



WORTHING BOROUGH
C O U N C I L

Planning Committee
10 March 2021

Agenda Item 6

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1.

Application Number: AWDM/1264/20 Recommendation – Refuse

**Site: Land North West Of Goring Railway Station
 Goring Street, Worthing**

Proposal: 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 (Outline with all matters reserved).

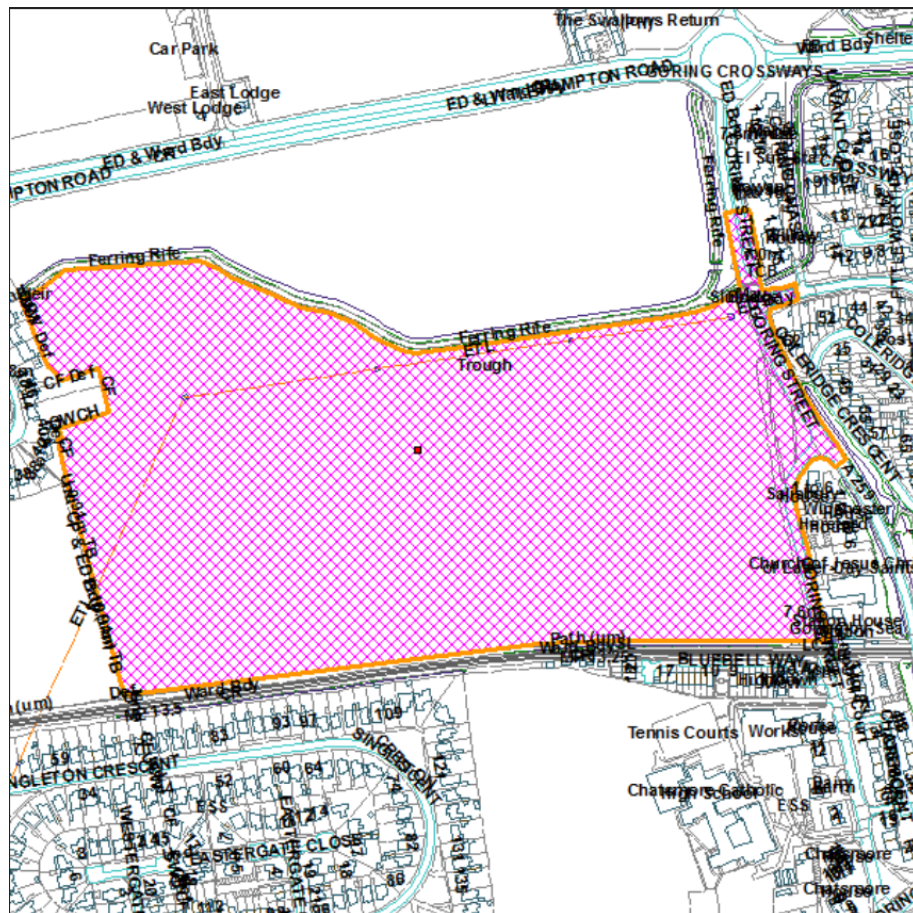
2.

Application Number: AWDM/2134/20 Recommendation – Approve

Site: Car Park, Montague Centre

Proposal: Demolition of existing building (12-14 Liverpool Gardens) and proposed temporary accommodation for relocated Central Clinic and creation of additional car parking and landscaping.

Application Number:	AWDM/1264/20	Recommendation - REFUSE
Site:	Land North West Of Goring Railway Station Goring Street, Worthing	
Proposal:	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 (Outline with all matters reserved).	
Applicant:	Persimmon Homes Thames Valley	Ward: Castle
Agent:	Pegasus Group	
Case Officer:	Gary Peck	



Not to Scale

Proposal

This application seeks outline planning permission with all matters reserved for a mixed use development comprising up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre commercial and community uses with associated car parking, car parking for the Goring railway station, undergrounding of overhead HV cables and other supporting infrastructure and utilities. The submitted Masterplan is appended at Appendix 1 at the end of this report.

The applicant states that the site area extends to just under 20 hectares and there the proposed net density of the development would be around 46 dwellings per hectare.

In describing the proposal, the submitted Planning Statement outlines the following:

“Whilst layout is a reserved matter, an Illustrative Masterplan has been submitted to demonstrate how this scale and form of development can be accommodated within the site and assimilated into the existing built-up area.

The proposed development would not extend as far north as the Ferring Rife. The development parcels would be set back from the watercourse to provide a new area of publicly accessible parkland and area of biodiversity protection and enhancement which extends to almost 5ha, in addition to other green infrastructure...it is anticipated that the development parcels will be designed to maintain green corridors through the site on a north south axis.

Play areas are strategically located throughout the development to be accessible to the new resident population and those from neighbouring residential areas.

The local centre would be located at the south eastern corner of the site, close to the railway station. This reinforces the railway station as a local focal point and provides an opportunity to deliver a new car park to serve the railway station and address the existing parking problems in the area.

In respect of housing mix, it is stated that the precise housing mix will be agreed at a later stage if planning permission is granted. It is anticipated that the proposals would include a range of house types, including detached, semi-detached, and terraced houses as well as apartments. House sizes are likely to range from 1 to 4 bedroom units. The applicant states that the proposals would make provision for a ‘range of tenures’ and this will include a significant proportion of affordable housing (30%), in accordance with Policy 10 of the Core Strategy.

In terms of building heights, while this is a reserved matter and therefore subject to a future application if the outline application were granted, it is stated that building heights would be predominantly 2 and 2½ storeys with 3 and 4 storey elements at selected locations to add variety to the roofscape and to enhance legibility within the layout.

A Landscape & Visual Statement as been submitted with the application which asserts:

“The Site is not covered by any designations for landscape, ecology or heritage value, nor is it located within an identified gap within the adopted Worthing Development Plan. The South Downs National Park is located beyond Littlehampton Road, to the north of the Site.

The Site and the adjacent farmland are largely devoid of any significant landscape features, with the exception of the large drainage channel, Ferring Rife. It is heavily influenced by the proximity of residential development, highway infrastructure, the railway line and by the large lattice pylons that extend across it...It is not a ‘valued’ landscape in respect of paragraph 170(a) of the NPPF. In terms of landscape sensitivity, the site is well related to surrounding urban development, and is of relatively low landscape and environmental quality...

Whilst development will extend onto land between the settlements, it can be accommodated in a manner which still retains a significant spatial break within the built up area. In terms of Draft policy SP6, the Site manifestly fails to meet the NPPF criteria for designation as Local Green Space.”

A Built Heritage Statement has been submitted which states that it is considered that the proposed development will result in a negligible level of harm at the very lowermost end of the less than substantial harm spectrum, to nearby listed buildings as well as the Conservation Area of Highdown Garden.

In respect of drainage, the applicant states that the proposals will incorporate on-site SUDs features which will attenuate the surface water as well as acting as an opportunity for biodiversity enhancements and contributing towards the visual amenity of the site.

It is further stated that flows will discharge to Ferring Rife as infiltration has been found to be unviable following on-site investigation and testing – shallow infiltration testing is to be undertaken to verify whether infiltration is viable at shallow depths. While the wider area falls within Flood Zones 1-3, the development site itself is solely within Flood Zone 1, which is the Zone considered least likely to flood.

The supporting information goes on to state that the application site would be served by a new 3-arm roundabout junction off the A259 Goring Street at the eastern boundary. There would also be provision for a secondary access and a dedicated access into the local centre/extended railway parking area.

The application has been accompanied by a detailed Transport Statement which is considered by the applicant to demonstrate that the development proposals comply with the core principles of various current national, regional and local planning policies, most notably in respect of providing new households and other end users with opportunities to adopt sustainable travel patterns and behaviour for various journey purposes, thereby negating the need for them to own a vehicle and travel by private car.

The statement further asserts that the application site is well located to public transport services available at Goring rail station and bus stops along The Strand and the A259, which provide a good level of connectivity to a whole host of journey destinations. Further, a wide range of amenities, which are likely to cater for the

day-to-day needs of future households and occupiers of the commercial unit are available and accessible on-foot and by cycle.

It is further stated that the development proposals would have the potential to generate in the order of 309 and 316 two-way vehicular traffic movements during the weekday AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hour periods which the assessment concludes would not have a 'severe' residual cumulative impact on the operational and safety characteristics of the local highway network, particularly to the conditions of amenity, capacity and safety.

Detailed consultation responses in respect of the information submitted by the applicant are included later in the report.

Site and Surroundings

The application site is located to the north west of Goring Railway Station, and is bordered by the railway line to the south, Goring Street and the A259 to the east, the Ferring Rife to the north, beyond which is a further agricultural field leading to the east-west section of the A259. To the west is a smaller field in agricultural use and Ferring Lane, both of which are within the boundary of Arun District Council.

The site area is given as 19.96 ha. It is currently in agricultural use and predominantly flat. There are no buildings or structures within the site apart from the overhead power lines (which are proposed to be put underground as part of the application).

At present, the site is accessed from the A259 to the north eastern corner of the site. There are 2 public footpaths on the site, adjacent to the western boundary of the site and the whole length of the southern boundary adjacent to the railway line.

The site is outside of the built-up area as defined by the Core Strategy and this is proposed to remain the case in the emerging Local Plan, hence the site is not allocated for residential development. Furthermore, the emerging Local Plan designates this area as both a Local Green Gap and a Local Green Space.

The South Downs National Park is about 225 metres from the application site at its nearest point to the north and is clearly visible since the land rises to the north beyond the A259. Within the National Park is also the Highdown Conservation Area and several listed buildings, the closest of which are located immediately adjacent to the A259 to the north.

Relevant Planning History

It is not considered there is any planning history relevant to the determination of the application.

Consultations

Arun District Council

Arun District Council objects to the loss of the strategic gap.

Unmet housing need

The Council recognises the significant levels of unmet housing need in Worthing. However, Worthing District Council must assess the negative impact of the proposals against local and national policies not least paragraph 11(d) and paragraph 12 of the National Planning Policy Framework. The proposed development is significant in scale at 475 dwellings and 1,005 square metres of commercial floorspace on land adjacent to Goring Railway Station. The site is outside and immediately adjacent to the eastern boundary of Arun District Council. The current boundary between the two districts is formed by the Worthing-Ferring Gap between settlements. The site is also located adjacent to properties within Arun on the east side of Ferring Lane up as far as Ferring Rife. Ferring Rife forms the northern boundary of the application site.

Worthing currently has a shortfall of housing supply (i.e. their Objectively Assessed housing Need or OAN) as signalled in its Regulation 18 Draft Local Plan 2016-2033 consultation in October 2018 which Arun has an outstanding objection to because it has not yet demonstrated whether more could be done to reduce its level of unmet need through the efficient use of land.

The impact on coalescence and the impact on the character of Ferring

Worthing District Council needs to ensure that the proposed mixed-use development on this site does not compromise the visual integrity and openness of the strategic gap between Worthing and Ferring. At present, there is an uninterrupted view from the coastal path looking north towards the South Downs and Highdown Hill. The proposed development conflicts significantly with the purposes of the Strategic Gap, especially in terms of avoiding the coalescence of settlements and compromising the visual openness between Ferring and Worthing, and would bring residential development closer to the South Downs National Park at this point, adjacent to the A259.

Re-location of Worthing Rugby Club

Arun District Council is aware of proposals for the relocation of Worthing Rugby Club from its existing site on Roundstone Lane, in Angmering.

The site of the current planning application (Ref. AWDM/1264/20) at Goring Gap is located in very close proximity to Goring railway station; and it is considered offers a suitable site for the relocation of Worthing Rugby Club. Arun District Council considers that the re-location of Worthing Rugby Club would be better located within Goring Gap than in the undeveloped coastal location at Ferring Gap. A balance will need to be made by the applicant and Worthing District Council between developing housing on all of the land within Goring Gap or to relocate the Worthing Rugby Club on part of their landholdings within the Gap.

Carbon reduction measures

If planning permission is granted for this mixed-use development, then exceptional sustainability / carbon reduction measures should be secured including the provision of green roofs, the use of photovoltaic (PV) panels, air source heat pumps and ground source heat pumps; together with the installation of electric vehicle

charging points in order to deliver sustainable housing. Green roofs should also be considered for the commercial uses.

Connectivity

In the event that the application is positively determined, the development would need to ensure that the connectivity to communities and infrastructure (including Green Infrastructure networks) within Arun as well as Worthing is retained and enhanced and must not prejudice access to land to the west (in Arun) i.e. Land East of Green Park (HELAA site reference 110).

A259 Improvements

If planning permission is granted, the development should contribute towards appropriate A259 improvements including any necessary within Arun.

Ecological Consultant

Review of submission documents:

Land North West of Goring Station, Goring-by-Sea, West Sussex: Protected Species Surveys (Urban Edge Environmental Consulting, July 2020).

Land North West of Goring Station, Goring-by-Sea, West Sussex: Winter Bird Survey Report (TSA Ecology, July 2020).

Land North West of Goring Station, Goring-by-Sea, West Sussex: Breeding Bird Survey (Urban Edge Environmental Consulting, August 2020).

Land North West of Goring Station, Goring-by-Sea, West Sussex: Biodiversity Net Gain Assessment (Urban Edge Environmental Consulting, July 2020).

Goring Station, Goring-on-Sea: Concept Masterplan – 02. Drawing No. CMP-02. Rev. P6 (Thrive Architects, June 2019).

Land North West of Goring Station: Design & Access Statement (Persimmon, August 2020).

Summary

No objection subject to securing ecological mitigation and enhancement measures.

Detailed Feedback

We are satisfied that sufficient ecological information is available for determination of this outline application. The information provided allows for an appropriate level of assessment of the likelihood of effects of the proposed development on protected/priority habitats and species and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Protected Species Surveys report (Urban Edge Environmental Consulting, 2020) should be secured and implemented in full. This is necessary to conserve and enhance protected/priority habitats and species.

Designated sites

The desk study has not been updated since 2015. The Worthing Borough Council: Draft Local Plan 2016-2033 indicates that further work is being undertaken which may result in expanding the existing Ferring Rife and Meadows Local Wildlife Site to include part of the Chatsmore Farm site.

Notwithstanding this, the Concept Masterplan (Thrive Architects, CMP-02-P6, June 2019) indicates that the presence of a corridor of semi-natural habitats along the Ferring Rife within the site will be maintained.

Advice:

Prior to submission of any reserved matters application, the desk study should be updated to obtain full up-to-date details of all non-statutory designated areas within the Zone of Influence of the site, with records obtained from the Local Records Centre where necessary, and an updated assessment of the impacts of the development on these areas made. Provision of the updated desk study and assessment could be subject of a condition of planning consent.

Habitats

We support the mitigation measures identified in the Protected Species Surveys report (Urban Edge Environmental Consulting, 2020) including protection of sensitive habitats during construction, preparation of a Construction Environmental Management Plan (CEMP), avoidance of works within 10m of the Ferring Rife and water pollution protection measures.

Advice:

- In support of any Reserved Matters application it is advised that the following documents are provided to the council's satisfaction:

Ecological and Landscape Management Plan and Soft Landscaping Proposals for the site (to include management of areas of land for Skylark (see below)).

An updated Biodiversity Impact Assessment to confirm at least a 10% net gain in biodiversity can be achieved across the site.

A wildlife friendly lighting scheme following standard guidelines and the guidance provided by the applicant's ecologist. It should identify the environmentally sensitive zones within the site and demonstrate how light spillage into these zones will be avoided by the proposed lighting scheme.

Provision of this information could be subject to a condition of planning consent.

Protected and notable species

The mitigation measures identified in the Protected Species Surveys report (Urban Edge Environmental Consulting, 2020) are predominately informed by ecological surveys last carried out in 2018. Whilst the surveys appear to have followed appropriate methodologies and are considered appropriate to support the current application, where appropriate these surveys should be updated to inform any Reserved Matters application.

Advice:

- In support of any Reserved Matters application it is expected that the following documents would be provided:

A Water Vole Mitigation Strategy to protect Water Voles present along the Ferring Rife.

A Reptile Mitigation Strategy to protect Reptiles present within the site.

A Skylark Compensation Strategy to include the provision of replacement nesting habitat for Skylark. Please note that it is not considered that the Public Open Space in the north of the site would provide suitable nesting opportunity for this ground nesting species as this area will be subject to limited space and disturbance from recreational activities and it is therefore considered that off-site compensation will be required if effects on local populations of this species are to be avoided.

An Ecological Mitigation, Compensation and Enhancement Plan. This plan should include the location of bat and bird boxes both on buildings and trees and should include bird boxes for Swift (minimum of 5), House Sparrow (minimum of 5) and Kestrel. In addition, this plan should include features to ensure the ecological permeability of the scheme for species including reptiles, Hedgehogs and bats. Features must be incorporated to: (i) avoid entrapment of amphibians and small mammals within the road system and drainage; and (ii) gaps created in fencing/walls to allow movement of small mammals.

Provision of the above information could be subject to a condition of planning consent.

Summary

In summary, the review of the proposals and ecological submissions in support of the outline application is sufficient to demonstrate compliance with Policy 13 of the Core Strategy, the 2019 NPPF and nature conservation legislation. We would however recommend that the further information and (where appropriate) updated surveys identified above are carried out to inform any Reserved Matters application to allow full assessment of the likely ecological effects of the proposed development at the detailed design stage. This could be secured via condition(s) of any planning consent granted.

Environment Agency

We have **no objection** to the proposed development as submitted, **subject to the inclusion of the following 7 conditions**, in any permission granted.

We consider that planning permission could be granted to the proposed development, as submitted, if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition 1 – Implementation of Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (ref D1586/FRA/1.3, July 2020) and the following mitigation measures it details:

- The development, including drainage features, shall not extend beyond the plans submitted in the FRA.
- No part of the development shall come within 8m of the banks of the Ferring Rife.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason(s): In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants, to reduce the risk of flooding from blockages to the existing culvert(s) and to ensure the banks of the Ferring Rife can be maintained.

Condition 2 - Development on land affected by contamination

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
all previous uses
potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are

complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason(s): To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Condition 3 – Verification report

Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason(s): To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4 – Previously unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s): To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 5 – SUDS infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s): To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

Whilst we would not object to the use of SuDs at this site we expect the developer to incorporate suitable level of pollution prevention measures into the drainage design to ensure that groundwater and drinking water supplies are protected.

With regards to clean roof water, we have no objection to this being discharged to ground. However surface water drainage from car parking areas and roads has the potential to contain pollutants and hazardous substances. We would expect a risk assessment to be carried out to determine the level of treatment required prior to the water from these areas being discharged to ground. We would like to direct the developer to the Ciria SuDs manual C753 where industry best practice is provided. It provides further information and guidance on risk assessment and the likely level of treatment needed for such sites. This can be found at <http://www.susdrain.org/>.

Condition 6 – Piling and boreholes

Piling and investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason(s): To ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement of the [‘The Environment Agency’s approach to groundwater protection’](#)

Condition 7 - Decommission of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

Reason(s): To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework and Position Statement of [‘The Environment Agency’s approach to groundwater protection’](#).

Advice for Local Planning Authority/Applicant

The Environment Agency completed a new flood risk model for the Ferring Rife in 2020. The outputs of this model will be used to update the published Flood Map for Planning in November 2020. The proposals outlined in this application show all development to be in Flood Zone 1 based on the update due in November. As such it is the view of the Environment Agency that the development shall be deemed in Flood Zone 1 with parts of the site boundary falling into Flood Zones 2 and 3.

Environmental Health

There are no adverse EH comments for this application. I would recommend the following conditions be attached to any permission given.

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site

The development hereby permitted shall be carried out in full accordance with the noise mitigation recommendations set out in the applicants Environmental Noise Impact Assessment Reference SA-5751, and all works which form part of the noise mitigation scheme shall be completed before the permitted dwellings are occupied.

As this is a major application, the applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020) -

<http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>.

The intention of the guidance is to ensure the integration of appropriate mitigation via an emissions mitigation assessment and, where necessary, to identify air quality impacts through an impact assessment. The emissions mitigation assessment is used to inform the level of mitigation required to help reduce/offset the potential effect on health and the local environment. Consultation with Public Health & Regulation is advised at an early stage.

This assessment be submitted before any permission is granted as the findings of the assessment will allow calculation of the mitigation figure contained in the condition below.

The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be equal to a value as identified in the emissions mitigation assessment contained within the Environmental Statement and provided as part of the application.

Highways England

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of this proposal, our interest relates to potential impacts upon the A27.

Having examined the Transport Assessment on the planning portal we have the following comments for the applicant to consider:

4. Baseline Highway Conditions

The PIA analysis should be extended to cover the A27/A280 junction

6. Multimodal Trip Generation

Paragraph 6.9 references ‘Method of Travel to Work’ data from the 2011 Census for the Worthing 013 Middle Layer Super Output Area (MSOA). However, the site is located in Worthing 006 Middle Layer Super Output Area (MSOA) as outlined in paragraph 7.13. Therefore, please can clarification be provided?

7. Highway and Transport Impact Assessment

Paragraph 7.2 states that 505 units has been assessed – please can clarification be provided regarding the level of units assessed as chapter 6 was based on 475? (if 505 units has been assessed, a further table showing the total development trips based on 505 units is required)

Table 7.3 – Highways England requests that a ‘Trunk’ road TEMPro growth rate is used for the A27/A280 junction flows

Table 7.13 – the “2031 Future Year + Committed Development + Development + Sensitivity scenario” in Table 7.20 of the Land North of Water Lane Transport Assessment is considered to be the base scenario in 2031. However, the 2033 base scenario in Table 7.13 shows that the performance of the A280 North arm in the AM is better in 2033 compared to the 2031 Land north of Water Lane scenario.

