

APPLICATION REFERENCE AWD/1264/20

APPEAL REFERENCE APP/M3835/W/21/3281813

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT

Land North West of Goring railway Station, Goring by the Sea, Worthing

Mixed use development comprising up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre (uses including A1, A2, A3, A4, A5, D1, D2, as proposed to be amended to use classes e, f and sui generis) with associated car parking, car parking for the adjacent railway station, undergrounding of overhead HV cables and other supporting infrastructure and utilities.

APPELLANT: Persimmon Homes

LOCAL PLANNING AUTHORITY: Worthing Borough Council

INTRODUCTION

1. This Updated Landscape Statement of Common Ground ('SoCG') has been prepared by Clive Self of CSA Environmental, who is acting on behalf of the Appellant, and Christine Marsh of Hankinson Duckett Associates (HDA), who is acting on behalf of Worthing Borough Council (the Local Planning Authority - LPA).
2. The original planning SoCG provides an accurate description of the Appeal Site and the surrounding area and as such that description is not repeated here. Similarly, the Planning SoCGs describe the nature and content of the development proposals, the policy background and the process which has led to the redetermination of this appeal.
3. The parties agree that the character of the site and neighbouring area has not changed since the previous inquiry and that it is therefore not necessary to update the site photographs that accompanied the appellants' original evidence.

4. This SoCG replaces the SoCG that was agreed at the previous appeal. As the character of the Site has not changed in the intervening time, the content of this SoCG is similar to the previous SoCG. The policies referred to have however been updated to accord with those in the adopted Worthing Borough Local Plan and the updated NPPF.
5. A walking route for the Inspector was appended to the previous SoCG and that is reproduced in this Updated SoCG in Appendix A. The parties agree that the Inspector can undertake the site visit unaccompanied if she wishes to.

MATTERS ON WHICH THE PARTIES AGREE

The submitted LVIA

6. The application was accompanied by a LVIA which, amongst other things, described the character of the Appeal Site and surrounding area. It also identified a series of representative viewpoints, from where the Site could be seen.
7. The Guidelines for Landscape and Visual Impact Assessments 3rd edition ('GLVIA3') notes in section 2.23-25, that professional judgement is a very important part of LVIA, and that even with qualified and experienced professionals there can be differences in the judgements made.
8. The methodology used within the LVIA is in line with the guidance in GLVIA3, and is acceptable.
9. The viewpoints in the LVIA identify the key representative viewpoints from which the Appeal Site should be considered.
10. Whilst acknowledging that the LVIA is fit for purpose, the parties disagree on a number of judgements that have been made in the document.
11. The LVIA was produced prior to the adoption of the Worthing Local Plan but matters of impact on the setting of the South Downs National Park and the function of the Appeal Site in providing separation between Goring-by-Sea and Ferring were nevertheless addressed within the LVIA.

Designations

12. It is agreed that the Site is not located within the defined Built Up Area Boundary and as such Policy SS4: Countryside and Undeveloped Coast is applicable.
13. The parties agree that the Appeal Scheme does not fall within the exceptions for development that are identified under Policy SS4.
14. It is agreed that the Appeal Site is designated as part of the wider Chatsmore Farm Local Green Gap, and as such Policy SS5: Local Green Gaps is applicable.

15. The Local Plan at §3.50 explains that the designation and protection of 'Local Green Gaps' helps to avoid coalescence and preserve the separate characters and identities of different settlements by providing physical and visual breaks.
16. Policy SS5 states that within areas designated as Local Green Gaps, *'all applications for development (including entry level exception sites) within Local Green Gaps must demonstrate that individually or cumulatively:*
 - i) it would not undermine the physical and/or visual separation of settlements;*
 - ii) it would not compromise the integrity of the gap;*
 - iii) it conserves and enhances the benefits and services derived from the area's Natural Capital;*
 - iv) it conserves and enhances the area as part of a cohesive green infrastructure network'.*
17. The Site itself does not carry any statutory or non-statutory designations for landscape character or quality. Similarly it is not covered by any ecological or heritage designations.
18. It is agreed that the Appeal Site is not a Valued Landscape in respect of para 180a of the NPPF.

Setting of the South Downs

19. The South Downs National Park lies immediately to the north of Littlehampton Road and whilst the Appeal Site falls outside of the National Park, it is nevertheless within its setting.
20. Whilst the parties agree that the Appeal Site lies within the setting of the SDNP, it is also agreed that there is no formal landscape definition of what constitutes the setting of a designated landscape and that in considering the impact of development on the setting of the South Downs, a number of factors need to be considered, which include visibility and local context, amongst other things.
21. It is agreed that para 182 of the NPPF does not prevent development within the setting of National Parks but requires that *'development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'*.
22. Para 182 of the NPPF also states that *"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks,, which have the highest status of protection in relation to these issues"*. The parties thus agree that the setting of the National Park is one of the key landscape matters to consider.

