

Proposed Chapel - Turners Hill Burial Ground, Turners Hill Road, Turners Hill, West Sussex

Landscape character and visual matters report For Hartmires Investments Ltd.

hla 235 R01

By N Harper BA DipLA CMLI
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Introduction

This report has been prepared by Nick Harper CMLI, a Chartered Landscape Architect and Partner of Harper Landscape Architecture LLP (HLA). It was commissioned by Hartmires Investments Ltd. on the 19th June 2017.

HLA were employed as independent landscape consultants to re-assess the Landscape and Visual Impact Assessment (LVIA) by Lizard Landscape Design and Ecology's (LLDE) in light of the Mid Sussex District Council Planning Committee's decision to override (without making any reference to the LVIA and associated detailed reports) the advice given by LLDE and the Mid Sussex District Council Case Officer who recommended the development (planning reference DM/17/1167) for approval.

This report is a response to the LVIA produced by LLDE in relation to the refused planning application for development located on a parcel of land to the north of Turners Hill Road, Turners Hill, titled,

construction of a new chapel building with associated landscaping within the approved burial ground and enlarged car parking area for 37 cars,

and which was refused 2nd June 2017 for the following reason,

“the scale and design of the proposed chapel building and the extent of the hard standing car park would have an adverse impact on the landscape, contrary to Policies C1 and B1 of the Mid Sussex Local Plan, Policy THP8 of the Turners Hill Neighbourhood Plan and Policy DP24 of the draft Mid Sussex District Plan.”

The following relevant planning permission was granted on the Site on the 11th September 2015,

Change of use to natural burial ground and the erection of a reception building with associated access, parking and landscaping, (planning reference DM/15/1035).

Since the refusal further work has been prepared by Chilmark Consulting Ltd and this report defers to their submitted information with regard to planning matters.

1.0 Qualifications and experience

1.1 Qualifications

- 1.11 Nick Harper is a Chartered Landscape Architect with a degree in Landscape Design, a Post Graduate Diploma in Landscape Architecture and he is a full Chartered Landscape Architect Member of the Landscape Institute (CMLI) since 1995.

1.2 Experience

- 1.21 Nick runs the business of HLA which has operated as a Landscape Architecture Consultancy since 2008. HLA is a Limited Liability Partnership and a registered practice of the Landscape Institute. Nick is also a lecturer in Landscape Architecture and a panel member for a number of Design Review Panels.
- 1.22 Nick has good experience of LVIA and working in sensitive landscapes. He is therefore fully familiar and has a detailed knowledge of the LVIA process and the assessment of various land uses in a wide variety of landscape contexts.
- 1.23 Nick has 27 years professional experience and prior to setting up HLA was, a Principal at Hyder Consulting, an Associate at Chris Blandford Associates and a Senior Landscape Architect with Battle McCarthy and also the London Borough of Enfield.

2.0 Existing documents

2.1 Existing documents as submitted on the Mid Sussex District Council (MSDC) Planning Portal, in relation to the planning application DM/17/1167, landscape matters and the subsequent refusal

2.11 The relevant documents as submitted by the applicant and reviewed for this report are listed as follows,

- Risk Assessment by Terragen Environmental Consultants, July 2014,
- Extended Phase 1 Habitat Survey by Urban Edge Environmental Consulting, January 2015,
- Great Crested Newt Survey by Urban Edge Environmental Consulting, January 2015,
- Reptile Survey by Urban Edge Environmental Consulting, January 2015,
- The completed application form validated by MSDC, 21st March 2017,
- 9 drawings by the architects, Ecotecture, February 2017, are listed as follows,
 - 461-PL-10 Proposed Floor Plans,
 - 461-PL-11 Proposed Elevations - East and South,
 - 461-PL-12 Proposed Elevations - West and North,
 - 461-PL-13 Proposed Sections,
 - 461-PL-20 Proposed Site Plan,
 - 461-PL-21 Proposed Block Plan, and
 - 461-PL-22 Proposed Location Plan.
- Planting Design Strategy by LLDE, 13th March 2017,
- Design and Access Statement by Hartmires Investments Ltd, March 2017,
- LVIA and Appendices, by LLDE, 10th March 2017,
- Historical Map Pack by GroundSure, 7th May 2017, and
- Correspondence from Chilmark Planning, 10th March 2017.

2.12 The relevant documents as submitted by the relevant consultees and local residents are listed in chronological order as follows,

- Correspondence from Gatwick Airport, 12th April 2017,
- Correspondence from West Sussex County Council (WSSCC), Strategic Planning, Emma Avis, planner, 19th April 2017,
- Correspondence from local residents, John and Sylvia Roberts, 10th April 2017, Miss Catherine Summers, 27th March 2017 and 22nd April 2017, and various residents who signed a letter dated the 10th April 2017,
- Correspondence from Turners Hill Parish Council, 3rd May 2017,
- Correspondence from the MSDC Contaminated Land Team, 18th May 2017, and
- Correspondence from MSDC Drainage Engineer, 23rd May 2017.

2.13 MSDC submitted the following relevant documents,

- MSDC Site Notice and Notification of Planning Application, 28th March 2017,
- Committee Report dated the 25th May 2017 which includes the Planning Officer's (Andrew Watt) Report and 8 No. recommended conditions, and
- Decision Notice dated the 2nd June 2017.