Table 7.14 – the “2031 Future Year + Committed Development + Development + Sensitivity scenario” in Table 7.21 of the Land North of Water Lane Transport Assessment is considered to be the base scenario in 2031. However, the 2033 base scenario in Table 7.14 shows that the performance of the following arms are better in 2033 compared to the 2031 Land north of Water Lane scenario:

A280 Long Furlong (AM)

A280 south (AM and PM)

A27 offslip (AM)

Arundel Road (AM)

Table 7.14 – comparison of the 2033 Base with 2033 Base + Development scenarios shows the A27 offslip performs better in the AM with the development – please can clarification be provided as this is not logical?

Paragraph 7.57 references mitigation at the A280 / A27 / Titnore Lane roundabout in relation to Table 7.15, yet Table 7.15 is labelled “A280 - A27 - Arundel Road – mitigation”, therefore please can clarification be provided?

Appendix 14

Highways England disagrees with some of the route assignment as follows:

- *all Chichester trips should use Titnore Lane / A27 (W)*
- *all Horsham trips should use Titnore Lane / A280 (N)*

The final page appears to show trips based on a development of 600 units, which differs from the 475 in chapter 6 and 505 referred to in chapter 7 and therefore further clarification is requested

Appendix 16

Figure 11 (2033 Base + Committed Development Flows AM Peak (08:00 - 09:00)) has been compared to the 2031 flows in TF23 in the Land North of Water Lane Transport Assessment.

Figure 12 (2033 Base + Committed Development Flows PM Peak (17:00 - 18:00)) has been compared to the 2031 flows in TF24 in the Land North of Water Lane Transport Assessment. The tables below show the Land North of Water Lane Transport Assessment flows that are higher than the base flows in this TA, which requires clarification as the 2033 flows should be higher.

The development distribution flow diagram (Figure 13) does not reflect the distribution in Appendix 14 at the A27/A280 junction. Therefore, please can the flow diagrams be updated or clarification be provided?

The total development flows in Figure 20 and Figure 21 do not appear to match those in Table 6.9 and therefore clarification is required.

Based on the above comments, Highways England has concerns regarding the accuracy of the modelling at the A27/A280 junction and therefore it is requested that the trip generation, distribution, traffic flow diagrams and junction modelling are updated in line with the above comments and resubmitted.

Therefore, until such time as the requested information has been provided to enable Highways England to obtain a clear view of the impacts of this proposed development on the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109),

our informal advice is that you should not approve this application because of the potential for harm to the Strategic Road Network.

This email does not constitute a formal recommendation from Highways England. We will provide a formal recommendation later when we can be confident that the application is in its final form. In the meantime, we would ask that the authority does not determine the application (other than a refusal), ahead of us receiving and responding to the required information. In the event that to permit the application before this point, we would ask the authority to inform us so that we can provide substantive responses based on the position as known at that time.

Landscape Consultant

Objection

Relevant legislation, guidance, policies and evidence base:

NPPF (2019); with particular reference to paragraphs 99,100, 170 and 172.
Worthing Borough Council Core Strategy, Policies 13,14 and 16.
Worthing Borough Council Draft Local Plan, Policies SP5, SP6, CP15 and CP16.
The South Downs Partnership Management Plan 2020 - 2025.
Landscape and Ecology Study of Greenfield Sites in Worthing Borough, Nov 2015.
Landscape and Ecology Study of Greenfield Sites in Worthing Borough;
Review of Low Suitability Sites, March 2017.
Goring Gap Proposed Local Green Space Designations; Landscape Statement, 2018.
The South Downs National Park: View Characterisation Analysis report, Nov 2015, (the Viewshed Report)

Documents and drawings reviewed:

Site Layout as Proposed, dwg no. CMP-02-P6
CSA Landscape and Visual Impact Assessment, July 2020
Design and Access Statement, August 2020
Arboricultural Opportunities and Constraints Assessment, August 2020

Consultation responses reviewed:

South Downs National Park Authority Response, October 2020
Ferring Parish Council Response, September 2020
Worthing Society Response, September 2020
National Trust Response, October 2020
Arun District Council Response, September 2020
CPRE Response October 2020

Baseline Assessment

The application site lies in an undesignated landscape, close to the southern edge of the South Downs National Park, this edge being aligned with the A259. The site is the larger of two arable fields which lie between the A259 and the Brighton to Littlehampton railway line to the south. The arable fields, together with a small field

to the west in neighbouring Arun District, form the locally termed, 'northern gap' between the settlements of Ferring and Goring by Sea.

The site is bound by sporadic vegetation of varying density including scrub and occasional groups of small trees, within or adjacent to the site's southern, eastern and western boundaries. Ferring Rife, a drainage ditch, forms the northern site boundary and has limited riparian vegetation which includes occasional shrubs and small trees.

A line of pylons runs east-west through the middle of the site.

The site lies adjacent to existing development to the south, east and west, which includes a number of 3-storey buildings to the north-east and multi-storey flats to the south-east. Public footpath 2121 runs along the southern boundary of the site and footpath 2121/1 follows part of the western boundary.

Landscape Character

The site is located within the low-lying flat open landscape of the 'Littlehampton and Worthing Fringes' County Character Area (area SC11), of the West Sussex Landscape Character Assessment (reference Figure 6 of the Worthing Landscape and Ecology Study).

The accompanying land management guidelines for Area SC11 recommend restoring and strengthening the landscape, and include the creation of a new large scale tree and hedgerow framework to complement the open, intensively farmed landscape, whilst maintaining important views.

At a local scale, the site forms part of the 'Goring Coastal Plain' local landscape character area (reference Figure 7 of the Worthing Landscape and Ecology Study).

This area is characterised by open large-scale arable fields and extends to include fields to the north and west of the site beyond the A259.

Visual Assessment

The application site is open to view from Highdown Hill and its hill fort, a Scheduled Monument (SM), which lie within the South Downs National Park, and to the north of the site. The site forms a prominent part of the middle-distance landscape within views from the Hill including those from the SM and land managed by the National Trust. The gap between Ferring and Goring by Sea is seen in the context of existing settlement and the English Channel beyond, which forms the horizon.

The gap forms a noticeable break in the development to the north of the main railway line along the coastal plain. The open character of such views continues, in part, south of the railway line into the school playing fields to the south-east of the site. The site is also visible from high ground within the National Park, to the east of High Salvington, and, at a greater distance, from Cissbury Ring, which is a hill fort and Scheduled Monument within the National Park to the north of Worthing.

At closer range, the site is open to view from footpaths 2121 and 2121/1 and from the A259. Although views are partially filtered by vegetation in places, it is also

visible from properties which face onto the area and from the railway. In these more local views the site makes a substantial contribution to the sense of openness and separation between the settlements of Goring by Sea and Ferring.

There are uninterrupted views to the National Park, including Highdown Hill from public footpath 2121 along the southern edge of the application area, in which the site forms a significant part of the extensive open and agricultural foreground setting to the National Park and Highdown Hill.

Sensitivity to development

The Landscape and Ecology Study (2017) assessed the majority of the northern gap, which includes the application site, as having a 'Major' degree of visual sensitivity. A small part of the south-west corner of the northern gap, where it adjoins with Arun District to the west, is partially contained to the north by vegetation, and forms a less prominent part of the visual separation between Goring and Ferring. The south-west corner of the northern gap was therefore considered to have 'Moderate' visual sensitivity.

In addition to a largely high visual sensitivity, the northern gap, including the application site, was judged to have high sensitivity in terms of its function as an open landscape between the settlements of Goring and Ferring. The gap (including the site) was judged to have substantial landscape sensitivity in relation to its contribution to the open character and setting of the surrounding landscape and settlement.

Assessment of Application Proposals

The application site lies outside current settlement boundaries as set out in the Adopted Local Plan and its suitability for development was considered as part of a review of low suitability sites in 2017 (as referenced above). The recommendations of that reassessment of sites were that limited development to the south-west corner of the northern gap (including a small portion of the application site) would be acceptable for development, in landscape and visual terms, given that the main views into and out of the gap would be maintained and that the majority of the land within the gap would be retained as open agricultural land. The review noted that in relation to potential development on that corner of the gap the setting to the National Park, its heritage assets and the relationship between the landscape of the National Park and the settlement on the coastal plain would be largely unaffected.

The current application proposals far exceed the extent of development anticipated in the 2017 review. The application site extends east-west over the full extent of the gap between settlements. The development, allowing for the retention of the field to the north as proposed, would seriously erode the sense of separation between the settlements that the current land uses provide.

The tenor of the draft Local Plan is to conserve the separate identities of settlements on the coastal plain. It seeks to protect the gap from inappropriate development as set out in the reasoned justification for Policy SP5 (paragraphs 2.48-56) and to designate the space as Local Green Space (paragraphs 2.57-2.73). The Adopted Local Plan for Arun District has included a gap policy in relation to the small field to the west of the application site. The clear intention of both

Authorities is to maintain the gap and maintain the separate identities of the two settlements.

The proposed development also encroaches on the setting to the National Park and would have an adverse effect on Highdown Hill and the landscape setting to the adjacent Downland landscapes of the National Park, the Highdown Conservation Area and the Scheduled Monument. The photomontages provided within the LVIA, submitted in support of the application, illustrate the extent of development from the A259 and the National Park but the LVIA assessment of effects underestimates the adverse effects of the scheme.

The Viewshed Study 2015 includes the Highdown Hill location as one of the key visual receptors in the Park, Viewpoint 31. Highdown Hill (National Trust) is identified as a good vantage point from which to view the landscape and views from the Hill are assessed by the study as representative of sea views from the National Park. Whilst the view of the sea may be the main focus of such a view, the fore- and mid- ground landscape are essential parts of that view. Threats to the views from the High Downs looking out to sea, identified in the study, include *“intrusive new development within the view by day and by night that affect the sense of tranquillity within the National Park”* (para 3.22 of the Viewshed report 2015). The proposed development is located centrally in key viewpoint 31 as illustrated in the Viewshed Report, and the scale and extent of the development would be highly intrusive. The proposal’s effects on that view and on the setting to the National Park would be substantial and are underestimated in the LVIA accompanying the application.

Locally, the expansive views towards the National Park afforded by the existing footpath network would be reduced to glimpses of the Downs. Views from new routes proposed would not compensate for this adverse impact, as they would be substantially closer to the busy A259 road corridor and would include a more limited agricultural setting to the National Park. The visual amenity of the footpath network would be diminished by the proposals.

Conclusion:

Substantial adverse landscape and visual effects would arise from the development: such impacts would affect the local area and the wider landscape, including the landscape setting to the National Park, Highdown Hill scheduled Monument and the conservation area and the sea views from the National Park. The development would substantially close the gap between Goring by Sea and Ferring adversely affecting the separate identities of the settlements.

National Trust

The National Trust has been contacted regarding the proposed development at Land North West of Goring Railway Station and has taken the opportunity to review the submitted information.

The National Trust owns and manages 21 hectares of Highdown Hill, which lies to the north west of the application site. The land is of great archaeological importance and this is recognised with the designation of the Scheduled Monument (SM) within part of the land within the Trust’s ownership. The land directly links to a wider area of recreational importance for local residents and provides long distance views

across the coastal plain. The site forms the southern edge of the South Downs National Park.

As indicated above the site is of national importance for archaeology. The SM is identified as dating from the Bronze Age period (2000-700BC) with an extremely rare Ram's Hill enclosure with Historic England indicating that only 10 of these types of enclosure have been positively identified from this period. In addition, the SM has an Anglo-Saxon cemetery within the Bronze Age ramparts and this has yielded a significant amount of archaeological finds. The site has also had Roman finds which suggests use by them in the First Century AD. The site also has potential archaeological interest outside the SM area with evidence of occupation during medieval times and the southern boundary of the site has a 4.5m raised beach. The Trust therefore considers that the site should be considered as a heritage asset of national significance.

The Trust is disappointed that this proposal has come forward outside the Development Plan process and consequently its suitability for development has not been assessed alongside other sites to ensure that sustainable development is achieved within the Borough. The Trust fully supports the plan-led system as it is considered the most appropriate way of securing development in compliance with the NPPF objectives and it seems that the emerging Draft Worthing Local Plan this area was not considered suitable for development and that its value as open space and a gap between settlements was to be protected. However, the Trust recognises that these policies had not been tested through examination and that it is highly likely that the LPA will have to consider paragraph 11 of the NPPF in its decision making process.

Having reviewed the submitted information the Trust would like to make some more detailed comments on the proposal. As indicated above Highdown Hill and its archaeological significance are protected by two national designations (Schedule Monument status and its position within the South Downs National Park). The coastal plain to the south of Highdown Hill has played an integral part of the significance of the site for over 4,000 years and while the Trust accepts that the setting of the SM has changed to now being impacted by the development of the settlements between Worthing and Littlehampton this increases the value of the remaining open and undeveloped land. The Trust's view is that this proposal will further diminish the setting of Highdown Hill with the introduction of built form and associated infrastructure and while this may be less than substantial harm under the terms of the NPPF we are concerned about the continual erosion of the setting of this nationally significant feature.

In addition, the southern boundary of the South Downs National Park (SDNP) lies just to the north of the application site and therefore falls within the setting of the National Park.

Highdown Hill is one of the selected viewshed monitoring points within the SDNP. The proposed development will impact on the setting of the SDNP and its special qualities and case law has determined that such matters are material considerations in the determination of applications. The Trust therefore hopes that Worthing Borough Council will consult carefully with the South Downs National Park Authority to consider the impact that this proposal will have on the SDNP and whether that

impact can be considered to comply with the duties under the Environment Act 1995 and with the requirements of paragraph 172 of the NPPF.

Network Rail

Following an internal consultation, Network Rail would like to make the following comments.

Request for more information on proposed station car park

The proposal includes the provision of a new public car park to serve the local centre and Goring rail station. To enable Network Rail to gain a better understanding of how the proposed car park will interact with the railway station, we would like the applicant to provide more information. In particular we ask that the applicant provides information on the car park's location, the number of spaces dedicated for rail users and how they propose for station users to cross safely from the car park to the station. We also ask that the applicant provides information on the future ownership and revenue share of the car park.

Impact on Goring railway station

Goring station's facilities such as shelters, ticket machines and customer information screens are limited. This reflects the current low passenger numbers experienced at the station. Further analysis will be required to establish whether additional facilities are required to mitigate the additional rail trips as a result of the proposed development. Network Rail Infrastructure Limited Registered Office: Network Rail, One Eversholt Street, London, NW1 2DN Registered in England and Wales No. 2904587 www.networkrail.co.uk

Impact on Goring level crossing

As part of our licence to operate and manage Britain's railway infrastructure, we have a legal duty to protect our passengers, the public and our workforce, and to reduce risk at our level crossings so far as is reasonably practicable. Our aim is to close or upgrade crossings across the network, which will improve safety for everyone.

Goring level crossing is of Manually Controlled Barrier type (MCB). This type of crossing is remotely checked by a signaller who confirms the crossing is clear before a train passes over it. MCB type crossings are currently the safest type of active level crossing. At present Goring level crossing does not experience large amounts of vehicular use, it is mostly used by pedestrians to access a small colonnade of retail outlets to the South West of the crossing.

Although Network Rail acknowledge the majority of vehicles are expected to use the A259 to access the development, it should however be expected that some pedestrian and vehicular movements will be attracted to the residential dwellings, proposed station car park and local centre via Goring level crossing. Any additional usage of the crossing would result in an increase in risk to the railway.

The proposed development is expected to increase the demand for rail at Goring station. Currently to access the westbound platform, station users are required to

cross the railway either by using the stepped foot bridge, and for those rail users who are unable to use a stepped footbridge, the level crossing. Therefore, any increase in station users will increase the amount of people required to use the level crossing, which once again increases the risk to the level crossing.

As well as the increased risk to the crossing from people drawn to the development and west bound rail users, the introduction of parking control measures along Minor Goring Lane may also increase the risk further by providing vehicle drivers with the opportunity to travel faster as they approach the level crossing. This is not only a risk to the level crossing but also a risk to station users who will be crossing the road to access the station. Network Rail Infrastructure Limited Registered Office: Network Rail, One Eversholt Street, London, NW1 2DN Registered in England and Wales No. 2904587 www.networkrail.co.uk

As a result of the concerns raised in this letter, Network Rail would like to explore the possibility of closing Goring level crossing. It is understood that this would only be successful by implementing a way of crossing the railway which can be accessed by all.

GTR Rail

We are commenting on the above application on behalf of GTR who operate the railway station opposite the proposed development site.

There are for us a number of points we would like to see addressed both in relation to the impact of the development on the immediate area around and including Goring station. Plus we have specific points around the proposed car park located in the southern part of the proposed development.

The railway station has a relatively low footfall and the level of Station facilities reflect this. It is clear that this proposal is likely to create a meaningful increase in customers wanting to use this station, but there is no mention in the application of any plans to enhance those facilities to accommodate the extra footfall. For example waiting facilities and ticket machines currently provided would be inadequate. There is a footbridge going across the station which is not accessible and there is no mention of any plans to address accessibility. At the moment those customers who cannot use the footbridge are reliant on using the level crossing adjacent to the station. This proposal will undoubtedly increase the number of people who will have to rely on using the level crossing, to get across to the other side of the station or whether else they wish to go.

The proposed new car park which talks about being used by railway customers but also mentions it to be a neighbourhood facility. Can the proposer indicate exactly how spaces would be allocated between the two types of potential users? Will it be a paid car park and who is going to manage it? Also there is no mention of who is going to maintain it. We would be interested to understand the answer to this as it will potentially impact on our customers.

We are concerned that there is already a significant amount of on street parking around the road adjacent to this site and the railway station. It is noted the developer plans to insert a pedestrian crossing at the south end of the site near the railway station. Given if this proposal goes ahead there will be even more traffic on

this road than there is now currently, what plans does the developer have to improve the safety of pedestrians wishing to use that crossing? It is also very likely that scheme will lead to an even greater build up of both motor and pedestrian traffic at the level crossing, which cannot see where that is being addressed in this application.

Overall we do have concerns about this application which we think need to be addressed before we could come to a final view.

Parks and Foreshore

Noted that biodiversity net gain is mentioned in the application form.

I would want to see the details of what this means considering the land, habitat space and ecosystem services being lost as part of this development.

Without these details I cannot make an assessment of this application in detail.

Planning Policy

There is very little information submitted relating to sustainability and whilst I appreciate this is an Outline application it is disappointing that:

1) it is not accompanied by a sustainability statement which the Submission Draft Worthing Local Plan, policy DM16 - Sustainable Design, requires for major development

2) it does not commit to meeting minimum standards - even if the detail of how these standards are met is determined at Reserved Matters.

However it is recognised that they have submitted a Biodiversity Net Gain Assessment based on the Defra Metric 2.0.

Below I've outlined more detail on the relevant sustainability requirements contained in the Submission Draft Worthing Local Plan policies, and the degree to which they have been met by the information submitted.

Worthing Local Plan Policy DM16 Sustainable Design

Towards Zero Carbon Development

Policy DM16 of the WLP part c) requires all major developments to achieve a 31% CO2 reduction on Building Regulations Part L and to demonstrate how the design and layout of the development has sought to maximise reductions in carbon emissions in line with the energy hierarchy.

The submitted Design and Access Statement pg 46 - Sustainable Construction makes reference to meeting Part L of Building Regulations with regard to energy efficiency. This would not therefore comply with the emerging Local Plan policy DM16 point c).

Part d) requires all new build housing to achieve an A rating Energy Performance Certificate. Part f) states residential or mixed use developments consisting of more

than 200 residential units should achieve BREEAM Communities 'Very Good' as a minimum rating based on the latest scheme.

There is no mention in the submitted information as to whether the development will be designed to achieve a minimum BREEAM standard.

Preventing Overheating

Parts g) and h) of Policy DM16 require developments, and in particular major developments to reduce potential overheating and to demonstrate this in accordance with the cooling hierarchy. Part g) states developments should minimise excessive solar gain and maximise opportunities for passive cooling. Multifunctional GI should be integrated into public spaces to provide urban cooling and access to shady outdoor space.

The submitted Design and Access Statement page 46 refers to the orientation and sizing of windows to optimise lighting and solar gain, however there is no consideration of the need to ensure this is done in a way to prevent overheating. It is however good to see reference to tree planting which will help provide shade and canopy cover.

DM17 Energy

Part a) requires all new housing to incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements (after CO2 reductions from energy efficiency measures). Part b) requires major developments to demonstrate that the heating and cooling systems selected are in accordance with the heating and cooling hierarchy and are the lowest carbon solution feasible

There is no information submitted in relation to this requirement.

DM18 Biodiversity

Part h) requires major developments to demonstrate at the planning application stage using biodiversity metrics that a minimum of 10% net gain for biodiversity will be achieved onsite.

A biodiversity net gain assessment has been submitted which concludes there will be a 9.22% net gain in area habitats and a 1577.2% net gain in linear habitats. It is recommended in line with para 5.1.6 that recommendations for ecological enhancements in the accompanying protected species survey reports should be integrated into detailed landscape proposals to ensure net gains are maximised as far as possible. As a minimum this should aim to achieve a 10% net gain in line with Policy DM18.

DM19 Green Infrastructure

Part e) requires major development to demonstrate how they are meeting the requirements of this policy and encourages achievement of Building with Nature Full Award (Excellent).

The submitted Design and Access Statement pg 25 - Landscape and GI Strategy makes reference to tree planting which will help meet requirements of part c) of this policy.

DM20 Flood Risk and Sustainable Drainage

It is understood a SuDS scheme has been developed for the site and this has been commented on by our Council's own technical services, WSCC and the EA.

DM21 Water Quality and Sustainable Water Use

part e) requires new housing as a minimum to incorporate water efficiency measures to limit water use to 110 litres/person/day and where possible to 100 l/p/d.

The submitted Design and Access Statement (page 46) makes reference to water efficiency measures. However it is disappointing that commitment hasn't been made to achieving at least the 110 l/p/d and if possible exceeding this.

South Downs National Park

Thank you for your correspondence received 18 August 2020, consulting us as a neighbouring authority on the above noted development proposals.

