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Your reference

Our reference

APP/1862/A/72/173 and APP/2065/A/73/2364

Date

13 June 1974

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 36
APPEALS BY GALLIFORD ESTATES LTD
APPLICATION NOS WE/665/72 & FG/93/72

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector Mr K G Robbins MREPI who held a local inquiry into your clients' appeals against the decisions of the former Worthing Borough Council and the Worthing Rural District Council, acting on behalf of the former West Sussex County Council, to refuse planning permission respectively for (a) the construction of 525 houses, garages and estate roads on about 68 acres of land west of Goring Street, and (b) the construction of 55 houses, garages and estate roads on about 6 acres of adjoining land east of Green Park, Ferring. A copy of the report is enclosed.

2. At the inquiry it was pointed out on behalf of your clients that owing to typing errors there had been some confusion over the numbers of dwellings and acreages of land involved in their proposals. The intention was to develop 68½ acres of land in the Borough of Worthing with 525 houses, not 625 as stated in some references to the proposal. The total scheme, therefore, was for 580 houses on an area of 74½ acres, partly in the Borough and partly in the Rural District. These figures, it appears, were accepted by the Council. The Inspector incorporated them in his findings of fact and the appeals will be determined accordingly.

3. The Inspector said in his conclusions:-

"The reasons for refusal which relate to main drainage no longer apply, those former difficulties having been solved since the applications were determined.

As to highway considerations, the parties are agreed that it would be wrong to provide access from Littlehampton Road, the fast dual-carriageway principal route which bounds the land on the north. Nor has it been suggested that access should be obtained from the west in view of the characteristics of Ferring Lane and the inadequate visibility obtaining at the Green Park junction. I do not quarrel with those conclusions.

Since access from the south is precluded by the railway and existing housing development, Coring Street remains as offering the prospect of an access least open to objection. The ability of the dual carriageway section to handle the likely additional traffic is not in question, the inhibiting factors being the length of single carriageway and the level crossing. But in view of the very limited number of existing accesses hereabouts I am inclined to think that the present practical capacity is relatively high for a 2-lane road and that this capacity could be improved by the imposition of 'No Waiting' restrictions. The longest traffic queue observed at the level crossing during the 1971 count extended for about 500 ft i.e. about half the distance between the level crossing and the suggested access point to the estate, opposite The Strand.

Bearing these considerations in mind, and that the proposed development could be phased over a 5-10 year period, I do not consider that additional traffic congestion and delay would, in the short term, be aggravated to such an extent that the appeals should fail on highway grounds. Moreover, there is a long-standing improvement scheme, approved by the present highway authority, for removing the bottleneck. The contribution offered by the appellants would seem to be entirely in accord with the philosophy of Circular 102/72 (Paragraph 10), and in my view present doubt about the attitude of the post-April 1974 highway authority should not prejudice the prospect of such mutually helpful co-operation.

Apart from the detailed treatment of the site, essentially the other reasons for refusal all relate to agricultural and amenity considerations which are reflected in the intention, embodied in the development plan, that the land should be kept in its present state. As I understand the advice given in various Circulars and the White Paper (Cmd. 5280), the fact that land is good agricultural land remains an "exceptionally compelling planning objection" whether or not less than 5 years' supply of housing land is available in a particular district. Indeed, it seems to me that this would still be an intrinsic, compelling objection even if no other housing land were available in the area. In that event the issue then to be decided would be whether alternative outlets for housing pressures could be found which were preferable.

Including land at West Durrington which, being in local authority ownership, should ensure flexible programming and remove any suspicion of land hoarding, at June 1973 there was 5.7 years' supply of housing land within the Borough. Although this supply may not be as generous as has been advocated it does not persuade me that a substantial acreage of first class agricultural land should be released. Nor does the choice of future accommodation appear to be unduly restricted; the notional density at West Durrington has been quoted as 10 dwellings per acre which contrasts with the higher densities expected with blocks of flats etc in the inner areas.

The argument that, historically, the best farmland in these parts has always been taken for development strikes me as more a condemnation of past practices than a precept to be followed, particularly in the context of the country's economic problems and the current massive balance of payments deficit. Nor do I think it likely that the Minister (in 1959) thought

that a precedent was being established by granting permission for the Goring Green estate. The effect of that permission was to narrow the wedge of open land between Ferring and Goring, making, in my judgement, the remaining open land even more valuable as an extension of the wider landscape into the urban area. Among the people of Ferring the maintenance of this break also fosters a lively sense of being a separate community rather than an anonymous part of the larger Goring/Worthing amalgam. I do not consider that the roadside amenity strip and other landscaping envisaged by the appellants would compensate for the loss of this important element in the overall structure of the urban areas.

The foregoing paragraphs relate for the most part to the larger site within the Borough which is the subject of the strong agricultural objection. I have carefully considered whether the smaller site within the Rural District could be released independently, but in my opinion the potential access (Green Park) would not be satisfactory even for development on a limited scale."

The Inspector recommended that both appeals should be dismissed.

4. The Secretary of State agrees with the Inspector's conclusions and accepts his recommendation. Therefore he hereby dismisses both appeals.

I am Gentlemen
Your obedient Servant

Miss J E Collins
Authorized by the Secretary of State
to sign in that behalf.