



Date: 25 September 2026
Our ref: 13592

Joseph Swift
Mid Sussex District Council
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By email only: planninginfo@midsussex.gov.uk

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Sussex District Council planning decisions with regard to potential ecological impacts from development.

Application: DM/26/0073
Location: Land At Coombe Hill Road East Grinstead West Sussex
Proposal: The erection of 44 new homes with access from West Hoathly Road, vehicle and cycle parking, landscaping, drainage, and associated infrastructure and highway works

Thank you for re-consulting Place Services on the above application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection on: Irreplaceable habitat (Ancient woodland)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have re-assessed the documents relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. This includes the following:

- the Dormouse Survey Report (The Ecology Partnership, December 2025),
- the Bat Activity Survey Report (The Ecology Partnership, December 2025); and
- the Preliminary Ecological Appraisal (The Ecology Partnership, December 2025)

We have also re-assessed the information submitted relating to mandatory biodiversity net gains. This includes the following:

- Biodiversity Net Gain Report (The Ecology Partnership, December 2025)
- Statutory Biodiversity Metric Rev 1 (January 2026)

Furthermore, we have reviewed the following additional information with regard to the potential impacts of the surface water drainage upon ancient woodland, following queries raised by the LPA on 21 May 2026:

- Email from agent (Devine Homes PLC, 19th June 2026)

As a result, we have considered the following additional information and recommend that the LPA seeks further ecological interpretation of the likely impacts upon the ancient woodland prior to determination. This is necessary to ensure that direct or indirect impacts will be avoided upon the irreplaceable habitat and allow the LPA to demonstrate they have met the requirements of the NPPF 2026.

As a result, we have the following further comments:

Irreplaceable habitat (ancient woodland):

It is noted that Place Services previously recommended no objection to the proposals in our consultation response dated 6 February 2026, and supported the proposed buffer approach to the adjacent ancient woodland. However, following further review, it has been identified that the potential impacts of the proposed surface water drainage strategy on the ancient woodland were not adequately considered within our original consultation response.

The proposed surface water drainage strategy includes the installation of a pipe and outfall discharging into the ancient woodland. The outfall would be constructed using guided auger boring from a start chamber/launch pit located outside the 15m ancient woodland buffer zone, with the bore extending to a depth of approximately 3.7m. The outfall itself would discharge into an existing ditch within the ancient woodland, with the headwall formed from pre-filled lined bagwork (e.g. Soluform) and installed by hand.

As a result, and with due regard to the findings of the Rowhook Appeal dismissal (ref. APP/D3830/W/23/332002643), the Council raised the following queries regarding the potential impacts of the proposed works in its response to the applicant dated 21 May 2026:

- The risk of the launch pit encroaching into the 15 m buffer surrounding the ancient woodland, and clarification on how the reception pit would be constructed.
- The potential loss or deterioration of ancient woodland arising from the location of the proposed outfall and headwall within the ancient woodland.
- The requirements for long-term maintenance of the drainage infrastructure and the risk that emergency repairs may necessitate open-trench excavation within the ancient woodland.
- The potential impacts on the site's hydrological regime, including changes to soil moisture levels, groundwater recharge, and seasonal wetting patterns, which could result in deterioration of the ancient woodland and the ecological communities that have developed within it.

The applicant then issued the 'Email from agent (Devine Homes PLC, 19th June 2026)' in response to the Council's responses. As a result, we have the following response at an ecological perspective:

Rowhook Appeal

Whilst the Rowhook appeal was dismissed, in part due to the potential impacts of surface water drainage works on ancient woodland, we consider the circumstances of the current proposal to be materially different. In the dismissed scheme, the drainage pipe was proposed to pass through the root protection areas and upper soil horizons of the ancient woodland at a depth of approximately 600 mm, creating a risk of damage to tree roots and woodland soils. Furthermore, the scheme included outfalls and associated headwalls located within both the ancient woodland and its 15 m buffer zone.

By contrast, the current proposal involves the installation of the drainage pipe using guided auger boring at a depth of approximately 3.7 m from a launch pit located outside the 15 m buffer. As such, the nature and extent of the potential impacts on the ancient woodland differ significantly from those considered under the Rowhook appeal.

Nevertheless, the appeal highlights the importance attached to the conservation of ancient woodland as a nationally important and irreplaceable habitat. As noted by the Inspector, *"the ancient woodland is an irreplaceable habitat and the loss or deterioration of any part of it, no matter how small a proportion, acts to undermine its value as a whole."* As such, careful consideration must be given to the potential for deterioration arising from development and associated infrastructure works.