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

- Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The National Park's comments on the development are as follows:

Thank you for consulting the South Downs National Park Authority (as a neighbouring authority) on the above application and providing us with an extension in order to submit our comments for the mixed use development comprising up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre.

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

- Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

- Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

- Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The development is proposed to be sited to the south of the A259, approximately 80m from the boundary of the National Park at its closest point. However, the indicative masterplan shows the built form situated approximately 255m from the boundary of the South Downs National Park. The site is highly sensitive due to its proximity to the boundary of the National Park which is particularly important to defend from the impact of development. It is therefore considered that the development has the potential to detrimentally impact on the setting of the National Park. The SDNPA makes no comment on the principle of development, however would recommend that consideration be given to the design of the development.

The development should be designed to minimise its visual presence and impact, and where impacts are identified these should be mitigated or minimised through appropriate design interventions. The ultimate design of the proposals should be appropriate to its sensitive edge of settlement location in terms of the developments height, scale and density.

Consideration should also be given to the impact of the development upon the Highdown Conservation Area. The Conservation Area Character Appraisal and Management Plan can be found here:

https://www.southdowns.gov.uk/wp-content/uploads/2020/06/Highdown-CAAMP_26_May_2020-compressed.pdf. The site will be visible from the top of the access road, see paragraph 4.4 and Figure 6 of the appraisal and as such it is requested that it and the Conservation Area Appraisal are considered as part of your determination of this application.

It is strongly recommended that the case officer also make reference to the View Characterisation Study - that describes the character of key views from inside the National Park in the determination of this application..

Consideration should also be given to the status of the National Park as a designated International Dark Sky Reserve. Dark skies and tranquillity are a special quality of the National Park which need to be protected. Paragraph 180(c) of the NPPF 2018 outlines that development should limit the impact of light pollution on intrinsically dark landscapes and nature conservation. The SDNPA would encourage a sensitive approach to lighting which conforms to the Institute of Lighting Professionals for lighting in environmental zones, and tries to achieve zero upwards light spill in all respects. Any lighting should also take into account the biodiversity sensitivities of the site and not disturb or harm wildlife. The Council's biodiversity officer should be able to advise further on this. Further information/advice on sensitive lighting can be found in the SDNPA's Dark Skies Technical Advice Note 2018.

Consideration should also be given to the creation of sustainable links between the development and the National Park to encourage public enjoyment and amenity of the National Park and public rights of way where possible. The SDNPA would also

encourage characteristic Green Infrastructure links to be created as part of the design and link to the people and nature network

Southern Water

No objection subject to imposition of a drainage condition.

Sussex Ornithological Society

Whilst, we believe that there are several issues surrounding this planning application we will confine our comments to its impacts on birds, since that is our area of expertise.

1. We believe that the Breeding Bird and Winter Bird surveys have been carried out to a high standard and we have no additional records of birds to add any worthwhile information to that contained in these two reports.

2. The breeding bird survey assesses that the site is “Locally Important” for birds, as it estimates that 10 pairs of Skylark nest on the area between the railway track and the A259 (of which six pairs nest on the development site itself) and good numbers of House Sparrow are found along the southern and south west boundary.

3. In 6.4.1 the Breeding Bird Survey makes 10 recommendations “*for the avoidance and/or mitigation of impacts to breeding birds, to prevent an offence under the relevant legislation from occurring and to reduce the risk of development proposals impacting on the populations and distribution of species recorded during the survey*”.

We agree with all 10 recommendations and would like to see them all implemented.

4. An important recommendation is number 4: *Create high quality breeding habitat for Skylarks, comprising appropriately managed permanent grassland with a variety of structures and heights. Land within the applicant’s control in the local area can offer a suitable alternative habitat for skylarks. As far as possible, alternative habitats should be managed to reduce disturbance by people and dogs.*

There is some suggestion that the nearly 5 ha’s of proposed Public Open Area south of Ferring Rife on the development site will be laid out to provide this habitat. This would not attract Skylark to nest as the purpose of the Public Open Area is that it is to be a recreational area for the residents of the proposed 475 properties. They and their dogs will expect to have free access to all of it all of the time. There is no way Skylark, a ground nesting bird, are going to choose to nest on what will be a very well-used site, however, attractive the habitat is for them. There will just be too much disturbance. Only if humans and their pets are denied physical access to the whole of the Public Open Space (at least from February through July each year) might a few Skylark consider nesting on it – and denying humans and their pets access to this Open Space is clearly not what is intended.

We therefore expect to see the Applicant coming forward with proposals to implement recommendation 4 via plans to provide compensatory habitat at another site away from this development site. We would welcome this being managed permanent grassland with a variety of structures and heights that is free from any

risk of disturbance by the public or their dogs. Part of the mitigation proposal might also include the creation of Skylark Plots on fields in which autumn-sown cereal is sown. (Skylark Plots are undrilled plots on winter cereal fields which have been proven to boost nesting opportunities for Skylarks in areas of predominantly autumn-sown crops - see:

http://ww2.rspb.org.uk/images/skylarkplot_tcm9-132769.pdf).

Noting that the Applicant's Breeding Bird Survey makes it clear that the landowner does have suitable habitat "off site", **we ask that a condition of granting outline planning approval should be that proposals to provide full mitigation for the loss of breeding Skylark sites must be provided offsite.**

5. Overall the applicants claim that there will be a substantial net increase in biodiversity as their landscape plans include the planting of 2kms of new hedges within the development as well as the creation of SuDS features. We believe that there is every reason to expect that net biodiversity can be increased as a result of this development, but will want to see detailed proposals which confirm that this will be done in a way that ensures that biodiversity gains will be sustained.

6. Recommendation 10 of the Breeding Bird Survey recommends that nest boxes for each of the following species is included in the full planning proposals: Common Swift, House Martin, House Sparrow, Barn Swallow and Kestrel.

The first two species nest in colonies. We would recommend that a minimum of 5 Swift nests (which could be Swift bricks) be incorporated in the development and we would also recommend that 5 House Sparrow terraces be erected. We are less convinced that Barn Swallow or House Martin nests should be provided – in part because evidence suggests that the process of these species building their own nests is an important part of their pair bonding. House Martin is also not frequently seen in this area.

We believe that a Kestrel box should also be erected in the greenspace at the north of the site, as recommended in the Breeding Bird Survey (recommendation 10), as this species is regularly recorded in this area.

SOS asks that a condition of granting outline planning approval be that the provision of Swift, House Sparrow and Kestrel nests be part of the development.

We would be happy to provide further advice on these matters.

7. Re recommendations 2 and 5, the Breeding Bird Survey clearly shows the importance of the Rife for breeding and winter birds, and particularly waterbirds. **We therefore ask that a condition of granting outline planning approval is that the applicant should put forward plans to protect and enhance the Ferring Rife corridor for the benefit of birds.**

Sussex Police

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following

comments from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office and Building Control Departments in England (Part Q Security – Dwellings), that recommends a minimum standard of security using proven, tested and accredited products. Further details can be found at www.securedbydesign.com

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Worthing district being above average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should be considered.

Due to the application being outline, my comments will be broad with more in-depth advice being delivered at reserved matters.

With regards to the residential element of the proposal I direct the applicant or their agent to our website at www.securedbydesign.com where the SBD Homes 2019 Version 2 document can be found. The Secured by Design scheme is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. The advice given in this guide has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments.

With regards to the commercial element of the proposal I direct the applicant or their agent to our website at www.securedbydesign.com where the Secured by Design (SBD) Commercial Development 2015 Version 2 document can be found. This is a comprehensive document that encapsulates both commercial developments where the public have no formal access, e.g. factory or office buildings, and those where public access is integral to the commercial use such as retail premises, leisure centres and public buildings. This document will be able to provide the applicant with in-depth crime prevention advice pertinent to the design and layout.

The applicant may also wish to consider applying for a Parkmark accreditation for the proposed car parking area. Parkmark and the Safer Parking Scheme is owned by Police Crime Prevention Initiatives Ltd on behalf of the police service and managed by the British Parking Association. It is aimed at reducing both crime and the fear of crime in parking facilities. Details can be found at www.parkmark.com

I would also ask you to note that Sussex Police is now exploring the impact of growth on the provision of policing infrastructure over the coming years and further comment on this application may be made by our Joint Commercial Planning Manager.

Thank you for giving me an opportunity to comment.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with

due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Sustrans

1 Summary

Sustrans objects to this application, challenging the assertion made in the Transport Assessment [para 3.20] that :

... the site is a highly sustainable location for development and benefits from being accessible on-foot and by cycle to a broad range of amenities..."

The Transport Assessment cites the West Sussex Local Transport Plan 2011-2026 but omits the crucial issue in Worthing:

The current provision of pedestrian and cycling facilities across the town are unable to support and maintain sustainable travel. Much of the network is disjointed and suffers from inadequate signing, safe crossing points and poor surfacing. [Para 2.7.2]

There is a similar assessment for Arun District and nine years into the plan, very little has been done that would change that assessment.

The Transport Assessment:

Is deficient in its approach to inclusion and road safety [see 2 below].

Overlooks three significant policy documents [see 3 below].

Provides no baseline measure of the current modal share of walking and cycling; no identification of barriers to walking and cycling, and no qualitative assessment of existing infrastructure [see 4 below].

Does not identify "what infrastructure is needed to promote the priorities set out in the Local Transport Plan..."; the infrastructure that needs to be in place from first occupation in order that walking and cycling are the first choice for short journeys

[see 5 below].

Raises questions about the quality of the work that has been undertaken to identify the needs of cyclists [see 6 below].

2 Fundamental Principles: Inclusion & Road Safety

The Transport Assessment is deficient in what should be fundamental principles:

Inclusion. There is no acknowledgement that "cycle infrastructure should be accessible to everyone... a right to cycle requires infrastructure and routes which are accessible to all regardless of age, gender, ethnicity or disability and does not

create hazards for vulnerable pedestrians.” [Gear Change, 2020, DfT] No qualitative assessment of cycling and walking infrastructure is made, and significant barriers to cycling and walking are overlooked. The cycle journey times to local amenities [table 3.3] must assume fit and confident cyclists prepared to cycle on main roads and tackle busy junctions [see Appendix]. There is no consideration of the needs of disabled cyclists, or bikes with trailers or child-buggies.

Road Safety. The review of road safety data concludes that “there are no significant safety issues with the existing local highway network” [para 9.2] even though there is a predictable pattern of cycling casualties at junctions. By attributing injuries to human error, the assessment is effectively blaming the cyclist and ignoring intrinsic safety issues with the design of junctions. The latter is, of course, a barrier to all but the confident cyclist.

So long as those attitudes to inclusion and road safety persist, cycling will remain the choice of a minority and many groups will continue to be excluded. That in turn will make it very difficult to meet national and local targets to increase the number of trips by bike and to reduce the number of casualties.

3 Policy Context

Three crucial documents are missing from the policy context [section 2]:

Gear Change [DfT, 2020]

This sets the government’s ambition for new developments:

“We will ensure that all new housing and business developments are built around making sustainable travel, including cycling and walking, the first choice for journeys”.

Cycle Infrastructure Design Local Transport Note 1/20 [DfT, 2020]

This sets the standard against which cycling infrastructure needs to be measured. This is crucial if national and local targets to increase the number of cycling trips and to improve safety are to be achieved.

Adur & Worthing Local Cycling and Walking Infrastructure Plan (LCWIP) [A&W, 2020]

In order to identify the walking and cycling infrastructure needed to support the new development, the LCWIP must be updated. The LCWIP should identify not only the infrastructure needed in order that walking and cycling is an easy and safe choice for trips to and from the new development, but also seek opportunities to open up improved routes as a result of the development.

4 Baseline Conditions

The review of the baseline conditions [section 3.22] does not analyse:

Existing modal share in this area. It is confidently predicted that walking and cycling in this area are a very long way from being the first choice for journeys. In particular Sustrans would question whether the area is served by safe routes to schools.

Given that the only new infrastructure outside the area of the development is to enable car use, there is every reason to suppose that the existing car-dependent culture will be repeated and reinforced.

Barriers to walking and cycling. The roundabouts at Goring Crossways and Aldsworth Avenue are barriers to walking and particularly cycling. The A259 / A2032 Littlehampton Road is a major east-west barrier. The bridge at Goring Crossways is stepped, thus excluding many users, in particular disabled pedestrians and cyclists. The nearest controlled crossings are at Langbury Lane (over 1km west) and the Yeoman Road roundabout (600m east, but only accessible on foot or bike by a long detour).

Quality of existing walking and cycling infrastructure. None of the current cycling infrastructure would meet the standards set out in LTN 1/20, including that being delivered as part of the increase to road capacity on the A259. Some of the infrastructure would not meet the previous standards LTN 2/08.

The Goring to Worthing cycle route fits the description in LTN 1/20: "...substandard, providing little protection from motorised traffic and giving up at the very places it is most needed... worse than nothing, because it entices novice cyclists with the promise of protection, then abandons them at the most important places."

The cycle paths along the A259 / A2032 Littlehampton Road are not segregated from pedestrians; are disjointed, stopping at every side road, with many 'cyclists dismount' signs; have stretches either side of Goring Crossways that are unlit at night; have few safe crossing points; and are poorly maintained. The new cycle paths currently under construction at Angmering share many of the same faults; were heavily criticised by cycling organisations in the 2016 public consultation; and will fall a long way short of LTN1/20.

5 Improvements to Cycling and Walking Infrastructure

The Transport Assessment [2.19] quotes Worthing Borough Council's Core Strategy (April 2011) on new developments that "will need to demonstrate what infrastructure is needed to promote the priorities set out in the Local Transport Plan..."

However, the Transport Assessment fails to do this, citing aspirations and a wish list from the WSCC Walking and Cycling Strategy; a strategy that would not have taken into account a new development on this site:

The strategy "...provides a mechanism by which schemes can be identified and prioritised, thereby enabling the County Council to direct future investment (such as contributions from future development) and support future funding bids."

The only route that is selected is "an aspiration to provide a cycle route from Goring Station to Patching via Highdown Hill... delivery of some elements could be included in A259 Highway Scheme".

There are strong reasons to suppose that this strategy and mechanism will not deliver what is needed. The two schemes in Worthing that were prioritised in 2016 (Goring Seafront & Findon Valley) are both stalled. The Community Highways

Scheme that might have delivered a cycle and footway north of Goring Crossways alongside Titnore Lane has been watered down to become only a footway.

The infrastructure needed to support walking and cycling must be identified. As suggested above, this needs to embrace Gear Change and LTN 1/20 and needs to be integrated into the Adur & Worthing LCWIP. Then there needs to be a plan to show how it will be delivered so that it is in place from first occupation.

6 Identification of Cyclists Needs

The Concept Masterplan map [File: 02190587.pdf Title: PERS190227 CMP-02 P6] raises questions about what work has been done to identify cyclists' needs. The map has no indication of cycle routes only 'Potential New Pedestrian Routes' and vehicular routes.

It is not clear how cyclists will be expected to travel between Goring Station and Goring Crossways roundabout. From Goring Street there is currently a straight, off-road route, shared with pedestrians.

The relocation of the Toucan crossing on the A259 near Goring street approximately 70-metres to the south severs the desire line that serves the cut from the A259 into Coleridge Crescent.

The extension of the central reservation on the A259 across the junction into The Strand severs another desire line for cyclists who cross the A259 at that point.

The overall impression is that in order to serve the needs of vehicular access to the site, cycling infrastructure is degraded. Indeed, while a lot of work has been done on vehicular movements, it is questionable whether any serious work has been done on cyclists' desire lines at all.

It is particularly striking that the site has no cycling access other than at the south-east corner. Any trip to the west therefore involves a big diversion. It is not difficult to predict that cyclists will use the footpaths.

It is also striking that no route is shown onto Highdown Hill and into the National Park. For cyclists a preferred route would be to use Highdown Rise, but not only is there no direct route, but also the uncontrolled crossing would be a barrier for many users.

No consideration has been given to providing a north-west to south-east cycle route across the site.

All of this is the exact opposite of the ambition and intention contained in 'Gear Change'.

Appendix Detailed Comments

Journey times for cyclists to local amenities

Journey times [table 3.3] are typically stated as 25%-50% quicker than the default settings on the Cyclestreets journey planner. Some are understated by much more than this.

The journey time to Worthing Town Centre is given as 15 minutes for a 5km journey. The journey times provided by CycleStreets are:

Fastest – 25 minutes

Balanced and Quietest – 29 minutes

Note the comments above [section 4] about the poor quality of the Goring to Worthing Cycle Route.

The journey time to David Lloyd Worthing is given as 3 minutes. The journey times provided by CycleStreets are:

Fastest – 7 minutes, 34 seconds.

Balanced and Quietest – 9 minutes

The fastest route requires cycling on the Goring Crossways roundabout and the main carriageway of the A2032, which should only be attempted by the most confident and experienced of cyclists.

In order to meet objectives for inclusion and safety, it is the quietest routes that are most appropriate. Even so, all three options for both those examples carry the warning 'Route has very busy sections'.

South Coast Cycle Route

The Transport Assessment [para 3.10] is misleading in its description of the South Coast Cycle Route as “recognised by West Sussex County Council... situated along shared footways/cycleways and quiet roads, providing a safe route to the towns of Angmering and Littlehampton.”

The South Coast Cycle Route is a relic of the times when cycle routes were signed on the least dangerous roads available. It no longer features on the WSCC website; signs have gone missing and are no longer maintained; the shared footways / cycleways are not properly maintained; there are stretches on busy roads.

More significantly, the site of the development sits in the middle of a gap in National Cycle Network route 2 between West Worthing seafront and Littlehampton. There is not a safe cycle from the site to Rustington or Littlehampton.

Sussex Wildlife Trust

The Sussex Wildlife Trust (SWT) has been informed of the above application and wish to submit the following comments. SWT recognises the importance of a plan led system as opposed to a developer led process.

SWT regularly comments on Local Plans, to ensure that a sustainable and resilient Local Plan for people and wildlife is progressed. This is a process we have taken

with Worthing Borough Council (WBC), commenting most recently on the Regulation 18 consultation of the emerging Local Plan.

Through the Regulation 18 consultation it is clear the proposed site of this application will not be allocated for development, but designated as a Green Gap as set out in emerging Policy SP5. This is a policy that SWT are supportive of. SWT encourages WBC to not only look at these sites in terms of providing green gaps but to be clear on the functions those green gaps are currently delivering for the Borough in terms of Natural Capital. The National Planning Policy Framework is clear about this requirement in sections 170 & 174 of the document.

We note that applicant has submitted a Biodiversity Net Gain Assessment that seeks to deliver Biodiversity Net Gain on site. We are pleased that the applicant has taken these steps but we remain cautious about the actual outcomes given the outline nature of the application and the lack of detail in the current application that identifies long term sustainability.

SWT recognise the WBC Local Plan is emerging. SWT also note the comments made by the applicant in the planning statement in sections 5.73-5.80 that seek to diminish the relevance of these Council led aspirations to designate this site as a Green Gap. However the Sussex Wildlife Trust remains clear in its support for this site progressing through the Local Plan process as a Green Gap.

Technical Services

Thank you for the opportunity to comment upon this application. We have the following comments on flood risk and surface water drainage.

Flood risk- The application site contains areas; within flood zone 3, areas at risk of surface water flooding, and areas at risk from breach of the upstream Somerset's Lake. A detailed flood risk assessment has been submitted including new hydraulic modelling. This has been reviewed by myself and I believe it provides a more accurate representation of predicted flood extents than the mapping currently available as the "flood map for planning". The Environment Agency should be consulted in order for flood extents to be agreed. No development or surface water attenuation features should be located within predicted flood extents. This includes the extents of flooding predicted in the Somerset's Lake breach scenario. We would request that if the application is approved that some form of condition is applied to ensure that development does not occur within this predicted flood extent.

Surface water drainage - the drainage strategy submitted details the opportunities available for surface water drainage and the intention to follow the hierarchy for sustainable drainage. We have been in direct discussions with the applicant's engineer who has supplied evidence that the scale of development proposed can be adequately drained in line with policy. If attenuated discharge to watercourse is required the allowable discharge rate will be the 1 year greenfield runoff rate for the proposed developed area that will be served by a positive drainage network, not that associated with the entire site area.

WSCC Fire and Rescue Service

No objection subject to conditions requiring the provision of fire hydrants

WSCC Highways

The application is for a mixed-use development of up to 475 dwellings, a local centre and car parking for the adjacent railway station at Land to the North West of Goring Station. All matters including access are reserved. The site has been subject to pre application advice between November 2018 and August 2020. At the time of submission of the planning application, the suitability of the access and off-site mitigation had not been agreed.

Policy

The site is not an allocated development site in the WBC Core Strategy 2011 or in the Worthing Borough Draft Local Plan 2018. The Worthing Draft Local Plan 2018 was supported by a transport assessment. The site was included as a sensitivity test alongside a site at the Ferring Gap, together the two sites were tested with a total of 699 dwellings between them. (354 at Goring/Ferring Gap and 345 at Chatsmore Farm). The study identified that the Goring Crossroads would be significantly over capacity in a future year scenario with severe delays on the Titnore Lane, A259 Littlehampton Road (west) and Goring Street. A mitigation scheme at the Goring Crossroads that provides additional capacity for the junction by widening the approach lanes from Littlehampton Road and Goring Street from 2 to 3 lanes and the approach from Titnore Lane from 1 lane to 2 lanes. The southern side of the roundabout will also be widened from 2 to 3 lanes and both with and without development scenario was tested. The study identifies that this is a broad level of design rather than a final design.

Walking and cycling policy

Since the production of the TA, LTN 1/20 has been produced. The application should consider the document and the proposed cycling improvements proposed by the development.

The application should also consider the Worthing Local Cycling and Walking Infrastructure Plan (LCWIP) and identify how the development would support the plan.