23. It is also agreed that criterion g of Policy SS4 requires *'any development within the setting of the National Park should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'*.

Visibility

24. A suggested walking route for the Inspector is contained in Appendix A of this SoCG. The parties agree that the plan identifies the main visual receptors which could potentially be affected by the Appeal Scheme. In summary, these are:
- The footpaths which cross the Appeal Site.
 - Middle distance views from within the South Downs National Park.
 - Views from Highdown Hill.
 - Neighbouring roads and footpaths.
 - Views from within the appeal site to the SDNP.

Context

25. A number of landscape studies of the local area have been undertaken and it is agreed that they present a fair reflection of the character of the local area.
26. The South Downs National Park: View Characterisation and Analysis of 2015, identifies a series of specific viewpoints which are representative of the views from the National Park. It is agreed that view 31, from Highdown Hill, is the view which is most relevant to the setting of the Appeal Site. The justification for selecting this viewpoint is stated in the View Characterisation Assessment as:
- 'The site of a hillfort, Highdown Hill is owned by the National Trust and is a good vantage point from which to view the landscape. Views to the east and south include the densely populated coastal towns of Worthing, Ferring and East Preston, which reduces the remote qualities associated with other elevated viewpoints within the park. Extensive sea views are however the main focus and therefore this view is representative of sea views from the National Park'*
27. The View Characterisation and Analysis study provides guidance on the aims and management of these views. It is agreed that the following objectives are of particular relevance in assessing the Appeal Scheme:
- *'Maintain the undeveloped character of the downs within the National Park which contrasts with the developed coastal plain, and ensure that development outside the National Park does not block, or adversely affect the quality of, views towards the sea.'*
 - *'Ensure that any built development outside the park is integrated into its context in terms of scale, form and materials – consider using native vegetation to enhance existing views that contain development, and minimise visibility of new development from the Park.'*

MATTERS ON WHICH THE PARTIES DISAGREE

28. The parties disagree on the baseline assessment of landscape and visual sensitivity and the level of landscape and visual effects that the appeal scheme would have on the character of the Appeal Site and the wider area.
29. The parties disagree on the level of effects on the landscape character of the immediate surroundings of the Appeal Site and the degree of effects on the setting of the National Park.
30. The parties disagree on whether or not the South Downs National Park Authority objected to the planning application. The Appellant says they did not object. The LPA does not say that they objected but rather they raised a number of concerns and left the ultimate judgement to the LPA.
31. The Appellant considers that the Appeal Scheme minimises the adverse impact of the proposed development on the setting of the SDNP, whereas the LPA considers that it does not.
32. The Appellant says that the proposals comply with NPPF §182. The LPA does not agree. This policy issue is dealt with in more detail in the Planning SoCG.
33. The LPA considers that even if the Appeal Scheme is found to minimise adverse impacts on the SDNP, great weight should be attributed to any residual harm caused to the SDNP. The appellant considers that weight is still a matter for the judgement of the decision maker having regard to the level of harm when dealing with NPPF §182. There is no requirement to afford great weight to any harm in all cases, regardless of the level harm, albeit it is accepted that paragraph 182 will increase the weight to be afforded to any harm.
34. The parties disagree on the role the Appeal Site plays in providing an undeveloped parcel of land in views towards the coast from the National Park.
35. The parties disagree on the weight to be afforded to the findings of Inspector Cridland and their relevance to the remitted appeal.
36. The LPA does not agree with all of the findings of Inspector Cridland and the parties disagree on the weight to afford his findings. The LPA does not agree that the findings of the legal judgements in relation to the Local Green Gaps are material considerations for this appeal because Policy SS5 is now adopted policy. The Appellant does not agree. The Appellant says that they are important material considerations.
37. The parties agree that the appeal proposals would reduce or diminish the extent of the designated Local Green Gap, but they disagree about whether this would undermine the physical and/or visual separation of settlements and whether it would compromise the integrity of the gap for the purposes of compliance with Policy SS5.
38. The parties disagree on the matter of coalescence. The Appellant agrees with the findings of Inspector Cridland and the Local Plan evidence base that say

that coalescence has already happened (and that coalescence is an absolute term in that it has either happened or it hasn't). The LPA says that the issue is about the extent of coalescence.

- 39. The parties disagree on the impact the Appeal Scheme would have on the separate identities and character of the settlements of Goring-by-Sea and Ferring.

