

Town and Country Planning Act 1990

Section 78 Appeal

CD 8.1a

Summary Proof of Evidence on Landscape and Visual Matters

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on behalf of Mid-Sussex District Council.

April 2021

Appellant: Hartmires Investment Ltd

Appeal Site: Land north of Turners Hill Road, Turners Hill

LPA Reference: DM20/2877 and AP/21/0009

PINS Reference: APP/D3830/W/21/3266563



1.0 Conclusions and Summary Proof of Evidence

- 1.1 My evidence is in relation to the landscape elements of the single Reason for Refusal and addresses matters of landscape and visual effects that would be brought about by the proposal to build a crematorium at the consented natural burial ground off Turners Hill Road in Turners Hill, Mid-Sussex.
- 1.2 In Section 1, I explain my professional credentials as an experienced Chartered Landscape Architect with more than 25 years' experience of working on projects where landscape character and visual impacts are critical.
- 1.3 Section 2 sets down the scope of my evidence and explains in broad terms the approach that I have adopted to compile this Proof of Evidence.
- 1.4 Section 3 summarises the details of the Appeal proposals as presented and the previous consented works to understand what the full scope of the developed Site would look like. At the end of the section I provide a summary box of findings that I repeat below;
- a. The crematorium proposals are considerably larger than the consented works and would take up a larger part of the Site's southern field.
 - b. The crematorium proposal has been analysed to understand its access elements, ceremonial and setting elements and functional elements.
 - c. Further comments have been given on the car parking which is understood to total 115 spaces and building arrangements.
 - d. Given its size and associated external spaces the crematorium complex would be imposing its own development form and style on the Site rather than working with the Site's existing character as the natural burial ground proposals seek to do.
 - e. There has been an extensive number of applications since the granting of the original planning consent for the natural burial site. All these applications have increased the scale of development and associated infrastructure on the Site.
 - f. In simple numeric terms the original natural burial site proposal has increased by;
 - Buildings – From one to three;
 - Building Size – Both subsequent buildings are much larger than the first reception building;

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- Car parking spaces – From 22 to 37 and finally at 45 number, twice that original consented;
 - Number of car parks – From one to three; and
 - Number of service roads – From one to three.
- g. This type of consented incremental change has increased the scale and extent of development within the wider natural burial site but it is still relatively compact and small in overall size. Its position and landscape treatment across the various proposals have been low-key and allows the remainder of the southern field to be rough grassland until required for natural burials. The proposals are considered as acceptable in the surrounding rural landscape.
- h. The crematorium's external spaces have a more formalised landscape arrangement, are larger in scale and would deliver a more intensively developed landscape than the current consented natural burial proposals.

1.5 My Section 4 provides a chronology of the landscape comments for the previous approved schemes and then concentrates on the series of comments made by Ms Virginia Pullen who acted as MSDC's landscape consultee to the planning application. This exercise was undertaken to understand what landscape decisions had previously been made about the Site and the consented proposals and if I considered them fair and reasonable which I do.

1.6 Section 5 concentrates on the existing landscape baseline and defining matters of landscape sensitivity The summary box presented at its end is repeated below;

- a. The Site and its surrounding contextual landscape fit the High Weald descriptions given the area by published landscape character assessments.
- b. The Site's overall landscape character is as an integral part of the High Weald landscape. Currently it remains predominately rural in character even with the part built development set to its western end. The Site's two fields contribute positively to the surrounding landscape and appear in keeping with the immediate and wider contextual landscape even in their current landscape condition.
- c. The landscape condition of the Site's southern field appears disturbed but fundamental landscape characteristics of that part of the Site remain good. The north field's landscape condition is also good.
- d. Landscape management on Site at the moment is low intensity to none with recent mitigation tree and scrub planting not seeming to thrive.

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- e. The Site and the nearby High Weald AONB share a similar landscape character and one flows into the other even with the separation of Turners Hill Road and its tree line.
 - f. The Site acts as the immediate setting to the AONB.
 - g. The wider setting to the AONB in this vicinity includes the valley that runs to the north of the Site and the Tulleys Farm buildings.
 - h. A walker entering or leaving the AONB would not be able to tell any fundamental difference between the landscape character of the Site and the AONB.
 - i. The existing consented development at the Site and any further consented development has the potential to be perceived cumulatively with Tulleys Farm seasonal events area and car park
 - j. The Site is not a valued landscape as referred to by §170 a) of the NPPF but development on it has the potential to affect the valued landscape of the neighbouring AONB.
 - k. The Site forms part of a westerly approach to the village of Turners Hill.
 - l. Field patterns at the Site are comparatively small and irregular shaped in the immediate area but large in comparison to some parts of the High Weald.
 - m. The field pattern has not changed since recorded on historic maps from 1895-1896.
 - n. The overall landscape sensitivity of the Site and surrounding area is considered to be **High**. This is in agreement with the Appellant's landscape advisors own LVIA.

1.7 My Section 6 provides an overview of landscape planning policy as cited in RfR1.

1.8 Section 7 addresses the landscape effects arising from the proposals which are used to form an amalgamated judgements of the landscape effects on the Site and the surrounding area. The section summary box is repeated below;

- a. The effects of the proposed development on the Site's landscape characteristics are considered in RLC Table 5 before they are amalgamated to assess the overall effect on the Site's landscape character.
- b. On completion of the crematoriums construction the landscape effect is considered to be **Major / Moderate** and **Adverse**. This reduces with the mitigation planting to

an eventual **Moderate, Adverse** and **Permanent** effect on landscape character at the Site.