Access

The site currently benefits from a field gate onto the A259 Goring Street. Whilst access is not for consideration, the transport assessment and masterplan show a three arm roundabout being provided on the A259. The existing A259 Goring Street junction with Goring Street (leading to the station) would be closed and diverted through the development to a three-arm roundabout within the site. The access proposals also include the modification of the A259 /Strand junction to remove the right-hand turn and the relocation of the pedestrian crossing. A Stage 1 Road Safety Audit has been carried out on the site access and mitigation measures and all of the auditor's comments are accepted and will be incorporated/considered in detail at a detailed design stage. A raised table also appears to have been incorporated at the access to Salisbury House and as such consultation should be undertaken with local stakeholders in line with WSCC guidance.

https://www.westsussex.gov.uk/media/9306/developers_guidance_note.pdf

Without considering the access in detail it is not possible to fully assess the interaction of the site access and adjoining roundabouts (considered in further detail below). Plan ref 18122/SK04 also shows a 5.5m access road onto Ferring Lane at the location of the existing no 34 Ferring Lane, no further detail has been provided within the application on to the level of development provided by this access or any information supplied as to any planning applications to Arun District Council. A stage 1 RSA has not been carried out on this access. Following discussion with the applicants transport consultant it has been confirmed that the drawing does not form part of the application.

Sustainable Transport

Walking

Revised pedestrian facilities would be provided in the vicinity of the site access and proposed mitigation at the Goring Crossroads and the A259/Goring Street/Aldsworth Avenue.

Cycling

The application proposes the upgrade of Footways ref 2121 and 2121 1. Footway 2121 1 would not appear appropriate for an upgrade to Bridleway (to allow cyclists to legally use it) due to the width and effective width between the site and Ferring Lane. As such the site poorly integrates to the existing network to the north and north-west. During pre-application discussions the potential for a bridleway link to the north west of the site across the Ferring Rife was discussed which would link into the existing uncontrolled crossing on the A259 and Bridleway ref 2135 allowing access to towards Highdown Hill, sports pitches and the South Downs National Park. This however has not been included within the application.

Bus

The 700 service runs to the west, south and south east of the site along Ferring Lane, Goring Way and the A259 Goring Way. The 700 service provides a 10-minute headway between Littlehampton and Brighton inc Worthing town centre. No consideration has been provided to the routes to the stops or measures such as waiting facilities and real time information that would encourage future residents to utilise the services.

Train

The site is in close proximity to Goring Station. The station benefits from 3 services per hour in each direction providing connections to locations such as Worthing, Brighton, London Victoria, Littlehampton, Chichester and Southampton. The masterplan provided shows linkages from the site to the station. Trip Generation, Distribution and Assignment Whilst the parameters utilised in TRICS do not match the proposals with regard to the number of units, the outputs are acceptable for use. The development would generate a total of 4931 daily trips:

Clarification should be provided to the level of development tested within the modelling, presented with the text of the TA and included within table 6.9 and Appendix 14. As the peak hour and daily flows for each land use do not sum correctly. The distribution of trips is based on the 2011 census journey to work data and is acceptable. Confirmation should be provided as to the method of assignment.

Junction Modelling A base year modelling of 2018 has been provided. The junction modelling has been calibrated using observed queue length surveys. The modelling indicates that the following junctions operate over capacity in the base year: · Goring Crossroads; · A259 Goring Street/ The Strand; and · A259/ Aldsworth Avenue / Ardingly Drive / Goring Way And the following currently operate within capacity · A259 / Ferring Lane; · A280 /A27 / Titnore Lane; and · A280 / A27 / Arundel Road.

Future Year scenarios of 2024 and 2033 have been provided. A wide range of committed development have been included within the assessment both within Worthing and to the West in Angmering in Arun district which had not been included as sites in the Local Plan transport study. The Worthing developments include sites put forward within the draft local plan and the Ferring Gap which is not promoted in the draft local plan. The application of TEMPRO growth factors also provides a robust assessment.

Site Access

Modelling parameters should be provided for the site access roundabout. 2024. The modelling provided shows the site access is at capacity at the year of occupation with the largest queues of 29 vehicles queuing on the northbound approach to the junction. Average vehicle delays for both northbound and vehicles existing the development would be 68 and 86 seconds in the AM peak. 2031. The queues and delays on the northbound approach to the site access would increase to 55 vehicles and 114 seconds and delays from exiting the development to 2 minutes in the AM peak.

A259/ The Strand

The modelling presented shows the junction would operate within capacity within the 2024 scenario and approaching capacity in the 2033 scenario with delays of 68 seconds in the AM peak. However, the modelling assesses the junction in isolation and does not consider the impact of queues associated with the site access and A259/Ardingly Drive/Aldsworth Way/Goring Way roundabout. As detailed below the queue from the A259/Ardingly Drive/Aldsworth Way/Goring Way roundabout would extend through the site access and this junction making the capacity assessment provided unrealistic. The assignment also indicates that flows would likely reassign to other routes onto the A259 (Limbrick Lane, The Avenue and The Boulevard) which would add to vehicle flows on A259 approach to the Goring Crossroads which is shown to be over capacity.

Goring Crossroads

The modelling presented shows the junction is over capacity in the base year and in the future year scenarios all arms would experience severe delays and operate with a 'F' level of service. In the 2024 AM base RFCs would be in excess of 1.22 with queues on all arms above 100 vehicles (103 on Titnore Lane to 260 on A259 Littlehampton Road) with delays between 5 minutes and 23 minutes. In the 2033 AM base all RFC would be in excess of 1.30 with queues on all arms above 130 vehicles (130 on Titnore Lane and 361 on A259 Littlehampton Road) with delays between 11 minutes and 29 minutes. The 'with development' scenario would significantly increase vehicle queues and delays and result in a severe impact. In the 2024 AM peak RFCs would be in excess of 1.33 with queues increasing by approximately 30 vehicles on Titnore Lane, A2032 Littlehampton Road and A259 Littlehampton Road and by 155 vehicles on A259 Goring Street, with delays increasing by 5 minutes on Titnore Lane and A29 Goring Street. In the 2033 AM peak RFCs would be in excess of 1.41 on all arms with queues increasing by approximately 33 vehicles on Titnore Lane, A2032 Littlehampton Road and A259 Littlehampton Road and by 166 vehicles on A259 Goring Street, with delays increasing by 7 minutes on Titnore Lane and A29 Goring Street. PM peak queues and delays would also increase in both with development scenarios. As such the application has proposed a mitigation scheme considered in further detail below.

A259 / Ardingly Drive / Aldsworth Way / Goring Way

The modelling presented shows the junction is operating at capacity in the base year and in the future year scenarios all arms would experience severe delays and operate with a 'F' level of service. The 'with development' scenario would significantly increase vehicle queues and delays and result in a severe impact.

In the 2024 AM peak base scenario the maximum queues would be 123 vehicles on the A259 North and 72 vehicles on A259 Goring Street East and associated delays of 6 minutes on each arm and 10 minutes on Aldsworth Avenue. In the 2033 AM peak base the maximum queues would be 182 vehicles on the A259 North and 106 vehicles on A259 Goring Street East and associated delays of 9 minutes on each arm and 14 minutes on Aldsworth Avenue. The 'with development' scenario would significantly increase vehicle queues and delays and result in a severe impact. In the 2024 AM peak the development would increase queues on the A259 North by 66 vehicles to 189 and increase delays by 3 minutes. In the PM peak queues on the A259 Goring Street east would increase by 56 vehicles (87 to 143) and delays increase by 4 minutes. In the 2033 AM peak the development would increase queues on the A259 North by 84 vehicles to 267 and increase delays by 3 minutes. In the PM peak queues on the A259 Goring Street east would increase by 67 vehicles (130 to 1197) and delays increase by 5 minutes. As such the application has proposed a mitigation scheme considered in further detail below.

A280 / Titnore Lane / A27 The modelling presented highlights the junction currently operates satisfactorily, however in a future year scenario, the A280 approach would start to experience an increase in queues and delays which the proposed development would exacerbate. An improvement scheme at the junction has been secured via Land North of Water Lane Arun ref: A/40/18 which has been modelled and details with the improvements the junction would operate within capacity.

A280/A27 / Long Furlong The modelling presented shows the junction currently operates within capacity. Whilst the junction would be approaching capacity on the A280 Long Furlong arm in a 2031 scenario, the development would add 1.5 vehicles to the queue (8.3 increasing to 9.7) and increase delays by 3 seconds per vehicle, as such the development would not result in a severe impact on the junction.

A259/ Ferring Lane The modelling presented shows the junction would operate within capacity in all the modelled scenarios. Mitigation Goring Crossroads A mitigation scheme is shown on 8122-002 Rev A the proposed mitigation includes the extension of two entry lanes from the north (Titnore Lane), and the provision of three lane entries on the eastern (A259 Littlehampton Road) and southern arms (A259 Goring Street), with the southern section of the circulatory to be widened to accommodate three lanes. A vehicle restraint system would be installed adjacent to the south-east corner of the roundabout junction to prevent errant vehicles from encroaching the footway. The scheme closely resembles the mitigation proposed within the Worthing Local Plan transport study.

It is noted that the site access is approx. 230m south of the junction. In the 2024 AM peak scenario the modelling presented shows all arms of the junction are significantly over capacity in the AM peak. The A259 Goring Street approach queue would increase from 131 vehicles to 180 vehicles and delays from 5 minutes to 7mins 30 seconds. The queues (1080m) would significantly affect the operation of the site access proposals and would reach all the way to the A259 / Goring Way / Aldsworth Avenue junction affecting the mitigation proposals identified at that junction. In a 2033 scenario the above figures would be an increase in queues from 131 to 259 vehicles (786m to 1554m) and delays from 5 minutes to 10 minutes 20 seconds. Within the TA the applicant presents that the developments impacts would be mitigated by comparing the with and without development scenario. The delays on all arms (when considered in isolation) in a 2033 scenario show a minimum delay of 10 minutes on each arm and a maximum of 25 minutes in the AM peak.

A259 / Ardingly Drive / Aldsworth Way / Goring Way

A mitigation scheme has been proposed as per drawing ref 18122/003 Rev A. The scheme includes minor widening of all the approaches to the junction. The modelling presented shows the four main arms operating over capacity in the 2024 scenario with maximum AM peak queues of 87 vehicles on the A259 North and delays approaching 5 minutes on Aldsworth Avenue. The development would add an additional 52 vehicles onto the A259 Arm and increase delays by 2 minutes 40 seconds. The vehicle queue would block back through the site access and onto the Goring Crossroads. In a 2033 scenario queues on the A259 North Arm would increase from 134 vehicles to 201 vehicles again causing queuing back through the site access and onto the Goring Crossroads. Significant queues and delays would also be experienced on other arms of the junction.

Modelling Conclusion From the above it can be seen that any access between the Goring Crossroads and the A259 / Goring Way / Aldsworth Avenue would operate in a severely congested network even with the proposed mitigation. The extensive queuing back is not demonstrated within the isolated site access modelling and as

such an objection to the development is raised. Possible options to address the concerns over the modelling provided are: · Provide mitigation that accommodates development trips and would not cause severe delays and queuing back through any site access and adjoining junctions; · Reducing level of development presented in the assessment; · Considering level of background growth between TEMPRO and developments; and · Microsim modelling could provide a potential solution to demonstrate the inter connectivity of the junctions; · Provision of a significantly enhanced sustainable transport package to reduce vehicle trips.

Personal Injury Accidents

Travel Plan Amendments are required to the travel plan to accord with the WSCC Development Travel Plan Policy and a copy of the documents will be provided to the applicant, specifically the Travel Plan must: Be monitored in accordance with the TRICS UK Standard Assessment Methodology (SAM) · Include a target to reduce the 12-hour weekday vehicle trip rate by 15% compared to the predicted trip rate from the Transport Assessment · Include a financial incentive to encourage residents to use sustainable mode. We would expect this to take the form of a £150 voucher for each household upon occupation. · Include provision for enforcement/remedial measures should the five year target not be met. We would expect this to take the form of a second £150 voucher issue per unit.

Parking

Vehicle and Cycle parking would be considered further at reserve matters. The TA indicates that the residential element of the development would require approximately 663 parking spaces. It should be noted that the table provided within the TA and subsequent calculation does not include the suggested 0.2 visitor spaces per unit. A car park of 73 spaces is proposed to serve as parking for the railway station. A parking survey has been undertaken to assess the current demand. The parking stress survey indicates that the average parking stress on Goring Street (in the vicinity of the station) is a maximum of 64% (37 of the 58 spaces utilised) and the wider area parking stress is a maximum of 33%. Consideration should be provided to providing increased cycle parking facilities at the station.

Servicing

The site would be serviceable from both access points and the looped arrangement and secondary streets with turning heads would appear appropriate.

Conclusion

An objection to the development is raised:

- Due to the junction modelling being undertaken in isolation it has not been demonstrated that a safe and suitable access could be provided to accommodate the level of development. As such the formation and use of an additional access to the public highway at this point would add to the hazards of highway users to an unacceptable degree and interrupt the free flow of traffic.
- Due to the lack of pedestrian and cycle linkages to the North and cycle linkages

to the north west of the site, the proposal would not achieve safe and convenient access by a choice of means of travel nor encourage and enable and increase in environmentally sustainable means of travel such as walking and cycling and thereby minimise the impact of car journeys.

- Insufficient information has been provided to assess the impacts of the offsite mitigation and as such it has not been demonstrated that the development would not result in a severe impact on the local highway network

Further Information that is required to be submitted:

- Consideration of LTN 1/20 and Worthing LCWIP;
- Provision of further pedestrian and cycle links to the A259 north of the site; as discussed during pre-app discussions;
- Provision of routes to public transport stops and improvements to the stops themselves including shelters, real time information and cycle parking;
- Confirmation of trip assignment methodology;
- Site access modelling parameters;
- Confirmation of trip generation / what has been modelled;
- Confirmation if reassigned The Strand flows have been added to the A259 Goring Crossroad assessments;
- Further modelling/mitigation of Goring Crossroads / Site Access/ A259 The Strand and A259/Goring Way / Aldsworth Avenue including consideration to the need for Microsimulation modelling;
- Revised Travel Plan; and
- Consideration of further cycle parking in the vicinity of the station.

WSCC Lead Local Flood Authority

West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations, recommendations and advice.

Flood Risk Summary

Current surface water flood risk based on 30year and 100year events. Low risk

Comments:

Current surface water mapping shows that the majority of the proposed site is at low risk from surface water flooding although higher risk exists along the northern boundary and in the north west corner of the site.

This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.

Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.

Reason: NPPF paragraph 163 states – ‘When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.’

Modelled groundwater flood hazard classification

High risk

Comments:

The area of the proposed development is shown to be at high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.

Groundwater contamination and Source Protection Zones.

The potential for groundwater contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.

Watercourses nearby? Yes

Comments:

Current Ordnance Survey mapping shows a watercourse (main river) running along the northern boundary of the site.

Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.

Records of any surface water flooding within the site?

No

Comments:

We do not have any records of surface water flooding within the confines of the proposed site.

This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.

Future development - Sustainable Drainage Systems (SuDS)

The Flood Risk Assessment and Drainage Strategy for this application proposes that attenuated storage would be provided through permeable paving and above ground features including ponds and wetland with a restricted discharge to the main river would be used to control the surface water from this development.

Due to Flood Zones 2 and 3 being within the site, the EA should be consulted with regards to this development.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.

The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

Representations

Bluebell Way Residents

We wish to make you aware of a number of strong objections that we have with regard to the above application. As immediate neighbours to the site of the proposed development we, the residents of Bluebell Way, BN12 5BW, are of the view that its construction would have a serious negative impact on the local and wider community.

Our specific objections are as follows:

1. The proposed development would have an adverse and detrimental effect on the character of the landscape on the site itself and also from its north, south and eastern borders. This space forms part of a critical break in urban sprawl. In addition, the value and importance of sustaining a "green belt" on general well-being should not be overlooked; it is a much appreciated amenity enjoyed by current local residents and visitors to the National Park alike.

Goring Gap (both North and South) is an essential relief to an ever increasing urban encroachment and needs to be maintained as such. The alternative would lead to the detriment of the immediate environment and change the nature of a much appreciated 'green zone' close to the South Downs National Park. To destroy this would be to ignore the landscape quality, openness and the setting of the National Park.

2. Increase in light, noise and vehicle emission pollution - the increase in light pollution adversely impacting on, in particular, Ferring and, more significantly, the South Downs National Park - a designated International Dark Skies Reserve - and which is a highly visible and exposed location on the south coast plain at the foot of Highdown Hill, a local visitor attraction, National Trust land and registered parkscape.

- the increase in volume of traffic generated as a result of this development would inevitably lead to greater noise and vehicle emissions .

3. The proposed development would be on high quality agricultural land under constant cultivation with implications for the viability of farming on the remaining and

nearby agricultural land. Approval would also create a precedent as a consequence of which it would be difficult to object to similar proposals, with further loss of agricultural land in the area.

4. Loss of privacy and overlooking:

- The mass, bulk and proximity of the proposed four storey buildings would present an overbearing and intrusive element to the three/four bedroom family homes of the Bluebell Way residents, resulting in a significant loss of privacy.

5. Increased traffic on the surrounding roads would adversely impact on road capacity. The existing roads are already severely congested by school and college traffic during the day. We believe that the local infrastructure is not adequate to service the proposed development.

- 'Parking Stress Survey' - the Developers claim that "It is therefore apparent that the demand for on street parking within the identified study area does not exceed available supply". We refute this statement as any local resident will attest that there is never sufficient parking during the day. Many commuters having to find alternative parking space.

The increased parking along the road outside the railway station is also an additional safety hazard.

i. The provision of increased car parking for the railway station and a new local centre on the development will undoubtedly increase the volume of traffic entering and exiting the development from the North and South access points; at peak times, with excessive queuing at the level-crossing gates on Goring Street, congestion and idling traffic will result in an unacceptable level of pollution in the area. An additional issue is where the private entrance to Bluebell Way is constantly used as an unofficial turning or waiting point for people dropping off or picking up train passengers, despite clearly marked parking restrictions, for example double yellow lines.

This remains, and will lead to an even more serious potential congestion / pollution issue.

- The Developers also suggest, using the 'Sussex Safer Road Collision' data, that there are no significant safety issues with the existing local highway network. Yet, any increase in traffic volume, aligned with excessive parking along the access roads, will lead to a corresponding increase in safety risks. Importantly, the section of the A259 south of the Northbrook College roundabout is the key route for ambulances and other emergency services.

Increased traffic queues and an extra roundabout on this stretch are likely to seriously impede their progress and substantially increase the risk of cross carriageway collision.

- The Developers assert that in light of the results of the junction capacity assessments the proposed development would not have a 'severe' residual cumulative impact on the operational and safety characteristics of the local highway network, particularly to the conditions of amenity, capacity and safety. However,

from our own experience, it is clear that the current operational capacity of the local highway network is already a significant issue. The addition of more housing in this area will simply exacerbate this problem.

- The Developers suggest that "The proposed improvement schemes for ... roundabout junctions would fully mitigate the impact ...and substantially reduce queues and delays on the majority of the arms". We would strongly refute this:

ii. The widening to dual carriageway of the A259 on the Roundstone Bypass between Station Road and the A280 roundabouts (currently underway) will increase the volume of the Eastbound traffic arriving at the Northbrook College roundabout at peak and other times. This is already a huge bottleneck during peak hours, with long traffic queues.

iii. Closing off access to The Strand for Northbound traffic on the A259 will mean Northbound traffic queuing and entering the Northbrook College roundabout to do a 360 degree turn to face South and enter The Strand from the Southbound carriageway.

We trust that our objections above will be taken fully into account in determining the outcome of this application.

CPRE

This is the formal response of CPRE Sussex, countryside charity, to the above application. CPRE Sussex works to enhance, promote and protect the Sussex countryside and the ability of local communities to enjoy and value the natural world. CPRE objects to this application for the following reasons;

1. The development lies within the 'Green Gap.'

The development is contrary to the Core Strategy 2011 and the emerging Worthing Local Plan Regulation 18 2018 because the site lies outside of the built up area boundary and within the Chatsmore Farm Local Green Gap.

The emerging Worthing Local Plan says at paragraph 2.48 "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. This is particularly important given the compact nature of Worthing and how few and fragile the breaks in development are on the coastal strip between Brighton and Chichester".

Paragraph 2.50 says "These areas are open and either undeveloped or a managed landscape for recreational use. They create a sense of travelling between urban areas and form a critically important component of Worthing's landscape setting" and paragraph 2.55 says that the "Landscape and Ecology Study of Greenfield Sites (2015 & 2017) - found the Goring/Ferring gaps to be the most environmentally sensitive areas of those tested and the least suitable for development".

Policy SP5 of the emerging Worthing Local Plan identifies Chatsmore Farm as one of four designated as Local Green Gaps between the settlements of Worthing & Ferring and Worthing & Sompting/Lancing, and says they "will be protected in order

to retain the separate identities and character of these settlements. Within these areas any development permitted must be consistent with other policies of this plan, and must not (individually or cumulatively) lead to the coalescence of settlements”.

Paragraphs 2.69 – 2.73 identify the special characteristics of Chatsmore Farm which justify its inclusion as a Local Green Gap. In summary, these include its historic associations, open views to/from the South Downs National Park, wildlife and recreational value, and its offer as a haven of relative calm within the urban area. These paragraphs are important to the consideration of the proposed development on this site and are reproduced in full below.

“2.70 Chatsmore Farm plays its part in the historic landscape. It is in the setting of the South Downs National Park which lies just north of the A259 Littlehampton Road. Within the National Park, directly north of Chatsmore Farm, is the Grade II* Registered Park and Garden ‘Highdown Garden’ which is also a Conservation Area, and to the northwest of this the Scheduled Ancient Monument ‘Highdown Hill Camp’. Chatsmore Farm can be viewed from Highdown Hill and its hill fort. It is important to their setting as it gives a sense of the past relationship between their hill location, the coastal plain surroundings, and ultimately the sea. If Chatsmore Farm were to be developed, it would mask the visual transition between Downs, coastal plain and sea and would harm the setting of historic and landscape assets.