2.14 Of the relevant documents listed in 2.12 above the following parties were either in support of the application or did not raise an objection or did not raise an objection on landscape grounds,

- Gatwick Airport, 12th April 2017,
- local resident Miss Catherine Summers, 27th March 2017, and
- the MSDC Contaminated Land Team, 18th May 2017.

2.15 Of the relevant documents listed in 2.12 above the following parties raised objections or requested further clarification in relation to landscape matters and their comments are described in the following points.

- WSSCC Strategic planning, Emma Avis, Planner, stated the following in her final paragraph,

“Conclusion

The LHA would require clarification/more information relating to pedestrian access to the site in order to offer a robust and full assessment of this application. Whilst in

principal there are no anticipated highway capacity concerns relating to the addition of the Chapel, it needs to be demonstrated that the site can provide safe and suitable pedestrian links and a s278 agreement is in place to secure the access works. At present the LHA would not support this application until these points raised are addressed.”

- Local residents, John and Sylvia Roberts, 10th April 2017, and the various residents who signed a letter 10th April 2017, objected to the application. Their letters (both similar in written content) refer to concerns over the landscape impacts on what they describe as,

“the existing green field.”

- Turners Hill Parish Council (THP), 3rd May 2017, raised the following concerns,
 - on page 1, point 4, THP referred to the applicants Site description as being Brownfield however this is judged to be a planning matter and not covered in this report,
 - on page 1, point 6, THP mentioned the proposal to link the Public Right of Way (prow) No. 68W, to St Leonards Church, however this is judged to be a legal matter and is not covered in this report,
 - on page 1, point 7, THP highlight highways issues however this is judged to be an engineering matter and is not covered in this report,
 - on page 2, 4th paragraph from the end, THP suggest that there would be negative visual impact as a result of the height of the chapel, and
 - on page 2, 3rd paragraph from the end, THP state external low level lighting is unnecessary light pollution in the countryside.
- MSDC Drainage Engineer, 23rd May 2017, requested further details for the surface water drainage design before making a final judgement.

2.16 As highlighted in Section 2.13, MSDC issued their Committee Report (CR), 25th May 2017, and the points they made, as relevant to landscape, are highlighted as follows,

- the Case Officer, Mr Andrew Watt, recommended that the scheme should be approved, on page 1 and page 11 of the CR, the *Executive Summary* extract on page 1 is quoted as follows,

“The proposed chapel building is considered acceptable on this site, as is the enlarged car parking area and landscaping scheme. Overall, it is considered that the proposal would comply with Policies B1, C1, C5, C6, T4 and CS20 of the Mid Sussex Local Plan, Policy THP8 of the Turners Hill Neighbourhood Plan, Policies DP2, DP10, DP12, DP19, DP23, DP24, DP36 and DP37 of the draft Mid Sussex District Plan and the provisions of the NPPF and should therefore be approved.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in Appendix A.”

- On page 2 the *Summary of Representations* re-iterated the comments made by local residents as noted in 2.15 above.
- On pages 2 and 3 the *Summary of Consultations* re-iterated the points made in 2.15 above, from WSCC Highways, Gatwick Airport and Turners Hill Parish Council.
- On pages 7, 8 and 9 the CR highlighted that the scheme was in accordance with the following local planning policy and National Planning Policy Framework (NPPF), as it relates to ‘design and visual impact on the character of the area,’ (page 7 of the CR, section titled *Assessment*),
 - Mid Sussex Local Plan (2004) Policy B1 to promote high quality design, construction and layout in new buildings,
 - Mid Sussex Local Plan (2004) Policy C1 which restricts development to proposals reasonably necessary for the purposes of agriculture or forestry, and
 - Mid Sussex District Plan (Submission version, Aug 2016), Policy DP24 (Character and Design) which states the following.

“All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

 - is of high quality design and layout and includes appropriate landscaping and greenspace;
 - contributes positively to, and clearly defines, public and private realms and should normally be designed with building frontages facing streets and public open spaces;
 - creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
 - protects open spaces, trees and gardens that contribute to the character of the area;
 - protects valued townscapes and the separate identity and character of towns and villages;

- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and noise, air and light pollution (see Policy DP27);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design.”

- With regard the NPPF the CR (pages 7 to 9) stated that the scheme was in accordance with the following paragraphs.

- Paragraph 17 which states,
“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”
- Paragraph 56 which states,
“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- Paragraph 58 outlines the principles of good design as follows,
“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
 - will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation

of green and other public space as part of developments) and support local facilities and transport networks;

- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.”

- Paragraph 61 which states,

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

- Paragraph 118 which states,

“When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.”

2.161 With regard the policies listed above the case officer responded with the following statement (page 9 of the CR, paragraphs 3, 4 and 5).

“The change of use of the land to a natural burial ground has been lawfully implemented, with groundworks having been carried out. While no building works have yet been undertaken, the permission provides for a modestly-scaled reception building and car parking area, located close to the site access. It is not unreasonable for a chapel to be associated with this use and therefore your officers do not question the need for this building.

In design terms, the building is of a modern design with both gable ends consisting of glazed elevations beneath deep eaves. However, the long elevations, viewed from the south and north, will be more rustic and rural in character. The building will be sunken into the ground and will clearly be expressed as a chapel in terms of its scale, but this would not be deemed to be unacceptable in this location because of this. The land take associated with this enlarged development would still be deemed to be fairly modest, allowing the remaining land to be landscaped.