- c. The landscape effects on the individual areas around the Site that form the contextual landscape for the proposals are considered before an amalgamated landscape effects judgement of **Moderate, Adverse** is given reducing to **Moderate/Minor, Adverse** on greater maturity of the mitigation screen planting.
 - d. Whether these adverse landscape effects are considered significant is a matter for the decision taker, in this case the Inspector, but any landscape areas or receptors that experience a rating of significance of Moderate or greater should I believe be taken into consideration in the decision making process.
 - e. Initial adverse cumulative landscape effects with Tulleys Farm car park and seasonal events area are identified but there is also recognition that the proposed screen planting to the west of the Site will separate these two areas on establishment. This separation would also be achieved by the natural burial ground proposals.
 - f. Four areas of landscape benefits are identified but these are not considered to offset the greater landscape character harm brought about by these proposals.
 - g. The proposals do not effectively retain the High Weald's small field pattern in the immediate setting to the High Weald AONB but eventually over time neither would the natural burial ground woodland.
 - h. Overall the proposals would reduce the landscape quality of the setting to the AONB but not reduce the quality of the AONB itself in any meaningful way.
 - i. The intrinsic character of the countryside would not be protected but rather replaced by a more intensively developed group of proposals when compared to the consented natural burial ground.
- 1.9 The crematorium complex does not complement the local rural scene but rather imposes its own style upon it. The intrinsic character of the countryside would not be protected but rather replaced by a more intensively developed group of proposals particularly when compared to the consented natural burial ground. The crematorium complex does not complement the local rural scene but rather imposes its own style upon it.
- 1.10 Section 8 considers visual effects brought about by the proposals. It scopes out 12 of the 18 assessed viewpoints where potential visual change will not be readily noticeable. The amount

of viewpoints where notable visual change will be experienced is four and two viewpoints will experience lesser more minor change.

I.11 The more significant visual changes will be experienced either on Site, or looking through the Site entrance. The two minor visual effects are experienced from the nearby section of the High Weald AONB.

I.12 The summary points at the end Section 8 are reproduced below;

- a. Viewpoints VP3 to VP6 have been agreed as the only views out of the 18 considered to experience notable visual change.
- b. There is general agreement between parties as to the sensitivity of visual receptors at these viewpoints as either **High or Medium / High**.
- c. The type of visual effects arising from and immediately after construction is also agreed between parties as being **Adverse**.
- d. The rating of the significance of visual effects after construction are considered to be **Major / Moderate Adverse** for VP3, VP4 and VP5 and **Moderate, Adverse** for VP6.
- e. It is generally agreed that the visual effects from Footpath 69W as leaving the AONB at VPI 1 and in crossing the nearby triangular AONB field VPI 2 are **Minor or Moderate, Neutral**.
- f. The level of construction effects diminish with the ongoing establishment of structural woodland planting proposed by the Appellant to screen the proposed crematorium complex.
- g. The Appellant's advisors consider the visual effects arising from the screen planting as neutral as they will remove sight to the crematorium complex with woodland and hedgerows that are characteristic of the High Weald landscape.
- h. The RLC LVIA considers that the actual visual effects of the screen planting, particularly the structural woodland planting and the hedgerows either side of Footpath 68W will also screen out other attractive views and not just sight to the crematorium complex leading to adverse visual effects of their own.
- i. The long term visual effects for visual receptors on Footpath 68W with the screen planting in place is considered to be **Major / Moderate, Adverse and Permanent**.

- j. The long term visual effects for visual receptors on Turners Hill Road looking through the site access towards the development with established mitigation planting remains as a **Moderate, Adverse and Permanent** visual effect.

I.13 Whether these adverse visual effects are considered significant is a matter for the decision taker, in this case the Inspector, but in my opinion any viewpoint that experiences a rating of significance of Moderate or greater should be taken into consideration in the decision making process.

I.14 Section 9 is where I draw conclusions on whether the proposals can comply or are in conflict with the landscape elements of the cited policies and guidance in the Reason for Refusal. I conclude that they do not comply with;

- Mid-Sussex District Plan Policies – DP 12, DP16 and DP26;
- Turners Hill Neighbourhood Plan – THP8;
- NPPF §130 in part and §170 b);
- Mid-Sussex Design Principles DG3 and DG7; and
- AONB Management Plan Objective FH2.

Final summary

I.15 The proposed crematorium complex will impose a larger, more formal and intrusive development within a sensitive rural landscape. The associated adverse landscape and visual effects are greater than its already consented use as a natural burial ground.

I.16 The greatest change will take place in the Site's larger southern field where the crematorium complex will be located whereas its northern natural burial field will experience less landscape and visual change compared to the already consented proposals of DM15/1035.

I.17 This change will be most visible from Footpath 68W as it crosses the Site and from Turners Hill Road through the entrance to the crematorium. The proposed structure planting and hedgerows set adjacent to Footpath 68W would remove most sight to the crematorium complex but also restrict all other attractive views from this rural path.

I.18 The identified landscape benefits associated with the proposals do not offset the harm caused to the rural character of the Site itself and the attractive rural landscape context in which it is set.

1.19 For the reasons set out above I conclude the proposal to develop a crematorium at this location is not appropriate. A range of adverse landscape and visual effects will take place and Mid-Sussex District Council were correct in their decision to refuse planning consent on the grounds of landscape and visual harm and I respectfully request that the Inspector upholds their original decision.