2.71 Seen from the hilltop, Chatsmore Farm also forms an effective gap in the view of development along the coastal plain. Chatsmore Farm covers 28ha in Worthing borough (and 2ha in Arun District). It is surrounded by housing on three sides and separates the settlements of Goring and Ferring. The land itself has clear boundaries with a railway line abutting the south side, the A259 forming the north and east boundaries, and housing abutting the west. The transition between settlements is experienced when travelling east/west whether along the A259 or by train. These views are important to maintain for their historic contribution to our sense of place.

2.72 Chatsmore Farm itself comprises arable fields with the Ferring Rife flowing east to west crossing the middle of the site, and a line of pylons running just south of the Rife. Despite the presence of the pylons the Landscape and Ecology Study of Greenfield Sites (2015 & 2017) concludes that the majority of this site (excluding the south-west corner) has substantial sensitivity and value. It also found that the Ferring Rife, with its corridor of semi-natural habitats and wider connectivity, contributes to the area having a substantial ecological value. Data held by the Sussex Biodiversity Record Centre adds weight to this view. It records Biodiversity Action Plan Priority Species, notable birds (that are particularly scarce or vulnerable to development in Sussex), bats, rare species and protected species in/around Chatsmore Farm. In addition, their officers have recently surveyed Chatsmore Farm and their initial conclusion is that areas around the Ferring Rife could meet the criteria for designation as a Local Wildlife Site. Further work is to be undertaken which may mean that the existing Ferring Rife and Meadows Local Wildlife Site is expanded to include part of Chatsmore Farm. Local opinion submitted during the Issues and Options consultation is that any development in the gaps between Goring and Ferring would impact negatively on wildlife and biodiversity.

2.73 Chatsmore Farm is easily accessed. There is a link from Goring-by-Sea railway, and there are footpaths running along the southern boundary and part of the western boundary. The Goring Residents' Association also note that there are informal footpaths along the Ferring Rife that allow local people to walk and exercise their dogs. It must be remembered that although the South Downs National Park is not far away, it is located on the other side of a busy dual carriageway, which means that Chatsmore Farm is much more accessible to the local community it serves. Furthermore, the National Park Authority has undertaken an analysis of access to natural green space in the sub-region around the South Downs (July 2014) which concluded that the urban areas of the coastal towns all have low provision of accessible green space, with Worthing cited as one of the most poorly served areas. Chatsmore Farm is therefore an important area of accessible green space notwithstanding its proximity to the South Downs. Comments received during the Issues and Options consultation demonstrated that the gap is valued, in its entirety, for the contribution it provides for health and well-being”.

2. Drainage & Flood Risk

It is noted that the authority's Technical Services are broadly accepting the FRA proposals for drainage. However, they request that, should the outline application receive approval, further wintertime borehole testing is required to understand groundwater levels and impacts of rising groundwater on the proposed development and particularly for the use of SuDs attenuation (to 'lessen' flows into the Ferring Rife compared with current greenfield run off rates.)

The groundwater levels provided in the FRA were from records in 2014 and taken during the dry months of September and October 2014 The consultant stated:- “It is recommended that a further winter groundwater monitoring regime is undertaken in order to determine the variation in groundwater through different seasons and that test trenches are dug to investigate the practicality of construction.” See FRA page 155

Much of the coastal plain which this site sits within has groundwater issues which now repeatedly arise with the ever-increasing extreme weather winter events. These are clearly attributed to climate change and extreme weather of up to 1/100 year events have taken place in five of the last eight winters.

Chatsmore Farm sits within an area of up to >75% a groundwater flood risk area where groundwater levels are either at or very near within 0.025m of the ground surface. See attachment and link for Adur Worthing Groundwater Flood Risk Maps:- <https://www.adur-worthing.gov.uk/media/Media,157943,smxx.pdf>

Whilst the Lead Drainage Authority, Local Authority and Environment Agency do not have records of flooding on this site, this does not mean that there have not been issues. Rising groundwater could be a major contributor to any issues, coupled with that, the 'brick in bucket of water' effect of building 475 homes and infrastructure could worsen any rising groundwater problems. For this reason, testing for groundwater levels after outline planning approval could well be like 'shutting the gate after the horse has bolted'.

We feel that this application should not be placed before the planning committee before it can be shown with winter testing that with the above groundwater

conditions, the site drainage is sustainable for the lifetime of the development. Depending on the outcome of those tests, does this development need to have undergone an exception test? If so, the following NPPF para 160 applies.

“160. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

Finally, the intention is to drain all surface water flows into the Ferring Rife which outfalls through tidal flaps into the sea. The Environment Agency has been consulted and it is understood their data has been used regarding future rises in sea level using the Truflow modelling software. With the well documented accelerating sea level rise due to climate change, it would be useful if within their comments, before a planning decision is considered, the Environment Agency could show their expectations on sea level rise over the lifetime of the development and that with the tidal flaps closure, twice daily, the site and areas around will be drainage sustainable – despite the increasing length of time for closure of the tidal flaps as sea level rises.

3. Impact on the ‘setting’ of the South Downs National Park (SDNP)

We are concerned that the application will impact the setting of the SDNP and its special qualities, including dark night skies as the southern boundary of the park lies just to the north of the application site. Case law shows that such matters are material considerations in the determination of applications.

For the above reasons it is considered that the development of Chatsmore Farm with 475 dwellings would:

- harm the setting of the historic and landscape assets of the Grade II* Registered Park and Garden ‘Highdown Garden’ which is also a Conservation Area, and the Scheduled Ancient Monument ‘Highdown Hill Camp’;
- harm the setting of the South Downs National Park
- reduce the gap in the view of development along the coastal plain which is important to maintain for its landscape sensitivity and historic contribution to the sense of place;
- impact negatively on wildlife and biodiversity especially in the Ferring Rife; and
- reduce the amenity of the footpaths running along the southern boundary and part of the western boundary of the site. The application should therefore be refused outline planning permission.

East Preston Parish Council

The proposed development is upon a site considered to be of such important strategic, environmental and social importance that it is listed as not to be allocated for development in the Arun Local Plan, the emerging Worthing Local Plan and Ferring's Neighbourhood Plan. That fact alone should be enough to refuse this Planning Application.

Granting Planning Permission for this proposal will inevitably lead to further speculative Planning Applications being submitted, resulting in further erosion of the strategic gaps so important to the identity of our communities along and behind the coastal plain. In the pandemic world in which we live currently, the value of the space around residents of West Sussex has surely been proven in the low rate of instances of COVID-19 in the county. Continual development puts that value at risk and therefore lives at risk.

East Preston Parish Council opposes development of the green gaps it shares with neighbouring councils and around the locality in general. Constant erosion of the local greenspace very possibly has a negative impact upon the mental wellbeing of all local residents, especially when a development does not include provision to upgrade some of the local travel infrastructure.

The proposed development would have a severe, and possibly irreversible, adverse highways impact. At just two vehicles per proposed household would potentially add nearly 1,000 vehicle movements a day, and with adult children unable to buy their own homes but needing a vehicle to travel to work, that figure rapidly increases. These movements would further congest the local road network, already heavily congested at peak times.

East Preston Parish Council agrees with Ferring Parish Council's concerns about the limited options for connecting the proposed estate to the highway network, being limited to the eastern perimeter. This section of highway is already heavily congested at peak times, particularly with students of both the St Oscar Romero Catholic School and Northbrook College as well as users of the railway station and bus service, many of whom park in the adjacent residential streets (unrestricted). Increased congestion on the approaches to the roundabouts will no doubt create an even greater number of vehicles using Ferring Village, passing another junior school, as an alternative in an attempt to avoid the severe queues at those points. Additional congestion within the narrow village road network will then be inevitable with not only the associated safety issues and noise/ pollution but having an adverse impact on the quality of residential amenity. The railway crossings at Ferring already create queues of cars backing-up through the village centre resulting in pedestrian safety risks, pollution and delays to bus and other services. West Sussex County Council is already aware of these issues within the village and is investing significantly in highway safety measures on the through routes in an attempt to mitigate, at least in part, the existing dangers. This investment includes the build out in Sea Lane to limit passing to single file traffic, additional yellow lines to prevent parking on sections of Langbury Lane, and a further refuge island adjacent to the main crossroad junction (scheduled for installation November 2020). These are welcome measures but cannot overcome the congestion and pollution

being created by the number of vehicles which the local highway network is already unable to adequately support.

Further congestion of the A259 will cause direct problems for East Preston residents wishing to get out to work or school or other activities at rush hour in both directions. An additional 475 households will put additional pressure on train services serving East Preston, many of which are heavily used, particularly but not exclusively at rush hour. (Current pandemic permitting.)

East Preston Parish Council will continue to support Ferring Parish Council and other local organisations in asking Adur & Worthing District Councils to consider refusal of this Planning Application.

Ferring Conservation Group

1. Ferring Conservation Group has over 900 members, mainly Ferring residents but including people who live on the other side of the Goring Gap. We object to AWDM/1264/20 for the following reasons:

A: The National Planning Policy Framework

The application acknowledges that there are adverse environmental and social impacts of this development as well as the economic and housing benefits, but relies on NPPF paragraph 11 (d) which requires that 'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'. Contrary to the applicant's assertion, we believe the balance of argument in this case is not tilted in favour of the development.

2. The development would add 475 dwellings to the total available in Worthing Borough – a very marginal improvement in housing supply. For the most part these dwellings would not be occupied by local residents in housing need but by people who wish to move from London and Surrey to live near the South Downs and the coast. Building these houses does very little to meet the local demand – it actually creates additional demand, from people who live many miles away.

3. We would argue that none of the three constituents of sustainable growth set out in NPPF paragraph 8 are met by this application. The **economic objective** is 'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure'. What is proposed is almost entirely residential, with residents having to travel to work, shopping and entertainment on congested roads and rail services, putting an extra burden on infrastructure.

4. The **social objective** is 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the

needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being'. What is proposed would not result in a strong and vibrant community such as is found in Ferring and Goring but a soulless housing estate, competing with those residents for local services, and resented by the hundreds of local residents who have objected to it.

5. The **environmental objective** is 'to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. The development would subtract from, not protect or enhance our natural, built and historic environment. Covering a green space and prime agricultural land with houses and flats is not 'using natural resources prudently' or minimising waste and pollution.

6. The NPPF goes on to say in paragraph 9, '[these objectives] are not criteria against which every decision can or should be judged. **Planning policies and decisions** should play an active role in guiding development towards sustainable solutions, but in doing so **should take local circumstances into account**, to reflect the character, needs and opportunities of each area. The policies in Worthing BC's Draft Local Plan are protective of its last remaining green fields, and this site is intended to be Local Green Space, not for development.

B. How the environment would be degraded by this housing estate

7. **The Gap between the settlements** of Ferring and Worthing would be further filled in, resulting in almost continuous streets and housing from north Ferring through to Sompting, and with only a narrow gap between Sompting, Lancing, Shoreham, Hove and Brighton. The two fields that would remain in this northern gap would no longer be viable for agriculture and would give rise to further applications for development.

8. The site is **prime agricultural land**, always under cultivation, regularly producing heavy crops of wheat. From the point of view of food security and reducing our carbon footprint it does not make sense to close down any local agriculture.

9. The site is in a **valued landscape**, not only in its own right but as the foreground to Highdown – National Trust land, within the South Downs National Park. Views northward to Highdown from the railway footpath, much used by walkers, and from Highdown (as revealed in one of the applicant's 'visualisations') would be very badly compromised.

10. Although the **wildlife habitat** is limited, and although the application claims the development as a whole would improve bio-diversity of the site, the proximity of a large housing estate would be a threat to wildlife along the Rife and in the two remaining fields.

11. The motor-vehicle traffic associated with a development of 475 dwellings would cause intolerable **traffic congestion**, not only at the site itself but at the Goring Cross roundabout and the Aldsworth Avenue roundabout, and cause huge tailbacks

in Titnore Lane, Littlehampton Road, and Goring Way. It would also greatly add to the **air pollution**, from moving traffic and the queues of traffic with engines running.

12. The long supporting statement (with long annexes) from the applicant's transport consultant, needs to be examined very carefully, as does the pre-application advice from WSCC. There is not one local resident who would believe that adding 475 dwellings to this already congested area would not seriously increase the congestion. We would like to see Worthing BC appoint its own transport consultants to challenge the facile optimism put forward by the applicant.

C. The extent of local opposition

13. The immediate neighbours of the site, and **residents** in the rest of Goring and in Ferring, are almost **unanimously opposed to its development**. The applicant says there were 588 responses to their consultation last year but seems only able to cite one response in favour of their proposals. This overwhelming rejection of the development will be reflected in the representations that will be made to the Council.

Ferring Parish Council

This proposed development site abuts Ferring Village within the Arun District Council domain. It is one of the last gaps between settlements along this section of coastline, vital for maintaining the identity of villages and the wellbeing of those communities. The site is of such strategic, environmental and social importance that both Arun/Ferring and Adur/Worthing authorities have included specific provisions that the Northern and Southern Gaps will not be allocated for development in their Local Plans. This planned, collaborative approach is a credit to the local authorities who are jointly responsible for maintaining an important landscape for birds and wildlife as well as supporting grade 1 agricultural production. While acknowledging that the Worthing Plan is still an Emerging Plan, the importance to residents and the joint Local Authorities of protecting these valuable sites cannot be denied. This is evidenced through the democratic Localism procedures developed to meet the requirements for a plan led response to housing and other local development needs, as opposed to a developer's profit led approach. It is inevitable that any further erosion of the existing 'Gaps' will place the remaining land at additional risk of aggressive development proposals.

Ferring Parish Council opposes development of the green gaps it shares with neighbouring councils for all the reasons referred to above, with the authority of a significant N.P. referendum result. A development of the size proposed would additionally have a severe adverse highways impact. Potentially, an additional 900/1000 vehicles could be using the immediate road network, already heavily congested at peak times, which Persimmon's own traffic forecasts conclude will be overwhelmed should the development be permitted. Of particular consideration are the limited options for connecting the proposed estate to the highway network, being limited to the eastern perimeter. This section of highway is already heavily congested at peak times, particularly with students of both the Chatsmore (now being re-named) School and Northbrook College as well as users of the railway station and bus service, many of whom park in the adjacent residential streets (unrestricted). Increased congestion on the approaches to the roundabouts will no

doubt create an even greater number of vehicles using Ferring Village, passing another junior school, as an alternative in an attempt to avoid the severe queues at those points. Additional congestion within the narrow village road network will then be inevitable with not only the associated safety issues and noise/ pollution but having an adverse impact on the quality of residential amenity. The railway crossings at Ferring already create queues of cars backing-up through the village centre resulting in pedestrian safety risks, pollution and delays to bus and other services. West Sussex County Council is already aware of these issues within the village and is investing significantly in highway safety measures on the through routes in an attempt to mitigate, at least in part, the existing dangers. This investment includes the build out in Sea Lane to limit passing to single file traffic, additional yellow lines to prevent parking on sections of Langbury Lane, and a further refuge island adjacent to the main crossroad junction (scheduled for installation November 2020). These are welcome measures but cannot overcome the congestion and pollution being created by the number of vehicles which the local highway network is already unable to adequately support. This proposal is the biggest threat to the environment and voter confidence in the Localism and Planning process seen locally in recent years and we urge Planning Officers to refuse the application.

Goring and Ilex Conservation Group

We are objecting to this outline proposal for the following reasons amongst other observations.

We believe that the application is premature, results in a loss of amenity to not only the immediate area but to the wider community, highway access and traffic congestion, even with future mitigation will be problematic, development and increased light pollution will affect the setting of the National Park and the Highdown Conservation and valued areas and amenities.

The application is premature.

Pegasus seem to make light of the position of Worthing's Draft Local Plan but this has been subject to two public consultations since May 2016 and as far as we understand will be submitted for examination during 2021 following further consultation after the evidence base is updated. There is work to do but the main thrust of the Plan is relatively consistent. Under NPPF Paragraphs 48 and 49 (b), we believe that the emerging Plan carries not insignificant weight in being at an advanced stage more than 4 years since first inception.

We also believe that the Plan and development proposals comply with NPPF Paragraphs 49 (a) and (b) in that the plan making process would be undermined by predetermining decisions of new development that are central to an emerging plan. As one would expect, being the landowners and developers, Persimmon are objecting to the inclusion of the Goring Gaps as Local Green Space and Local Green Gaps. However, with possibly 88% of the timescale completed between first public consultation and the anticipated submission of the final plan for examination, it would seem inequitable to the people of Worthing and the concept of localism to pre-empt the Inspector's decision regarding these Gaps.

The unprecedented effects of the Coronavirus epidemic are already showing changes in working practices, loss of retail and potential loss of office requirements, desire for more indoor and outdoor space and less confidence in and less requirement for public transport. The likely outcome will be to free up more brownfield opportunities and for transport links to become less important. As we are in the midst of the epidemic, it would be prudent to avoid rushing into a greenfield development until the outcomes are more apparent. Housing needs and locations could then be better targeted at the available (new) sites. A rise in unemployment and the financial and social effects on both prospective purchasers, councils and providers of infrastructure may well, in both the short and long term, affect housing need and provision.

Loss of Amenity

There are a number of areas where we consider that this will occur and our comments relate in part to the various supporting documents in Pegasus' submission:

Local Green Gap

The conservation of the Green Gaps was recognised in the new Local Plan consultations and 70% of the public responses were regarding the important role of these Gaps. The importance of these Green Gaps to the community is emphasised by the fact that Adur Council is purchasing the farmland at Old Salts Farm, comprising a similar Gap to preserve it for the community – despite it being bounded on the South side by the A259 and housing development, on the West by housing development, on the East by the river then considerable new housing and on the North by the railway and airport with associated buildings.

Built Heritage

Pegasus have identified a number of Grade II listed buildings that may be affected by the proposals. They have, however, forgotten to include Hightiten Barn, also Grade II listed, on the East slopes of Highdown whose views and setting will also be affected. They consider that negligible harm will apply to these areas.

This is debatable, especially when the additional street and housing lighting is apparent which will highlight the development. Again, with Highdown Hill Camp, where Pegasus deem no harm, the taller buildings, mass of the development and lighting will adversely affect the setting, whilst the older development south of the railway line is low rise and unobtrusive.

Regarding the world-famous Highdown Gardens, Pegasus describe these as inward facing but do not acknowledge the work going on following the two tranches of lottery fund monies in 2017 and 2019 which, following a public consultation in January 2019, aim to improve the visitor experience including opening up views to the sea. Thus the new views from these important gardens and the effects on the gardens will now be adversely affected by the proposed development.

Drainage

The Ferring Rife has flooded in the past and its capacity is affected by the tides. RGP propose a SuDS system including, amongst other measures, permeable paving, ponds and swales to mitigate risk based on a 1 in 100 year critical rainfall event with an allowance for climate change. These events are becoming more common however, with at least 5 major events since 2000 and although the risks to the proposed site are considered, the effect of exceptional rainfall following a prolonged wet period, together with a high tide may well result in the Rife overflowing downstream from the site and flooding Ferring.

In 2009, Sir David King, the Government's former Chief Scientific Adviser, said that the 1 in 100 year event when measuring the likelihood of flooding taking place was now obsolete. Climate change has thrown doubt on the way we measure flood risk. If we built flood defences to cope with a 1 in 1000-year event, even that might prove inadequate.

The West Durrington site has been affected by drainage problems and the Northbrook Pond reportedly contaminated. We hope that lessons have been learned, and are concerned that the proposals are inadequate to allow for the run off from the proposed 60% of the site area being impermeable. The mitigation proposals require a good deal of maintenance to ensure that they continue to operate adequately and we have concerns that over time they will not be maintained as required.

Infrastructure

There is an assumption in the application that infrastructure may be addressed by financial contributions.

We would like to note some of the problems that would not be solved by developer contributions.

There is a shortage of GPs. The UK has fewer GPs per person than at any time in the last 50 years, according to an analysis in May 2019. The failure of GP numbers to keep up with population growth was highlighted by a second survey showing doctors working, on average, 11 hour days

In January 2019, there were warnings of a growing shortage of dentists, with the number of new recruits falling by a fifth in just two years. Figures show that in total, the number of new dentists working in the UK fell from 2,571 in 2015 to just 1,999 in 2018 - a drop of more than 22 per cent.

In March 2020, Southern Water predicted Sussex water shortages in just ten years and a third of its water sources could be lost within 25 years because of climate change. It had previously warned that, unless action was taken, customer demand would be double available supply by 2030. Sussex has been labelled an area of serious water stress.

A 2020 WSCC report notes that in the last decade West Sussex has experienced a sharp rise in the number of births over those seen in the previous decade leaving a rising number of children who will require entry to primary and secondary school in

the future, creating a continuing basic need for additional school places. The Council has responded to this need with a programme of school expansions, predominantly in the primary sector but will there be the teachers for these classes? In March 2020, the Education Policy Institute noted that the teacher labour market in England faces huge challenges and that while pupil numbers in secondary schools in 2019 were the same as in 2007, teacher numbers fell by 7%.

An increase of perhaps 900 or more people in Goring can only increase the pressure on the infrastructure.

Highway Access and Traffic Congestion

The Goring Crossways roundabout and associated A259 is frequently congested outside of peak traffic hours and always through those hours. The addition of 450 to 900 cars would exacerbate the congestion and the current mitigation proposed by WSCC does not take the planning application into account. We note that WSCC consider that the application is incomplete regarding highways proposals and those that are submitted suggest a severe impact on the local highway network. This is also supported by a former member of the Department of Transport in a detailed objection to the scheme.

Other

Further loss of green space.