While this is a rural area, the site is nevertheless adjacent to Tulleys Farm and its associated leisure/recreational facilities (maze, fun park, accesses, car parking, etc.) to the west. Immediately opposite that is the cricket ground and pavilion. As such, it is considered that the proposal would be read in context with the scattering of other buildings and uses in this area and hence would not be out of place. There would not be any adverse impact to the setting of the AONB on the southern side of Turners Hill Road. For the above reasons, it is considered that the proposal would comply with the above policies and guidance.”

- The CR stated on page 11 the following with regard ‘Landscaping.’

“The proposed development incorporates additional shrub and tree planting within and around the site boundaries, in order to further mitigate the visual impact of the built development on the wider landscape. The strategy that has been adopted is set out on the file but the planting proposed is considered to be appropriate and suitable for the site, so would comply with Policies B1 and C1 of the Mid Sussex Local Plan.”

- The CR stated on page 11 the following concluding statement.

“CONCLUSION

The proposed chapel building is considered acceptable on this site, as is the enlarged car parking area and landscaping scheme. Overall, it is considered that the proposal would comply with Policies B1, C1, C5, C6, T4 and CS20 of the Mid Sussex Local Plan, Policy THP8 of the Turners Hill Neighbourhood Plan, Policies DP2, DP10, DP12, DP19, DP23, DP24, DP36 and DP37 of the draft Mid Sussex District Plan and the provisions of the NPPF and should therefore be approved.”

- The CR stated 8 No. conditions for discharge, on pages 11 to 15, and those that are relevant to landscape are listed, in title only, the following.

- “4. Hard and soft landscape works shall be carried out in accordance with the approved details,
6. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority,
7. No development shall take place until details of the materials to be used on the surface of the car parking area and footpath link have been submitted to and approved by the Local Planning Authority. “

2.2 Conclusion of information collated from existing documents as submitted on the MSDC Planning Portal and in relation to the planning application DM/17/1167

- 2.21 A number of local residents had objections to the scheme based upon concerns regarding landscape character and visual impacts to the “the existing green field.”
- 2.22 Generally consultees were in favour or offered no objection to the development. WSCC had a landscape related concern with regard to access. THP had landscape related concerns with regard to access, the height of the church and the external low level lighting. The MSDC Drainage Department wanted more detail to make a decision. The case officer, recommended approval subject to the discharge of 8 No. conditions, two of which would answer the concerns raised above with regard to the external lighting (Condition 6) and the surface water drainage (Condition 7). With respect to highways matters these could be resolved at the detailed design stage and the LVIA correctly judged the landscape character and visual amenity impacts, to be acceptable, at 7.4.1, quoted as follows.

“The proposed Chapel is not considered to result in a long term impact on the rural landscape character and visual amenity of the area, with no readily perceptible effect upon the visual quality or essential characteristics of the adjacent High Weald Area of Outstanding Natural Beauty (AONB).”

- 2.23 This report agrees with the case officer who; recommended that the application be approved subject to the discharge of conditions; proposed that the developments design was appropriate for its rural location; and who stated that it was in accordance with planning policy and specifically those policies listed in the reason for refusal, Policies C1 and B1 of the Mid Sussex Local Plan, Policy THP8 of the Turners Hill Neighbourhood Plan and Policy DP24 of the draft Mid Sussex District Plan.

3.0 Existing Site description and the proposed development

3.1 Existing Site description

- 3.11 The application site is located within the Parish of Turners Hill in the Mid Sussex District.
- 3.12 The Site is located approximately 4km east of Crawley and the M23 and 0.5km west of Turners Hill. It is 1.186 ha in area and is located within a parcel of land located north of Turners Hill Road, Turners Hill, West Sussex. The parcel of land is a sloping field that faces north and has vegetation to all its boundaries which screen many views although the Low Weald and North Downs can be seen as a backdrop to the north. The planting includes the following indigenous species, Oak, Beech, Ash, Holly, Field Maple, Hazel, Hawthorn, Blackthorn and Goat Willow. The Site is typical in character of the local landscape comprised of irregular shaped fields on undulating land with hedges and blocks of trees defining boundaries. The Site is predominantly grassland with large areas of ruderal vegetation. Ground levels are approximately 170m AOD to the south east corner dropping approximately 15m to 155m AOD at the north east corner. The existing ground level where the new chapel would be located is at approximately 165m AOD.
- 3.13 The High Weald AONB's northern boundary runs along Turners Hill Road just beyond the Site's southern boundary. There are prows (footpaths) in the near vicinity and one of these, No. 68W, runs along and inside the Site's western and northern boundary. To the north east is Butchers Wood an Ancient Semi-Natural Woodland.
- 3.14 The Site is located directly to the north of Turners Hill Road, directly to the east of Tulleys Maze Farm Park (a fun park leisure attraction), and to the south and east are fields with a similar character to that of the Site. St Leonard's Church is approximately 250m to the east, on the opposite side of Turners Hill Road. Turners Hill Road has a rural character with hedge and woodland block planting on either side of it although it also has a 60mph speed limit and is judged to be a landscape detractor as it connects Turners Hill with Crawley and more significantly separates the Site from the AONB.
- 3.15 The Site is wholly contained within the consented Natural Burial Ground area (planning reference DM/15/1035). This approved scheme accepted the principles of developing the Site together with a new access/egress to Turners Hill Road and a footpath to Turners Hill village centre that serves the development. The access and the footpath for the Burial Ground have been constructed. The Natural Burial Ground is considered as a significant built form element in the existing landscape.
- 3.16 Vehicular access to the Site is from the Site's southern boundary off Turners Hill Road and there are 2 bus stops (the No.84 bus service, East Grinstead, Turners Hill, Crawley route) in close proximity. The Site is within easy walking distance of Turners Hill using a footpath constructed and completed as part of the Natural Burial Ground permission. This footway links to the existing prow (footpath), No. 67W, located at the gate of St Leonard's Church.
- 3.17 The site lies within Fluvial Flood Zone 1 (Low Risk) according to the current Flood Zone Map by the Environment Agency.

