



**The Woodland Trust**

Kempton Way

Grantham

Lincolnshire

NG31 6LL

**Telephone**

01476 581111

**Facsimile**

01476 590808

**Website**

[woodlandtrust.org.uk](http://woodlandtrust.org.uk)

Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

30th September 2025

Dear Steven King

**Reference: DM/25/0827**

**Proposal: Outline planning application for the erection of up to 130 dwellings, together with the change of use of an existing barn for a flexible community and/or commercial use, along with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access and associated works (all matters reserved except for access). | Land East Of Lunce's Hill Fox Hill Haywards Heath West Sussex**

Thank you for re-consulting the Woodland Trust on the above application.

We note that the revised design incorporates some strengthened mitigation measures for Cleave Water Wood ancient woodland (grid ref: TQ 34243 21942). These measures include removing footpaths from within the minimum 15 metre buffer zone, and providing fencing and thorny planting.

However, the measures are not supported by an assessment to show that the proposed buffer widths and planting plans will be sufficient to mitigate adverse impacts on the ancient woodland. The justification for the buffer widths appears to be that they are greater than the minimum proposed in the Standing Advice, but with no supporting analysis. For example, there does not appear to be any analysis in relation to the current recreational use of the woodland and the likely future use; there has been no assessment of likely impacts on the woodland from the increase in dogs and cats associated with the development; and there is no discussion as to how buffer zones, planting and fencing might be maintained during the occupational phase.

The Ecological Assessment (3/9/2025) states that a minimum 30 metre buffer has been provided, but the plans show buffer widths of 19 metres and 27 metres to housing, with footpaths positioned closer than this. In the absence of a definitive buffer zone delineated on the plans the proposals lack clarity and there remains the possibility that the buffer is reduced at Reserved Matters stage.

It is of concern that the Ecological Assessment suggests that the buffers will suffice because the woodland is in poor condition. This is contrary to the Standing Advice which is clear that woodland condition should not be factored into the planning balance. This states: *"Where a proposal involves the loss or deterioration of ancient woodland or ancient or veteran trees*

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*you should not take account of the existing condition of the ancient woodland or ancient or veteran tree when you assess the merits of the development proposal. Its existing condition is not a reason to give permission for development. A woodland or tree in poor condition can be improved with good management.”*

In their response to the Woodland Trust’s comments, the applicant notes that Natural England has not raised an objection. Please be aware that it is the policy of Natural England to raise an objection only in cases where statutorily designated sites are impacted. As ancient woodland is not a statutory designation (though fully protected by national planning policy), they are not able to raise an objection on this basis. Therefore, these no objection positions should not be taken to indicate that there are no adverse impacts on ancient woodland.

In summary, the application should be supported by an assessment to demonstrate that the proposed mitigation measures will be adequate to protect the ancient woodland from deterioration.

### **Veteran trees**

We welcome that the council’s Tree Officer has assessed trees T3 and T13 for veteran status. Whilst we do not agree with the use of the RAVEN assessment for identifying veteran trees, we are pleased to see that T3 has been recognised as a veteran tree by the council.

In this respect we note that the revised Arboricultural Impact Assessment continues to list T3 as “requiring removal for reasons of sound arboricultural management”. However, the DAS Addendum states that T3 will be retained and afforded an appropriate veteran buffer zone. For the avoidance of doubt, we suggest that the Arboricultural Impact Assessment is amended in this respect, and that a 15 times stem diameter veteran tree buffer zone is marked on the tree constraints plans.

### **Conclusion**

In our objection letter of 29<sup>th</sup> April 2025 we raised concerns in relation to the potential for impact on ancient woodland and veteran trees. Whereas the applicant has introduced some strengthened mitigation measures there is no supporting analysis to demonstrate that these measures will be sufficient to protect the ancient woodland from deterioration. In addition, there remains a lack of clarity over protection for veteran tree T3. As such we recommend that the council seeks additional information from the applicant to address these issues.

Please contact us at [planningcasework@woodlandtrust.org.uk](mailto:planningcasework@woodlandtrust.org.uk) to discuss any of the points raised in this letter.

Kind regards

C Johannesen  
Programme Officer - Woods Under Threat