In the Flood Risk Assessment and other documents, there is mention of an “urban Creep” allowance - which considers the potential for a further increase in the areas of hardstanding impermeable surfacing which may be introduced throughout the design life of the development. We are concerned that this may impact upon the green corridors or other proposed green areas in the outline plan.

Biodiversity

The documents acknowledge that the proposals will adversely impact the skylark population but that alternative provisions will be made on another site owned by the developer. We wonder why that site could not be identified and Persimmon as a developer and housebuilder will naturally wish to develop any sites they possess. Will this mean that the Skylarks are pushed around the area until they run out of space?

We are also concerned that the reports do not appear to consider the effect of high rise buildings, lighting and general development on the birdlife using the southern part of the Goring Gap. Is the proposed green corridor sufficient or too narrow?

Arboriculture

This Consultancy report clearly states that it is a preliminary report and not to form part of a planning application. At this stage, therefore, the full impact of the arboricultural plan is unknown and the concept at this stage should have been discussed with the Worthing Planners before the application was made.

Conclusion

We believe that the application is incomplete, has glossed over areas less favourable to the applicant and has undervalued the settings and worth of the existing Chatsmore Farm Gap. There is enough cause for concern regarding traffic flows and effects on the wider amenity and infrastructure for the application to be refused outright and we would urge the Council to take this action.

Goring Residents Association

I am the Chairman of the GORING RESIDENTS' ASSOCIATION (GRA) which represents nearly 2000 residents in the Goring Ward. On their behalf we wish to OBJECT to the proposal to build 475 dwellings on the North Goring Gap, also known as Chatsmore Farm.

The GRA fully back the Worthing Council's draft Local Plan regarding north Goring Gap in maintaining this green gap between Goring and Ferring and making this area a Local Green Space. The Local Plan is due to be submitted for examination during 2021, Taking account of this and any delays due to the Covid-19, no decision of this magnitude should be undertaken until the Local Plan has been agreed.

OVERDEVELOPMENT

Worthing is the most densely populated authority in the whole of West Sussex. The West Sussex website shows the projected population up to 2039 with Worthing going up by 21.9% and Chichester by only 17% so it is still unfair that we are expected to cram more folk into our 12.5sq miles with the sea to the south and the South Downs National Park to the north

This area is already under strain with -

- the shortage of GPs and the wait time to see one
- the shortage of dentists
- the shortage of school places

Whilst the developer gives a grant to the council to pay towards the infrastructure, no amount of money will suddenly find doctors, dentists, teachers or the land to build surgeries or schools.

Southern Water has indicated great concern over future water shortages and a further 475 dwellings will exacerbate this.

HIGHWAY ACCESS AND PARKING

Both major and minor roads in and around the Goring Gap are congested and at several times of the day the main A259 and roads leading to the A259 are at a standstill. This can only get worse with a possibility of another 457 - 900+ cars use Goring Street to access Littlehampton Road.

In addition, surrounding roads are already 'over-parked' and could not accommodate overspill parking from the development if insufficient practical parking provision for residents and visitors is provided on the development.

The proposed roundabout is not effective for the majority of people who use Goring Street and is poorly planned. From the plans it shows a left hand turn from The Strand - round the roundabout up to the Littlehampton Road. For those wishing to turn right into The Strand from Goring Street you would need to go to the Littlehampton roundabout and then come back.

OTHER

Flooding

- ❑ The Rife has flooded in the past and this is controlled by the tides, time of year etc.,
- ❑ The land is often flooded after we have had exceptional rainfall, with our extreme climate this is becoming more common.

At present the land is able to come back from such rainfall but should large areas be laid to concrete the drainage system will be put under great strain. This could result in more flooding with just minor rainfall, but with major flooding the run-off water would go into the Rife which could cause major problems for Ferring further downstream.

Loss of a Green Space

We believe this is the only Green Gap, on the whole South Downs Way, you can stand on the beach and have uninterrupted views up to Highdown on the South Downs.

We believe the Council and other stakeholders should actively and rigorously work towards protecting Worthing's Green Spaces now and for future generations.

Chatsmore Farm is important prime agricultural land. Where do we get our food if we keep building on this green and pleasant land?

It states in the plan there will be trees and shrubs planted, but, it also states that this is not to form part of the planning application so there are no guarantees that this would be done. We assume that this is something that could be left out if planning is granted.

We strongly OBJECT to these plans going ahead.

We recommend that the plan is turned down and no applications for development on any areas identified as Protected Green Space are considered until the Worthing Local Plan has been adopted.

Sir Peter Bottomley MP

I write to oppose the Persimmon proposal to build over 450 homes on the larger part of the Chatsmore Farm, the northern green gap between Goring By Sea, Worthing and Ferring, Arun.

In decades of public and political service I have never before known of universal disapproval of a development application.

I join constituents in Worthing and Arun asking that the Council will decide against the Persimmon wish to replace so much of the green lung that joins the South Downs National Park to the coast - the country link that gives identity to Goring By Sea in Worthing Town and the distinct Ferring village.

The Prime Minister has rightly spoken of the need to avoid development that blurs community personality.

Worthing Society

I am writing on behalf of The Worthing Society to register our strong objection to the above mentioned planning application. We are a heritage and conservation society established for thirty eight years. An important part of our Constitution is to examine the suitability and quality of planning applications. In this case the applicant is seeking to develop a housing estate of 475 dwellings on important open green space at Goring Gap. This area known as Chatsmore Farm provides a natural strategic gap between Worthing and Ferring.

We consider that, if approved, this development would be detrimental to the amenity of local residents and the wider community as a whole. The sizeable development would severely compromise the open green area, the setting of the South Downs National Park and proximate heritage assets. Furthermore the additional traffic generated by the development would cause unacceptable congestion in the local and surrounding areas both now and progressively in the longer term.

The history of this locally important area and detailed reasons for our objection which illustrate the potentially damaging nature of this outline proposal are stated as follows:

THE DRAFT LOCAL PLAN AND THE APPLICATION FOR LOCAL GREEN SPACE DESIGNATION

Persimmon has submitted their plans prior to the approval of Worthing's Draft Local Plan by the Inspector. The Society considers that the application gives insufficient weight to the following important aspects:

The site is not an allocated development within the Worthing Borough Core Strategy of 2011 and Worthing's Draft Local Plan which is awaiting examination and approval by the Inspector in 2021.

An application to designate Chatsmore Farm as Local Green Space and Open Green Space has been submitted and is well supported by the Council together with the local community. There have already been two consultations in 2015 and 2016

where the retention of Chatsmore Farm as Open Green Space has been a central element to the vision of the plan.

The development proposals by Persimmon therefore seem to be premature and to pre-empt the assessment and judgement by the Inspector. Persimmon apparently takes the view that, because approval has yet to be obtained regarding Local Green Space designation, there is no barrier to submitting this outline application to develop this very sensitive site. Technically this may be so but Persimmon pays insufficient regard to, and seems to override the fact that the Local Authority considers this area fulfils the relevant criteria and fully supports the application for designation.

Persimmon would do well to appreciate that 'The Draft Local Plan' is the result of an extensive, detailed Public Consultation process which reflects the priorities, concerns and aspirations of the local community for the next thirty years. The application for the Green Space Designation has consistently been a core part of the plan throughout the consultations.

The concept and recommendations of the Draft Local Plan could be seriously compromised by a new outline development being approved prior to the examination by the Inspector. The community attaches great importance to the retention of this open space and its value to the environment.

Even though the Draft Plan is awaiting consideration by the Inspector this is still a relevant document of some weight which merits significant and respectful consideration. The pivotal role of the Local Plan in the planning process is underscored by the National Planning Policy Framework (NPPF).

Planning history: the land at Goring Gap has been threatened with housing development since the 1930s. After the introduction of stronger planning controls in the Town & Country Planning Act the protection of the Gap has been followed through in all development plans, including the County Structure Plans and Worthing and Arun Local Plans.

It is very significant that the recently adopted Arun Plan carries this on and includes that part of the northern Gap in Arun District as a 'protected gap' between settlements. This decision is very relevant to Persimmon's application and must be on the assumption that there will be a similar policy adopted in the Worthing Borough Plan to protect Chatsmore Farm from development.

There is no justification for removing this protection. With the increasing pressure to meet housing requirements it is more important now to ensure that Worthing and Ferring do not merge together.

Although there is a predisposition towards development this is a sensitive site involving the South Downs National Park and the Highdown Conservation Area. It therefore merits special consideration. We consider Persimmon has again given insufficient weight to the protection afforded by the NPPF 2019 in safeguarding both the associated heritage assets and the natural environment.

ADVERSE EFFECT ON THE SETTING OF THE SOUTH DOWNS NATIONAL PARK

The designation of the proximate South Downs National Park (SDNP) is an important factor in recent years which increases the importance of maintaining a policy of preventing development in the Ferring/Worthing Gap in order to protect the natural beauty of the landscape of the National Park and its setting.

The proposed development would be on the land south of the Ferring Rife, but it would still have a much greater visual impact from the north, along Littlehampton Road and from the National Park, than the existing development along Goring Way. This would be emphasised by the height and mass of some of the buildings in the proposed new development which we understand will be up to four storeys in height. Landscaping would not be able to successfully screen it from view and it would be apparent that the development had encroached nearer to the road. This would result in an adverse effect on this nationally important heritage asset which makes such a positive contribution to the local historic environment.

HARM CAUSED TO THE HIGHDOWN CONSERVATION AREA

Another important consideration is the recent designation in May 2020 of the Highdown Conservation Area which is within the South Downs National Park and directly north of the proposed site.

One of the Highdown Conservation Area's three main elements as referred to in para 4.4 of the Conservation Area Appraisal Document (CAAD) is the 'Lodge and Access Road'.

The analysis in the document makes reference to the two Victorian lodges built circa 1850 located at the southern end of Highdown Rise. These buildings are included on the Local Interest List and border the Littlehampton Road.

A significant feature of this element of the conservation area, which is referred to in the CAAD, is the view looking down from Highdown Rise to the presently undeveloped countryside of Chatsmore Farm with the sea beyond. This view is considered to make an important contribution to the setting of both the National Park and the conservation area.

The proposed development would irrevocably harm this view and it could not be screened from higher viewpoints either within the Conservation Area or elsewhere along the ridge of the Downs.

This would therefore be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 72 sets out a statutory duty to protect the character and appearance of a conservation area. In our opinion the proposed plans would not therefore be commensurate with this planning legislation.

We also consider that the applicant has given insufficient regard to the National Planning Policy Framework (NPPF) (Sections 15 and 16) which states the importance of 'Conserving and Enhancing the Natural Historic and Built Environment'.

One of the most important elements of the Highdown Conservation Area is the nationally recognized Grade II* Listed Chalk Gardens. The associated views are not just confined to the gardens but extend to the environs as a whole and the landscape to the south. A heritage lottery grant has recently been awarded to upgrade the gardens to enhance the visitor experience for residents and tourists alike. It is important therefore that the views and setting of the gardens are protected.

Visitor numbers and the significance of the gardens are very likely to increase in the future.

LIGHT POLLUTION

The light pollution generated by the new development would have an unacceptable effect on the wildlife in the area as well as the setting of the National Park and the surrounding heritage assets.

To the east of the lodges on the access road, and just outside the SDNP, is a distinctive Grade II Listed flint and brick barn, very much in character with the area. The setting of this building and how it contributes to the location will also be adversely affected by the development and resultant light pollution.

WORTHING'S CLIMATE EMERGENCY

Another relevant factor is that Worthing Borough Council has recently declared a climate emergency. It is therefore desirable to give priority to protecting the environment by preventing the gradual erosion of our local green areas. Chatsmore Farm provides a natural open 'gap' between Ferring and Worthing. These areas are vital to the health and wellbeing of the community, which is supported by the NPPF - para 97 "Wherever possible brown field sites should be prioritised for development".

In addition, this landscape is presently farmed as Grade I agricultural land and forms a 'green lung' between Worthing and Ferring. This important natural resource would be lost if the development went ahead. The development would result in the loss of over half the gap creating an inevitable adverse effect on the wildlife, trees and the local natural environment. Residents are extremely concerned about the impact of the development on these issues and there is significant opposition to this proposal. This was reflected in the response to the Public Consultation of 2018

DRAINAGE

An important characteristic of the proposal site is the Ferring Rife which is known to have flooded and to be affected by the tides. Critical, serious rainfall events and seriously high tides are becoming ever more frequent with what appears to be the rapid onset of climatic change. The nearby West Durrington development has already been affected by drainage issues which illustrate the apparent vulnerability of this area.

We are concerned therefore that the mitigation measures submitted by Persimmon may require closer government scrutiny combined with a wider overall assessment

of the surrounding area. At best, regular monitoring and maintenance of these flood prevention measures would be required.

This would be unsettling and worrying for the residents. In our view these concerns demonstrate that the intrinsic quality and nature of the land does not lend itself to this scale of residential development.

INFRASTRUCTURE AND EFFECT ON HIGHWAY NETWORK

The new development of 475 households would inevitably result in unacceptable, additional pressures on local amenities for GP's surgeries, availability of appointments, pharmacies, school places and dentists. There is already a considerable national shortage of these professionals.

The strain on the local community resources would be compounded by the fact that the new development would severely impact on the highway network and associated A259 which is already under severe pressure.

An additional 475 households, potentially owning two cars each, could potentially generate an increase of 900 cars accessing the area's transport layout.

The neighbouring West Durrington developments, which are already approved, will also

exacerbate the delays, queues and strain on the existing highway network. In our view, the proposals submitted by Persimmon appear to be incomplete and do not overcome these vitally important issues.

We note that WSCC have objected to the application which is significant.

Attached, as Appendix I, is a detailed analysis of the applicants transport forecast prepared by a former member of the Department of Transport and a Worthing Society Committee member.

This document clearly illustrates our significant concerns regarding the effect on the highway network.

CONCLUSION

We consider that, for the reasons stated, this application which involves an exceptional and sensitive area should be refused. The application submitted by Persimmon is, in our view, defective in all respects and will result in a serious loss of amenity to the community. Persimmon has, we consider, failed to give sufficient regard to the adverse effect of the proposal on the proximate heritage assets and the environmental issues. The potentially severe impact on the infrastructure and highway network of the surrounding area is so serious that the application should be withdrawn immediately. Persimmon would do well to consider their reputation and to respect the long standing community desire to retain this land as open green space which is supported in Worthing's Draft Local Plan.

Issues of climate change are also becoming ever more pertinent. It is interesting to note that an area of green space known as New Salts Farm in Shoreham and which was previously the subject of an unsuitable development plan, has now been

purchased by Adur Council to preserve the natural habitat. This, perhaps, indicates a trend towards the importance of retaining our open green land to protect the environment for this and future generations.

A transport assessment has also been submitted by the Worthing Society concluding *“This application should be refused, on the grounds that it shows that the proposed development could not be accommodated within even an improved road network.*

Persimmon should consider withdrawing the application to avoid further needless concern about its consequences.”

Third Party Representations

1,236 objections have been received on the following grounds:

- increased traffic
- adverse visual impact
- brownfield sites should be used in preference
- adverse impact upon wildlife
- lack of infrastructure
- space between towns should be maintained
- adverse impact upon the National Park
- farmland should be retained
- increased pollution
- too many dwellings proposed
- lack of car parking
- increased flooding
- area is already subject to heavy traffic congestion
- houses will not be affordable
- development would lead to an oversized conurbation
- existing highway provision is inadequate
- increase crime
- A259 is already overused
- land is a Green Gap in the Local Plan
- putting electric cables underground would increase flooding
- loss of view
- adverse impact upon biodiversity
- density is too great
- will cause loss of property value
- the area is enjoyed visually by the public
- Ferring is a dark area and increased lighting will adversely affect wildlife
- adverse ecological impact
- the development looks as interesting as the Grafton Road car park
- new house should provide a minimum of 3 car parking spaces
- noise during construction
- loss of privacy
- previous objections from residents have not been taken into account by the developer
- adverse impact upon the setting of Highdown Park
- insufficient water supply

- insufficient landscaping
- inadequate police numbers to prevent crime

Relevant Planning Policies and Guidance

Worthing Core Strategy (WBC 2011):

Policy 7 Meeting Housing Need, Policy 8 Getting the Right Mix of Homes, Policy 10 Affordable Housing, Policy 12 New Infrastructure Policy, 13 The Natural Environment and Landscape Character, Policy 14 Green Infrastructure, Policy 15 Flood Risk and Sustainable Water Management, Policy 16 Built Environment and Design, Policy 17 Sustainable Construction, Policy 18 Sustainable Energy Policy and Policy 19 Sustainable Travel

Emerging Worthing Local Plan – Policy SS5, Local Green Gaps

National Planning Policy Framework (CLG 2019)

2. Achieving sustainable development, 3. Plan-making, 4. Decision-making, 5. Delivering a sufficient supply of homes, 8. Promoting healthy and safe communities 9. Promoting sustainable transport, 11. Making effective use of land 12. Achieving well-designed places, 13. Protecting Green Belt land, 14. Meeting the challenge of climate change, flooding and coastal change and 15. Conserving and enhancing the natural environment

Planning Practice Guidance (CLG 2014)

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990);

There is also a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Highdown Conservation Area (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990);

The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

In addition, Section 11A(2) of the National Parks and Access to the Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000 require that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes.

The Environment Act 1995 revised the original 1949 legislation and set out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.

There are a number of other duties placed on planning authorities regarding biodiversity enhancement and the countryside including:

Under section 40 of The Natural Environment and Rural Communities Act (NERC) 2006 local planning authorities (LPAs) must have regard to the purpose of conserving biodiversity, including restoring and enhancing species, populations and habitats, as well as protecting them.

Under the Wildlife and Countryside Act 1981, LPAs should take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or

physiographical features by reason of which the site is of special scientific interest (SSSI).

Planning Assessment

The Planning Statement submitted by the applicant outlines the main considerations they consider to be in the determination of the application. They include:

- Housing Need and Five Year Housing Land Supply
- Emerging Development Plan Policy
- Whether the site is an appropriate location for housing development
- Landscape and Visual Impact
- Traffic and Transportation

It is considered that the key issues, therefore, are local and national planning policies, the effect of the proposal upon the visual character of the area and matters related to highway safety and traffic.

Existing and emerging Local Development Plan

The application site is outside of any built-up area as defined by the Core Strategy and this designation is proposed to remain in the emerging Local Plan, with policy SS4 stating that land outside of the built-up area will be designated as 'Countryside and Undeveloped Coast' with development being restricted to that for which a countryside location is essential or to support recreational uses on the coast.

Policy 13 of the Core Strategy states that "*Residential development outside of the existing built up area boundary will only be considered as part of a borough-wide housing land review if there is a proven under-delivery of housing within the Core Strategy period.*" At paragraph 6.40 of the submitted Planning Statement, the applicant acknowledges that the proposals would conflict with that part of Policy 13.

The applicant correctly acknowledges the relevance of the Worthing Core Strategy (2011) as this is the adopted Development Plan for the Borough. However, very little weight (and in some instances no weight) is given to the emerging Local Plan.

Worthing Borough Council recognises the importance of having an up to date Local Plan in place that can enable 'local decision making' and guide development that is sustainable, inclusive and resilient. After a number of years of preparation the Council has published its final version of the Plan for comment before it is submitted for independent Examination

The plan has already been through two rounds of public consultation – the Issues & Options Stage (2016) and Draft Local Plan stage (2018). The comments submitted at these two consultations have been considered and have helped to shape the Plan. The Plan has also been informed by a comprehensive evidence base and, using this information, Worthing Borough Council considers that the Local Plan that is now published for comment is 'sound' and establishes a clear and robust strategy for the Borough.

The applicant acknowledges *work has started on the new [Local Plan] but it is unlikely to be adopted for 2 to 3 years.* This is not an accurate reflection of the

current position. The Regulation 19 consultation concludes on March 23rd and it is then expected that the Plan will be formally submitted for Examination at the end of April/early May. It is then likely that the hearing sessions will be held in late summer / early autumn. As such, the Council hopes to be in a position to adopt the new Local Plan in early 2022.

Given the status of the emerging Plan, and in line with related national guidance, the Council is of the view that it is appropriate that some weight is given to the spatial strategy outlined in the new Plan and the related policies.

In this context the Landscape & Visual Statement submitted with the application asserts that *“the Site is not covered by any designations for landscape, ecology or heritage value, nor is it located within an identified gap within the adopted Worthing Development Plan”*.

This is the case as whilst the Core Strategy defines the site as ‘land outside of the built-up area’ it does not include any other specific designations. However, the date of adoption of the Core Strategy is of relevance as it was prepared at a time when local planning authorities were instructed not to include policies that were established in higher level Plans / Strategies. As such, at that time it was not felt necessary to include any specific ‘gap’ designation or protection within the Core Strategy. This is no longer the case and, as explained in more detail below and within related evidence there is now strong justification to designate this site as both a local green gap and local green space. This approach conforms to current guidance and advice.

The Council is able to clearly demonstrate the positive approach it has taken within the emerging Local Plan to meet development needs. This includes the allocation of a number of greenfield / edge of town sites. Robust evidence has also demonstrated that there are areas on the edge of town that are not suitable for development and this has helped to inform the Spatial Strategy and associated Policies SS4 (Countryside and Undeveloped Coast), SS5 (Local Green Gaps) and SS6 (Local Green Spaces).

To support the position taken in the emerging Local Plan a Topic Paper has been prepared – ‘Topic Paper 2 - Land Outside the Built Up Area Boundary’: This Paper provides the detailed context and rationale of the spatial approach of defining land outside the Built up Area Boundary. Areas of undeveloped land and coastline protected by the three policy designations provide a valuable source of multi-functional green infrastructure network which offers important recreational and landscape benefits to the local community as well as nature conservation value. The paper sets out the Council’s approach and provides the background evidence to support it.