- 3.18 The details noted above are in accordance with the descriptions provided by LLDE in their LVIA (Section 4 - Existing Conditions pages 10 and 11 and Section 6 - Landscape Design Strategy (which is a summary of the fuller LLDE report, Appendix Landscape Strategy March 2017)) and the Design and Access Statement (Section 2. Site Analysis on page 4 and 5 and Section 4. Design concept principles, page 12).

3.2 The proposed development

- 3.21 The proposed development is for the construction of a new chapel building, enlarged car parking area for 37 cars (15 more than proposed for the Natural Burial Ground) and associated landscaping within the approved Natural Burial Ground Site.
- 3.22 The chapel building would be sited just to the north of the approved reception building (consented as part of the Natural Burial Ground), with the additional 15 No. car parking spaces located further to the north east and accessed via a spur from the car park. The area proposed for planting would extend along the prow No. 68W to the north. The chapel design has a contemporary style and would use cedar shingle clad walls and roofs with a building height of 11m (compared to the 4m height of the Natural Burial Ground reception building) and the a footprint of 10.4m x 24.4m.
- 3.23 It is noted that building work for approved Natural Burial Ground development has started on site and this begins to demonstrate its impact on the Site's existing rural character, see photos below.



Access from Turners Hill Road for the consented Natural Burial Ground seen as partially constructed, 20th June 2017

Car parking for the consented Natural Burial Ground seen as partially constructed, 20th June 2017



4.0 Review of the Lizard Landscape Design and Ecology' (LLDE) Landscape Character and Visual Impact Assessment (LVIA), 10-03-17

4.1 LVIA Section 1.0 Introduction (LVIA page 1)

- 4.11 In order to review the LLDE LVIA in more detail a full review of the documents listed at 2.11 above was undertaken to understand the scheme design and its context.
- 4.12 The LVIA Introduction (page 1) gave a clear understanding, in general terms, of the aims of the Assessment including, a project description, site details, the development proposals, and the Site's planning background.
- 4.13 At 1.3 *Focus of the LVIA*, (page 1) LLDE broadly explained their methodology as applied to identify the existing landscape conditions, how the landscape and visual baseline would be impacted in relation to the new development (including cumulative impacts with the consented Natural Burial Ground), and concluded with their objectives for mitigation and enhancement were put forward.

4.2 LVIA Section 2.0 Planning Policy Context (LVIA page 2)

- 4.21 The relevant planning policy is stated in this section although LLDE noted (see 2.1.2 on page 2) that many of the Mid Sussex District Local Plan (adopted May 2004) policies which are current now would be replaced by the emerging District Plan, anticipated to be adopted in 2017 although subject to public examination.
- 4.22 LLDE referred to the relevant NPPF paragraphs 17 (high quality design), 64 (refusing poor design) and 115 (AONB) of the NPPF (see 2.2 on page 2) as being relevant to the Site. They also quoted paragraphs 56 (good design and sustainability), 58 (good design) and 61 (high quality and inclusive design) as described by the Case Officer for the CR, as these are also relevant (see pages 6 and 7 above for detail). It is noted that the chapel design would be of a contemporary style using local vernacular materials so that it blends and defines a high quality sense of place through good design. As such the proposed development is judged by HLA to be in accordance with the NPPF.
- 4.23 LLDE referred to the following Mid Sussex Local Plan (May 2004) policies, B7 (trees), Policy C1 (Protection of the countryside), Policy C2 (Strategic Gaps) and Policy C4 (Areas of Outstanding Natural Beauty) as relevant to the Site. They could also have included Policies B1 (high quality design) as highlighted in the reasons for refusal and described by the case officer for the CR.

The proposed scheme is judged by LLDE to be aligned with the Mid Sussex Local Plan policies for the following reasons,

- in relation to B7 the scheme would retain all the existing trees and proposed a significant number of new trees (see the LLDE Planting Strategy, 4.0 Outline Plant

Specification, pages 4, 5 and 6) including Field Maple, Alder, Downy Birch, Hornbeam, Penduculate Oak, Service Tree, Hawthorn, Holly, and English Yew,

- in relation to C1 the new chapel would accord with point (g) of C1 (extracted quote as follows) as it would,

"significantly contribute to a sense of local identity,"
- in relation to C2 the new chapel and extensive associated planting would accord with point (b) (extracted quote as follows) as it would,

"make a valuable contribution to the landscape and amenity of the gap and enhance its value as open countryside,"
- in relation to C4 the site is north and outside of the AONB boundary, it is well screened by tree and hedge planting on both sides of Turners Hill Road and would not have an impact upon the designation, and
- in relation to B1 the proposals are; sensitive in approach; use local vernacular materials to enhance local distinctiveness; have considered the access and landscape treatments; and include significant areas of new planting.

