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To: "planninginfo" <planninginfo@midsussex.gov.uk>
Cc: "Stafford, John" <John.Stafford@forestrycommission.gov.uk>
Subject: Forestry Commission consultation response - DM/25/0014, DM/25/0015, DM/25/0016, DM/25/0017

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Dear Mid Sussex planning,

In our view, the development proposed by these applications (DM/25/0014, DM/25/0015, DM/25/0016, DM/25/0017) would, in their current form, result in deterioration of multiple areas of ancient woodlands adjacent to the site.

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 193(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be ***refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.***

Based on our forestry expertise and local knowledge, it is our view that more effective mitigation measures would help to limit the level of deterioration but it is unlikely that deterioration could be ruled out entirely unless the design, mitigation and layout of the project were to change significantly. We have outlined the impacts below and design/mitigation measures that could be adopted to avoid impacts.

Our role

The Forestry Commission is the forestry regulator in England and the government department responsible for protecting, expanding and promoting the sustainable management of woodlands. We are the enforcing body for activities governed by the Forestry Act 1967 and the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.

As a Non-Ministerial Government Department, we do not provide an opinion supporting or objecting to planning applications. Instead, we provide advice on the potential impact that proposed developments could have on trees and woodland using our local knowledge and expertise, planning policy and legislation that could be relevant and measures that could help to avoid or limit impacts and result in overall gains wherever possible.

Likely impacts

The application's ecological impact assessment recognises that there is ancient woodland in the surrounding area and states that there is unlikely to be significantly affected by the proposals (para 3.4.1). While direct loss can be ruled out, the survey does not explain how deterioration of woodland condition can be ruled out by direct and

indirect impacts from the project. The current proposals are likely to, in our view, cause significant harm to the integrity of Ancient Woodland.

"The survey area itself is not subject to any statutory or non-statutory ecological designations and, subject to the implementation of appropriate mitigation measures in regard to Ashdown Forest SAC/SPA (set out in the accompanying Report to Inform a Habitats Regulations Assessment), it is unlikely that any such designations in the surrounding area will be significantly affected by the proposals"

Recreational pressure

The surrounding woodland areas are already well used by the local community. The current proposals would replace open fields with 350 dwellings directly adjacent to these woodlands. The extent of recreational pressure is therefore likely to increase substantially as a result. This can cause a number of impacts that are expected to affect the woodland's condition including: soil compaction, trampling of ground flora and any natural regeneration, disturbance of fauna and impacts from noise, light and litter. The planning applications do not appear to adequately identify or consider how recreational impacts will be controlled.

The projects propose a proportion of greenspace but given the development scale and the time it takes for green infrastructure to establish and the distinct and attractive qualities of woodland access, this is not expected to be sufficient to mitigate impacts in full in its current form.

Habitat fragmentation and connectivity

The proposed development is likely to significantly reduce habitat connectivity and continuity between multiple woodland blocks with each other and with the wider network of habitats/woodlands in the area. This may cause a reduction in species diversity and resilience to future threats including climate change.

Other environmental changes

Other impacts on nearby ancient woodland should be considered as part of the project's Environmental Impact Assessment to identify and rule out impacts as a result of other environmental changes such as air pollution/run-off from increased road use and changes to hydrology in terms of the extent and ways that water interacts with the woodland habitats.

Deer impacts

There are unsustainable deer numbers in the local area, including fallow deer which are known to use the application site for grazing. This project may cause an indirect impact to woodland condition as it could increase reliance on neighbouring ancient woodland areas where they are known to cause significant harm. While this is a landscape-scale challenge, retaining a more significant area of the site as well designed green space could help reduce the impacts on woodland in the wider area.

Measures to avoid impacts

If the Council are minded to approve development at this site, we advise the following measures be adopted to avoid deterioration of ancient woodland habitats:

- a significantly larger and higher quality buffer between development and ancient woodland to protect roots, soils, woodland edge and other impacts from recreational pressure which is proportionate to the scale and impacts of the proposed development
- significantly increasing the size and quality of green infrastructure that delivers high biodiversity value and habitat creation throughout the site, with a focus on further buffering and supporting the woodland
- significant improvements to ecological connectivity throughout and around the site to prevent woodland from being isolated from the surrounding network of habitats in the landscape and to support local species that could use the woodland
- Carefully restrict and manage access to woodland to prevent further harm from recreational pressure
- Contribute to the management of woodland areas to enhance their condition and support its management to mitigate for the added pressure from the development during construction and throughout the development's lifetime.

Given the scale of development, its potential for impacts and in local context of significantly expanding a small village settlement, we advise that it would be proportionate to provide significantly improved green infrastructure that, once established, will provide an effective natural green space on-site for the community to use that benefits biodiversity (eg using a similar design approach to SANGs).

Further site assessment is likely needed to support proportionate and sufficient mitigation/design. For example, ecological assessment using on-site observations to investigate the extent of recreational pressure expected and the damage this could cause - for example, the existing state of footpaths and woodland condition, and adopt measures that could help. Some things that might help: fencing/restricting access to some areas, directing foot traffic in an intentional way that avoids more sensitive areas, reestablishment of formal paths, restoration of degraded areas and improvements/expansion of woodland buffer.

We would be happy to provide more detailed advice regarding these measures.

Kind regards
Richard

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