Risk of launch pit encroachment

The applicant has highlighted that the following with regard to the position of the launch pit:

“...the launch pit would be formed outside of the Ancient Woodland buffer, in the position of manhole S9 on the drainage layout. The boring rig can be operated from a small launch pit which would typically be either a 2.4m diameter pre-cast concrete ring manhole, or a square pit of 2.6m x 2.6m. The size/location of the launch pit is indicated on the plan below (orange square). This can be conditioned (as part of detailed Method Statement) to occur outside of the Ancient Woodland buffer, with appropriate ecological and arboricultural supervision and permanent protective fencing used to prevent access to the buffer zone. No heavy hydraulic jacking equipment is required to be used, positioned or operated within the Ancient Woodland buffer zone or Ancient Woodland itself.”

As a result, we are satisfied that the launch pit proposals can be completed without entering the ancient woodland buffer zone.

Loss or deterioration of ancient woodland from headwall

The applicant has highlighted that the following with regard to the position of the headwall:

“...the headwall can be formed non-invasively with hand placed, pre-filled concrete bagwork. These works can be carried out by hand without machinery, avoiding any adverse impact upon the Ancient Woodland. As above, this can further be reinforced through a Method Statement condition which incorporates protective fencing to the Ancient Woodland buffer, a restrictive pedestrian route through to the watercourse (defined by fencing and with appropriate temporary ground protection) and a requirement for both arboricultural and ecological supervision. Unlike the appeal decision, which required installation of significant infrastructure (chambers, etc.) within the woodland and the buffer, the solution for West Hoathly Road and the methodology will not cause loss or deterioration to the Ancient Woodland.”

We agree that the proposals do not involve substantial infrastructure within the ancient woodland. However, the scheme would still result in the introduction of semi-permanent hard-engineered features within an irreplaceable habitat. At present, these works are not supported by a detailed ecological assessment of the likely impacts, nor by photographic evidence identifying the precise location and condition of the area where the outfall is proposed.

The Preliminary Ecological Appraisal (The Ecology Partnership, December 2025) states the following with regard to the proposed surface water drainage strategy:

4.17 *Proposals involve the boring of a hole underneath the ancient woodland for overflow drainage from the SuDS basin into the stream during high rainfall events. This work is not anticipated to impact the vegetation or ecological functionality of the woodland due to it all occurring underground beneath the main root systems of the trees.*

Impacts to the roots of woodland trees are expected to be minimal due to the small size of the borehole. This will also prevent excessive surface water runoff from the development through the woodland, which could otherwise have increased erosion. Outside of the core development area the water will drain naturally as it currently does.

However, this assessment focuses primarily on the impacts associated with the underground bore and does not appear to consider the direct impacts of the proposed outfall and headwall within the ancient woodland. Therefore, we recommend that an ecological addendum is submitted to specifically assess the proposed outfall location and associated infrastructure. This may require a further site survey of the outfall area, should this not have already been undertaken, supported by photographs and a clear appraisal of the likely direct and indirect impacts on the ancient woodland.

Long-term maintenance risks

The applicant has highlighted that the following with regard to the potential maintenance of the outfall pipe:

- *Likelihood of blockage/upstream protection: The likelihood of blockage is extremely low based upon the design of the surface water system, and given the on-going maintenance measures and regime which are required by the LLFA. As set out in the Drainage Strategy (Section 10), the system includes permeable pavements and a SuDS basin which provide mitigation against pollution and provide natural cleansing of the surface water for silt, etc. In addition, the drainage layout incorporates upstream catchpit manholes which will trap/collect silt and debris, preventing it from travelling through the system. The Hydrobrake manhole (immediately upstream of manhole S9) will also prevent debris reaching the outfall pipe and therefore prevent risk of blockage. However, to provide additional protection, S9 could be provided as catchpit manhole, providing a final opportunity to collect any remnant silt or debris before water travels through the outfall pipe.*
- *Maintenance: As the length of the outfall pipe through the Ancient Woodland is comparatively small, cleansing of the outfall pipe in the extremely unlikely event of a blockage (such as jetting/hydro-jetting, etc.) can be carried out from manhole S9 with no issue, with any need to enter the Ancient Woodland or buffer zone.*
- *Durability/Structural collapse: The solution proposed will prevent any material risk of major structural collapse of the system. As above, the drainage pipe is proposed to be ductile iron, which has a 100+ year lifespan. This would be encased within the sacrificial steel sleeve which would be left in situ as part of the auger boring, with the annulus filled with grout and thus providing a double protection to the actual drainage pipe. This negates any risk of root ingress which would be the only tangible reason for pipe failure.*

As ancient woodland is an irreplaceable habitat that has the potential to persist in perpetuity, consideration should be given to the maintenance requirements of the proposed drainage infrastructure over the full lifespan of the habitat and the infrastructure it supports.