4.24 LLDE referred to the following Turners Hill Neighbourhood Plan 2014 – 2031 (March 2016) (see LVIA point 2.4 on page 2) policies; Policy THP8 (Countryside Protection); and Policy THP12 (Visual Perspective). The landscape character and visual impact judgements put forward by LLDE mean that the scheme accords with THP8 and the planting should be perceived as a long term benefit for the rural setting. With regards to THP 12 the application documents included a perspective drawing to show the development and its context.

4.25 LLDE referred to the following Mid Sussex District Plan 2014 – 2031: Submission Version (August 2016) at point 2.5 on page 3 of the LVIA; DP10 (Protection and Enhancement of Countryside); Policy DP11 (Preventing Coalescence); Policy DP14 (High Weald Area of Outstanding Natural Beauty); Policy DP24 (Character and Design); and Policy DP36 (Trees, Woodland and Hedgerows). The proposals are in accord with these for the same reasons given in 4.23 above.

4.26 LLDE also refer to the Turners Hill Village Design Statement (October 2011) (LVIA point 2.6 on page 3) and as the proposals would not impact on the character of Turners Hill the proposals are judged to be in accordance with this supplementary planning document.

4.3 LVIA Section 3.0 Methodology (LVIA page 4)

4.31 The LLDE Methodology has been prepared using the most up to date and robust guidance as recommended by the Landscape Institute and Natural England as follows; Guidelines for Landscape and Visual Impact Assessment, Third Edition, published by the Institute of Environmental Management and Assessment and the Landscape Institute, 2013 (GLVIA3); The Photography and photomontage in landscape and visual impact assessment, Advice Note 01/11, published by the Landscape Institute, 2011; and an Approach to Landscape Character Assessment, published by Natural England, 2014. LLDE utilised these to assess the landscape character and visual amenity baseline and the potential effects on these as a result of the new development.

4.32 It is noted that LLDE carried out their field surveys on the 21st of February 2017 when there were no leaves on the trees. HLA revisited the Site and LLDE's Viewpoints 1 to 8 on the 20th June 2017 when the trees were fully in leaf. As such there is a good understanding of all year round seasonal change which is shown in LLDE's Appendix 1 Viewpoints 1 to 8 and Figures 1 to 8 (see below) of this report which shows LLDE and HLA's Viewpoints together.

4.33 HLA reviewed the application of the methodology in the LVIA in respect of the development and reviewed the proposed Zone of Theoretical Visibility (ZTV), the baseline descriptions of the landscape character and the visual amenity, and LLDE's judgements made in relation to effect. The *Assessment Criteria* and Tables 1 to 7 (see LVIA page 5, point 3.4) offer a robust and well reasoned methodology for judging the effects so that technical and non-technical readers could follow the LVIA and understand how judgements have been made and what they mean.

4.4 LVIA Section 4.0 Existing Conditions description (LVIA page 7)

4.41 LLDE's Landscape character description (LVIA page 7, point 4.1) correctly reviewed the relevant published Landscape Character Assessments (LCA) that describe the landscape where the development is proposed at national, county and district levels, as follows; National Character Areas (September 2014); Landscape Character Assessment of West Sussex (2003); A Landscape Character Assessment for Mid Sussex (November 2005); and Mid Sussex Landscape Capacity Study (July 2007). LLDE extracted and described the relevant sections to give insight in to the Site's landscape context and surrounding character. LLDE focussed on the Capacity Study and HLA agree this to be the correct approach as it is the most local and detailed assessment. The Site is located centrally to Zone 2 of the Capacity Study which covers an area from Copthorne (north west), to East Grinstead (north east), to Balcombe (south west), and Ardingly (to the south). LLDE showed the surrounding landscape character areas, LCAs 4, 6, 7 and 23 on their Figure 4.1 and further described these in the LVIA text at 4.1.12 to 4.1.17. At 4.1.13 (page 7). They described LCA 5 Major's Hill High Weald, where the site is located and correctly noted that this LCA is identified as having a **Substantial Sensitivity** and **Substantial Value** owing to its proximity to the High Weald and also the presence of Ancient Woodland (Butchers Wood), its remoteness and its scenic beauty. As such it has a **Negligible/ Low Landscape Capacity** for development. However at 4.1.22 of the LVIA LLDE correctly re-iterate the conclusion put forward by Mid Sussex as follows,

"4.1.22 The Mid Sussex Landscape Capacity Study provides a caveat within its conclusions that:

"Where capacity for development within the identified character areas varies, proposals would need to respond to site-specific constraints. In such cases development proposals should respond to the character areas inherent landscape sensitivity and take account of its setting and potential impacts on the surrounding landscape,"

4.42 With this in mind understanding of the local landscape within and around the Site is key to determine its ability to receive development and the associated landscape change.

4.43 LLDE showed the landscape designations located on and around the site on their Figure 4.2 and further described these at point 4.2 on page 9 of the LVIA. They correctly highlighted that the High Weald AONB, located to the south, is visually separated from the Site by Turners Hill Road and the road side planting which runs along either side.

4.44 As described at 3.18 above the existing site and surroundings are described by LLDE at Section 4, on pages 10 of the LVIA, and included Photographs A to G to further elucidate the written points made in this section. These descriptions accord with Section 3.0 of this report.