The Council considers that its approach to Local Green Gaps and Local Green Space in the Worthing Local Plan meets the soundness tests set out in the National Planning Policy Framework (para 35) for Local Plan preparation. This evidence (and the views of a large number of respondents commenting on the application) is compelling and runs contrary to the view of the applicant that Chatsmore Farm is not a valued landscape.

Emerging policy of the Submission Draft Local Plan, SS5, states that Chatsmore Farm will be designated as a Local Green Gap and “*will be protected in order to retain the separate identities and character of [Worthing and Ferring] settlements.*”

The emerging policy goes onto state:

“Development within these Gaps will be carefully controlled and will only be permitted in exceptional circumstances. Any development must be consistent with other policies in this Plan and ensure (individually or cumulatively):

- i) it does not lead to the coalescence of settlements;*
- ii) it is unobtrusive and does not detract from the openness of the area;*
- iii) it conserves and enhances the benefits and services derived from the area’s Natural Capital; and*
- iv) it conserves and enhances the area as part of a cohesive green infrastructure network.”*

Further policy provision is made in subsequent policy SS6, Local Green Space, the policy preamble to which states:

“Chatsmore Farm, that covers 28 hectares in Worthing and 2 hectares in Arun, comprises arable fields with the Ferring Rife flowing east to west crossing the middle of the site. The Goring Residents’ Association’s request to designate the green space between Goring and Ferring included this area. The request highlighted its historic associations, wildlife and recreational value, and its offer as a haven of relative calm within the urban area. In addition, the land is in the setting of the South Downs National Park and the Grade II Registered Park and Garden ‘Highdown Garden’ which lie to the north.”*

The text then goes on to state:

“Chatsmore Farm is designated as Local Green Space because the community value: its setting to the historic environment and the South Downs National Park; important views that contribute strongly to a sense of place; wildlife, especially along the Ferring Rife; and the offer of escape from the urban environment for relaxation and exercise.

Increased quiet and informal recreation would be compatible with this designation. Whilst some formal recreation space could be considered it would be important that it did not conflict with the qualities for which Chatsmore Farm is valued.”

The applicant argues that, *In terms of Draft policy SP6, the Site manifestly fails to meet the NPPF criteria for designation as Local Green Space.”*

The Council disagrees strongly with this view. The NPPF introduced Local Green Space designation as a mechanism for local communities to identify and protect green spaces. Following a request for designation the Council undertook a detailed review and concluded that, in line with national guidance, the areas in question (including Chatsmore Farm) met with the tests in that the land is not extensive, is local in character and reasonably close to the community it serves. It has also been demonstrated that the areas are special, because of their beauty, recreational

value, tranquillity and wildlife. This conclusion was supported and endorsed by the Council's landscape consultants.

The value of the application site to the community can be appreciated in the strength of opposition to this planning application with over 1200 objections received at the time of writing this report.

In simple terms, therefore, the application conflicts with policy 13 of the Core Strategy, as acknowledged by the applicant, and it follows would conflict with the emerging Local Plan policies. However, as Members will be aware, national planning policy does not allow for a determination of the application simply against such policies where a local authority is unable to demonstrate an adequate housing land supply.

The applicant therefore contends:

"It is now evident that a [5 year Housing Land Supply] has not been maintained in Worthing, and by a substantial margin. Even in those circumstances Policy 13 offers no solutions and instead puts the problem off until there is a review of the [Core Strategy]

Work has started on the new [Local Plan] but it is unlikely to be adopted for 2 to 3 years. In the meantime, the adopted plan would suggest that housing needs will just have to wait regardless of the scale of the deficit (even with only 1.03 years of supply) and the serious social and economic consequences that are now affecting individuals and families in the real world will just have to continue.

The Government no longer considers this to be an appropriate way of dealing with such serious problems. In circumstances where the plan-led system has failed, it is necessary to allow the Development Management process to intervene. That is manifestly the intended purpose of the "tilted balance" in paragraph 11d of [the National Planning Policy Framework]...Where an LPA is unable to demonstrate a [5 year Housing Land Supply]. Footnote 7 of the NPPF is triggered and policies that continue to restrict and frustrate housing delivery will be deemed out of date."

The starting point in assessing the points is paragraph 11d of the National Planning Policy Framework (NPPF). This part of the NPPF is given particular emphasis as it relates to the presumption in favour of sustainable development. The NPPF states that for decision taking this means...

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

There are 2 footnotes to this text which are also of relevance and which state:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph

176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”

As stated above, the emerging Local Plan, if adopted in its current form, would include the application site as a designated Local Green Space.

“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

Historically there has not been a strong relationship between housing targets set for Worthing within regional Plans and the need / demand for new dwellings in the borough. This is because previous targets took account of the development physical and environmental constraints faced by Worthing and were therefore strongly influenced by the capacity of the borough to accommodate new development.

However, the NPPF now requires that local planning authorities meet their full need for both market and affordable housing as far as is consistent with other policies in the Framework. The most up-to-date assessment of objectively assessed housing need (based on the standard method as set out in national planning guidance and the 2014 household projections published in September 2016) is 14,160 dwellings over the emerging Plan period (2020 to 2036) which currently equates to 885 dwellings per annum.

Worthing’s current minimum level of identified housing need for the plan period (885 dwellings per annum) is a much higher level of housing delivery than the borough has previously planned for or delivered. To put this into context, the Core Strategy (2011) set a housing requirement of 200 dwellings per annum and the average annual delivery rate since 2006 has been 306 dwellings (which includes a significant level of housing delivered on a large greenfield site at West Durrington).

In line with the NPPF, the Council has sought to plan positively to establish whether housing delivery could be increased significantly to help close the gap between the level of identified need and recent delivery levels. This review has included the robust and positive assessment of all nine of the potential edge of town development sites and 6 of these are now allocated for development.

The emerging Local Plan concludes that a realistic housing capacity figure for the borough from 2020 to 2036 is a minimum of 3,672 dwellings. This housing target is a ‘capacity-based’ / ‘policy-on’ figure based on the level of housing that can be delivered within the Plan period, having regard to the identified constraints and development capacity.

Taking the above into account, the Plan sets an average minimum housing target of 230 homes per annum to be achieved by 2036. As explained further within the Housing Implementation Strategy, this is a target that is significantly higher (15%) than the levels of growth planned for within the Worthing Core Strategy. This, in

part, reflects the positive actions taken by the Council to facilitate and support development in the borough. This increase beyond previous targets basis with other local authorities and organisations to address sub-regional issues and represents a challenging but realistic level of housing development that takes a positive approach to the allocation of sustainable sites whilst also providing the appropriate balance between meeting development needs and protecting the environment and character of the borough.

It is clear however that, despite taking a positive approach to development, the delivery rate for housing will fall significantly below the levels of housing need identified (14,160 dwellings). Approximately 26% of the overall housing need will be met and this would result in a shortfall in housing delivery over the Plan period of 10,488 dwellings. Whilst acknowledging that this is a very high level of unmet need the Council has robust evidence to demonstrate how all options to reduce this figure and increase the rate of development have been exhausted. Put simply, the tightly drawn boundary around the borough and lack of available land means that there is simply no way that a higher proportion of development needs can be delivered in a sustainable manner.

The applicant argues that, *“It is now evident that a [5 year Housing Land Supply] has not been maintained in Worthing, and by a substantial margin. Even in those circumstancesthe problem is put off until there is a review of the Core Strategy’.*

As explained above, for very clear reasons, the Council would not contend with the view that it is unable to provide a five year housing land supply against current calculations of housing need. However, the Council is able to demonstrate a significant over delivery against housing requirements established in the adopted Core Strategy (see Annual Monitoring Reports).

Despite this, and with the NPPF requirements to meet development needs, the Council has not ‘rested on its laurels’ and would strongly refute the suggestion by the applicant that the issue has been simply put off until a new Local Plan is prepared. As explained clearly in Chapter 6 of the Housing Implementation Strategy (linked above) the Council has taken many actions to help bring forward and support development prior to and beyond the adoption of a new Plan. Fourteen actions are detailed in this document and this even includes the bringing forward of two edge of town greenfield sites in advance of the new Plan (including West Durrington phase II where the applicant is one of the Consortium of developers).

The presumption that planning permission should be granted unless there are ‘adverse impacts which would significantly and demonstrably outweigh its benefits’ is known as the ‘tilted balance’ and it has been held that such balance should be expressly considered in the determination of any relevant application. It is not the case, therefore, that the application can be refused simply because of the policy conflicts with the existing Core Strategy and Emerging Local Plan.

The next issue to be considered, therefore, is whether the tilted balance should, in effect, sweep away the provisions of planning policy because of the lack of housing supply and therefore potentially lead to a grant of planning permission. This is a matter that has been considered in the Court of Appeal only recently in respect of

housebuilding proposals in Essex and Northamptonshire. A developer argued that when the tilted balance is engaged due to a housing land shortfall, decision-makers have to assess proposals against relevant policies in the NPPF and that local plan policies simply "do not come into that exercise".

The Court of Appeal judges ruled, however, that, even where development plan policies are rendered "out of date" by housing land shortfalls, they remain "potentially relevant" to the application of the tilted balance and decision-makers are "not legally bound to disregard them". The court's ruling established, therefore, that the provisions of the NPPF remain subordinate to the overriding principle established by section 38(6) of the Planning and Compulsory Purchase Act 2004 that decision-makers must have first regard to the terms of development plan policies.

The above ruling demonstrates, therefore, that while the application should not be refused simply because of a conflict with policies relating to the defined built-up area, it equally should not be approved simply because there is a lack of housing supply in the town. As mentioned by the applicant in the Planning Statement, the Development Management process should be allowed to 'intervene' and therefore it considered that the next key issue is whether the application site is suitable for the level of development proposed.

The supporting information submitted with the application contends:

"The application site is well related to the existing pattern of built development in the area...The site is closely surrounded and enclosed by existing development on three sides. The Railway to the south, the Ferring Rife and the A259 Littlehampton to the north further reinforces the sense of containment...The pattern of built development in the area is such that the site would represent a logical rounding off for this part of the settlement. It is essentially a large infill site. It would not represent a new incursion into the open countryside and would not encroach any closer to the National Park than the existing pattern of development."

The supporting information goes on to conclude:

"The site is well related to the built-up areas Goring and Ferring and in that regard would be consistent with the general thrust of the spatial strategy which seeks to focus development at the urban areas. The site is otherwise relatively unconstrained in policy terms ... the site would represent a logical rounding off for this part of the settlement. It would not represent a new incursion into the open countryside and would not encroach any closer on the National Park than the existing pattern of development."

Your officers do not agree with the above assessment. It is certainly arguable that the site is "closely surrounded and enclosed by existing development on three sides." To the north is open countryside, while the majority of the proposed development to the western side is adjacent to an open field in Arun District. The existing, largely low level, development in Ferring Lane with some landscaping along the boundary of the site is not considered to have an enclosing impact upon the site either.

Similar comments, in respect of enclosure, can be applied to the eastern and southern sides of the sites too. Existing development in Goring Street is set back across the road and there is some landscaping along the boundary of the application site and while it is acknowledged there is a greater scale of development to the south, this is nonetheless across the railway line and there is visual break as a result of the school playing field which is situated directly opposite to the mid point of the proposed development. As with Ferring Lane, the properties located in Singleton Crescent across from the south western part of the development are also low level and are not considered to closely surround or enclose the development.

As a result, therefore, your officers fundamentally disagree with the assertion that the site would represent a 'logical rounding' off of this part of the development and certainly it cannot be considered as essentially 'a large infill site'. As the site is designated as countryside within the Core Strategy, it is a matter of fact that development would represent a new incursion into the countryside. The contention that the development would not encroach any closer to the National Park than the existing pattern of development is rather a moot point too – this is true in respect of existing development to the east and west being closer to the National Park than the northernmost extent of the proposed development, but equally it is a matter of fact that within the application site itself, the proposed development will be closer to the National Park as it is an open site at present.

It is further noted that the supporting information acknowledges that *The Site is relatively open* (although your officers would consider that the word relatively is irrelevant in terms of the site itself) which seems to run contrary to another contention of the supporting information that *"Precluding development on the application site does not therefore serve to prevent coalescence. It has already happened"* which your officers again find difficult to agree with given there is well over 700 metres between existing development to the east and west of the application site.

As a result of the above concerns, it is necessary to consider in detail the impact, in landscape terms, of the proposed development. Notwithstanding the above, and taking into account the applicant's comments regarding the need for housing, if it were concluded that there was no adverse visual impact in landscape terms of the development, then the proposal would still merit detailed consideration in light of national planning policy. An important aspect of the supporting information is the Landscape and Visual Impact Assessment that has been submitted. This states:

"In terms of landscape effects, the assessment found that the proposals would result in the loss of an area of undistinguished farmland, which would be replaced by new homes and substantial areas of open space. Development in the location proposed would relate to the surrounding urban uses, and would be consistent with the surrounding settlement pattern. Despite some intervisibility, landscape effects on the character of the rolling downland of the National Park will be very limited."

As part of the consideration of the application, your officers therefore sought independent landscape advice, and their response is outlined in the consultation section above.

The landscape advice states that the site is open to view from locations within the South Downs National Park and that the gap forms a *noticeable break* in development along the coastal plain and acknowledges that such views continue in part through the playing fields to the south of the site. It is also noted that the site is open to view from public footpaths, and the advice considers that the “*site makes a substantial contribution to the sense of openness and separation between the settlements of Goring by Sea and Ferring with the site forming a significant part of the extensive open and agricultural foreground setting to the National Park and Highdown Hill.*”

The assessment also confirms that the suitability for development was considered as part of a review in 2017. The recommendations of that reassessment of sites were that limited development to the south-west corner of the northern gap (including a small portion of the application site) would be acceptable for development, in landscape and visual terms, given that the main views into and out of the gap would be maintained and that the majority of the land within the gap would be retained as open agricultural land. As noted in the comments, the extent of development proposed under this application far exceeds the level of development anticipated by the 2017 review and the assessment concludes that the level of development “*would seriously erode the sense of separation between the settlements that the current land uses provide.*”

The assessment concludes that “*substantial adverse landscape and visual effects would arise from the development: such impacts would affect the local area and the wider landscape, including the landscape setting to the National Park, Highdown Hill scheduled Monument and the conservation area and the sea views from the National Park.*” Your officers see no reason to disagree with this conclusion.

While only limited weight can be given to the emerging Local Plan at present, the above comments quite clearly demonstrate that the proposed development would be contrary to emerging policies SS4, SS5 and SS6. Even if the emerging policy is disregarded completely, then the proposal similarly fails, as a matter of principle, against policy 13 of the Core Strategy. If, in turn, it is then considered that the Core Strategy policy is out of date due to the lack of housing supply in the town and the provisions of the NPPF apply in terms of the tilted balance as outlined above, the recent Court of Appeal judgement still means the provisions of Local Plan policy and other parts of the NPPF still apply. Furthermore, there is a statutory duty to have regard to the setting of the National Park.

The conflict with Local Plan policies still applies, therefore. Indeed, paragraph 12 of the NPPF states that “*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.*” There are other provisions of the NPPF that are still relevant: one of the overarching objectives of the NPPF is the environmental objective which requires development “*to contribute to protecting and enhancing our natural, built and historic environment.*” In addition to the adverse impact upon the setting of the National Park, it is not considered, therefore, that the proposal complies with either local or national guidance.

The NPPF also states that “*The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green*

areas of particular importance to them.” The level of objection to the current application demonstrably shows that the application site is of particular importance to the local community. Moreover the NPPF further states that such designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and c) local in character and is not an extensive tract of land. It is considered that all of the criteria are met in this instance and hence it is fully appropriate that the land be considered for such designation in the emerging Local Plan.

Having regard to the above, consideration should also be given as to whether the application is premature given the continuing advancement of the emerging Local Plan. The NPPF does state that the refusal of applications on the grounds of prematurity cannot normally be justified unless “*a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*” Certainly, in respect of point a), the development is a substantial one for the town and it is considered that approval of the application at this stage would fundamentally undermine the Local Plan process.

Highways Matters

Members will note the relevant consultation responses above from Highways England and the County Council as Highways Authority.

Highways England do not consider the appropriate information has been submitted to enable them to form a clear view of the impacts of the proposed development and hence their informal advice is that the application should be not approved because of the potential for harm to the Strategic Road Network. They have also requested that the Council does not approve the application ahead of the required information being received.

Similarly, the County Council as well as requesting more information have objected on the grounds that it has not been demonstrated that a safe and suitable access has been provided, a lack of pedestrian and cycle linkages and that it has not been demonstrated that the development would not result in a severe impact on the local highway network

At the time of writing the report, it is understood that further information has been submitted to the County Council for consideration, although no additional information has been submitted formally as part of the planning application. A further update will therefore be provided to Members prior to the meeting. However, the County Council have indicated that they feel it highly unlikely sufficient information will be provided prior to the meeting to overcome their concerns. Ordinarily, consideration of the application would await the outcome of the consideration of the additional information, but in this case, the applicant has requested that the application be determined at this meeting, and furthermore as the applicant has been unwilling to agree an extension of time to determine the

application, they currently have the right of appeal of non determination of the application within the statutory time period directly to the Planning Inspectorate (despite the fact that one of the primary reasons for the delay in determining the application is that the Council has been awaiting further highways related information from the applicant which only appears to be being supplied now).

A significant number of the objections received from nearby residents relate to highways concerns and it does not need a detailed knowledge of the site and surrounding area to know that the immediately surrounding area is already pressurised in highway terms being one the main routes serving the western side of the town, with the added complication of the railway crossing gates causing queuing traffic. Given the scale of the development, therefore, it is essential that if the development is considered acceptable in highways terms, the relevant technical consultees must be completely satisfied that all aspects of the application are acceptable in those terms. At present, it would appear that is some way off such a position being reached, if indeed it can ever be reached at all.

There is no alternative at this stage but to resist the application on highways related grounds and even if the applicant's points regarding the planning policy and landscape impact as considered above were accepted, the application should still be refused on highways grounds. There can be no justification in supporting the application on such grounds on the basis of the information submitted thus far.

Community Infrastructure Levy

The current Community Infrastructure Levy (CIL) Charging Schedule, which was implemented in October 2015, has two residential 'zones' which are charged different CIL rates. The four wards which make up residential zone 2 are; Broadwater, Castle, Gaisford & Selden. (The application site lies within Castle Ward). The zone 2 residential CIL charge is £0/sqm and therefore under the current Charging Schedule this development would not make any contribution to strategic infrastructure.

In 2018, Worthing Borough Council (WBC) commenced a review of the CIL Charging Schedule. The revised CIL Charging Schedule was Examined by an Independent Inspector in January 2020. The proposed CIL residential rates include the removal of the 'zones' from the current CIL Charging Schedule, meaning that all wards (including Castle Ward) in Worthing will be subject to the same CIL charging rates. The proposed CIL residential rate for 'Greenfield housing development' is £200/sqm. The Council is currently awaiting the Inspector's report. Once this has been received, it is hoped that the revised CIL charging schedule will be approved and adopted in the summer 2021.

Planning Obligations

Whilst your Officers are opposed to the principle of development on this site it will be important to have regard to what matters would need to be covered by a legal agreement if this application is refused and is considered at a subsequent appeal. Attached to the report as **Appendix II** is a list of matters that would need to be covered by a legal agreement. In terms of affordable housing the applicant has been requested to consider the provision of 40% affordable housing in line with the emerging Local Plan. The applicant has also been requested to consider restricting

any future development on the land to the north of Ferring Rife to help provide some protection to the setting of the National Park and Members will be updated on both matters at the meeting.

Sustainable Construction and Design

As stated in the Planning policy comments, it is very disappointing that the application is not accompanied by a sustainability statement which the Submission Draft Worthing Local Plan requires for major development. While potentially covered in details at the Reserved Matters stage, at this stage a commitment to meeting relevant minimum standards would also be expected now, but does not appear to have been given as part of the proposal.

Recommendation

REFUSE planning permission for the following reasons:

01 The proposed development is outside of the built-up area as defined in the Worthing Core Strategy and the emerging Submission Draft Worthing Local Plan and is not allocated for residential development. The proposal is therefore contrary to policy 13 of the Worthing Core Strategy and emerging policies SS4, SS5 and SS6 of the Submission Draft Worthing Local Plan. Furthermore, it is that the adverse impacts of the development would demonstrably outweigh the benefits as substantial adverse landscape and visual effects would arise from the development affecting the local area and the wider landscape, including the landscape setting to the National Park, Highdown Hill scheduled Monument and the conservation area and the sea views from the National Park.

02 The application is considered to be premature as the development proposed is so substantial, and its cumulative effect would be so significant, that to grant permission would undermine the plan-making process in particular its overall spatial strategy about the location of new development, its landscape evidence and proposed green space designations that are central to the emerging Submission Draft Worthing Local Plan. The proposal therefore fails to comply with paragraph 49 of the National Planning Policy Framework.

03 The Local Planning Authority is not satisfied that adequate information has been submitted to demonstrate that the proposal is acceptable in terms of access and would not therefore give rise to increased hazards to highway users. The proposal therefore fails to comply with the relevant guidance of the National Planning Policy Framework which requires that the potential impacts of development on transport networks can be addressed in development proposals

04 The Local Planning Authority does not consider that adequate information has been submitted to demonstrate that the mitigation proposed is acceptable in terms of its impact on the local highway network including (but not limited to) the Goring Crossroads and A259/ Goring Way/ Aldsworth Avenue junctions. As such it has not been demonstrated that the development would not have a severe impact on the local highway network and therefore the proposal fails to comply with paragraph 109 of the National Planning Policy Framework 2019.