Based on the information provided, we consider the likelihood of emergency maintenance works requiring open-trench excavation within the ancient woodland to be low.

Furthermore, in the event of pipe failure, it may be possible to avoid excavation and removal of the existing pipe through the use of alternative engineering solutions, such as abandonment in situ and the installation of replacement infrastructure via a different route.

The only maintenance may be required, would be the replacement or repairs to the headwall. As a result, we recommend that the applicant provides further information relating to the lifetime of the proposed pre-filled lined bagwork.

Risk of impacts upon the hydrological regime of the ancient woodland

The applicant has highlighted that the following with regard to the potential impacts of the hydrological regime of the proposals:

Based upon the natural topography, a significant proportion of the site would currently drain overland to and across the north-east boundary with Sunnyside recreation ground. Even in undeveloped state, this catchment of the site would not be expected to drain surface water via the boundary Ancient Woodland and thus surface water arising from this catchment would not materially contribute to soil moisture levels or seasonal wetting.

Of the part of the site which could potentially currently drain its surface water overland to and across the Ancient Woodland, the plan below demonstrates that a significant proportion of this catchment would remain as permeable surface (shown green). In these areas, surface water will continue to permeate to ground or run-off naturally into the ditch via the Ancient Woodland. Additionally, as can be seen from the second plan below, our site (outlined in green) comprises a very small part of the overall catchment draining to the watercourse and thus potentially the Ancient Woodland (outlined in orange). In this context, any minor changes on site would be expected to have an imperceptible impact given the flows of surface water from the wider catchment. This is also addressed in our submitted Preliminary Ecological Appraisal which discussed potential impacts on the Ancient Woodland and does not identify any adverse impacts (specifically 4.17 in relation to the drainage).

Based on this information we are minded to agree that the proposals are unlikely to change the hydrological regime within the ancient woodland, which is supported by the comments included within the Preliminary Ecological Appraisal in paragraph 4.17.

However, we would expect further comments on how the proposed surface water drainage would minimise potential pollution impacts during the operation phase (e.g. Urban and Road Runoff).

Summary

Ultimately, development proposals affecting ancient woodland should be avoided wherever possible. In accordance with national policy, development resulting in the loss or deterioration of irreplaceable habitats should only be permitted where wholly exceptional circumstances can be demonstrated and a suitable justification has been provided. Alternatively, proposals may be permitted where sufficient evidence has been provided that the proposals will not result in the loss or deterioration of the habitat.

In this case, we recommend that the applicant provides an appraisal of alternative surface water drainage solutions for review by the Local Planning Authority, demonstrating why the proposed approach represents the most appropriate option and why the location of the surface water strategy within the ancient woodland cannot be avoided.

Furthermore, we would recommend that the following information is provided to the Local Planning Authority prior to determination to help to justify the current surface water strategy:

- An ecological addendum assessing the proposed outfall location and associated infrastructure, including consideration of potential impacts on ground flora, trees, woodland soils, and the ecological functioning of the ancient woodland.
- Further details regarding the anticipated maintenance requirements of the proposed pre-filled lined bagwork headwall, including the frequency and nature of any repair or replacement works.
- Further information demonstrating how the surface water drainage strategy would avoid pollution impacts during operation, including the management of urban and road runoff and any associated water quality risks to the ancient woodland watercourse.

This information is necessary to enable the Local Planning Authority to demonstrate that it has given appropriate consideration to paragraph N6(2) of the NPPF (2026), and to determine whether the proposed development would result in the loss or deterioration of an irreplaceable habitat.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Please do not hesitate to contact us if you have any queries in relation to this advice.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
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Place Services at Essex County Council



Place Services provide ecological advice on behalf of Mid Sussex District Council.

Please note:

This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

We are unable to respond directly to applicants/agents or other interested parties. Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.

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