4.45 At 4.5 of the LVIA and on their Figure 4.3, LLDE correctly described that there is one path (footpath), No. 68W, a route from Turners Hill Road (south west of the Site) that passes within and along the northern Site boundary to Turners Hill. This path has direct views of the Site area proposed for the chapel for approximately 150-200m. There are also other paths (footpaths) in close proximity of the Site, to the south of Site No. 69W (see LLDE Viewpoints V03 and V07), to the south west of the Site No. 70W (see LLDE Viewpoints V05 and V06), and to the west of the Site No 71W.

4.46 LLDE selected 8 Viewpoints (see their Appendix A - Viewpoints V01 to V08) to inform an understanding of the likely effect on the surrounding landscape as a result of the development. These Viewpoints offer a variety of different views from sensitive receptor locations and from a range of distances. LLDE also include 5 other Viewpoints (see Appendix B - Viewpoints A to E) where there are no views and these help to understand the wider landscape context.

4.47 At 4.6.2 to 4.6.3 of the LVIA the Sensitivity of the visual receptors at the 8 Viewpoints is proposed by LLDE. HLA agree that Viewpoints V01 and V02 should be judged as **Medium** Sensitivity (LVIA page 12, point 4.6.2). V03 and V04 are within the AONB and should be judged as High Sensitivity however both are located with Turners Hill Road, a significant landscape detractor, seen in the foreground and as such the judgement is lowered to **Moderate** Sensitivity although LLDE go one step further and judged a **Low to Moderate** Sensitivity. It is noted that V03 and V04 are not typical of the footpaths as a whole and Turners Hill Road has less influence as walkers move south and the intervening existing vegetation screens views of the roads. V05, V06 and V07 are from paths (Nos. 69W and 70W) in the AONB to the south of the Site and as such are judged as **High** Sensitivity

which concurs with LLDE's judgements. When viewed in June 2017 the Site was indiscernible from Viewpoints V05, V06, V07 and V08 and this scenario would seem similar for LLDE's Viewpoints as seen when there were no leaves on the trees in February 2017. It is also noted that there were no views of the Site from V08 nor from prowl No. 71W when visited in June 2017 and this also concurs with LLDE's findings.

- 4.48 HLA's 20th June Site visit replicated the Viewpoint photographs taken using a Canon EOS 70D digital single lens reflex camera with a 18-55mm lens on a focal distance of 35. Suppliers of cameras of this type prescribe this as the set-up which most closely resembles the image as seen by the human eye. As such these photographs (see Figures 1 to 8 below) accord with the Landscape Institute Advice Note 01/11 Photography and Photomontage in Landscape and Visual Impact Assessment. It is also noted that each of the HLA photographs were taken from a height approximately 1.5m (eye level) above ground level.
- 4.49 LLDE described a Zone of Visual Influence (ZVI) which included existing features, the Natural Burial Ground proposals and the proposed development (points 4.6.8 to 4.6.19) in terms of their potential influence on the visual receptor locations. HLA used the term Zone of Theoretical Visibility (ZTV) and broadly agree with LLDE's ZVI descriptions. HLA add that the Site can be seen from south facing sloping fields in the middle distance, to the north of the Site, located up to 500m away although it is noted that these areas are not publicly accessible.
- 4.50 This report emphasises the point made in the LVIA on page 13 at point 4.6.13 with regard to the planting at the Site's southern edge (and the AONB boundary) and add that this is a key point. Views from the south and beyond Turners Hill Road are from the AONB as typified by Viewpoints V03, V04, V05, V06 and V07 (prows No. 69W and No. 70W, all located in the AONB) have almost entirely screened and indiscernible views of the existing Site and it is judged similarly that new views as a result of the development would also be indiscernible perhaps seeing an occasional glimpse to the top of the new chapel. LLDE judged similarly, when there are leaves on and off the trees, in their statement (LVIA page 15 point 5.4.1), quoted as follows.

“High Sensitivity receptors along Public Footpath 69W and 70W to the south and west, within the High Weald AONB, may experience glimpsed partial visibility of the proposed Chapel behind the consented visitor building, when vegetation is out of leaf as a barely perceptible element within a wider view.”

- 4.501 As a result of the consent for and partial construction of the access from Turners Hill Road and the car parking for the proposed Natural Burial Ground (see photographs above) the Sensitivity of the Site's rural character is already lessened with greater capacity to receive the chapel and additional 15 car park spaces.

4.5 LVIA Section 5.0 Assessment of Effects (LVIA page 14)

4.51 Landscape character (LVIA section 5.3)

4.511 This report agrees with the *Assessment of Effects* judgements made by LLDE for landscape character (see their section 5.2, page 14 of the LVIA). It is also added that the scale of development is such that it would not impact on the LCAs, described above, at national, county or district scales. Also it is in accordance with the NPPF and local planning policy in relation to landscape character. At a local scale the proposed development offers landscape benefits by way of planting and landscape management and these should be weighed against any adverse impacts of the development. As such HLA agree with LLDE's final landscape character judgements as proposed at a local scale (see LVIA page 14, points 5.2.5 to 5.2.9) as follows.

- The existing Site was judged to be of **Medium Sensitivity** (LLDE refer to Moderate Sensitivity at point 5.2.5).
- The proposed development was judged would have a **Low Magnitude of Landscape Change** (LLDE point 5.2.5).
- LLDE concluded (point 5.2.9) the following.