Heads Of Terms for Planning Obligation

<p>Affordable Housing</p>	<p>30% Affordable</p> <p>70% Rented Accommodation (based on lower Local Housing Allowance)</p> <p>30% Intermediate Housing</p>
<p>Play Space and Open Space</p>	<p>Play areas</p> <p>Transfer of open space and payment of commuted sum</p>
<p>Highways</p>	<p>To be advised upon submission of required information</p>
<p>Nesting Birds</p>	<p>Off site mitigation</p>

Application Number:	AWDM/2134/20	Recommendation - APPROVE
Site:	Car Park Montague Centre	
Proposal:	Demolition of existing building (12-14 Liverpool Gardens) and proposed temporary accommodation for relocated Central Clinic and creation of additional car parking and landscaping.	
Applicant:	Worthing Borough Council	Ward: Central
Agent:	Mr Robert Shrimplin	
Case Officer:	Ms Jo Morin	



Not to Scale

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Site and Surroundings

The application relates to the Montague Centre surface level car park, and the building at the far northern end of the car park (12-14 Liverpool Gardens), currently vacant but last used by Worthing Shopmobility together with 7no immediately adjacent parking bays to the east and west sides of the building, reserved for use by Shopmobility clients. The car park is located in the heart of the town centre flanked primarily by office buildings to the north and west, and the rear of the shops in Chapel Road to the east. To the south is the Montague Quarter shopping centre.

The site is located within the Chapel Road Conservation Area.

Vehicular access to the public car park is from Liverpool Gardens to the west. It is bounded by a traditional flint and brick dressed wall on the west side and by a simple, low level brick wall on the east side. Openings in the wall provide separate pedestrian access from the east and west sides, with a series of bollards bounding the southern edge of the car park with the adjacent public footpath linking Liverpool Road and Liverpool Gardens (running along the north side of the Montague Quarter shopping centre). There are a number of mature trees around the perimeter of the car park plus others within planting beds in the centre of the car park and at its southern end. None of the trees are subject to a Tree Preservation Order. There is a walled electricity sub-station at the southern end of the car park on the east side.

The single-storey Shopmobility building dates from the late 1990s and is a modern reproduction undertaken in a classical style with rendered elevations, a parapet roof and colonnaded entrance on the south side. It was purpose-built as offices and storage for Worthing Shopmobility and a condition of the permission limits its use as a shopmobility facility.

Immediately adjoining to the north and west of the Shopmobility building is Arun House, 16 Liverpool Gardens, a detached, 2-storey, Victorian villa, in use as a clinic by Sussex Community Foundation Trust NHS. To the north and east is Addiscombe Cottage, 31 Liverpool Road, a detached, part single part two-storey early 20th Century building converted from offices to a residential dwelling in 2013.

Proposal

Permission is sought to demolish the Shopmobility building and erect a temporary single-storey prefabricated building to relocate the health services currently provided by Central Clinic during the construction works for the implementation of the new integrated care centre and multi-storey car park recently permitted under AWDM/0805/20 on the Central Clinic site and car park to the west of the Assembly Hall in Stoke Abbott Road.

The site of the proposed temporary building would be physically separated from the car park by concrete barriers with pedestrian access to it facilitated by new openings formed within the east and west site boundary walls. The temporary building would be 46.5 metres wide and 12 metres deep (approximately 554sqm in area) having an overall height of 3.54 metres. It would be made up of a series of individual units combined to create a larger floor area with the waiting area and reception/offices in centre and the clinical/support spaces at either end. It would

include accessible and semi-ambulant WC provision, staff restroom, stores and utility room. The main entrance (with ramp and stairs) would be on the south (front) of the building with a further stepped access to the west on the south side, plus secondary access/exit doors on the east and west sides. A plant room is shown to the east on the north side of the building. No details of the external materials or finishes of the proposed temporary building have been provided.

With the temporary building in situ the remaining car park will comprise 54 car parking spaces and 17 disabled car parking spaces. Of these, 5no. disabled car parking bays are proposed at the far north end of the residual car park (adjoining the above-mentioned concrete barriers).

The build program for the new Integrated Care Centre is 18 months but owing to the current pandemic could be delayed, therefore, the temporary provision is expected to be in place for up to 24 months.

Once the temporary building has been removed, it is proposed that the area would be laid out as additional parking with a new planting bed and trees and 2no new pedestrian accesses on the east and west sides. The final car park would provide 106 car parking spaces and 12 disabled car parking spaces.

Relevant Planning History

WB/92/0262/FULL Single-storey building to provide offices and storage for Worthing Shopmobility with 25 additional parking spaces. Permitted.

Consultations

West Sussex County Council: The local Highway Authority has raised no objection in principle, commenting:-

“From inspection of the planning documents, it’s understood that this is a temporary move of the Central Clinic whilst their new building is being built. The works will involve some changes to the current car park set up. Levels of parking will be reduced during the 24-month period of use by around 47 spaces. Whilst this is not ideal and could cause vehicles to have to travel to other local car parks if full during busy periods, it’s a temporary situation.

The access from Liverpool Gardens is on the narrow side. Access is restricted by the separation features of the entrance/exit routes. These would have to be removed to allow construction access. A suspension of parking in the bays opposite this access may also need to be applied for to allow for access/entry for construction and large delivery vehicles. These elements can be secured under a Construction Management Plan, either via a Compliance Condition now or a Pre-Commencement Condition.

The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Recommended Condition:

Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- *the anticipated number, frequency and types of vehicles used during construction,*
- *the method of access and routing of vehicles during construction,*
- *the parking of vehicles by site operatives and visitors,*
- *the loading and unloading of plant, materials and waste,*
- *the storage of plant and materials used in construction of the development,*
- *the erection and maintenance of security hoarding,*
- *the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),*
- *details of public engagement both prior to and during construction works.*

Reason: In the interests of highway safety and the amenities of the area.”

Southern Water

No objection, but comment that there is a public water distribution main crossing the site. [Although the plan forwarded by Southern Water indicates this is within the public highway and not close to the siting of the proposed temporary building.] The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

Further, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to the Southern Water network, the hierarchy for surface water as set out in part H3 of the Building Regulations should be followed. Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Southern Water seeks to engage with the applicant/developer on the design for disposal of surface water for this development at the earliest opportunity and it is recommended that civil engineers and landscape architects work together and with Southern Water as this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Adur & Worthing Councils:

The **Environmental Health Manager** has no comments on the proposals.

The Borough Engineer has no objection from a flood risk perspective commenting that the site is within flood zone 1 and is not shown to be at risk from surface water flooding.

With regard to surface water drainage it is advised that SuDs must be provided on all developments. It is noted the application forms states that it is intended to discharge surface water to the sewer. Infiltration must be fully investigated first. If discharge to surface water sewer is required attenuation must be provided, with discharge restricted to as close as greenfield QBar as possible, with an absolute minimum improvement of 50% over predevelopment rates. Design must ensure that water is safely contained within structures for the 1 in 30 year plus climate change event and that water is safely contained on site for all events up to and including the 1 in 100 year plus climate change event. Surface water drainage design must ensure adequate treatment of surface water prior to discharge. Surface water drainage designs will be required for both the temporary and permanent proposals. If minded to approve the application, the following conditions and informative are recommended to ensure the site is adequately drained.

1. Development shall not commence other than works of site survey and investigation , until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual groundwater levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. No building/no part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

2. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing by, the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Informative: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the Winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDs or soakaway design must include adequate groundwater monitoring data to determine the highest Winter groundwater table in support of the design. The Applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further details can be found on the Council's webpage. A surface water drainage checklist is available on this webpage. This clearly sets out the requirements for avoiding pre-commencement conditions or to discharge conditions.

The Tree and Landscape Officer has no adverse comment.

Representations

The Worthing Society comments that the site is within a Conservation Area and the existing Shopmobility building, although 'temporary' was given a pastiche classical facade to fit in with the surroundings, which has proved quite successful. Despite the Agent's obvious dislike of this solution, there is nothing wrong per se with a pastiche design in this location. We think that consideration should be given to such a disguise for the proposed temporary building, particularly if 'temporary' is likely to be for more than a year or two.

Relevant Planning Policies and Guidance

Worthing Core Strategy (2011): 6, 11, 15, 16, 17, 19
Worthing Local Plan (WBC 2003) (saved policies): RES7, H18, TR9
Chapel Road Conservation Area Appraisal
WSCC Guidance on Parking for New Development (2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 73A and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The policy context comprises the NPPF and the local development plan which consists of the saved policies of the Worthing Local Plan, Worthing Core Strategy and accompanying SPDs.

The new Worthing Local Plan, endorsed by the Council in December 2020, is undergoing its final round of consultation (Regulation 19) prior to being submitted for independent examination later this year. It currently has limited (if any) material weight in the determination of planning applications

National planning policy contained in the revised NPPF post-dates the adoption of the Core Strategy. Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

Policy 11 of the Worthing Core Strategy seeks to retain and enhance all premises used or last used for community purposes unless the premises or their location are unsuitable, adequate alternative accommodation is available locally that is as accessible and at least equivalent in terms of quality, replacement facilities are proposed, or it has been demonstrated that there is no need for the existing use and that the potential to deliver an alternative community use, where there is an identified need, has been explored.

In due course the new Worthing Local Plan will also play a role in facilitating the delivery of essential social infrastructure required by service providers on suitable sites. To this end, policy DM8 of the Draft Submission Worthing Local Plan states that the Council will support improvements to health, education, social, community and cultural facilities to ensure they meet the needs of local communities where it is demonstrated that there would be no unacceptable impact on the occupiers of adjacent properties, and that the Council will work with service providers to deliver appropriate facilities in accessible locations.

Shopmobility provided a valuable community service lending mobility equipment (powered wheelchairs/scooters etc) to people with limited mobility to shop and visit the facilities of the town centre. Shopmobility vacated the premises in March 2020 apparently due to the poor quality of the building which was not financially viable to refurbish.

The proposed building would facilitate the temporary relocation of health services provided by Central Clinic whilst the existing Central Clinic site is being redeveloped to provide the new, enhanced provision provided by the Integrated Care Centre recently permitted under AWDM/0805/20. Its siting in proximity to an existing NHS provision (at neighbouring Arun House) will have the additional benefit of allowing access to an existing NHS data link (a 'COIN' connection).

It is planned that the temporary building would be removed once the new integrated care centre is operational and thereafter additional car parking spaces laid out and constructed to supplement the existing provision, together with additional landscape works.

The interim position of providing a replacement health facility is consistent with both policy 11 of the Core Strategy and the aspirations of the Draft Submission Worthing Local Plan. Although in the longer term the proposals would result in the loss of an existing community provision, it is understood a home-based alternative to the Shopmobility service is now provided by a different local charity.

The end result of expanded surface car parking within a central location would support the diverse role and function of the town centre as a focus for shopping, leisure, cultural and commercial activities.

On this basis the interim and permanent proposals can be supported in principle with the key determinative issues being the effects on visual amenity and the character and appearance of the Conservation Area, the effects residential amenity and on highway safety.

Visual amenity and the effects on the character and appearance of the Conservation Area

The NPPF (paragraphs 193-196) state that when considering the impacts of a proposed development on the significance of a designated heritage asset, great weight should be attached to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (or the substantial public benefits that outweigh that harm in the case of 'substantial harm' to, or total loss of, a designated heritage asset).

The Chapel Road Conservation Area Appraisal identifies Liverpool Gardens and Liverpool Road as being characterised by two main forms of development, namely detached Victorian villas and large modern office blocks with vehicular activity and presence being a marked feature, in part due to the large surface public car park, but also the private servicing and parking in the grounds of the office buildings, and to the rear of commercial premises in Chapel Road, and the availability of on-street parking. The Appraisal identifies the remaining villas as important historic and townscape features which should be preserved whilst identifying enhancement opportunities as including "*the implementation of an office development on the site of [the former] 12/14 Liverpool Gardens. New development should provide a sense*

of enclosure to the open space alongside the Montague Centre car park with an elegant building frontage. Towards the north this should reflect the character and style of existing attractive outbuildings, for example, Addiscombe Cottage". Mature trees are also recognised as an important townscape element along both Liverpool Gardens and Liverpool Road, including those within the car park.

The existing Shopmobility building is about 22 years old. As indicated in the above-mentioned Conservation Area Appraisal, this part of the car park had previously been earmarked for office development subsequent to the demolition of the original villa on the site of 12/14 Liverpool Gardens. However, the outline consent granted for such development in the early 1990s has long since expired. The Shopmobility building was deliberately designed to incorporate an 'elegant building frontage' and incorporates some of the architectural features inherently characteristic of the Victorian villas from which the area derives its historic significance, including vertically proportioned timber sash windows, a profiled string course to the parapet and its distinctive, columnated, portico frontage.

Para 201 of the NPPF makes clear that not all elements of a Conservation Area will necessarily contribute to its significance. In this case, the existing building, which has no 'historic' importance can be said to have a 'neutral' impact. On this basis it can be reasonably concluded that its loss would not be harmful to the character or appearance of the Chapel Road Conservation Area.

The proposed temporary building will be substantially larger than the existing building on the site, extending further southward into the car park and occupying virtually the full span of the northernmost part. It will be of a utilitarian design and construction with the various prefabricated components delivered and fitted together onsite. No details of the external finish or colours have been provided.

Although single-storey in scale, owing to its large plan form, together with its starkly utilitarian design and construction, the proposed temporary building would be a prominent addition to the streetscene of Liverpool Gardens and Liverpool Road. It would have little or no regard to the defining historic or architectural qualities of the surrounding Conservation Area. However, this harm in the interim needs to be weighed against the public benefit of providing uninterrupted healthcare services to local residents in a highly accessible town centre location whilst the new integrated care centre is under construction. It is anticipated that the temporary building will be needed for a relatively short period of 2 years (even with a contingency built-in in relation to the current pandemic).

Thereafter, with the temporary building removed, the permanent proposal for additional car parking could be considered to have a 'neutral' impact on the Conservation Area, although the provision of new trees within an additional planter bed, as shown on the submitted plans, would be an enhancement opportunity consistent with the Conservation Area Appraisal.

Trees

The proposed temporary building would be sited within close proximity of 2no small/medium-sized trees growing adjacent to the western perimeter wall of the car park onto Liverpool Gardens. Notwithstanding their proximity (in the case of the

smaller southernmost tree, less than 1m from the external access steps on the west side of the proposed building), the Council's Tree and Landscaping Officer is satisfied that the health and future well-being of the trees would not be adversely affected given that no intrusive foundation/excavation works would be required.

Residential amenity

The most affected residential property is Addiscombe Cottage, a detached 2-bedroom cottage occupying a long, narrow plot adjoining the northern site boundary (to the east of Arun House). The dwelling is set off the common boundary by approximately 1m and is orientated with its main aspect from windows serving habitable rooms to the east and south. The existing Shopmobility building does not extend so far eastwards, so that the windows in the south side of the dwelling (serving a lounge plus kitchen/dining room on the ground-floor and bedrooms on the first-floor) currently have views across the car park. The boundary wall is approximately 1.65m high on this side.

The proposed temporary building will be sited parallel to the south elevation of Addiscombe Cottage at a separation distance of 5.5m and will extend further east of the east elevation of Addiscombe Cottage by approximately 2.5m.

The submitted plans show various treatment rooms and offices on the north side of the proposed building with windows facing north. There is a plant room in the north east corner of the building.

In view of the relatively shallow separation distance there is a risk that windows directly opposite Addiscombe Cottage would give rise to a degree of inter-visibility that would be intrusive and result in an unacceptable loss of privacy not only for the occupiers of Addiscombe Cottage, but the future users of the proposed healthcare building. It is therefore considered necessary that the 4 nearest windows (all serving separate podiatry treatment rooms) will need to be obscure-glazed in the interests of safeguarding privacy.

The Environmental Health Officer has not raised any concerns regarding noise (either emanating from the top-hung opening windows serving the proposed treatment rooms or from the plant room). The Agent has clarified that the proposed temporary building will be powered by electricity (via a mains connection) and a small domestic-scale boiler. The plant room has no windows and is simply to house incoming services and house the connection/meters). An amended plan has been provided to reposition the door to the plant room from the north to the east elevation to minimise the risk of noise emissions. The EHO has not commented further other than to suggest that vent to the boiler is also positioned on the east side elevation. This could be secured as a condition of planning permission.

Owing to its siting the proposed temporary building will undoubtedly have an impact on the receipt of light to, and outlook from, the south-facing windows in the ground-floor of Addiscombe Cottage. Records indicate the 2 westernmost ground-floor windows in this elevation serve the living room, whilst two easternmost windows are understood to serve a kitchen/dining area. The latter also benefits from an alternative aspect with bi-folding doors in the east elevation opening onto a small enclosed yard. However the Agent has supplied a section drawing demonstrating

that the proposals will not obstruct a 25° angle to the horizontal taken from the midpoint of the affected windows (being a recognised 'rule of thumb' for assessing the effect of development proposals on the receipt of sunlight to existing buildings). Thus, although the windows in question serving the main habitable rooms of Addiscombe Cottage will suffer some loss of light and outlook in the interim with the temporary building in situ this impact would not be so severe as to warrant refusal on this ground.

No details of the hours of use of the proposed healthcare facility have been provided. However, it can reasonably be assumed that in order to make the most effective use of the provision it will be important to maximise scope for flexibility and choice for both service providers and users alike. It is likely that the occupiers of Addiscombe Cottage would be aware of activity (and lights on during darker evenings) from within the building, and associated comings and goings. However, the main activity would be located to the south of the building with the area to the north immediately adjoining the boundary with Addiscombe Cottage fenced-off (to prevent access). On balance it is considered the noise impacts would not be severe nor inconsistent with a town centre living environment particularly as this property is located next to a busy town centre car park.

The proposed permanent parking layout shows a bank of 18 parking bays sited perpendicular to the northern site boundary with a new tree planted in the far north-eastern corner. The occupiers of Addiscombe Cottage may well be aware of noise from vehicle manoeuvring, doors opening and closing, conversation, radios etc. in close proximity, as well as car headlights during the evening, but this would not be dissimilar to the current parking arrangements.

Highway Safety

The submitted plans indicate that the proposed temporary healthcare building would not have any direct vehicle access being separated from the existing car park by concrete barriers. This would avoid the potential for conflict between vehicles manoeuvring within the car park and users of the proposed temporary building. The interim situation will result in a reduction in the amount of car parking provision together with associated reconfiguration of the existing spaces. The existing arrangement for accessing the car park from Liverpool Gardens would be unaltered for both the short and longer term scenarios. In due course, the final parking layout would result in an overall increase in parking provision and the number of disabled parking spaces.

The Highway Authority has not raised any objection to the proposals on highway safety grounds but recommends a pre-commencement condition to secure a Construction Management Plan covering the demolition/removal and construction periods owing to the restricted layout of the entrance/exit lanes serving the car park and the existence of on-street which narrows the one way carriageway in Liverpool Gardens. The Agent has questioned the need for such a condition on the basis that demolition and construction (with the prefabricated components of the temporary building delivered to and fitted together on site) likely to be completed in a relatively short period compared a standard construction methods, and such measures as the suspension of parking bays to facilitate delivery is more appropriately dealt with by other legislation. Nevertheless the highways officer considers such a condition to be

necessary given the scale of the development and the potential for disruption to the operation or safety of the adopted highway network.

The precise arrangements for the demolition of the existing Shopmobility building, construction of the temporary healthcare building, its subsequent removal and replacement with additional parking provision/landscaping have not been submitted with the application and it can be anticipated are unknown at this stage. The requirement for a Construction Management Plan is considered good practice and not unusual for this scale of development. In the circumstances it is considered there is no strong justification for disregarding the recommendation of the local highway authority on this matter.

Drainage

The applicant has expressed concern about the requirement for a sustainable urban drainage scheme (SUDs) for the temporary development and the possible requirement for ground water monitoring. Given the urgent need to relocate Central Clinic to facilitate the provision of the new integrated care centre on the Town Hall car park site and the temporary nature of the development your Officers have some sympathy with the concerns about the requirements of the recommended conditions (see below numbers 4 and 5) and the Councils Engineer has been asked to reconsider the matter. Members will be updated at the meeting.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard Time Limit
3. Agree external finishes and colours of temporary building prior to commencement.
4. Development shall not commence other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual groundwater levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. No building/no part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
5. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing by, the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the

manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

6. The use of the temporary building [the interim development plan] hereby permitted shall be limited to no longer than 2 years following implementation. Within 6 months of the use of the temporary building having ceased the building and barriers subdividing the car park shall be removed from the site and the parking and landscaping works [the final development plan] shall be implemented as shown on the approved plans.
7. Details of concrete barriers subdividing the car park, and proposed new pedestrian accesses (including works of making good) for the interim development plan to be agreed prior to commencement.
8. Hours of demolition/construction during interim and final development stages to be limited to between 08.00 and 18.00 hours Monday to Friday and between 09.00 and 13.00 hours on Saturdays.
9. No development shall take place, including any works of demolition/removal, until a Construction Management Plan covering the respective interim and final stages of the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during demolition/construction works
 - dust mitigation measures during demolition/construction works.
10. Agree schedule of soft landscaping works prior to implementation of the final development plan.
11. Agree planter bed construction materials and car park surface materials prior to implementation of the final development plan.
12. Agree all temporary works and works of making good to boundary walls prior to commencement.
13. The 4no easternment windows in the north elevation of the temporary building [the interim development plan] to be obscure-glazed at all times
14. No flues, ducts, vents, inlets or outlets serving equipment/plant within the plant room to be inserted on the north elevation of the temporary building [the interim development plan].

15. Fencing shown on the north site of the temporary building [the interim development plan] to be erected prior to first occupation and thereafter retained for the duration the temporary building is in situ.

10th March 2021

**Local Government Act 1972
Background Papers:**

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

1.1 As referred to in individual application reports, the priorities being:-

- to protect front line services
- to promote a clean, green and sustainable environment
- to support and improve the local economy
- to work in partnerships to promote health and wellbeing in our communities
- to ensure value for money and low Council Tax

2.0 Specific Action Plans

2.1 As referred to in individual application reports.

3.0 Sustainability Issues

3.1 As referred to in individual application reports.

4.0 Equality Issues

4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

5.1 As referred to in individual application reports.

6.0 Human Rights Issues

6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.