associated infrastructure is justified and should be permitted.