“The proposal alongside that of the consented scheme is likely to result in only a minor mid-long term effect on landscape character, in conjunction with the approved scheme proposals*.”

- LLDE judged that there was likely to be a **Negligible Effect** (their point 5.3.3) on landscape planning designations as a result of the proposed development. When cross referencing Medium Sensitivity with Low Magnitude of Change on their Table 3 (page 5 of the LVIA) the judgement would be a **Minor Effect**.

4.52 Visual amenity (LVIA section 5.4)

4.521 This report agrees with the *Assessment of Effects* judgements made by LLDE for visual amenity and re-iterated as follows.

- “There is likely to be a **Low Magnitude of Change** on the pattern and composition of the view resulting in a **Negligible Effect** on visual amenity for receptors along Public Footpaths 69W and 70W to the south and west, within the High Weald AONB.” (LLDE point 5.4.2).
- “For **High** sensitivity receptors along Public Footpath 68W to the west of the Site area, which currently experience direct views of the Site as part of a wider view, there is likely to be a **Moderate Magnitude of Change** from the additional form introduced by the development into the pattern and composition of the view, when viewed in conjunction with the consented scheme. This is likely to result in a short term **Moderate Adverse Effect**.” (LLDE point 5.4.3).

* where ‘*approved scheme proposals*’ refer to establishing planting.

- “In the mid-long term as landscape planting on Site matures, the built form and mass of the proposals is likely to be softened. This is likely to result in a mid-long term **Minor Adverse Effect** on visual amenity for receptors along Public Footpath 68W to the north-west of the Site area and mid-long term **Negligible Effects** on visual amenity for receptors along Turners Hill Road.” (LLDE point 5.4.5).

4.53 HLA slightly disagree with the *Assessment of Effects* judgements made by LLDE for Sensitivity as noted on page 15 of the LVIA at point 5.4.4. HLA understand the rationale for the description at LLDE’s 5.4.4 (for receptors along Turners Hill Road) but further to point 4.47 above, highlight that Viewpoints V03 and V04 (that intersect with Turners Hill Road) are from High Sensitivity prows in the AONB (although detracted by the Turners Hill Road) and as such should be judged as **Moderate** Sensitivity rather than LLDEs **Low to Moderate** Sensitivity judgement. HLA agree with LLDE’s judgement of **Low Magnitude of Change** as any views of the new development would be scarcely appreciated by footpath users nor for drivers in fast moving cars on Turners Hill Road. As such LLDE and HLA’s judgements have the same conclusion despite a minor difference over the Sensitivity judgement. However HLA note that the visual receptors at V03 and V04 would experience the mid-long term Negligible Effect only at the points shown on LLDE’s Figure 4.3 and that 5-10m south of these receptor sites and beyond the Turners Hill Road planting there would be indiscernible views and visual impacts from the more southerly sections of the two prows.

4.54 HLA have ignored items under 5.5.3 to 5.5.5 of the LVIA which relate to *Cumulative Effects* of the dismissed appeal for affordable housing (planning reference DM/16/188). On page 15, point 5.5.2 of the LVIA, LLDE made a judgement with regard to the consented Natural Burial Ground (planning reference DM/15/1035) when associated with the proposed chapel development of long term **Negligible Effect** cumulative impact for landscape character and visual amenity impacts and HLA agree with this judgement. Since the LVIA was written a further local pending planning application (planning reference DM/17/2105) has been received by MSDC, 17th May 2017, for a proposed car park extension (incorporating the importation of material) and in relation to Tulleys Farm Shop. This is proposed at a location approximately 1km west of the chapel Site and it is judged would have no visual impact owing to lack of intervisibility but may have a **Negligible** although not significant cumulative effect, although not so with regards to landscape character.

4.6 LVIA Section 6.0 Landscape design strategy (LVIA page 16)

4.61 In broad terms there are few locations where adverse impacts would occur from public view points. That said it is judged that the development would have a short term **Moderate Adverse Effect** for **High Sensitivity** visual receptors using prowl (footpath) 68W who would experience direct views of the development. For this reason and for the other less significant adverse impacts judged in the LVIA (points 5.4.4 and 5.4.5) the Landscape Strategy was proposed by LLDE. This includes the following proposals (see point 3.3, page 3 of the Landscape LLDE’s Design strategy March 2017);

- Make advantage of local topography; reduce ridgeline height through partial submersion / siting of proposals below site brow / plateau;

- New hedgerow and tree planting to soften and filter internal views across the Site;
- The proposed building should be enhanced with native tree and shrub planting to reinforce landscape structure and visually break ridgeline / building mass potentially;
- The proposed car park should incorporate planting bays within the layout to further soften and diffuse views to the proposed building from the south;
- Accelerate some grouped tree planting / shrub planting south of the public footpath as it emerges from the adjacent woodland block of Butchers Wood;
- Northern and western boundary should be strengthened and defined through native tree and shrub planting to integrate built development into surrounding landscape structure and soften views of built form for users of public footpath; and
- Utilise natural materials within proposals to provide local contextuality (i.e. chapel building, parking area).

4.62 The Strategy proposes the use of 4 plant mixes made up of indigenous species including; native tree planting/hedgerow tree planting; native mixed; and a buffer strip-boundary shrub planting species hedge planting.

4.63 HLA agree with LLDE’s proposed Planting Design Strategy and concur that it would mitigate the short term adverse impacts and offer a long term benefit.