Other Matters

- 40. Reference will be made during the Inquiry to CD K6 which is a summary of the comparison of landscape and visual effects and judgments made in respect of the agreed receptors by each party.

Signed on behalf of:

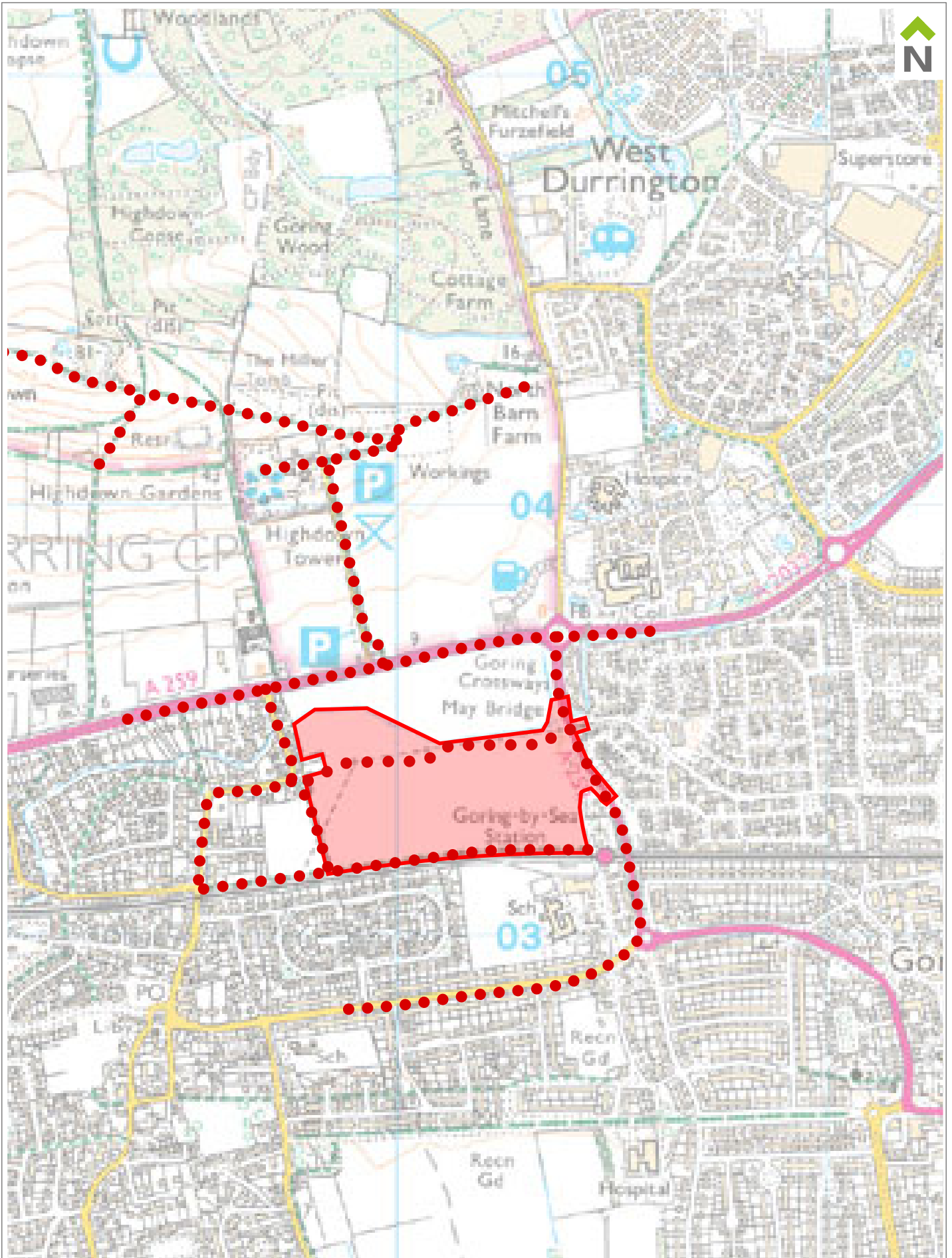
The Appellant:

Clive Self, CSA Environmental *Clive A Self* Date **19 January 2024**

Christine Marsh, HDA for Worthing Borough Council *CMarsh* ...
Date...18 January 2023.....

Appendix A

Key views points and suggested walking route for the Inspector



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	<p>Drawing Title Suggested walking route for Inspector</p>	<p>Scale @ A4 NTS</p>	<p>Drawn SP</p>
	<p>Client Persimmon Homes Thames Valley</p>	<p>Date Dec 2021</p>	<p>Checked CS</p>