4.7 LVIA Section 7.0 LVIA Summary and conclusions (LVIA page 17)

4.71 Both LLDE and HLA are in agreement with the overall *Conclusion* put forward, on page 17, by LLDE. As an additional judgement HLA propose that LLDE’s Planting Design Strategy would, in the long term, go beyond mitigating the adverse landscape character impacts (correctly judged by LLDE as Negligible (landscape character and prowl Viewpoints on Turners Hill Road) and Minor (for visual receptors using prowl 68W across the Site) in the mid-long term), and would offer long term landscape benefit for the wider rural context and views as the proposed planting would establish to maturity. Whilst visual receptors using prowl (footpath) No. 68W would experience an adverse impact for approximately 150-200m as it passes along the northern boundary of the Site although this would be lessened once the proposed planting would have matured. As such the planting should be considered a landscape benefit to be weighed up against the minimal adverse impact.

Figure 1 Viewpoint 1



LLDE Viewpoint 1
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 1
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 2 Viewpoint 2



LLDE Viewpoint 2
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 2
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 3 Viewpoint 3



LLDE Viewpoint 3
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 3
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 4 Viewpoint 4



LLDE Viewpoint 4
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 4
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE judgements

Figure 5 Viewpoint 5



LLDE Viewpoint 5
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 5
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 6 Viewpoint 6



LLDE Viewpoint 6
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 6
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 7 Viewpoint 7



LLDE Viewpoint 7
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 7
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

Figure 8 Viewpoint 8



LLDE Viewpoint 8
Taken 21st February 2017 (leaves off trees) and used for their LVIA visual impact judgements
see LLDE doc Appendix A - Viewpoint Survey doc ref LLD1117/KM03-17/PLANNING/Rev-01



HLA Viewpoint 8
Taken 20th June 2017 (leaves on trees) and used to show seasonal variation and to review LLDE
judgements

5.0 Final statement

- 5.1 The landscape character and visual amenity impacts in relation to the scale and design of the proposed chapel building and the extent of the hard standing car park were correctly concluded by LLDE in their LVIA. On page 17, point 7.4.1 of the LVIA their conclusion is quoted as follows.

“The proposed chapel is not considered to result in a long term impact on the rural landscape character and visual amenity of the area, with no readily perceptible effect upon the visual quality or essential characteristics of the adjacent High Weald Area of Outstanding Natural Beauty.”

This point is further endorsed as a result of the partial construction of the access from Turners Hill Road and the car parking for the proposed Natural Burial Ground (see photographs above) which lessens the Site’s existing rural Sensitivity.

- 5.11 It is also judged that the Mid Sussex District Council Case Officer was correct when he made the following statement, with regard to design, on page 9 of the CR.

“In design terms, the building is of a modern design with both gable ends consisting of glazed elevations beneath deep eaves. However, the long elevations, viewed from the south and north, will be more rustic and rural in character. The building will be sunken into the ground and will clearly be expressed as a chapel in terms of its scale, but this would not be deemed to be unacceptable in this location because of this. The land take associated with this enlarged development would still be deemed to be fairly modest, allowing the remaining land to be landscaped.

- 5.2 Furthermore the extent of proposed planting as put forward in LLDE’s Planting Design Strategy would, in the long term, go beyond mitigating the adverse landscape character impacts (correctly judged by LLDE as Negligible (landscape character and prowl Viewpoints on Turners Hill Road) and Minor (for visual receptors using prowl 68W across the Site) in the mid-long term) and would offer long term landscape benefits for the wider rural context and views as the planting would establish to maturity although visual receptors using prowl (footpath 68W) would likely continue to have an adverse although not significant impact. Footpath 68W would likely continue to experience an adverse impact although lessened once planting had matured (for approximately 150-200m as it passes along the northern boundary of the Site).

- 5.3 In my professional opinion as a Chartered Landscape Architect and in light of my findings in this report I agree with the conclusions put forward in the LVIA by LLDE. Landscape and Visual Impact evidence prepared by LLDE and reviewed by HLA show that there would be no long term Significant landscape character or visual effects. The Local Planning Authority’s Case Officer was correct therefore in his analysis and consideration of landscape matters in the planning balance which he concluded by proposing recommendation for approval subject to the discharge of the 8 No. conditions and his statement that the proposed development would be in accordance with planning policy

and specifically those policies listed in the reason for refusal; Policies C1 and B1 of the Mid Sussex Local Plan; Policy THP8 of the Turners Hill Neighbourhood Plan; and Policy DP24 of the draft Mid Sussex District Plan.

- 5.4 In refusing planning permission and as directed by the MSDC Planning Committee no alternative evidence was presented by the Council or other consultees to demonstrate why the proposed scheme would have any detrimental impact on the landscape character or visual amenity of the proposed development to its wider surroundings.
- 5.5 As such we would hope that the planning inspectorate would reach the same conclusions as HLA, LLDE and the Case Officer and allow an appeal for this development to grant planning permission.
- 5.6 In conclusion the development is judged by HLA, LLDE and the Case Officer to be in line with landscape related planning policy and they all agree that the short to mid term adverse impacts on landscape character and visual amenity are judged to be extensively mitigated and in the long term would offer landscape enhancement to the wider rural setting. As such it is proposed that there is good reason on landscape character and visual amenity grounds; that this development should be judged as acceptable within its local landscape context; that the reasons for refusal are unsubstantiated; and that an appeal against the refusal should be allowed.**